

Minutes of BPBCA BOG April 29th, 2023, Special Hybrid Meeting - 04/29/23

Date and time: 04/29/23 10:00 AM to: 04/29/23 12:55 PM

Present: Brooke Stevens, Recording Secretary, John Cellino, BOG Member, Colleen Hayes, BOG Member, Colleen Chapin, BOG Member, Tom Cherry, BOG Member, Will Fountain, Emeritus, Tom Meggers, BOG Member, Peter Meggers, BOG Member, Absent: Janet Bonelli, BOG Chair

CC: Jim Moffett, Association Manager, Al Capozza, Treasurer, Ruth Ames, Tax Collector

Location: Hybrid- in person at the BPBCA Clubhouse, 6 Sunset Avenue, Niantic, CT, 06357, & via Zoom:
Join Zoom Meeting
<https://us02web.zoom.us/j/87148163744?pwd=VWwyV05hTW8xVHI0WG5EQmlybDZmZz09>
Meeting ID: 871 4816 3744
Passcode: 742256
One tap mobile
+1646

Link: <https://app.meetingking.com/meetings/397219>

Topics

1. Call to Order

Note A Hybrid Special Meeting was held on Saturday April 29th, 2023, immediately following a Special Executive Session Meeting. Colleen Hayes, Vice Chair, called the meeting to order at 10:10 a.m., and noted a quorum was already established in the Executive Session held before this meeting.

2. Additions to the Agenda

Note As this is a Special Meeting, no additions to the agenda are permitted.

3. Communications

Note see attached email #1.

 [Colangelo_email.pdf](#)

Note see attached email #2.

 [Kelly_email.pdf](#)

Note see attached email #3.

 [Baril_email.pdf](#)

Note see attached email #4.

 [Johnston_email.pdf](#)

Note see attached email #5.

 [Trocki_email.pdf](#)

Note see attached email #6.

 [Kelly_email_2.pdf](#)

Note Kelly attachment to email.

 [BlackPoint_Letter_DanCunningham_2010_West_Lane_status.pdf](#)

Note see attached email #7.

 [bees_knees_email.pdf](#)

Note see attached email #8.

 [Kelly_email_3.pdf](#)

Note see attached email #9.

 [Muccilli_email.pdf](#)

Note see attached email #10.

 [Ogle_letter.pdf](#)

Note see attached email #11

 [Suzanne_Smith_Black_Pointer_email.pdf](#)

Note see attached email #12

 [Hickey_email.pdf](#)

Note see attached email #13

 [BPBOG_Data_Center_Letter.docx](#)

Note see attached email #14

 [Trocki_email_April_27.pdf](#)

Note see attached email #15

 [Guzy_email.pdf](#)

Note see attached email #16

 [McAndrew_email.pdf](#)

Note Ms. Hayes noted they had a number of communications which are attached to the agenda and will be attached to the minutes as well. She added that there was a request for the cost of the legal fees and associated mailing fees for the BOG response to a member letter; The legal fees were \$980, and the mailing fees were \$1,000.

4. Public Comments

Note Ms. Hayes called for Public Comments.

4-1. Cheryl Colangelo of 39 Whitecap Road

Note Ms. Colangelo said some of the following:

In her experience as former Chair of the BOG, special meetings aren't the replacement for regular meetings, there for urgent issues.

There are to be no additions to the agenda and no section for public comment.

She's wondering if we were unable to get the four people necessary for a quorum, to make the regular meeting that was scheduled, and would like this question answered.

Although Zoom helps people attend, it does not help people attend if they are in the wrong time zone. She thinks sticking to the regular meeting calendar is very important.

Note Ms. Stevens replied that she believes she's referencing emergency meetings, and that special meetings can take the place of a regular meeting, although no additions are permitted. She added that the Board can choose whether or not to have public delegations at any meeting, and that she's seen town commissions handle public delegations both ways.

Note Ms. Hayes replied that they did not have a quorum for the regular meeting due to last minute scheduling of their regular job complex.

Note Ms. Colangelo said she's concerned, and that we have seven board members who have made a commitment to govern Black Point Beach, who have known the regular meeting schedule for a long time. She's disappointed that people cannot prioritize representing the beach community, and is sure everyone had legitimate reasons, but it was only necessary for four members of the Board to attend.

4-2. Alice Baril of 17 Sea View

Note Ms. Baril said she thought this meeting was a regular meeting held to replace Thursday's meeting, and when she looked at the agenda public comments were listed.

Note Ms. Stevens replied that it's called a "special meeting" simply because it's not held on the meeting date set by the Board at the beginning of the year; the Board can choose whether or not they include public delegations, at any meeting.

Note Mr. Cellino said the Board encourages and always wants public comments and feedback.

4-3. Suzanne Smith of 35 Sea Crest

Note Ms. Smith said she submitted a letter regarding her request for volleyball.

Note Mr. Cellino replied that this item is on this evening's agenda.

Note Ms. Smith added that she wants to commend the Board for working with Simply Started on the website, she's a wonderful person to work with.

Note Ms. Smith said she needs clarification on the email, and is wondering if they could promote this, and ask for emails again, to get our emails boosted. She said this would be a great help to her in regard to communication, which will be important if she has Black Pointer issues all year round.

4-4. Alice Baril of 17 Sea View

Note Ms. Baril said she knows of people who have submitted their email addresses on the website, but don't get the emails. She wonders if this could be added to the Annual Meeting, if people could be instructed to write their email addresses down for the mailing list.

Note Ms. Stevens said people can also email her and she will add them manually to the list or can verify if they're subscribed. She said people should also check their spam folder as well.

Note Mr. Capozza said he submitted his email a week ago on the website and he did receive notice about today's meeting.

5. Reports

5-1. Treasurer

Note see attached report.

 [Financial Report Budget VS Actual as of 4-27-2023.xls](#)

Note Mr. Capozza did a brief review of the year-to-date financials and said some of the following: Income is \$335,000, an increase of \$2,000 from last month.

Zoning fees & some ZBA fees came in.

They're about 2% over budget for the entire income that was budgeted for this year's expenses.

Expenses are \$252,000, an increase of \$15,000 over last month.

Contributing to this increase is \$5,000 for the Master Plan, \$4,000 for payroll, \$1,300 for Clubhouse repairs, \$1,100 for legal fees.

This brings the actual total minus expenses, to \$82,000 positive, and the estimate is that on June 30th, this number will be \$38,000 negative.

That \$38,000 is made up of the Master Plan which was already funded, higher than budgeted legal fees, and offsetting this is the good performance of last summer's recreation program.

Note Ms. Chapin said she wants to make sure people understand why the Clubhouse is over budget, and Mr. Capozza clarified that repairs were necessary for the water leak.

Note Ms. Chapin asked Mr. Cellino about the additional legal fees for the Zoning Regulations review, and he explained the review process, and noted they've been charged \$2,000, and anticipate an additional \$2,500 charge.

Note Ms. Hayes said there's a question in the chat about the cost to heat the Clubhouse in the Winter, and Mr. Capozza said he doesn't have that information on hand, but he can get it. He added that they use propane, have had 5 or 6 deliveries, so probably around \$1,000.

Note

Task Ms. Chapin asked Mr. Cellino if he could get a monetary estimate of what the review of the Zoning Regulations is actually going to cost them?

Owned by John Cellino, Ex-Officio to Zoning & ZBA

5-2. Tax Collector

Note Ms. Ames reported that her report is the same as her one for February, 100% has been collected. She added that the hanging tags and stickers have been ordered.

5-3. Association Manager


Note see attached report.

 [April 2023 Association Managers Report.pdf](#)

Note Mr. Moffett referenced his report and said some of the following:
He replaced a sign that came off at the bottom of Nehantic.
He's waiting to hear back from the Police about only patrolling for their special events.

Note Mr. Moffett referenced his report and said some of the following:
He replaced a sign that came off at the bottom of Nehantic.
He's waiting to hear back from the Police about only patrolling for their special events.

5-4. Wrecking Crew

Note see attached report.
 [04_29_2023_BOG_WC_Report.docx](#)

Note Mr. Allen provided hard copies of the attached report and read the following from Will Fountain into the record:
Effective May 1st, 2023, he will be departing as Leader of the Wrecking Crew.
They decided going forward, that it would be beneficial to have Bill Dewey serve as Wrecking Crew Coordinator, with Jim Allen as his Assistant and Secretary.
He plans on remaining an active and vibrant member of the Wrecking Crew, by participating, and assisting his friends and neighbors with the various Wrecking Crew projects that will help maintain and improve the beauty of Black Point.
Their 2023 recruitment is still open, and they're looking for new members.
They currently have 54 members.
They're gearing up to work with Jim Moffett and assist him with the installation of the buoys off the boat launch.
They've done the safety inspections on the wheelchairs for both Main and South Beach, as well as preseason replacement, repair, and cleaning of the other equipment that we have.
They've done preliminary work in the storage area at the top of Billow, and they will continue to clean it up and remove what they can.
They're also trying to get all of their social media together- The Wrecking Crew Google Chat, and Facebook page, and integrate that with all the other systems they have.

Note Ms. Hayes gave a heartfelt thank you to Mr. Fountain and the entire Wrecking Crew, for all that they do for Black Point.

5-5. Liaison Reports

Task Ms. Bonelli said they voted on it at a previous meeting, she will consult her notes and minutes, and get back to her in regard to when it was done.

Owned by Janet Bonelli, BOG Chair

Note Ms. Hayes said Ms. Bonelli appointed Mr. Cellino as Liaison to the Zoning Commission and ZBA, and asked if that is sufficient, or if they need to vote on it.

Note Ms. Chapin had the following remarks:
She thinks that the Board should be involved in some of these decisions.
She didn't realize that the Chair had to had authority to do things like that.
This might be something they want to clarify going forward, where those authorities are, so that no one is taken by surprise.

Decision MOTION (1)

Ms. Hayes moved to appoint John Cellino as Liaison to the Zoning Commission and Zoning Board of Appeals.

Mr. Meggers seconded the motion.

Motion carried, 6-0-0.

Note Ms. Hayes said her seat expires in May and she will not be seeking reelection. She offered to continue to be a Liaison between Club and the Board during the transitional year.

Decision MOTION (2)

Mr. Cellino moved to appoint Ms. Hayes as Club Liaison for the 2023/2024 Fiscal Year.

Mr. Cherry seconded the motion.

Motion carried, 5-0-1.

Ms. Hayes abstained from the vote.

Note Mr. Cellino thanked Ms. Hayes for the incredible work she has done.

Note Mr. Cellino gave his Zoning and ZBA Liaison report and noted some of the following: He attended the last Zoning meeting, and the majority of the discussion involved the revamping of the Zoning Regulations.

The Members are going to review the first draft that Mr. Ventres and Attorney Branse have crafted and comment on it at their next meeting.

The Commission discussed the different zones, and the rumor, which has now been confirmed, that the Market will be reopening with a new operator.

He conveyed to the Commission, that the BOG has given their support for them to take on the enormous task of revising the Zoning Regulations.

The first draft is 54 pages, and 25 pages alone are comprised of definitions.

He also attended two ZBA Hearings and Dan Deknis, the new ZBA Chair, did a marvelous job.

There was an application for a small pool or hot tub on the beach side, entirely in the setback, which was denied.

The second application was for a small 2.4-inch variance, for a home addition, which was granted.

The ZBA's approach is meticulous.

Task One issue the BOG needs to discuss which Mr. Deknis brought up, are the fees for variance applications; the current fee is \$450 when the actual cost is \$600, so the Association is covering \$150 per application.

Note Mr. Cellino said he commends both Boards for their diligence, and for the people who are serving.

Note Ms. Hayes said the Club Update is under the Old Business section of the agenda, so she will give her report then.

6. Approval of Meeting Minutes

6-1. February 23rd, 2023, Regular Meeting Minutes

Note see attached minutes.

 [Minutes of Black Point Beach Club BOG Regular Meeting 02 23 23.pdf](#)

Note This item was tabled from the previous meeting.

Note Ms. Hayes said there is a reference to a "West Lane right-of-way," and it's actually a "Bellaire right-of-way."

Note Ms. Chapin said she wanted to provide some clarity regarding a discussion in the minutes and noted that Peg Auth had sent an inquiry asking if we're at risk of eminent domain with the stonewall at West Lane. She said Ms. Hayes replied that the location is not subject to eminent domain in any way, shape or form.

Ms. Chapin said she wants clarity as to whether our lawyers really looked into our risk of eminent domain, or if they looked into risk of adverse possession?

Ms. Hayes clarified that they would never be subject to eminent domain from a private party.

Decision MOTION (3)

Ms. Hayes moved to approve the February 23rd, 2023, Regular Meeting Minutes as amended.

Ms. Chapin seconded the motion.

Motion carried, 6-0-0.

6-2. April 6th, 2023, Special Meeting Minutes

Note see attached minutes.

 [Minutes of BPBCA BOG April 6th 2023 Special Meeting Amended 04 06 23 \(2\).pdf](#)

Decision MOTION (4)

Ms. Hayes moved to approve the April 6th, 2023, Special Meeting Minutes as presented.

Ms. Chapin seconded the motion.

Motion carried, 6-0-0.

7. New Business

7-1. BP Investment Policy

Note see attached draft of investment policy for discussion.

 [B P Beach Association-investmt policy-draft -updated 4-17-23.docx](#)

Note a. CD Discussion

Note Ms. Hayes reported there is actually no Black Point Investment Policy, so she, Mr. Capozza, and Mr. Cellino put together a draft policy for the Board to review.

Note Mr. Cellino read the draft investment policy (see above attachment) into the record.

Note The Board discussed the formation of a two-member subcommittee, along with the Treasurer. Ms. Chapin asked if the subcommittee would consist only of Board Members, or if they can appoint someone in the community well versed in the financial industry?

Note Mr. Cellino said since the Board has to vote on this anyway, it makes sense for the Subcommittee to have two Board Members, and they can reach out if additional help or expertise is needed.

Note Mr. Cellino briefly discussed how investments should be made via money market accounts, CDs, T-bills, items that offer a return, are simple, and without risk.

Note Mr. Cherry said the use of a professional advisor would require them to pay a fee.

Note Ms. Hayes said she only wants to make sure they tap into their community for any present expertise.

Note Mr. Capozza said the main focus on investment now is the long-term capital fund, which has almost \$180,000 in it.

Decision MOTION (5)

Mr. Cellino moved to adopt the Investment Policy and that they form a Subcommittee at a future Board of Governors meeting.

Mr. Cherry seconded the motion.

Motion carried, 5-1-0.

Nay: Ms. Chapin

Ms. Chapin said she thinks the premise is right, but the mechanics give her pause.

Note Ms. Hayes suggested that the subcommittee be determined after the Annual May Membership Meeting, when they have the new full Board in place.

7-2. Request for Volleyball Court

Note The Board invited Suzanne Smith to come forward to speak about her request and she said some of the following:

Volleyball would be another asset for the community.

She would love a beach sand pit.

Being at the beach is a lower cost investment of possibly permanent structures, and the net could be put up when necessary, and taken down each night.

They're lacking because many beach associations currently offer volleyball.

Another option is to have the net located at the Clubhouse.

Doing a beach sand volleyball pit at the Clubhouse is a big investment but is a big asset.

We have a wonderful wrecking crew that could help with the drainage and putting the sand in.

They could leave the net out, or take it in.

If it's located at the Clubhouse, it could be utilized by both Club and Clubhouse rentals.

They could always do a trial period by having a temporary structure.

Having it at the beach would probably cost \$400 while having it at the Clubhouse might cost between \$6,000-\$8,000.

Note Tom Meggers detailed how he grew up in Illinois, where volleyball was hugely popular, and his parents had 6 volleyball courts on grass; what if they manicured the spot by the Clubhouse so it was level and put lines in, so it's permanent? He added that it would be a lot less money to maintain and people won't get hurt in the grass.

Note Ms. Smith said she suggested the use of a fence, so the ball is in a contained area, and so animals stay out of the area. She said she suggested sand because it's very different playing on sand as opposed to grass, plus the beach is already invested in, so they wouldn't have to maintain it each year like they would the grass.

Note Tom Meggers said another concern is that many people have property on the sea wall, and they could have kids playing volleyball at 9:00 p.m. on.

Note Ms. Smith said it could be like shuffleboard where they consult Mr. Moffett when they need the gear to play. She thinks 5:00 p.m. and on would be less disruptive although she's aware that Mr. Moffett is done with his duties at 8:00 p.m.

Note Ms. Hayes asked if having it on the beach would affect the grooming and Mr. Moffett replied that he would prefer the court be up at the Clubhouse.

Note Ms. Chapin thanked Ms. Smith for doing the legwork to bring different options to the table and said having it by the Clubhouse is a big investment, which requires money, space, and maintenance. She observed that all of this has long-term repercussions and asked if there is an opportunity to do something short term in order to get a sense of the demand?

Note Ms. Chapin said they could devote one area for volleyball and allow it from 5:00 p.m. to 8:00 p.m. three times a week; the players can set up the net and gear, and this will give everyone an idea of what the demand might be.

Note The Board further discussed volleyball and some of the following was said:

Mr. Cellino said he would have a hard time having a semi-permanent structure or game played in front of the houses that are on the beach, and they have to be respectful of everyone here.

Mr. Cherry said a court by the Clubhouse could be converted to a sand face, if there's a large public demand for it.

Peter Meggers suggested allowing volleyball from 5:00 p.m. to 7:00 p.m. on the beach during the week only, people bring their own equipment to set up, and if there's a large enough demand for it, they discuss installing a permanent structure by the Clubhouse.

Tom Meggers said he's not against the idea, just concerned; who's going to monitor the playing?

Mr. Cherry asked if they need to be concerned about any liability issues and insurance.

Mr. Capozza chimed in that he will consult with Bill Budds about any related liability or insurance.

Ms. Hayes asked if the equipment Ms. Smith outlined in her email would work on the grass as well as the beach, and Ms. Smith, Mr. Fountain, and Mr. Moffett concurred that it would.

Ms. Hayes said for \$400 this is something she would be interested in moving forward.

Note Peter Baril of 17 Sea View offered the following comments:

Because of the tidal surge and mother nature, nothing is permanent on the beach.

For the Master Plan, they're considering how to utilize the 1.3 acres of wooded land there, so he likes the idea of having it on the grass, at a low cost.

This might be something they can have with sand in the wooded area several years down the road.

Is this a "build it and they will come" type of situation?

Note Ms. Smith acknowledged that when she came here, there was a different parameter of people, but she thinks there will be a demand for it.

Note Ms. Hayes said there's a comment in the chat feature which states that we had posts on Main Beach for many years, and it interfered with the grooming of the beach.

Note Ms. Baril said she agrees with testing it out at a lower cost, and that she questions the space we have. She added that it would be good if people had their own equipment to set up and take down at specific times, but she still would hesitate, since it's more for Mr. Moffett to police.

Note Ms. Colangelo made some of the following comments:
Maybe it's more of a philosophical issue than specifically where one game should be happening. There are three or four people that own homes by the Clubhouse, just as there are people that own homes on the shore near where someone may be playing volleyball. We have to make sure that no matter where people live, no matter what they have paid for their homes, that there's a regard for their quiet environment. There also needs to be an expectation that people will be playing sports, and there may be noise, especially in the summer. She thinks a lot of it, is setting up a community sense of respect. Maybe they can solve this perceived noise problem by not by looking at who's going to be disturbed, but by looking at how they might be able to address any disturbance.

Note Ms. Chapin suggested sending out an interest check form like they did for tennis lessons, Ms. Hayes asked Ms. Smith if she's familiar with google forms, and Ms. Smith replied that she could guide her.

Note Ms. Hayes said they can create a google form, post it on the website, facebook, and email it to everyone on the mailing list.

Note Ms. Hayes said there's a comment in the chat feature suggesting they consider converting a tennis court into a multi-sport court for volleyball, pickleball, and tennis, and maybe this is something the Master Plan can be considering.

Note Tom Meggers briefly discussed how all the sporting events are held in the vicinity of the Clubhouse, so it's logical to have volleyball here as well, and is also the most cost-effective option.

Note Ms. Hayes said she would suggest having it right next to the basketball court, since that's kind of a dead zone, and the baseball field gets used; she agrees that a grass court by the Clubhouse would be best.

Note Ms. Smith said Mr. Fountain and Mr. Moffett suggested between the tennis court and baseball field since there is room there.

Note Joan Hayes of 51 Whitecap said she's in favor of having it by the Clubhouse since it would be a good test of interest and wouldn't cost much.

Note Tom Meggers said they could vote on a volleyball court by the Clubhouse, at the next meeting.

Task Ms. Chapin said the action item is to find out the costs and the specifics of installing a volleyball court at the clubhouse that can be voted on at the next meeting.

due 05/25/23

7-3. Tennis Discussion

Note Ms. Hayes said this item is in regard to the hard courts and potential repairs that are needed.

Note Ms. Hayes said that Mr. Moffett shared that he has sent photographs to Putnam Tennis and is going to be meeting with someone in the next two weeks to get an idea of what the costs would be. She added that Mr. Cellino also reached out to the tennis pro who provided lessons last year, and he's going to view the hardcourts and give his opinion too.

Note Mr. Cellino said that Mr. Moffett is also going to ask Putnam Tennis for an elevation of the courts.

Note Ms. Hayes said there is a comment in the chat feature asking if the volleyball item should be handled in the long-term planning response.

Note Ms. Chapin replied that there's a longer-term issue here but in the interest of progress, she thinks they should garner the interest, get a better cost estimate of a soft start here, for the short term. She observed that it seems like a low cost of entry, which they can vote on next month; the bigger question for the Master Plan, is how many recreational assets we have, and how do we want to use them.

7-4. Basketball Lessons/Exercise Classes

Note Ms. Hayes said the following:

There have been two requests for use of the Clubhouse.

Jill Coscarelli has been hosting exercise classes at her home in her garage for the past several summers. She has asked if she could use the Clubhouse in the mornings for those classes.

She would only take donations to the shoreline pantry, and they would only occur when the space is not being utilized for yoga.

Note Mr. Cherry asked if they charge the yoga group to use the Clubhouse and Ms. Hayes said they don't, the Men's Club has traditionally sponsored yoga.

Note Tom Meggers wondered if the donation should come to the Clubhouse instead.

Note Ms. Smith said yoga was sponsored by Women's Club which enabled it to be covered for liability, and allowing Jill Coscarelli use of the Clubhouse, then the BOG is now responsible.

Note Peter Meggers asked if Ms. Coscarelli is a Member of the Women's Club, so that the activity can be sponsored by them.

Note Ms. Baril said she's an independent contractor, personal trainer, and there are liability forms that they always have their clients sign. She asked if Ms. Coscarelli has liability insurance.

Task Mr. Cellino said based on much of the conversation today, he would like them to invite Bill Budds to their next meeting, so he can explain their policy coverages so that they're all aware of what is and is not covered.

Owned by John Cellino, BOG Member due 05/25/23

Note Carole Green of 43 Sea View said the yoga teacher has her own liability insurance and provide all her documentation to the Women's Club.

Note Ms. Hayes said were also approached by Garrett Hickey, who is a member of our community, former head of Club, and head basketball coach at Norwalk High School; he would like to offer some basketball clinics for member children and grandchildren at discounted rates, in exchange for being able to use the basketball court.

Task The Board discussed how they will also need to determine if he has any type of insurance, and Ms. Hayes noted that it's possible he already has some, because he does run these clinics in the Fairfield County area. She will consult with him, and they can discuss this at the next meeting as well.

Owned by Colleen Hayes, BOG Member due 05/25/23

Note Mr. Cherry commented that he wants to make sure both parties have the same amount of insurance and that it's adequate for the services they will be providing.

Note Cynthia Etienne of 48 Nehantic asked if it's accurate that people are getting paid for providing a service yet using Black Point property for free and Ms. Hayes discussed how these services are provided at discounted rates for members of their community, and if we choose to charge them for use of the facilities, their rates would be significantly higher.

Note Mr. Cellino said he wants everyone to realize that prior Boards have not allowed public comment throughout the meeting; for the last 2 years this Board has allowed people to offer their opinions and discuss items back and forth, and this is what transparency is.

Note Ms. Baril asked if they're allowing independent contractors to run their business out of the Clubhouse?

Note Peter Meggers said if we're paying for a service, why are we using the word sponsor?

Note Ms. Green said the yoga instructor is running a business and must be certified in order to hold the classes.

Note The Board and Membership further discussed yoga and exercise classes.

Note Ms. Colangelo said some of the following:

They follow Robert's Rules of Order.

6 years ago, the Board voted to allow public comment which had previously been restricted for years.

It's an established policy and the Board is currently allowing comments throughout meetings.

If the Board wants to change procedures, that should be voted on.

Robert's Rules of Order are not a give and take, that's a public forum.

She enjoys public comments and the opportunity to speak, but she also likes her governors to run the democratic process according to established rules that make things organized and consistent.

This is one of the foundations of the democratic process.

There are two sections for public comment, one at the beginning of a meeting, and one at the end.

People can ask questions, register their concerns, and respond to Board decisions.

And after that, given the agenda, people have options to discuss things with the Board.

She's concerned about how the Board is interpreting the Freedom of Information Act.

She doesn't have an issue with anyone, she's just concerned.

Most people that haven't been governing, or that have been governing in business forums, aren't aware of the safety net of procedures.

She personally didn't always like these procedures when she was Chair, and she prefers a public forum, but there are rules to follow.

Note Mr. Cellino replied with the following comments:

They enjoy getting people's opinions on various subjects because they don't know it all.

They often do ask for comments from the public.

If they're violating some potential Robert's Rules, they're doing it for the betterment of this community.

He's very concerned about making informed decisions and Boards who make uninformed decisions are doing a mis service to their communities.

Note Mr. Cellino replied with the following comments:

They enjoy getting people's opinions on various subjects because they don't know it all.

They often do ask for comments from the public.

If they're violating some potential Robert's Rules, they're doing it for the betterment of this community.

He's very concerned about making informed decisions and Boards who make uninformed decisions are doing a mis service to their communities.

Note Ms. Hayes said let's try to stick to each agenda item.

Note Ms. Baril discussed how she prefers public comment at the end of a meeting in case she has questions or comments related to something voted on during the meeting. She gave the example of the investment policy, which she did want to discuss.

Note Mr. Cellino said they want feedback but can't stop every single agenda item to ask for public comment. He added that they've taken great liberties to gain insight, and that in the case of the investment policy, the Board felt that they had enough information to make a decision about it and voted on it.

7-5. Board Replacement Language

Note Ms. Hayes said she had proposed some language which she sent to Ms. Bonelli and Mr. Cellino, stating that there are two Board positions up for election at the Member Meeting and wanted to discuss whether they should require people who are interested to provide a resume in advance, that can be sent out to the Membership along with the budget, in advance of the Member Meeting.

Note Ms. Chapin said that's a big change from the way elections have been handled in the past. She doesn't disagree that there's a value to it, but they would have to reach out to the community and still prepare the mailing in time. She suggested that might be a change in process better saved for next year.

Note Tom Meggers said they could post something seeking candidates as soon as possible.

Note The Recording Secretary asked if something so formal is necessary? She said in years past when people knew ahead of time that they wanted to run for the Board they would forward her a picture and short bio, which she would post on the website and facebook. She added that you're obviously not going to having a resume from someone who decides to run at the Annual Meeting.

Note Roberta Jordan of 25 Sea View discussed the Annual Meeting mailing and said they've never been told in that mailing who is running for the Board, that's something decided by people as they arrive for the summer season.

Note The Board discussed the procedures for running for the Board.

Note Ms. Hayes noted that they've been looking into remote voting, and if that becomes a reality, they may have to eliminate the option for someone to decide to run for the Board at the actual meeting.

Note Ms. Hayes said if anyone is interested in filling the Board positions available, they can email the Board and we will post it on Facebook and the website.

7-6. Waterford Data Center

Note Ms. Hayes shared that a Data Center may be built on the millstone property in Waterford, and read a letter submitted by Dan McMahon (see attached communication #13 at the beginning of the meeting minutes), into the record.

Note Ms. Hayes wondered if they can be considered an abutter since we're across the water, and the Recording Secretary responded that they're not close enough to be considered an abutter.

Task Mr. Cellino suggested forming a Subcommittee and asked if anyone on the Board might be interested. He added that he will consult with the Association Attorney as well.

Owned by John Cellino, BOG Member due 05/25/23

Note Tom Meggers suggested contacting Holly Cheeseman, the State Representative.

Note Ms. Hayes asked the Recording Secretary if she's aware of East Lyme's line of thinking, and Ms. Stevens replied that so far, the general consensus seems to be that Waterford is not going to be overly concerned about objections from a neighboring town, and it's not in our jurisdiction.

Task Mr. Cherry said he will call Holly Cheeseman to discuss the subject.

Owned by Tom Cherry, BOG Member due 05/25/23

Note Tom Meggers suggested they hear Ms. Cheeseman's thoughts prior to creating a subcommittee.

Note This item was tabled until the next meeting.

8. Old Business

Task Ms. Chapin asked Mr. Moffett to get an updated number for resurfacing the hard courts, as well as the lead time necessary.

Owned by Jim Moffett, Association Manager due 04/27/23

Note Ms. Hayes said they will keep the task regarding the hard courts open until Mr. Moffett has an answer.

Note Ms. Hayes emphasized that more microphones are needed around the room.

Note see attached budget draft for review and discussion.

 [Budget_-D2-FY2023-24---4-22-23.xls](#)

Note Mr. Capozza summarized the budget work so far and said some of the following:
At the last meeting they looked at the first draft of the budget, and they had a 3% increase in expenses over this year's budget.

This results in a mil rate of 1.53 as opposed to the current mil rate of 1.49.

He took the comments made at the last meeting and incorporated them into draft #2 of the budget.

The only dollar impact came from a suggestion to add a line item called long term capital maintenance.

This is the amount that we would use to take care of our capital assets on an annual basis.

The revisions result in a mil rate of 1.67, which is an increase of 12% from this year.

Note Mr. Cellino reiterated the importance of putting aside at least \$50,000 for replacement of any assets, but in addition, they have to set aside funds for long-term capital maintenance as well.

Note The Board discussed how one line item is reserved for long-term capital asset replacement while a separate line item is reserved for long-term capital asset maintenance.

Note Ms. Chapin said there's a \$25,000 line item for capital expenses and asked if they know what the capital expenses are going to be?

Note Mr. Cellino said they don't know yet and Mr. Capozza said Mr. Fountain has come forward with some suggestions.

Note Ms. Chapin discussed how there needs to be financial accountability in the budget, and how there currently isn't any.

Mr. Cellino said he disagrees tremendously with that; in previous years the Board did not have the money to do projects, so everything was postponed, and kicked down the road, and now they have a line item to address these items when they come up.

Note Ms. Chapin said she's saying that she would merely like to know what items are in the queue for completion.

Decision Mr. Capozza asked if there are any more changes to the line items and Ms. Hayes said she had the following modifications:

For the Association Manager line item, they would like to increase it by \$500, to \$24,000.

For the Secretary line item, they would like to increase it by \$250, to \$7,750.

For the Treasurer line item, they would like to increase it by \$250, to \$8,500.

Note The Board discussed increasing the distribution of the Black Pointer publication from 8 to 10 issues.

Note Mr. Capozza said an additional \$900 would be needed for 10 issues, which the Board briefly discussed with Ms. Smith.

Decision The Board agreed to increase the line item for the Black Pointer by \$900, to \$4,628, in order to accommodate 10 issues per year of the Black Pointer.

Note Ms. Hayes said there was a request for a \$5 increase per hour, for the cleaning fee of the Clubhouse.

Note Mr. Capozza said he already included that, and the current hourly rate is \$40.

Note The Board discussed the request and Ms. Hayes said Ms. Smith's skills and flexibility in availability are valued greatly, but the market doesn't support \$45 per hour.

Note Mr. Moffett said he appreciates the work Ms. Smith does, everything is always spotless, and she comes at a moment's notice.

Decision After further discussion the Board agreed to meet Ms. Smith halfway and raised the wage to \$42.50 per hour.

Note The Board discussed security patrol, and all agreed that patrolling for major events only would be sufficient. Mr. Capozza said he's going to reduce this line item by half, and the Recording Secretary encouraged them to book their special event dates as soon as possible, noting there is a lack of availability due to the I-95, Exit 74 work.

8-1. Budget Discussion

Note see attached document for budget discussion.

 [Cont.BlackPtBeachAssoc.NorthGroinEval.27Apr23.pdf](#)

Note Ms. Chapin discussed her attached proposal which she said would fall within the \$25,000 Capital Asset Maintenance line item.

Note Ms. Chapin said she got a proposal from an engineer to assess, identify treatment recommendations and get a cost and permitting estimate for repairs to Nehantic, and it would cost \$3,000.

Note Tom Meggers detailed the repairs that he noticed are needed and asked if they could make repairs without paying for an engineering report right now.

Note Ms. Chapin said she's concerned about the structure, that they haven't done the maintenance over time that they should have.

Note Mr. Baril said he would think that the contractor who did the work would have provided a maintenance plan, and Ms. Chapin replied that this is for Nehantic, and she procured is a proposal from an engineer to give us a real look at this pier.

Note The Board discussed the Nehantic pier.

Note Ms. Chapin said some of the following:

The proposal gets the estimate of any potential construction and the soft costs.

Soft costs include permitting, if necessary.

It may be just a cracked and only need concrete to address.

It may be that we are missing armor stone, and we are risking the structure.

They're setting aside \$25,000, and she's asking for \$3,000 to make sure we're doing the right thing going forward.

Note Tom Meggers said he doesn't disagree, but she's preposing they spend \$3,000 to do something maybe three to four years from now, while his thought is that they need to fix the issue they currently have by contracting out with someone. He said they're looking at a potential assessment in the future.

Note Tom Meggers said he doesn't disagree, but she's preposing they spend \$3,000 to do something maybe three to four years from now, while his thought is that they need to fix the issue they currently have by contracting out with someone. He said they're looking at a potential assessment in the future.

Note Ms. Chapin said that's why she's trying to get ahead of it. She added that they've gotten in the practice of maintaining things inexpensively, with quick fixes rather than determining what repairs might cost in the long-term.

Note Ms. Chapin said that's why she's trying to get ahead of it. She added that they've gotten in the practice of maintaining things inexpensively, with quick fixes rather than determining what repairs might cost in the long-term.

Note Mr. Cellino said he assumes she looked at the evaluation that was done 2 or 3 years ago, and Ms. Chapin replied that she did, and no mention was made of the deficiencies that they're seeing today.

Note Ms. Hayes wondered if the scope of the proposal should actually be expanded?

Note Ms. Chapin explained her reasoning as follows:

In many ways, this is kind of a trial.

This would be a new way of operating for them.

They've always patched things up, made it work, and then all of a sudden, we have a big assessment.

For a small amount of money, we can look at Nehantic, which is currently the biggest concern.

South Beach is also a big problem, and that's coming next.

She can absolutely go back, and ask for a proposal that looks at everything, at once.

Note Mr. Cellino said he's concerned about what this will cost, and what all the proposed work would cost. He added that he would like to get a second opinion since he's unfamiliar with the engineer Ms. Chapin consulted with.

Note Ms. Chapin said this proposal was for Nehantic only, and she's more than happy to get a couple of other proposals for the same scope of work and they can go from there.

Note Mr. Capozza said based on budget input they've added \$1,924 and deducted \$2,625; they have a net reduction in expenses, and the mil rate stays at 1.67.

Decision MOTION (6)

Ms. Hayes moved to approve the FY 2023/2024 Budget as discussed, with a mil rate of 1.67, and put forward to the Membership for consideration, at the May 27th, 2023, Annual Membership Meeting.

Ms. Chapin seconded the motion.

Motion carried, 6-0-0.

8-2. Website Update

Note Ms. Hayes said she sent out the new website to the board and some other tech savvy members who had offered to review it. She's hoping the new site will be live no later than the Member Meeting.

Note Ms. Hayes thanked Ms. Chapin and Ms. Stevens. She noted it was a team effort, and thinks the Membership will be happy.

8-3. Club Update

Note Ms. Hayes said Ms. Banever has contracted to have two sessions with the Children's Museum, and all of the hiring was completed in April.

8-4. Master Plan Update

Note see attached Master Plan Update.

 [2023-04-29 Master Plan Update for BOG.pdf](#)

Note Ms. Chapin referenced her attached update and said they're looking at in early June to have a community wide forum right here live and in person.

Note Tom Meggers resigned so they need to refill that role. She said he contributed a great deal and thanked him for his participation.

Task Ms. Chapin said she will leave it up to the rest of the Board, as to how they want to refill the role vacated by Tom Meggers.

Owned by BOG Board due 05/25/23

Note Ms. Chapin added that Charlie Bruce was the Zoning Representative for the Master Plan Steering committee, but he has resigned from the Zoning Commission. She said that the Zoning Commission has recommended Joe Katzbek take Mr. Bruce's place; he has been a part of the community since 1997, and is a full member of the Zoning Commission.

Decision MOTION (7)

Mr. Cellino moved to appoint Joe Katzbek to the Master Plan Steering Committee.

Peter Meggers seconded the motion.

Motion carried, 6-0-0.

Note Mr. Cellino recommended they hold the community wide forum at the end of June, so that most residents are in attendance, and it doesn't interfere with graduations and the like.

9. Adjournment

Decision MOTION (8)

Mr. Cellino moved to adjourn the April 29th, 2023, Special Hybrid Meeting of the BPBCA Board of Governors at 12:55 p.m.

Ms. Chapin seconded the motion.

Motion carried, 6-0-0.

Note The next BPBCA BOG Meeting is scheduled for May 25th, 2023.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary

Task Summary

New Tasks

Task Ms. Chapin asked Mr. Cellino if he could get a monetary estimate of what the review of the Zoning Regulations is actually going to cost them?

Owned by John Cellino, Ex-Officio to Zoning & ZBA

Task Ms. Bonelli said they voted on it at a previous meeting, she will consult her notes and minutes, and get back to her in regard to when it was done.

Owned by Janet Bonelli, BOG Chair

Task One issue the BOG needs to discuss which Mr. Deknis brought up, are the fees for variance applications; the current fee is \$450 when the actual cost is \$600, so the Association is covering \$150 per application.

Task Ms. Chapin said the action item is to find out the costs and the specifics of installing a volleyball court at the clubhouse that can be voted on at the next meeting.

due 05/25/23

Task Mr. Cellino said based on much of the conversation today, he would like them to invite Bill Budds to their next meeting, so he can explain their policy coverages so that they're all aware of what is and is not covered.

Owned by John Cellino, BOG Member due 05/25/23

Task The Board discussed how they will also need to determine if he has any type of insurance, and Ms. Hayes noted that it's possible he already has some, because he does run these clinics in the Fairfield County area. She will consult with him, and they can discuss this at the next meeting as well.

Owned by Colleen Hayes, BOG Member due 05/25/23

Task Mr. Cellino suggested forming a Subcommittee and asked if anyone on the Board might be interested. He added that he will consult with the Association Attorney as well.

Owned by John Cellino, BOG Member due 05/25/23

Task Mr. Cherry said he will call Holly Cheeseman to discuss the subject.

Owned by Tom Cherry, BOG Member due 05/25/23

Task Ms. Chapin asked Mr. Moffett to get an updated number for resurfacing the hard courts, as well as the lead time necessary.

Owned by Jim Moffett, Association Manager due 04/27/23

Task Ms. Chapin said she will leave it up to the rest of the Board, as to how they want to refill the role vacated by Tom Meggers.

Owned by BOG Board due 05/25/23