

**Black Point Realty Trust
60 East Shore Drive**

April 23, 2021

**Board of Governors
Black Point Beach Club Association**

Re: Adverse Possession & Mowing of Right-of-Ways (specifically the Sea Crest Right-of-Way)

Dear Board of Governors (BOG):

I recently became aware of the following email, dated December 3, 2020, from Cheryl Colangelo, Chairwoman of the Black Point Beach Club Association (BPBC), to Jim Moffett, BPBC Manager.

I would appreciate you to now read this brief email. Thereafter, both topics will be addressed.

1/26/2021

ROWs

From: cherycolangelo@gmail.com,
To: bpbcmanager@gmail.com, bog@blackpointbeachclub.com,
Subject: ROWs
Date: Thu, Dec 3, 2020 12:22 pm

Hi Jim,

I spoke with our attorney about maintaining ROWs to avoid potential issues of adverse possession. The association must mow **all** ROWs.

If an owner of adjacent property wants the grass of the ROW to be of consistent height as that of his/her property, it is his/her responsibility, nor the association's, to coordinate their mowing with the **association** mowing schedule. Please follow up on this in the spring, and assure that our mowing bills identify that all ROWs are being mowed.

Thank you again for all your efforts.
Cheryl

FIRST, ADVERSE POSSESSION: Over the 20 plus years I've been associated with the BPBC, this issue has come up several times, has been addressed and researched by prior chairpersons, BOG and legal counsel. It is common knowledge that the BPBC is a chartered municipality in the State of Connecticut. As such, Adverse Possession does NOT apply to state or municipal properties. Attached on the following page, is a short letter from attorney Michael Boiczuk (an attorney whose practice is focused in real estate law) addressing Adverse Possession.

Please proceed to next page.

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April 20, 2021

84 CEDAR STREET
NEW BRITAIN, CT 06052

191 MAIN STREET
OLD SAYBROOK, CT 06476

John Cellino
160 East Shore Drive
Niantic, CT

Re: Adverse Possession of Municipal Property

Dear Mr. Cellino:

It is the general rule that property held by municipal and quasi-municipal corporations (i.e., Black Point Beach Association) cannot be acquired by adverse possession.

While many states have statutes that expressly exempt state or municipal land from adverse possession, Connecticut, like many other states, has no such statute. In those states where the statutes are silent on the subject, the courts have generally followed the common law rule "*nullum tempus occurrit regi*" ("time does not run against the sovereign") or more democratically "*nullum tempus occurrit republicae*" ("time does not run against the state"). In many of these states, the courts have relied on the common law rule of immunity to protect the state and/or municipality from adverse possession.

Accordingly, as the Black Point Beach Association is a municipality, adverse possession does not apply.

If you have any comments or questions, please feel free to contact me. Thank you.

Very truly yours,
WEBER, CARRIER, BOICZYK & CHACE, LLP

Michael Boiczuk

In addition to the above letter from attorney Boiczuk, I've discussed the same with a litigation attorney with considerable experience in property rights, who concurs with attorney Boiczuk's letter. If the BPBC legal counsel sees it differently, please have him/her contact attorney Boiczuk.

As an aside, if the above wasn't the case, wouldn't property owners claim they own the land between their front yard boundary line and the street pavement? Wouldn't property owners whose property abuts municipal lands such as open space, forests, ponds, parks etc. claim it is theirs?

It should be noted, there is a very high bar to take someone's property via an Adverse Possession claim, as such there are several easy and simple ways to defeat such a claim. If the board is interested, I'm sure the association's legal counsel can supply you a detailed explanation.

SECOND, MOWING OF RIGHT OF WAY'S (R.O.W.'s): This issue, as the above, has again been addressed several times by prior beach managers and/or BOG over the years. Let me say right off, BPBC has every right to mow the R.O.W.'s. However, it is perplexing why the association would opt to spend association funds on mowing the R.O.W.'s that are being, or willing to be, maintained by the abutters. BPBC, in general, has minimally maintained its R.O.W.'s over the years. As residents of BPBC for the past 20 years, we have taken considerable pride, with permission, in maintaining and regularly improving the abutting Sea Crest R.O.W. Obviously, this commitment to beautification benefits the direct abutters, but it also benefits the Sea Crest Road residents along with all Black Pointers. There is not a day that goes by, especially in-season, that the Sea Crest R.O.W. is not used by Black Point neighbors. In addition, well maintained R.O.W.'s along with well-maintained homes enhances the overall image of Black Point. Over the years, other abutting R.O.W. property owners have also taken pride in upgrading and maintaining other BPBC R.O.W.'s, which is exactly what Black Point (as any neighborhood) needs more of, pride in their community. As an aside, in-season, BPBC board might consider naming a "property/yard/landscaping/lawn etc. of the week" that exemplifies the pride of Black Point. This type of potential recognition could just possibly further motivate residents throughout all Black Point to upgrade and maintain their property.

Back to the issue at hand, does the BOG consider proper maintenance and upkeep of the R.O.W.'s to solely mowing them once every two weeks? And then to save money, mowing them on a Monday/Tuesday schedule versus Thursday/Friday where the R.O.W.'s can be crisp for the weekends when many Black Pointers are around and can enjoy the R.O.W.'s? Additionally, the association contractor simply zips through the R.O.W.'s with total disregard for the lawn health, ignoring grass cutting heights depending on the grass configuration of each R.O.W., not varying cutting patterns, mowing on wet days etc. This production style mowing may be acceptable for unmaintained R.O.W.'s but is definitely not acceptable for properly maintained R.O.W.'s. And, why should the association pay for mowing services when the abutters are willing to donate their time, energy, services etc. to maintain such on a more consistent basis and to a much higher standard.

For your information, the association, in my 20 years of knowledge, has not landscaped, trimmed bushes, sodded, seeded, fertilized, weeded, mulched, watered or physically repaired or improved any of the R.O.W.'s, except for replacing several benches in the recent past, although not the Sea Crest benches (which were installed by and are maintained by the abutter).

Now as to the Sea Crest R.O.W., all the above items noted that the association lacks in performing, the abutter does, (annual cost in excess of \$2,000 plus more for repairs and/or replacements of damage caused by the occasional harsh winter and year-round storms). Another example of this abutter stepping in to save, rebuild, improve, maintain and protect the Sea Crest R.O.W. was immediately after Storm Sandy. The subject R.O.W. was substantially destroyed. Much of the rock pile retaining/sea wall was collapsed and washed into the bay along with the lawn, topsoil and several feet deep of fill extending back 60+- feet. The balance of the lawn was ruined as it was submerged with sea water which left a significant coating of sand and salt. This abutter immediately approached the association manager, asked if the association was planning to repair the R.O.W. (as if left un-repaired, it put this abutter's seawall and patio at considerable risk of further damage and/or potential collapse) and was told it was doubtful, especially in the short-term, that the association would repair and/or rebuild the retaining/sea wall or the R.O.W. as there was substantial damage to many of the association properties throughout Black Point and little money available. This abutter requested permission to take on the task of restoration of the R.O.W. to include repairing, rebuilding and improving same. Permission was granted, but was told don't expect reimbursement, however the association would be appreciative. Thereupon, this abutter, immediately started the restoration process which firstly entailed reclaiming from the bay what boulders it could that were still reasonably assessable (remember, the governor waived all DEEP permitting requirements for a period after the storm to make emergency repairs). Thereafter, trucked in tons more of boulders and rocks, strategically placed the stone material, installed rebar, pumped yards

and yards of high-density concrete under high pressure between, under and over the boulders etc. as to hopefully prevent further damage or erosion. To date this fix has held up nicely and should for years and years to come.

In addition, truckloads of fill, then topsoil were brought in to replace what was lost, followed by compaction and grading, and then pallets of sod to cover substantially all the R.O.W. was installed. Lastly, we installed rose bushes and mulch against the opposite abutter's white fence to enhance the beauty of the R.O.W. This restoration was completely done by this abutter, at substantial time and expense, and did not request nor receive any reimbursement from the association. Upon the project's completion, the association manager, the BOG and many Black Pointers expressed their appreciation of the effort and beauty of the restored R.O.W.

Over the years the Sea Crest R.O.W. has been used by many Black Pointers on a regular basis for multiple purposes including relaxation, children playing, picture takings, etc. etc. Even a wedding ceremony was held on this R.O.W. This abutter took great pride in giving back to Black Point!

The R.O.W.'s are a benefit to all Black Pointers, and all should be improved and maintained as they directly reflect on the image Black Point portrays. The BPBC should not be discouraging such efforts by abutters to maintain and improve the R.O.W.'s, especially at the abutters time & expense.

In SUMMARY:

This abutter requests the BOG rescind the December 3rd, 2020 email (inserted at the beginning of this email) as to the mowing of the Sea Crest R.O.W. for the following reasons:

- As discussed above under Adverse Possession, this issue is just not applicable as Adverse Possession claims are not subject to municipalities.
- This abutter has over 20 years demonstrated its ability to care for & maintain the Sea Crest R.O.W to standards that are befitting the image of Black Point.

In addition, this abutter hereby requests permission to further improve the Sea Crest R.O.W. this year by aerification and overseeding the lawn; installing a mulched area around the fire hydrant, as this area cannot sustain an adequate lawn for the obvious reasons of salt, sand and animal urine; enlarge the width of the rose bush mulch area by approx. one foot; and fill the larger cracks in the pavement.

Black Point Realty Trust would appreciate a quick response to the above requests, as the time is prime now to be aerating, reseeding and fertilizing the lawn.

Thank you for your consideration.

Black Point Realty Trust
60 East Shore Drive



**WALLER
SMITH &
PALMER^{PC}**
Attorneys at Law

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FREDERICK B. GAHAGAN

June 18, 2021

Steve Beauchene
Black Point Beach Club Assn. Board of Governors
Via email only to: slbvmd@sbcglobal.net

+ ALSO ADMITTED IN RI
* ALSO ADMITTED IN MA

Re: Possible Adverse Possession Claims Against BPBCA

Dear Mr. Beauchene:

You have asked our advice regarding whether Black Point Beach Club Association ("BPBCA" or "Association") members who own property adjacent Association rights of way ("ROW") could bring legal actions against the Association claiming ownership of portions of the ROW's by adverse possession. You advised that owners of lots adjacent to Association ROW's may claim an interest in the ROW's. Adverse possession is a legal theory by which someone who is not the titled owner of property may claim ownership by proving that they have used the property exclusively, openly, notoriously, under a claim of right and without consent of the owner for a period of more than 15 years.

The Black Point Beach Club Association, Inc., was created pursuant to Special Act No. 462, 1931 Session of the General Assembly of Connecticut. A Special Act Community is quasi municipal corporation and as such is governed by the law applicable to municipal corporations. Candlewood Hills Tax District v. Medina, 143 Conn. App. 230, 237 (2013).

In Connecticut title to realty held in fee by a state or any of its subdivisions, such as quasi municipal corporations like the Association, cannot be acquired by adverse possession. Goldman v. Quadrain, 142 Conn. 398, 402-03 (1955). "Property that is held in fee simple ownership by municipalities must be presumed to be for public use ... the party seeking title by adverse possession must bear the burden of rebutting that presumption. Municipal immunity from adverse possession is the rule and not the exception ..." American Trading Real Estate Properties Inc. v. Trumbull, 215 Conn. 68, 80 (1990).

However, a plaintiff may seek adverse possession in limited circumstances provided they meet a greater burden of proof. If a plaintiff demonstrates that the public use of the property has been abandoned, intentionally or through disuse, a claim lies for adverse possession. Campanelli v. Candlewood Hills Tax District, 126 Conn. App. 135, 140 (2011). Put another way, a plaintiff may have a claim for adverse possession action against a municipality if the plaintiff can prove that public use of the property in question has been abandoned. What constitutes abandonment is a fact specific question and dependent on the circumstances of each case.

Applying the foregoing here, for an owner of property adjacent to a ROW to bring an adverse possession claim against the Association, that owner would have to first prove, by clear and convincing evidence, that the ROW (or the contested portion thereof) was no longer being put to public (or Association) use. So long as the ROW was still being maintained by the Association and used by its members, this would be a formidable burden for a plaintiff to overcome.

If you have any further questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark S. Zamarka', written over a circular stamp or seal.

Mark S. Zamarka, of
Waller, Smith & Palmer, P.C.

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181 MAIN STREET
OLD SAYBROOK, CT 06475

June 30, 2021

John Cellino
160 East Shore Drive
Niantic, CT

Re: Adverse Possession of Municipal Property

Dear Mr. Cellino:

I have reviewed Attorney Zamarka's letter to Steve Beauchene dated June 18, 2021 with regards to the above-referenced matter which concurs with my previous letter to you that, in Connecticut, the general rule is that property held by municipal and quasi-municipal corporations (i.e., Black Point Beach Association) cannot be acquired by adverse possession.

Attorney Zamarka's letter also points out that there are limited circumstances where a claim for adverse possession against a municipality may apply. While there may be limited circumstances where this may apply, the elements that must be proven, and the burden of proof required to rebut the presumption that municipal property is held for a public use, realistically makes such a possibility remote and, with regards to the Black Point ROW issue, it does not apply.

Attorney Zamarka's conclusion that "so long as the ROW was still being maintained by the Association and used by its members, this would be a formidable burden for a plaintiff to overcome", while not inaccurate, does not truly reflect the realities of the Black Point ROW issue, as I understand it to be – namely, does the cutting of the grass, planting of flowers, etc. and general upkeep in the ROW by an abutter give rise to a claim of adverse possession against the Association.

The answer to that question is clearly a "no". As Attorney Zamarka points out, a claim can be brought if there is proof of an abandonment of the public use of the property. In the case of the Black Point ROW's there is clearly no abandonment. Section 4(#14) of the Complete Rules and Regulations of the Black Point Beach Club Association states: "The Black Point Beach Association owns and maintains several rights-of-way and the Reserve Beach within the boundaries of the Association. It is the intent of the Board of Governors of the Black Point Beach Association that these rights-of-way and the Reserve Beach are for the passive recreational use of all of the members."

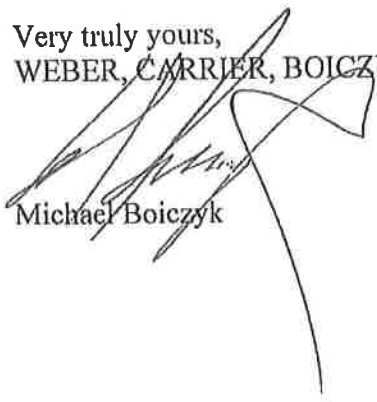
Cellino
June 30, 2021
Page 2

The policy of the Association, which is available to all of the members of the Association, clearly shows that there has been no abandonment of the ROWs so a claim for adverse possession cannot be made (i.e., the presumption of a public use cannot be rebutted). This fact is independent of whether the Association cuts the grass or not.

In conclusion, as the Association's policy clearly shows that the Association has not abandoned any of the ROW's, the Association's long-standing policy of allowing the abutters to cut the grass, plant flowers, etc. and provide general upkeep in the ROW's will not lead to an adverse possession claim.

If you have any comments or questions, please feel free to contact me. Thank you.

Very truly yours,
WEBER, CARRIER, BOICZYK & CHACE, LLP



Michael Boiczuk

From: colleen.chapin@gmail.com,
To: bog@blackpointbeachclub.com,
Subject: ZBA Agenda Item for next BOG Meeting
Date: Wed, Jul 14, 2021 12:06 pm

The ZBA will be having a special meeting on Wednesday, July 21. As some terms expire on July 31, part of this meeting will involve determining if those term holders wish to fulfill another term. That information would then be passed to the BOG for review and approval. As the BOG meeting is the following night (Thursday, July 22), I respectfully request that a small portion of the agenda for that meeting be reserved to review and approve term updates if appropriate. I would submit the proposed roster Thursday morning.

Additionally, as there have been BOG member changes and a change to the mailing address for ZBA applications, I would like to suggest a standard procedure when applications are submitted. We will be adjusting the application form and encouraging electronic submission, but given that applications come with a banker's check, there should be a procedure that ensures safe handling of the check and timely notification to the ZBA when applications are received. Again, this procedure will be reviewed at the ZBA meeting and then submitted Thursday morning to the BOG.

Thank you.

Colleen Chapin
Chair, Black Point ZBA

Black Point Beach Association
Zoning Board of Appeals
7/22/2021

ZBA Term Expiration & Renewal

Term Expiration & Renewal

The terms of Colleen Chapin, Arlene Garrow, and Kim Craven all expire on July 31, 2021. All three individuals have expressed interest in being re-appointed for another three-year term.

I request that the Board of Governors re-appoint Colleen Chapin, Arlene Garrow, and Kim Craven for new three-year terms, expiring July 31, 2024.

The role of the Zoning Board of Appeals is important for the community of Black Point and all three have important experience serving on the ZBA over the years. This experience provides the ZBA with a level of continuity for ongoing decisions as they arise.

With your approval, the ZBA roster with term expiration dates is as follows:

Colleen Chapin, 7/31/2024

Kim Craven (alternate), 7/31/2024

Arlene Garrow, 7/31/2024

Dan Deknis (alternate), 7/31/2023

Marianne Neptin, 7/31/2022

Anita Schepker, 7/31/2022

Sally Cini, 7/31/2023

Ideally, the ZBA should have a third alternate and any interested members are encouraged to volunteer. There are two hearings per year on average.

Thank you.

Colleen Chapin, Chair (if re-appointed)

Black Point Zoning Board of Appeals

7/22/2021

Procedure for Application Submissions

Background

The ZBA is updating the variance application to encourage electronic submission of materials, but since a check is involved, there will always need to be a submission through the USPS.

Since not everyone has the technology available to do electronic submissions and since submissions come year-round, it is important to standardize the intake process.

Additionally, there are important date milestones associated with the ZBA appeal process, so it is important that submitted applications be transferred to the ZBA in a timely fashion.

To ensure applications are handled in a timely fashion, the following procedure is recommended.

1. Write "Date Received: mm/dd/yyyy" on envelope below postmark.
2. Take picture of envelope showing date received and postmark.
3. Open envelope.
4. Confirm bank check for \$450.
5. Take picture of bank check.
6. Deliver bank check to Treasurer.
7. Contact ZBA Chair to notify that application has been received.
8. Scan (or take picture) of application (3 pages).
9. Send all pictures to bpbcazba@gmail.com.
** Additional images of supporting materials may be requested*
10. Place envelope with contents (except check) in the Board Room of the clubhouse.

Thank you.

Colleen Chapin, Chair

Black Point Zoning Board of Appeals

Black Point Beach Association
Zoning Board of Appeals
7/22/2021

New ZBA Application

Background

The current ZBA Variance application needs to be changed to reflect the change in the Association mailing address.

Upon review of the application, the ZBA is further modifying the entire application to better clarify the process and requirements of these appeals.

Key Elements of New Variance Request Application

- Emphasis on what a Zoning Variance is, clarification of the hardship requirement, and general timelines associated with the process.
- Standard application data such as applicant contact information, abutter list, list of section(s) of Zoning Regulations which are requested be varied.
- Essay type questions relating to the variance requested and the hardship experienced if the variance is not granted.

Separate Application for Appeal from ZEO Decision

- This action has been pulled out to a separate application for clarity. It is a rarely used appeal, but deserves its own application

Thank you.

Colleen Chapin, Chair

Black Point Zoning Board of Appeals

7/22/2021

From: john@invcap.com,
To: bpbcmanger@gmail.com, BOG@blackpointbeachclub.com,
Subject: Fwd: Club house
Date: Sun, Jul 11, 2021 1:52 pm

BOG's & Jim, please see below email from Nancy Condon and my brief response.

Suggest this item be added to the July BOG's meeting agenda for discussion. Jim, could you please be ready with your thoughts to address Nancy's email during said meeting.

Thanks.

Sent from my iPhone

Begin forwarded message:

From: John Cellino <john@invcap.com>
Date: July 11, 2021 at 1:37:27 PM EDT
To: Nancy Condon <ncond1@colchesterct.org>
Subject: Re: Club house

Good afternoon Nancy, your email points out an item that deserves consideration. As such I've forwarded your email to the association manager and copied the board. Thank you for bringing this to our attention.

Sent from my iPhone

On Jul 11, 2021, at 12:16 PM, Nancy Condon <ncond1@colchesterct.org> wrote:

Hi John,

I am reaching out to you with a concern of late. I go to the Club House daily, even multiple times, to bring my 10 year old grandson Girard aka Jack, to the basketball courts etc. Sometimes I stay and watch or leave him to walk home to my house at 18 Seaview Ave. Because I am there so often, I have begun to notice that many cars without BP tags or stickers are parked in the small side lot. Some people just sit in their cars, while I've watched others park, get out and take walks. I have also see some park and use the tennis courts. While the focus is on tags on our kayaks, golf carts and our own cars in beach lots, I wonder if this "area" is somewhat overlooked. They may very well be guests, but without tags it's hard to tell. First and foremost, my primary concern is for the safety of the kids while at play. However, I could not even find a space to park on one visit this week and I was the only vehicle with a BP sticker. Just thinking security fir kids!

Thank you for your kind consideration.
Nancy Condon

Please be aware that email communication can be intercepted in transmission or misdirected. Please communicate sensitive information by telephone or in person.

BLACK POINT BEACH CLUB ASSOCIATION
TAX COLLECTOR REPORT
7/20/2021

	OPENING BALANCE TO BE COLLECTED	COLLECTED TO DATE	OUTSTANDING BALANCE DUE	NUMBER OF OUTSTANDING ACCOUNTS
REAL ESTATE TAXES	GL 2020 (DUE 7/1/2021) \$246,467.08	\$195,437.50	\$51,029.58	Represents 458 paid plus one partially paid of the total 581 properties
REAL ESTATE TAXES	GL 2019 (DUE 7/1/2020) \$201,951.62	\$201,947.94	\$3.68	Represents one partially paid of the total 581 properties
REAL ESTATE TAXES	GL 2018 (DUE 7/1/19) \$208,877.51	\$208,877.39	\$0.12	No Outstanding
SPECIAL ASSESSMENT	GL 2018 (DUE 7/1/19) \$606,873.84	\$606,871.24	\$2.60	Represents one partially paid of the total 581 properties

From: acapozzajr@aol.com,

To: amesy.1938@gmail.com, bpbcmanger@gmail.com, brookers2@aol.com, janet.bonelli@gmail.com, john@invcap.com, mrwill34@gmail.com, slbvmd@sbcglobal.net, thomasmeggers3@gmail.com, thoscherry@icloud.com,

Subject: Treasurer's Reports-July, 2021

Date: Tue, Jul 20, 2021 4:29 pm

Attachments: Financial Report_Budget VS Actual as of 7-22-21.xls (57K), DEtail P&L-7-22-21.pdf (26K), Check Details-7-1-21 to 7-22-21.pdf (1275K)

Good Afternoon All,

Attached are the monthly reports for July, thru 7/22/21 YTD:

1.)Current Year Budget vs Actual with Year End Forecast; 2.)Detail P&L; 3.)Check Register.

The highlights thru July 22, 2021, Year to Date(YTD) are:

Total YTD Income amounted to \$220,424. Items that make up that amount include current year tax assessment collections (\$195,438), Rec Program fees (\$24,761) and zoning application fees (\$225).

Total YTD Expenses amounted to \$28,664. Items that make up that amount include Payroll costs(\$10,165), East Lyme Taxes (\$5,378), Rec Program (\$4,012), Social Events (\$2,517), Insurance (\$1,742), Clubhouse (\$1,232), Black Pointer(\$1,160) and all others(\$2,458).

If you have any questions or need additional information please contact me: Cell:860-235-8945; Email acapozzajr@aol.com

Thanks,

Al Capozza

						FY2021-22			
Black Point Beach Club Association						mil rate 1.73			
Financial Report-Budget Vs Actual-2021-22						Grand List \$	\$143,106,110		
YTD Actual to 7/22/21									
			July 1 2021-	YTD					
			June 30 2022	Actual to	Variance	Estimated		Act % vs	
			BUDGET	7/22/2021	from budget	Year End		Budget	
						6/30/2022		@7/22/21	
INCOME									
Fees and Donations									
Zoning Applications			\$10,000	\$225	-\$9,775	\$10,000		2%	
Rec Program			\$26,612	\$24,761	-\$1,851	\$26,612		93%	
Total Fees and Donations			\$36,612	\$24,986	-\$11,626	\$36,612		68%	
Grand List Taxes									
Current Year Taxes			\$248,040	\$195,438	-\$52,603	\$248,040		79%	
Liens & Interest			\$500	\$0	-\$500	\$500		0%	
Prior Year Taxes			\$500	\$0	-\$500	\$500		0%	
Total Grand List Taxes			\$249,040	\$195,438	-\$53,603	\$249,040		78%	
Other Income									
Club Use Fee			\$900	\$0	-\$900	\$900		0%	
Fund Surplus			\$25,000	\$0	-\$25,000	\$25,000		0%	
Investment			\$1,000	\$0	-\$1,000	\$1,000		0%	
Miscellaneous			\$100	\$0	-\$100	\$100		0%	
ZBA Permits			\$1,800	\$0	-\$1,800	\$1,800		0%	
Total Other Income			\$28,800	\$0	-\$28,800	\$28,800		0%	
LT Shoreline Capital Projects Fund-									
Transfer IN			\$25,000	\$0		\$25,000			
TOTAL INCOME			\$339,452	\$220,424	-\$94,029	\$339,452		65%	
EXPENSES									
Contractual Services									
Audit Fee			\$3,500	\$0	-\$3,500	\$3,500		0%	
Grass Cutting			\$3,600	\$0	-\$3,600	\$3,600		0%	
Computer Services			612	\$0	-\$612	\$612			
Insurance			\$23,251	\$1,742	-\$21,509	\$23,251		7%	
Legal Fees			\$10,000	\$0	-\$10,000	\$10,000		0%	
Payroll Services			\$2,000	\$413	-\$1,587	\$2,000		21%	
Security Patrol			\$5,000	\$0	-\$5,000	\$5,000		0%	
Recreation Program			\$5,800	\$4,012	-\$1,788	\$5,800		69%	
Master Plan			\$26,000	\$0	-\$26,000	\$26,000		0%	
Total Contractual Services			\$79,763	\$6,167	-\$73,596	\$79,763		8%	
Operations									
Clubhouse			\$3,500	\$1,232	-\$2,268	\$3,500		35%	
Grounds Maintenance			\$4,000	\$1,234	-\$2,766	\$4,000		31%	
Liens			\$100	\$10	-\$90	\$100		10%	
Playground			\$2,000	\$0	-\$2,000	\$2,000		0%	
Supplies			\$2,250	\$0	-\$2,250	\$2,250		0%	
Tennis Courts			\$5,500	\$0	-\$5,500	\$5,500		0%	
Utilities			\$6,000	\$585	-\$5,415	\$6,000		10%	
Waterfront Maintenance			\$36,000	\$172	-\$35,828	\$36,000		0%	

Total Operations			\$59,350		\$3,234		-\$56,116		\$59,350		5%
Other Expenses											
Black Pointer			\$3,760		\$1,160		-\$2,600		\$3,760		31%
Capital Expenditures - Current Yr.			\$10,000		\$0		-\$10,000		\$10,000		0%
Contingency Fund			\$25,000		\$0		-\$25,000		\$25,000		0%
Donations			\$150		\$0		-\$150		\$150		0%
East Lyme Taxes			\$5,382		\$5,378		-\$4		\$5,378		100%
Social Events			\$2,500		\$2,517		\$17		\$2,517		101%
Miscellaneous			\$2,135		\$44		-\$2,091		\$2,135		2%
Website			\$800		\$0		-\$800		\$800		0%
ZB/ZBA			\$1,800		\$0		-\$1,800		\$1,800		0%
LT Shoreline Capital Projects Fund			\$33,300						\$33,300		
Total Other Expenses			\$84,827		\$9,099		-\$42,428		\$84,840		11%
Personnel Services											
Beach Patrol			\$8,500		\$1,275		-\$7,225		\$8,500		15%
Medicare			\$1,200		\$203		-\$997		\$1,200		17%
Recreation Personnel			\$20,812		\$4,437		-\$16,375		\$20,812		21%
Unemployment Comp.			\$500		\$0		-\$500		\$500		0%
Association Manager			\$22,000		\$1,833		-\$20,167		\$22,000		8%
Secretary			\$7,500		\$625		-\$6,875		\$7,500		8%
Treasurer			\$7,500		\$625		-\$6,875		\$7,500		8%
Tax Collector			\$8,500		\$0		-\$8,500		\$8,500		0%
Zoning Officer			\$14,000		\$1,167		-\$12,833		\$14,000		8%
Total Personnel Services			\$90,512		\$10,165		-\$80,347		\$90,512		11%
LT Shoreline Capital Projects Fund-Expenditures			\$25,000		\$0				\$25,000		
TOTAL EXPENSES			\$339,452		\$28,664		-\$252,488		\$339,465		8%
NET INCOME			\$0		\$191,759		\$158,459		-\$13		
Bank Balances- statements dated as of :					6/30/2021						
					256,737						
					112,881						
				Total	369,618						

July 2021 Association Managers Report

Every morning prior to Club, I check the Clubhouse grounds and Association properties during my daily walks, looking for anything amiss or any irregularities. I pick up plastics, empties, butts, discarded paper, 🍷, to keep our beaches clean.



This includes walking out on the piers where I have found left-behind fishing hooks, broken glass, and even razor blades.

Use a quiet leafblower to clear sand at Nehantic, Indianola, Whitecap, Sea Breeze and South ROW's and piers.

I pick up mail every day and distribute it accordingly.



Niantic Lawn & Caretaker Service mows our Clubhouse and ROW's every Tuesday.



I put out garbage barrels on Sunday nights and return them on Monday mornings, as necessary. Lots of garbage left over every week from Picnic and Club.

Reached out to Anita /Sharon re: Charter Comm reservation and room setup/takedown. Set up room for other meetings as well (BOG, Men's Club, etc.).

Write up weekly "*Manager's Corner*" for Black Pointer and monthly report.

Set up for the BP MahJong Ladies weekly get-together (Ms. Kenny/Ms. Zuk). Thursdays 1p to 4p.



East Lyme Police Department		Page 3 of 3
Call Summary Report		COPY
Call Remarks		
Remark Date/Time: 07/14/21 09:57		
Animal Indicator:	EMD Indicator:	
<p>THIS IS A CIVIL ISSUE ABOUT WHO OWNS WHAT PART OF THE ROCK WALL, AND SEA WALL. WILLARD PLACED HOME MADE SIGNS TO PREVENT PEOPLE FROM ACCESSING THE PORTION OF THE WALL IN FRONT OF HIS PROPERTY. HE CLAIMED THAT HE WAS TOLD BY ASSOCIATION THAT THEY WERE RESPONSIBLE FOR AREA IN FRONT OF HIS RESIDENCE. HE PUT SIGNS UP TO PREVENT PUBLIC ACCESS TO THIS AREA WHICH IS IN A STATE OF DISREPAIR AND CAN BE HAZARDOUS. MOFFETT CLAIMED THAT THE ASSOCIATION OWNS WHERE WILLARDS SIGNS WERE PLACED. SIGNS WERE CUT DOWN BECAUSE THEY BLOCKED PUBLIC VIEW AND ACCESS. MOFFETT OFFERED TO REPLACE THE SIGNS, BOTH PARTIES WERE UNABLE TO COME TO A REASONABLE AND LOGICAL CONCLUSION UNTIL A CIVIL JUDGEMENT CAN BE REACHED.</p>		

This happened.

Cleanup at the top of Billow:



Before



After

Cleanup at the North end of Clubhouse Parking lot:



Before



After

Working with Plaut to finish installing lines. Line adjacent to the South end of the swim area near Sea View boat launch. Must move Swim Buoy in about 20 yards and to the north about 20 yards.



Discovered repair needed at railing at Cahill Way.

Need to add new railing at South Beach bench. The slope of the walkway up to the bench is too steep. Reports of people slipping on it. (All-Time Manufacturing, Montville, (860)848-9687) Met with Ron Brodie at site and will send an estimate - approx. \$900)

Waiting on product lighting from Jamco for relamping basketball court with high efficiency *LED* lighting at = \$760 (Approved)

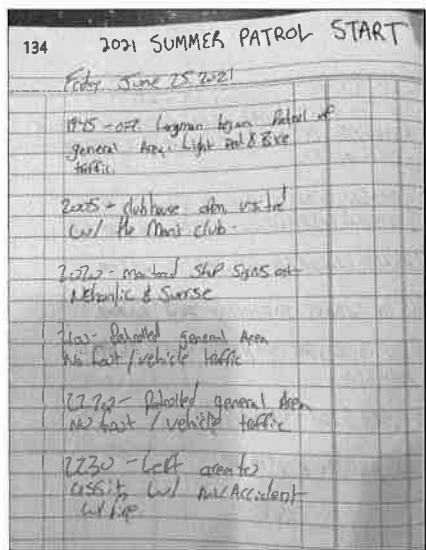


New kayak racks in place. Took delivery on kayak rack materials at Clubhouse. With assistance from Jim Allen and myself we assisted Larry in assembling/building the two new kayak racks.



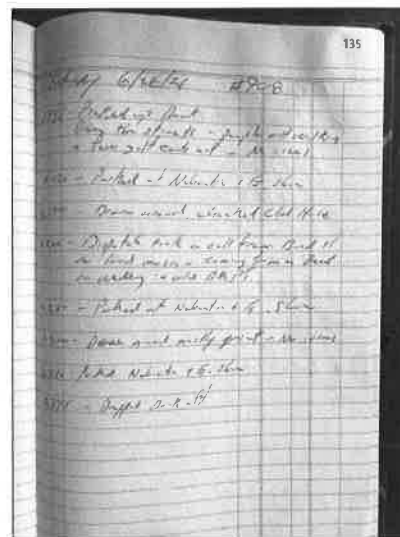
Put up new bulletin boards at Clay Courts and in the Clubhouse. (Found them at a Tag Sale.)

Started Summer Patrol with ELPD. Met with Officer on duty and discuss about high-visibility locations and issues related to beach. (Golf carts, traffic, etc.).



Friday, June 25th

Patrolled, light traffic, visited Men's Club meeting



Saturday, June 26th

Patrolled and checked Clubhouse, no issues.

Daily Costco runs stockpiling water, picnic things. Spoke to Docs Flavor King about ice cream truck at the picnic. Received an ok for a \$500 budget at the meeting.



Stockpiled for July 4th picnic - Made multiple trips to CostCo for water, soda, paper goods, hotdog/hamburger, buns, cookies, condiments, etc.

Coordinated BP Parade with ELPD and ELFD for participation.



Set up tables, grills, trays and coolers of water and soda.



Coordinated all aspects of Parade and picnic. In previous years, a BOG subcommittee did the organizing of the parade and picnic.

Started new Hires for Beach Patrol including a training period for Karlis, Madison and Nikki. Write up their schedules, train, monitor and submit hours at end of the week directly to Al.

Continue Summer Patrol with ELPD on Friday and Saturday nights. I meet with the Officer on duty and discuss about high-visibility locations and any issues related to beach. (Golf carts, traffic, etc.).



Friday, July 2nd (8p-12a)
Quiet patrol night
All clear



Saturday, July 3rd (8p-12a)
Light rainy night, Basketball court busy
All clear.



Friday, July 9th
Checked clubhouse. All quiet.
(8p-12a)



Friday, July 16th (8p-12a)
Reports of children driving
Golf cart, and late fireworks being fired
Off.



Saturday, July 10th
Fairly quiet, minor firework complaints.
(8p-12a)



Saturday, July 17th (8p-12a)
Spoke to resident about driving
cart in bad weather. Busy basketball
court.

Set timer for basketball lights to go on at 8pm and off at 10:30pm.



Movie night on the Beach



Reached out to Joe Bragaw , EL Public Works
Director, to replace street sign at the corner of
Billow & Sunrise.



Men's Club fun.



Fixed this in the Men's Bathroom.



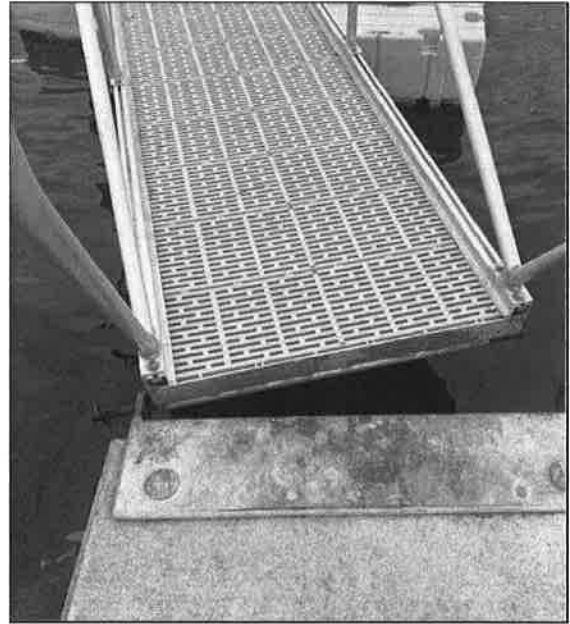
Took receipt of new Sea View replacement dock. Will continue using existing dock from Plaut and wait till end of season to switch out.



Keeping an eye on Storm Elsa - pulled gangway at Sea View Boat launch on Thursday., Put it back at 6p on Friday, the next day.



Installed new sign at Sea View Boat beach.



On another occasion, alerted by BP member (Colleen Chapin) that gangway was awry. Immediately went there (with Will) and we were able to fix it.



Tried out SurfRake machine. May use on occasion but cost prohibitive to use daily. (\$125 per hour but it takes 4 hours to complete beach raking as opposed to \$150 per day with Neeps)



Cleared path for Pickleballers to use this back entrance to hard courts. Unlocked fence and worked with Niantic Lawn Service to make sure the path is clear. Spoke with Jordan Brook Landscaping to make sure they spray for ticks along this path. Also waiting for delivery of new benches for hard courts.



Open, sweep, roll and groom clay tennis courts every other day.