

BLACK POINT BEACH CLUB ASSOCIATION
BOARD OF GOVERNORS
Regular Meeting
Thursday June 21, 2007
7:00pm
Amended 7-26-07

1. The Chairperson called the meeting to order at 7:04pm and a quorum was established.

Amended.

Present: Andrew McKirdy, John Campion, Nancy Flynn, Joan Hayes.

Absent: Sandy Adams, Jill Coscarelli, David Weiss

Staff present: Mary Cahill, Tax Collector; Gemma Balukonis Dowd, Secretary, Mike Manifold, Association Manager. Arrived mid-meeting: Carolyn Boyle, Treasurer

2. Approval of Minutes

May 24, 2007, Regular Meeting.

On MOTION by Mr. Campion and seconded by Mrs. Hayes, the board voted UNANIMOUSLY to approve the minutes from the May 24, 2007 Regular Meeting, with the following correction to agenda item #4,: "...it was agreed the board would recommend a reward of **\$500.00** for information resulting in the arrest and conviction of those responsible for the break-ins at Black Point in December of 2006..."

May 26, 2007, Special Meeting.

On MOTION by Ms. Flynn and seconded by Mr. Campion the board voted UNANIMOUSLY to approve the minutes.

(3.) Treasurer's Report, Carolyn Boyle. (Moved down the agenda)

4. Members Comments.

Mrs. Weidl, 22 Indianola Rd. asked about geese control options including salinated fresh water and coyote cut-outs to deter geese.

Mrs. Barbara Johnston, 35 Sea Crest Ave. commented on website updating for timely postings by all involved.

5. Chairperson's report and Correspondence, Mr. McKirdy.

An E-mail was received by the secretary asking how an outside person could join BPBC. The secretary was advised to respond by indicating the membership is open to property owners within the association.

6. Appointment of Standing Committees (Standing Committee 2007/08 document attached)

Mr. McKirdy announced board members for the following committees:

Administration: Andrew McKirdy, Nancy Flynn;

Capital Improvements: John Campion, Sandy Adams;

Social: David Weiss, Joan Hayes, Jill Coscarelli.

MOTION to approve the 2007-2008 Board of Governors Standing Committees was made by Mr. Campion and seconded by Mrs. Hayes. VOTE was UNANIMOUS, motion PASSED.

7. Manager's Report, Mr. Manifold.

Status of the Boat Launch ramp-Three Belles Marina bill and other issues.

-Mr. Manifold updated the Board on progress and current status, and presented a list of BP Projects including:

- The swim float ladders have been picked up.
- The attachment for the boat float at the boat ramp was damaged and is being updated by Mr. Jack Santos.
- Mr. Campion asked that Mr. Manifold apprise Three Belles of the problem.
- Mr. McKirdy said that Ms. Boyle has a written note to be sent with payment to record the failure of the installation.
- Mr. Nebelung will be removing the walkway before July 4th.
- The piers have been painted with red "NO DIVING" notices in several places.
- ACE security and Beach Security (Chris Mullins and Ryan Baldassario) is scheduled to start Friday of next week.
- swim floats go in next week
- The kayak pathway has been widened on OBP Rd.
- The sprinkler system at the tennis court is not working. Mr. Manifold is looking for a company to offer a complete solution for repair, if possible.
- 2 new benches were placed at the right of way at the end of Blue Heron Drive.
- Bench at the playground is to be repaired.
- A new editor has been hired to create the Black Pointer. Contact Rachel Redding, e-mail: redding.rachel@gmail.com. Ms. Redding will make sure the first Black Pointer includes the new contact information so as to re-direct any postings and inquiries.
- Mr. Manifold is investigating options for effective geese control. His research has shown that they respond to constant harassing. The options are summed up as best to harass in the spring/summer, or to hunt them in the fall. He is investigating options for both.
- Mr. Campion and Mr. Manifold explained that there is random fresh water leaching under the seawall between White Cap and Sea Breeze, making a single point of salination unlikely.
- A rubber bumper will be placed between the boat float and the pier to decrease abrasion to the float. Mr. Manifold will realign any worn blocks.
- Mr. Manifold said he appreciated board and member comments.
- It was commented, that the Manager as the CEO, has the right to make decisions and continue repairs as directed by the board.

8. Tax Collector's report, Mary Cahill.

Mrs. Cahill reported the delinquent tax amount from Oct. and March is \$2,778.06. Notices have gone out. The total collected is \$588,515.00.
Mr. McKirdy commented that the membership has contributed well.

9. Committee Reports

1. Administration. Nothing to report at this time.
2. Capital Improvements
 - Short Term Capital Improvements. Mr. Campion mentioned tar is lifting at the end of Whitecap and the right of way; it needs to be checked for repair before it worsens. Mr. Manifold said he'd speak with Mr. Santos about his repair.
3. Social Committee. It was reported for Mr. Weiss that the Social Calendar has been given to the Black Pointer and is posted on website <http://www.blackpointbeachclub.com/>

10. Old Business-*amended*

1. Audit Relief Legislation.

Mr. McKirdy updated the board stating that we are exempted from *having to do a comprehensive audit*. As of July 2007, the Governor will sign a bill resulting in the passage of a 1 million dollar operating budget threshold. Only if our income exceeds this amount would we need a comprehensive audit.

2. Proposed ordinance on fees.

Mr. McKirdy provided an introduction and distributed a copy of the "Proposed Ordinance Establishing a Schedule of Zoning Fees". (Document attached **10.2.1**)

The board discussed the established rates and proposed increases. Mr. McKirdy explained to the Board that the increases reflect the higher cost of advertising, which must be done twice (2 times), and the hiring of a meeting recorder.

-The proposed increase is from “**(\$180) to \$300 for an Appeal to Zoning Board of Appeals Alleging Error**”

-and from “**(\$180) to \$400 for Application to Zoning Board of Appeals for Variance**”.

The Board felt the fees would support the appeal process and defray some of the expenses currently borne by the general membership.

MOTION from Mr. Champion, and seconded by Ms. Flynn, the board VOTED UNANIMOUSLY to approve the proposal for the purpose of a “**Notice of Public Hearing re: Zoning Fees and Parking Fees.**” (Document attached **10.2.2**)

Mr. McKirdy provided an introduction and a draft copy of the “Proposed Ordinance Establishing a Fine for the Violation of Parking Regulations”.

Some discussion followed regarding the ticket process. It was decided any ticket would be issued following warning, and the ticket would be given at the discretion of beach security.

Fines:

Fine for parking a vehicle in a no parking zone \$25.00.

Fine for parking a vehicle in a permitted area without a current BPBC Association parking permit \$25.00

MOTION by Mr. Champion, and seconded by Mrs. Hayes to approve the, “Proposed Ordinance Establishing a fine for the Violation of Parking Regulations”. No Discussion followed. The VOTE passed UNANIMOUSLY . (Document attached **10.2.3**)

Mr. McKirdy established a date:

Notice of Public Hearing, Thursday July, 26, 2007, 6:30pm, Black Point Clubhouse to receive comment on the proposed ordinances.

MOTION to approve the date and time for the “**Notice of Public Hearing re: Zoning Fees and Parking Fees**” was made by Mrs. Hayes, and seconded by Ms. Flynn. No discussion. The VOTE was UNANIMOUS.

Please note location change for BPBC posted minutes:

Minutes for all Board of Governors, Zoning and Zoning Board of Appeals meetings will now be posted inside the clubhouse. The exterior bulletin board will host agenda and meeting notices.

The primary location for member access resides with the Town Clerk, East Lyme. The Black Point website will continue to post material as a convenience to members at:

<http://www.blackpointbeachclub.com/>

11. New Business

Zoning Issues

1. Appointment to Zoning Commission.

ON **MOTION** by Mr. Champion and seconded by Ms. Flynn the board voted **UNANIMOUSLY** to approve the appointment of Mr. John Sullivan, 21 Billow Road, Niantic, Ct..

to the Zoning Commission as a Regular Member for the balance of term ending August 1, 2007.

The Zoning Board of Appeals has openings for (2) two regular, and (1) one alternate member. Interested persons are asked to contact Mr. McKirdy or Mr. Manifold with their name and contact number. It is hoped the Administration committee can meet with anyone interested in serving on July 26, 2007.

2. Proposed Charter Revision

Mr. McKirdy, in response to a member request to allow a broader pool of members to serve or hold office, proposed the Board ask the membership at the Informational Meeting on Saturday, September 1, 2007, to consider amending the Charter. Statute permits "East Lyme voters who reside in Black Point to be eligible to vote." Perhaps the charter could be amended to "allow East Lyme electors to hold office".

3. **Treasurer's Report, Ms. Carolyn Boyle. (Relocated to this point in the meeting)**

Ms. Boyle sent thank you notes to Andrea Stillman, Ed Jutilla and Senator Daily for their support on the audit revision.

Ms. Boyle provided the Profit and Loss Statement for 2006-2007, 6-18-07 actual; the Liberty Bank Check register from 5-25-07 through 6-18-07 and a draft of the June 18, 2007, Piers Project 2006-2007.

Ms. Boyle will make any adjustments to pier expenses that might have been a bit blurred with the operations budget following storm repair. Some clarification discussion followed.

MOTION to accept the treasurer's report as presented was made by Mr. Campion and seconded by Mrs. Hayes. No discussion. The board VOTED UNANIMOUSLY to accept the treasurer's report as submitted.

3. New Business, Future Agenda Items, continued

No new items were recorded.

12. **Member Comments**

Member comments were heard regarding:

- The Beach Manager position listed at \$5,000, does this position exist?
- The printing of more Black Point parking tags to accommodate multiple family households
- Comment against the new zoning fee cost.
- Question of when the rules of the beach begin to apply in the calendar year, June or July?

The Chair commented to all present stating that the proposed ordinances will be available on the BPBC website, the Town Hall, and in the Club House. Members will see nomenclature changes in the budget after July 1, to better reflect line item expenses.

Having no further comments, the member section was closed.

13. **Adjournment**

On **MOTION** from Mr. Campion, and seconded by Ms. Flynn, the board VOTED UNANIMOUSLY to adjourn the, Thursday June, 21, 2007, Regular Meeting of the Board of Governors at 9:20pm.

Respectfully submitted,

Gemma Balukonis Dowd, Secretary
6-25-07

Attachments 10.2.1, 10.2.2, 10.2.3 following

BLACK POINT BEACH CLUB ASSOCIATION

PROPOSED ORDINANCE ESTABLISHING A SCHEDULE OF ZONING FEES

SCHEDULE OF ZONING FEES

Zoning Permit Application for use, construction or alteration valued at \$1,000 or less	\$ 45
Zoning Permit Application for use, construction or alteration valued at more than \$1,000 but less than \$2,500	\$ 75
Zoning Permit Application for use, construction or alteration valued at \$2,500 or more but less than \$10,000	\$150***
Zoning Permit Application for use, construction or alteration valued at \$10,000 or more but less than \$50,000	\$300***
Zoning Permit Application for use, construction or alteration valued at \$50,000 or more but less than \$100,000	\$450***
Zoning Permit Application for use, construction or alteration valued at \$100,000 or more	\$600***
Home Occupation Application	\$ 10
Zoning Permit Extension Application	\$ 250
Appeal to Zoning Board of Appeals Alleging Error	\$300
Application to Zoning Board of Appeals for Variance	\$400
All other activities requiring Zoning Enforcement Officer activity for an individual property not previously specified, e.g. location of propane tanks	\$ 45

*** One-third of the fee shall be payable upon submission of the application; the remaining two-thirds shall be payable upon approval of the application by the Zoning Officer.

When any use, construction, erection or modification requiring a zoning permit is commenced prior to obtaining a zoning permit approved by the Zoning Officer, the fee for making application for a zoning permit shall be three times the amount otherwise applicable under this section.

attachment 10.2.1

**BLACK POINT BEACH CLUB ASSOCIATION
BOARD OF GOVERNORS**

**NOTICE OF PUBLIC HEARING
RE: ZONING FEES AND PARKING FINES**

Notice is hereby that the Board of Governors of the Black Point Beach Club Association will hold a public hearing on July 26, 2007 at the Black Point Clubhouse, Sunset Ave, Niantic, CT, at 6:30 p.m. to receive public comment on the following proposed ordinances:

SCHEDULE OF ZONING FEES

FINES FOR THE VIOLATION OF PARKING REGULATIONS

The ordinance on zoning fees would confirm the existing fees of the Zoning Commission and increase the existing fee for appeals to the Zoning Board of Appeals alleging error from \$180 to \$300 and increase the existing fee for applications to the Zoning Board of Appeals for a variance from \$180 to \$400.

The ordinance on parking fines would establish a fine of \$25.00 for parking violations.

The full texts of the proposed ordinances are available for inspection at the office of the East Lyme Town Clerk, at the Black Point Clubhouse and on the Association's Website: www.blackpointbeachclub.com.

Dated at Niantic, Connecticut, June 21, 2007
Black Point Board of Governors

This document is prepared for the benefit of the public, solely for purposes of information, summarization and explanation. This document does not represent the intent of the Black Point Board of Governors for any purpose.

attachment 10.2.2

BLACK POINT BEACH CLUB ASSOCIATION

**PROPOSED ORDINANCE ESTABLISHING A FINE FOR THE VIOLATION OF
PARKING REGULATIONS**

Fine for parking a vehicle in a no parking zone	\$25.00
Fine for parking a vehicle in a permitted parking area without a current BPBC Association parking permit.	\$25.00

attachment 10.2.3