

August 17, 2022
Old Colony Beach Club Association Board of Governors Meeting

The meeting was called to order at 6:30 PM by the Board Chair Douglas Whalen at 12 Old Colony Road. Board members attended in person.

ATTENDANCE: Members present - Janet Montano, Lester Webb, Steve Humes, John Newson, Nancy Zimmerman, Rich Kingston and Doug Whalen

Members absent - None

Members of the Public: Joe Frutuoso, Harvey Schiller, and Raymond Zinkerman

Doug declared that a quorum was present.

Approval of 7/13/22 Board of Governors Meeting: A motion was made (Montano/Webb) to approve the July 13th minutes. There was no discussion. The motion to approve the minutes passed.

Action Items Update: Rich read the Action Items Update. Rich noted that items 76, 83 and 84, which are items assigned to him to work with the Association Webmaster, are still pending and will be worked on during the winter. Item 80, which deals with revising existing WPCA ordinance will be addressed later in this meeting. Item 81, assigned to Doug and Steve, to determine which website documents should be available on the public side of the OCBCA website is also in progress. Rich stated that an item that should have been added after the June meeting was Item 87 to create a permission form to allow privately planted palm trees on the beach itself. Doug stated that he has developed a policy and permission form and will send it to Board members for their review and further discussion at the next Board meeting.

Correspondence: Rich stated that he, and other Board members, received email from the owners of 23 Hartung Place about on-street parking. Rich also stated that an email from Soundview residents was received expressing their concern over the use of an ATV on the beach by the Old Lyme Police. Doug stated that the Board is referring any question in this regard to the resident state trooper.

Treasurer's Report (Janet Montano) – Janet presented the Treasurers Summary ending July 31, 2022 (Attachment 1). There was no discussion.

Committee reports-

Chairman's Report (Doug Whalen): Doug reported on his activities over the past month (Attachment 2).

Clerk's Report (Rich Kingston): Rich had nothing to report.

Treasurer (Janet Montano): Janet stated that she did receive payment for a \$50 fine.

Tax Collector (Nancy Zimmerman): Nancy reported that \$183,973.64 in taxes have been paid to date. \$6,318.51 in taxes is still due from eight (8) Association members. Two other members owe less than \$20 as a result of late fees being deducted from their initial tax payment.

Recreation (John Newson): John stated that 300 new award ribbons have been purchased.

Public Safety (Steve Humes): Steve had nothing to add from that already reported in the Chairman's Report (Attachment 2). Doug noted that the usual week night security guard will now perform the weekend evening coverage.

Public Works (Lester Webb): Lester reported on Public Works activities over the last month. Lester noted that a resident has asked the question regarding the use of Brookside Avenue as a main summer entrance. Lester will be addressing the snow season preparation soon.

Amended WPCA Ordinance Change to Add Two Alternate Members -
Doug explained that a change has been made to the existing ordinance creating the WPCA, subject to membership approval, to appoint two alternate members to serve on the WPCA and to give the Board the authority to remove a sitting WPCA member for cause, and other minor changes (Attachment 3). A motion (Whalen/Humes) was made to approve the amended Ordinance 10.1 and to also present this ordinance to the General Membership for final approval at the September 17, 2022 meeting. There was no discussion. The motion passed unanimously.

WPCA Report – Steve reported on efforts to secure additional funding for the sewer project. In answer to a question Doug stated that \$11.2 million is being sought. Steve also discussed other issues related to street repaving. Doug reported that the town of Old Lyme is now is a member of the IMA which East Lyme has signed now allowing the town of Old Lyme to request state funding for project design. Doug then stressed the following

information related to repayment of outstanding loans. Doug stated that as of January 31, 2023 the OCBCA interim funding agreement is coming to an end. He also stated that OCBCA is responsible for a twenty year note at 2% starting that date. Doug stated that the Association's attorney is working to research the issue of what method to use to pay for these loan charges.

Preparations for September 17th General Membership Meeting – Rich distributed a draft agenda for the September 17 General Membership. A few changes were made to this draft. A motion (Newson/Humes) was made to accept the revised agenda for the September 17 General Membership meeting. There was no discussion. The motion passed unanimously.

Old Business – Janet asked about the results of the letters that were sent to Association members as a result of the June 6th Special Meeting. The Board discussed how to proceed in some of these cases. The Board decided to send letters to address two road cut issues. Lester and Rich will write these letters to both the homeowners and Connecticut Water. Rich and Lester agreed to send notice on behalf of the Board to the landowner adjacent to the west side beach fence related to beach cleanup. Doug reminded the Board that "sight line" issues will be addressed during new street paving. The Board then discussed the on-street parking issue at Hartung Place. Janet and Steve agreed to work with the Association attorney to send notice to the landowner at Broughel Avenue and Swan Avenue to remove fencing located on OCB property. Finally, Rich will compose a letter to send to all members to advise them that vegetation overgrowth onto OCBCA property is not acceptable and that the Board will take its own actions to eliminate such overgrowth. The Board then discussed its position on palm trees planted on the beach. Doug suggested getting input from the membership regarding their opinion of the palm trees on the beach. The Board agreed to address defining the term "construction" over the winter. Doug stated that he had received a letter from the owner of 11 Hartung Place asking him to address potential damage caused by scraping of excess sand from the Breen Avenue golf cart parking area.

New Business – There was no new business.

Public Comment – Joe Frutuoso suggested using standardized formats to send the letters that were discussed earlier. Joe agreed to work on winter projects such as this one. Joe would like to see a list given to the membership of the planned changes that will happen during and after sewer installation. Joe asked who will owe the loan repayments for the sewer system discussed previously in this meeting. Doug stated that all four entities involved in the sewer project will share these expenses. Doug asked

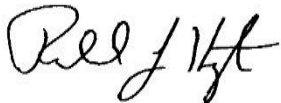
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Joe to add the Webex presentation of the May 27th Old Lyme sewer funding meeting, if we are able to acquire it, to our website.

Next Meeting – The next Board of Governors meeting date is scheduled for September, 2022. Site for this meeting to be determined.

A motion (/Humes/Newson) was made to adjourn at 8:11 PM. The motion passed.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Rick Kingston'.

Richard Kingston
Clerk
August 29, 2022

Approved at September 21, 2022 Board of Governors Meeting

Results of Voting at the August 17, 2022 Old Colony Beach Club Association Board of Governors Meeting. Board of Governor members present- Janet Montano, Nancy Zimmerman, Lester Webb, Steve Humes, John Newson, Rich Kingston, and Doug Whalen.

Amended WPCA Ordinance Change to Add Two Alternate Members -
A motion (Whalen/Humes) was made to approve the amended Ordinance 10.1 and to also present this ordinance to the General Membership for final approval at the September 17, 2022 meeting. There was no discussion. The motion passed unanimously.

Preparations for September 17th General Membership Meeting –A motion (Newson/Humes) was made to accept the revised agenda for the September 17 General Membership meeting. There was no discussion. The motion passed unanimously.

August 17, 2022
OCBCA Board of Governors Meeting

Attachment 1

Treasurer's Summary
OCBCA Board of Governors Meeting
August 17, 2022

Balance July 1, 2022:	\$1,049,694.20
Income:	\$150,956.52
Expenses:	\$28,120.64
Balance July 31, 2022	\$1,172,530.08

General Fund Checking	\$150,600.11
General Fund MM Savings	\$188,428.23
Capital Fund MM Savings	\$120,516.85
Capital Loan MM Savings	\$712,984.89
Balance July 31, 2022	\$1,172,530.08

*QuickBooks does not consider tax overpayments made in one FY as income in that year but as income in the following FY.

Attachment 2

Chairman's report for August 17, 2022 BOG meeting

- Attended monthly meetings with the Sound View Operations Advisory committee. Assisted the committee with public safety issues for sound view and parking issues.
- Meetings and phone calls with WPCA group going over PowerPoint presentation for August 27th meeting.
- Attended WPCA signing meeting for IMA agreement with Towns of Old Lyme, East Lyme & the beach associations.
- Sold OCBCA merchandise on a few occasions took special orders & ordered clothing that was sold out.
- Assisted Recreation director with movies on the beach.
- Worked on Ice Cream coupons for sandcastle contest, conducted judging for August sandcastle contest.
- Removed signs on gates being painted. Cleaned signs and installed them after painting completed. Put new reflective stripes on both sides of gates
- Removed sand from Sheffield Brook flood control box, checked inside for any type of blockage (tree branches, misc. items) all clear, no blockage water flowing.
- Issued golf cart/scooter license plates, issued paddleboard stickers after receiving registration forms.
- Took 60 phone calls from security between the hours of 9am -2am over last 5-weeks regarding different issues. Responded to requests for assistance from night guard on 4 different occasions after 9:00pm.
- Worked with Steve Humes and Brendan Sharkey (Association Attorney) on WPCA ordinance changes to include alternates on the committee.
- Received phone call about boat washed ashore on OCBCA. Security stated Old Lyme PD, Rangers, and DEEP Police on scene. Old Lyme PD stated incident under DEEP control. Submitted request to DEEP police for incident report to get name of owner of boat that damaged west side swim line. Will submit bill to recover cost of replacement line that could not be repaired.
- Ordered new swim float rope, floats & supplies to replace all the swim area borders.
- Worked on Membership meeting voting motions for September 17th meeting.

Attachment 3

Ordinance 10.1

AN ORDINANCE AMENDING THE ORDINANCE CREATING THE OLD COLONY BEACH CLUB ASSOCIATION WATER POLLUTION CONTROL AUTHORITY

BE IT ORDAINED AS FOLLOWS:

SECTION 1. CREATION

Pursuant to Chapter 103 of the General Statutes, there is hereby created a Water Pollution Control Authority for the Old Colony Beach Club Association (the “WPCA”).

SECTION 2. MEMBERSHIP, TERMS AND COMPENSATION

A. The WPCA shall consist of seven (7) persons who shall be regular members of the Old Colony Beach Club Association. The Board of Governors of the Old Colony Beach Club Association, effective on July 1 of every calendar year shall appoint no more than three (3) regular members to a Five (5) year term expiring on June 30th. Such regular members shall be appointed by the Board of Governors of the Old Colony Beach Club Association in the following manner:

1. One (1) member for a term expiring on June 30, 2023
2. One (1) member for a term expiring on June 30, 2024
3. One (1) member for a term expiring on June 30, 2025
4. Two (2) members for a term expiring on June 30, 2026
5. Two (2) members for a term expiring on June 30, 2027

In addition, the WPCA shall have two (2) alternate members who shall also be members of the Old Colony Beach Club Association. Such alternate members shall be appointed in the same manner as regular members for a 5-year term and shall have full authority to act in place of any regular member who is absent or disqualified from serving.

The Board of Governors shall appoint an alternate member to fill the unexpired term of any regular member who resigns, is removed or is otherwise unable to serve. The Board of Governors shall appoint a new alternate member to fill the unexpired term of any alternate member who is appointed as a regular member, resigns, is removed or is otherwise unable to serve.

B. The members of the WPCA shall serve without compensation.

C. At its first meeting after the semi-annual meeting at which elections of the Board of Governors of the Old Colony Beach Club Association are held, the WPCA shall elect from its members a Chairman, Vice Chairman and Secretary. The WPCA shall determine its own

rules of procedure. The presence of four (4) members shall constitute a quorum but no resolution or vote, except a vote to adjourn or to fix the time and place of its next meeting, shall be adopted by less than four (4) affirmative votes.

- D. The Board of Governors, following a hearing, shall have the power to remove a regular member or an alternate member of the WPCA for cause.

SECTION 3. POWERS

The WPCA shall have all the powers and shall faithfully perform all of the duties imposed upon municipal water pollution control authorities by the provisions of Chapter 103 of the Connecticut General Statutes as the same from time to time may be amended.