

# Minutes of BPBCA BOG February 29th, 2024, Special Hybrid Meeting Amended - 02/29/24

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**Date and time:** 02/29/24 6:00 PM to: 02/29/24 8:50 PM

**Present:** Brooke Stevens, Recording Secretary (Via Zoom), John Cellino, BOG Chair, Peter Baril, BOG Member, Colleen Chapin, BOG Member, Arlene Garrow, BOG Member, Peter Meggers, BOG Member, Tom Cherry, BOG Member, Tom Meggers, BOG Member, (Via Zoom), Will Fountain, Emeritus, (Via Zoom)

**CC:** Jim Moffett, Association Manager, Al Capozza, Treasurer, Absent:, Colleen Hayes, Club Liaison & New Tax Collector

**Location:** BP Clubhouse, 6 Sunset Ave, Niantic & Via Zoom- See below for live Zoom Link.

**Link:** <https://app.meetingking.com/meetings/410628>

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## Topics

### 1. Zoom Info & Link

**Note** Topic: BOG - 2024-02-29

Time: Feb 29, 2024 06:00 PM Eastern Time (US and Canada)

<https://us02web.zoom.us/j/81832729888?pwd=OG5aYmRaV0Q2cklrSnlldHU2YzltZ09>

Meeting ID: 818 3272 9888

Passcode: 768647

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Phone Only Access:

One touch: +13092053325,,81832729888#,,,,\*768647# US

Manual dial: +1 309 205 3325 US

Meeting ID: 818 3272 9888

Passcode: 768647

**Note** <https://us02web.zoom.us/j/81832729888?pwd=OG5aYmRaV0Q2cklrSnlldHU2YzltZ09>

### 2. Call to Order

**Note** Chairman Cellino called the February 29th, 2024, Special Hybrid of the BPBCA BOG to order at 6:07 p.m., did roll call, and noted a quorum was present.

#### 2-1. Executive Session

**Note** Mr. Cellino noted an Executive Session was held directly prior to this evening's meeting, with no action taken during that Executive Session.

**Decision** MOTION (1)

Mr. Cellino moved to engage Robinson & Cole to assist with our legal services and oversight of our lawsuit with Barr Holdings.

Mr. Cherry seconded the motion.

Motion carried, 7-0-0.

#### 2-2. Waterford Data Center

**Note** Mr. Cellino introduced Bryan Sayles, who is head of the Concerned Citizens of Waterford and East Lyme, who was in attendance to discuss the potential data center development in Waterford. Mr. Sells detailed how and why the citizen's group was formed.

**Note** The main discussion revolved around the community's concerns regarding the development of a data center, including energy consumption, environmental impact, and lack of transparency from local officials.

**Note** Mr. Sayles detailed the mobilization of the community through public meetings, information gathering, and advocacy efforts to challenge the data center project. He suggested that interested parties consult the Concerned Citizens website at <https://sites.google.com/view/ccwel-resources/>.

**Note** Mr. Sayles also mentioned significant legislative and environmental concerns related to the data center project, including a massive tax giveaway to developers and potential impacts on local wildlife and energy prices. He urged community members to take action by writing letters to state representatives and raising awareness about the potential negative impacts of the data center project; communicating their concerns through letters and representation, will serve as a proactive approach to addressing these environmental and infrastructural issues.

**Note** Mr. Sayles highlighted that, from the beginning, he has maintained that this project will impact Niantic, since the town is heavily dependent on tourism.

He added that these facilities tend to generate the types of noise and hum that will alienate people and wildlife, and in terms of a visual scale, the proposed data center is one and a half million square feet, twice the size of the Waterford Crystal Mall.

Mr. Sayles further explained that it will be 70 feet tall and will be lit up like a Christmas tree at night because it's going to be running 24-7, 365 days a year.

**Note** Mr. Sayles shared that the town of Waterford is expecting to be paid \$231 million over a 30-year period, but none of that is guaranteed, and that's written throughout the agreement for the actual proposal from the developer. He added that the town of East Lyme will feel the very real negative effects of the data center while receiving no compensation.

**Note** Mr. Sayles again encouraged people to visit the website and peruse their various documents and research they've collected, related to this project.

**Note** Ms. Garrow thanked Mr. Sayles for coming and said she will continue to update Black Point Members regarding this project.

### 3. Additions to the Agenda

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

### 4. Communications

**Note** see attached.

 [2024-02-21 Skala Redacted.pdf](#)

**Note** see attached.

 [2024-02-23 Connors Redacted.pdf](#)

**Note** see attached.

 [Colt Redacted.pdf](#)

Note see attached.

 [2024-01-27\\_McAndrew\\_Redacted.pdf](#)

Note see attached.

 [2024-01-27\\_Shalyoy\\_Redacted.pdf](#)

Note see attached.

 [2024-02-08\\_Craven\\_Redacted.pdf](#)

Note see attached.

 [2024-02-08\\_Craven\\_Redacted.pdf](#)

## 5. Public Comments

Note Mr. Cellino said they will only be having a public comment section at the beginning of this meeting and will not be holding the additional session at the end of the meeting.

### 5-1. Larry Connors of 50 Indianola Road

Note Mr. Connors noted he represents a small grassroots effort to improve accessibility and safety for kayak launching, and explained that the work done previously from 2008-2011, is the foundation of their efforts.

 [29FEB24\\_LMC\\_comments\\_to\\_BOG.docx](#)

Note He believes their efforts align with the good work of the Long-Range Plan and the results of its workshop last summer. He's requesting that the BOG put them on their agendas going forward so they can keep them informed, as well as seek their advice, as they continue their work.

Note Mr. Connors said they would also like to be included in the agenda for the Annual Meeting, so they can inform the entire Membership of their work and invite their suggestions.

Note Mr. Cellino said he will add this item to the next regular meeting agenda

### 5-2. Joan Hayes of 51 Whitecap

Note Ms. Hayes said some of the following:

She was on the Board when the initial kayak project was proposed.

It was a lot of hard work and it ended with that big bridge, that was unacceptable.

She thinks Mr. Connors and his committee are going to find a way to make this possible for all the kayakers of Black Point.

They're going to put their best effort in and she also want to thank him and his committee.

Note Ms. Chapin said she would like to clarify some semantics; they shouldn't call the efforts done by Mr. Connors a committee at this point in time, and Mr. Connors' grassroots effort of excited and enthusiastic members.

### 5-3. Skip Guzy of 17 Woodland

**Note** Mr. Guzy said some of the following:

He thinks the prerequisite has been set because there's multiple docks that have been built in the last few years by five people.

He hopes the Association has more financial clout than those individuals did.

He believes DEEP approval is occurring fairly regularly.

#### 5-4. Rick Diachenko of 25 Sunrise

**Note** Mr. Diachenko had some of the following remarks:

The Men's Club has been trying to get out notices of any people that have passed away during the year. What they're lacking is notification of the people that come into the community.

It would be nice if we could put together a welcome package for them.

He plans to talk to both the Women's Club and the Rec Program about preparing a package.

The question is how do they get that data?

It seems like the best way would be if the Tax Collector knows when somebody's moved in, if she could forward this information to them.

He's not sure if this is public information or not.

**Task**  Mr. Cellino said he will speak to Ms. Hayes about this and ask how she's informed about new owners in the community.

*Owned by John Cellino, BOG Chair*

#### 5-5. Sally Cini of 28 Sea Breeze

**Note** Ms. Cini said some of the following:

She probably won't make it until the end of the meeting anyway but would like to know the basis for the decision not to hold public input at the end of a meeting.

The public often hears what's being discussed and then want to comment on that, which they can't now do at the end of the meeting.

Is there a reason for that?

**Note** Mr. Cellino offered the following response:

It's the prerogative of the Board, specifically the Chairman.

Based on some comments made by fellow members, and the length of prior meetings, that public comment would occur at the beginning of the meeting.

Our Zoning Board has the same policy and operates in the same way.

**Note** Mr. Baril asked Mr. Cellino if he's indicating that public comment will only occur at the beginning of the meeting from now on, and Mr. Cellino said yes, that it has been the policy of this Board for the last few years to allow the public to speak in a respectful manner during agenda items. He added that they'd like to avoid confrontational behavior and prolonging the duration of a meeting to an excessive amount.

**Note** Someone from the audience who did not identify herself asked why they wouldn't just have one public comment section at the end of the meeting.

**Note** Mr. Cellino thanked her for her comment and said he would take it under advisement.

#### 5-6. Mike Johnson of 45 Bellaire

**Note** Mr. Johnson said he thinks public comment should continue to be both at the beginning and end of the meeting; new questions often come up during the meeting and having a public comment session at the end of the meeting allows people to voice these additional questions or comments.

## 5-7. Cynthia Etienne of 48 Nehantic

**Note** Ms. Etienne asked how many people on the Board decided this, if it was voted on, or merely the Chairman's choice?

**Note** Mr. Cellino said he discussed the matter with the Vice-Chair, and it's the Chairman's prerogative.

**Note** Ms. Etienne said he didn't talk to the rest of the Board, and Mr. Cellino replied that it's his understanding that it's the prerogative of the Chairman, but he's not foolproof, will verify this, and take all the feedback into consideration.

**Note** Ms. Chapin said she just wants to confirm that he changed this from the Board's prerogative to the Chairman's prerogative and Mr. Cellino replied in the affirmative.

## 5-8. Mike Johnson of 45 Bellaire

**Note** Mr. Johnson asked how it's going to be determined who owns the right-of-ways?

**Note** Mr. Cellino said he's limited on what he can say due to some ongoing litigation, but there is no question at all, as to who owns the right-of-ways, and it's the Association who owns them.

## 6. Reports

### 6-1. Tax Collector

**Note** Mr. Cellino said he doesn't see Ms. Hayes on the call, but noted that out of 576 home, one person owes \$12.

**Note** see attached report submitted by Ms. Hayes via email.

 [TAX COLLECTOR REPORT 2-29-24 for 2023-2024.xlsm](#)

### 6-2. Treasurer

**Note** Mr. Capozza provided the following financial highlights:

From July 1 through February 28th, under operations, total receipts are \$329,000.

That's 1.4% of the budget.

The increase versus last month's report was \$2,800, and that is made up of investment income of almost \$1,500, and club rental fees of \$900.

Total disbursements, \$203,000.

That's 63%, an increase of \$12,500 versus last month's year-to-date report.

Items contributing to this increase are the monthly payroll costs, \$5,000 for a temporary capital expenditure, which is the deposit for the new 10 swim buoys, which essentially that money will go into the long-term capital fund, to be paid off.

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\$1,600 deposit for ground services.

\$1,300 for utilities, \$1,400 for the Clubhouse renovations.

The total receipts minus disbursements right now is \$128,000, as of right now,

\$12,000 positive estimate for June 30th.

No activity on the Rec Program.

Master Plan- we received the final invoice for \$520, which will be reflected in next month's report.

**Note** Ms. Chapin said we've committed to buying the swim buoys, but she recalls that they discussed last month, that Mr. Moffett would be obtaining bids for these, and the actual expenditure was not approved.

**Note** Mr. Moffett said he submitted the low bid to the Waterfront Committee and the expenditure was approved in September.

**Note** Ms. Chapin said some of the following:

She doesn't recall that.

There's no question that we need them.

There's no question that they cost what they cost, and hopefully this time we're getting approved buoys instead of the mandates that we had.

Her concern is the Board is responsible for approving expenditures.

She was never asked about the actual expenditure, never saw the quotes, never saw the proposals.

She's confused about how this is happening and said they need to keep an eye on this, so it doesn't happen again, because this is not okay.

**Note** Mr. Moffett replied that he believed the expenditure had been approved in September or October, and several Board members discussed how they thought it had been approved as well.

**Note** Mr. Capozza and the Board discussed the budget, expenditures, and the categorization of purchases as either capital or maintenance.

**Note** Mr. Capozza clarified that the swim buoys is a new purchase of an existing asset.

### 6-3. Association Manager

**Note** see attached report.

 [Assoc Mgr Report.pdf](#)

**Note** Mr. Moffett gave his highlights from February and said some of the following:

Throughout the month he does a walk through down the beach, picks up the mail pretty much daily, and distributes it.

He puts out the garbage cans on Sunday nights and brings them in on Mondays.

The Clubhouse floor is finally fixed.

The vendor finally laid it down right and this will be permanent.

They did a great job.

Nebelung who does our daily beach cleaning and our grass cutting submitted their proposal, and they are raising their prices from last year.

After some negotiation Nebelung agreed to keep the rates the same as last year.

**Note** Mr. Moffett referenced the photos in his report that showed the poor condition of the scour wall between Sea Breeze and Sea View. He noted it's completely gone, you can't even walk across it, and it's dangerous, so he put yellow caution tape on both sides of the area.

**Note** Mr. Moffett directed the Board to the photos in his report, which show the poor condition of this area. He added that there is also a telephone pole sitting against the wall at the bottom, that has to get dragged out of there.

**Note** Mr. Moffett noted there was a sign at the bottom of the boat launch, which is so faded, you couldn't read it. He has removed it and will bring it to the sign vendor for repair.

**Note** Mr. Moffett said Mr. Dewey took a look at the heating system and everything appeared to be okay, and he has scheduled Spicer's advanced gas to come out on May 1st and will have the air conditioner checked, and they will evaluate the heating system, and their recommendations.

**Note** Mr. Moffett said they previously discussed getting a band for June 29th, he received a recommendation for one, they book up quickly, and he was running out of time. He added that he's not sure in regard to the approval of that.

**Note** Mr. Cellino discussed how Mr. Moffett was supposed to check out some alternatives, since they were looking for a specific type of band, and that he was unaware that Mr. Moffett was going to contact a band to book them.

**Note** Mr. Moffett replied that it's not a binding contract, they can cancel it, and no money was exchanged. He said he was worried they would book up, and he negotiated down the price and negotiated the hours up; he got four hours, where you usually get three hours for \$900.

**Note** Mr. Cellino said he wanted to explore other alternatives prior to making the decision, he detailed the type of band they were seeking, and said in the future he will make sure this type of request is in writing so there is no confusion.

**Note** Mr. Moffett and Mr. Cellino further discussed the band and the manner in which these reservations should be handled.

**Decision** Mr. Cellino observed that although he respects Mr. Moffett's efforts, the matter shouldn't have been handled like this, he should have called him if time was of the essence, and it's not his place to make this decision. He added that the band is going to view the reservation as an agreement, and he certainly doesn't want to disappoint anyone, so they will have this band perform on June 29th.

**Note** Mr. Baril said he has a question unrelated to the band booking and asked if the waterfront maintenance budget of \$41,000 all for cleaning the beaches during the summer season?

**Note** Mr. Capozza and Mr. Moffett explained that the amount covers moving the equipment, setting it up, moving it back, and so forth.

**Note** Ms. Chapin contributed some of the following:

She was at South Beach today, which is essentially the South Beach rock pile.

She's been looking at some information and is finding that we can't actually put motorized equipment on the beaches between May 15th and July 11th, unless they have a special exemption from DEEP.

Last year, people from South Beach came to a BOG meeting in July, to get action on the beach.

She's hoping they actually have a plan to do something before May 15th.

She doesn't know what that would be, or if it's even possible at this point.

She's hoping that they're going to start thinking about what that's going to be and what that's going to cost.

The same should be considered for the walkway between Sea Breeze and Sea View.

What are we going to do with that in advance of the season?

She knows that the Craven family abutting that area sent some information into them.

**Note** Mr. Cellino discussed how he, Mr. Moffett, Mr. Meggers, and Mr. Baril met with some of the concerned members at South Beach, last year. He said they also consulted with Mr. Nebelung, who doesn't believe it's feasible to remove the larger rocks.



**Note** Mr. Cellino observed that this will be a constant problem given the ocean and offered some of the following comments:

He doesn't know how to resolve this problem.

He was hoping when Mr. Baril joined the Board, that his background might help them with this issue.

Nebelung mentioned the possibility of bringing in additional sand.

it's a concern to people in South Beach and rightfully it should be.

He wonders if they should potentially engage a professional engineer with this type of background.

Without rocks, erosion will be a problem.

There's a lot of challenges here.

He wants them to find out for sure if a DEEP exemption is in fact required.

If they're not raking or grading the beaches between May 15th and July 11th, they're going to hear about that too.

**Note** The Board discussed how if an exemption is needed, it would be needed for each beach.

**Decision** The Board decided to table this discussion for now but acknowledged that both the condition of South Beach and the DEEP exemption must be revisited sooner than later.

**Task**  Mr. Baril said Mr. Cellino indicated that he's going to have a marine contractor look at the Sea View walkway damage and said he would like to be present for this appointment once it's scheduled.

*Owned by John Cellino, BOG Chair*

## 7. Liaison Reports

### 7-1. Zoning

**Note** Ms. Garrow said at the last meeting Mr. Cellino asked her to check with Jim Fox in regard to architectural review, and possibly having that as part of our zoning regulations. She shared that Mr. Fox has had direct experience and he said design review is a very lengthy, costly, exhausting process, and typically the value isn't worth the money.

Mr. Fox also said that based upon the fact that a lot of our homes here are already built, they're going to all somewhat qualify or fall under pre-existing rules and regulations; none of us are going to qualify or be demanded to follow architectural review unless the home is being knocked down and rebuilt.

Ms. Garrow noted that given all of this, Mr. Fox is not in favor of it at this time. He would like to see some sort of a guide, or pamphlet handed out by the ZEO when somebody's building a home, that encourages design features. She added that Mr. Fox feels that there are more pressing issues that zoning should be looking at.

**Task**  Ms. Garrow said the Zoning Commission will be meeting next on March 15th, 2024, and she will be out of town. Mr. Cellino said he would cover the meeting for her.

*Owned by John Cellino, BOG Chair*

### 7-2. Kids Club

**Note** Ms. Hayes was not in attendance or on the call.

### 7-3. Waterfront Equipment Subcommittee

**Note** Mr. Cellino said there was nothing to report.

**Note** Ms. Chapin asked if the Waterfront Equipment Subcommittee is meeting publicly as a committee of the Board, and Mr. Cellino confirmed that they are.



## 7-4. Wrecking Crew

**Note** see attached.

 [02\\_29\\_2024\\_BOG\\_WC\\_Report.docx](#)

**Note** Mr. Allen referenced his attached report and shared some of the following:

The primary things they've been working on are the renovations to the clubhouse, which are just about completed.

They have a couple of minor things they have to work on and are still working with the Association Manager on positioning equipment.

Their upcoming work will focus on preparations for the summer season.

They have to repair and replace the clubhouse front doors.

They're also going to have to revisit the issue of handicap parking and access to the clubhouse, and mark sites properly.

They have to also repair and bring to code the compliance heating system exhaust apparatus in the clubhouse heating system.

They will be working on the removal and installation of the new adjustable basketball hoops.

They're going to be helping the Club with the new piece of playground equipment.

They are going to be gearing up for the upcoming Association spring clean-up.

**Note** Mr. Cellino thanked them for all of their hard work.

**Note** Ms. Chapin said in terms of accessibility, they need to do something with the pathway between the accessible parking spot and the accessible entrance. Mr. Allen said this is included in their plans.

**Note** Ms. Chapin thanked him for looking into and addressing this.

## 7-5. Master Plan

**Note** Ms. Chapin said a final draft is being circulated to the Committee and are scheduling another public review of that final draft in two weeks.

**Note** Mr. Cellino asked if it will be sent to the Board as well, and Ms. Chapin replied that it will be circulated as public document. Mr. Cellino said he's not sure he agrees with the Board not receiving it beforehand and Ms. Chapin observed that they didn't get to approve the buoys either.

**Note** Mr. Moffett said that the Recording Secretary has notified them via the chat feature that the Board agreed to a budget of \$5,000 for the buoys, but the actual expenditure was not voted on.

**Decision** MOTION (2)

Mr. Cherry moved to approve an expenditure of \$5,000 for the buoys.

Peter Meggers seconded the motion.

Motion carried, 7-0-0.

**Note** Ms. Chapin asked if that includes any installation and rigging, and Mr. Cellino replied that it doesn't.

## 8. Approval of Meeting Minutes

### 8-1. January 25th, 2024, Special & Regular Meeting Minutes

**Note** see attached minutes.

 [Minutes-of-BPBCA-Board-of-Governors-Special-Zoom-Executive-Session-Meeting-01\\_25\\_24.pdf](#)

**Note** see attached minutes.

 [Minutes-of-BPBCA-BOG-January-25th-2024-Regular-Hybrid-Meeting-01\\_25\\_24-1.pdf](#)

**Note** Mr. Baril said he sent his comments to Ms. Stevens who told him they should also be made part of the public record. He offered some of the following comments:

He's most concerned about the bottom of page two, when they talk about the new backboards.

Tom Meggers indicated that in his opinion, the lawn area behind the courts, or even the court itself, so we don't need to expand or extend the court beyond what it is now, since there's not really any trip hazard.

**Note** Tom Meggers confirmed this statement.

**Note** Mr. Baril said he also wanted to add to the section that focuses on the Board discussing the water heater and Ms. Chapin said the minutes reflect her statement that "it's helpful for the budget track cycle." Mr. Baril said the big issue that should be mentioned is that it's approaching the end of its lifecycle.

**Note** Mr. Baril said on the top of page 7 should be corrected, when they're talking about replacing the railing. He said technically it's not a replacement since currently there is no railing there, it's a new installation.

**Note** Mr. Baril said under Old Business, in regard to the A2 survey, he doesn't think that was tabled. He asked the surveyor to do some slight additional topography in the eastern end of the site, and there wasn't anything to vote on.

**Note** Ms. Chapin said on page 4, after they discuss the water heater, the word "oil" should be changed to "propane."

**Decision** MOTION (3)

Ms. Garrow moved to approve the Regular Meeting Minutes of January 25th, 2024, as amended.

Mr. Baril seconded the motion.

Motion carried, 7-0-0.

**Note** Ms. Chapin noted that Ms. Garrow attended the January 25th, 2024, Special Executive Session via telephone.

**Decision** MOTION (4)

Ms. Chapin moved to approve the Special Executive Session Meeting Minutes of January 25th, 2024, as amended.

Ms. Garrow seconded the motion.

Motion carried, 7-0-0.

## 9. Old Business

### 9-1. Clubhouse Grounds A2 Survey Update

**Task**  Mr. Baril said some larger prints of the topographic plan are going to be dropped off to him tomorrow, and he suggested that Ms. Stevens post a copy of the A2 Survey on the website.

*Owned by Recording Secretary due 03/04/24*

### 9-2. Steel Groin Update

**Note** see attachment.

 [Pinder Contract for Steel Groin Inspection \(Oct 2023\).doc](#)

**Note** see attached price info.

 [Pinder\\_price.pdf](#)

**Note** see attachment.

 [Steel Groin Board Package.pdf](#)

**Note** Mr. Baril offered the following comments:

The bid package was sent out to six marine contractors on the 13th.

Five of the six acknowledged receipt of them.

He's expecting at least three bids based on his conversations with those contractors that are due on the 15th.

He will be sending out an indication that pressure washing will have to be done without detergent.

He's been in contact with the liaison for DEEP and he indicated we would not need a certificate of permission as long as we weren't using any detergents that would run off into the water.

### 9-3. Multi-Use Court

**Note** Mr. Cellino said the following:

He and Mr. Moffett spoke with Mr. Nebelung about this, and he came up with an attractive quote.

A court sized 65 X 35.

He will dig out the soil and replace it with gravel.

Including 80 yards of gravel, it's \$4,200.

The pavement is estimated at \$350 per square foot and that's very generous.

He believes they'll get it done for less than that, but at \$350 per square foot, it would be around \$7,000 or \$8,000 for the pavement.

If you use roughly seven and you add his five, you're at about \$12,500.

The net that Mr. Fountain had looked at, which is more professional-looking, stainless and movable, costs \$3,000.

They can move up and down somewhere around \$13,000- \$15,000 before any extras.

Initially they had a rough estimate in the \$18,000 to \$20,000 range.

They're also going to look at the idea of possibly putting a surface on top of the pavement, similar to what the tennis courts have, and see what the cost for that would be.

They will have this information either for the next meeting or a special meeting.

He wants to remind everyone that they previously discussed the Board spending \$10,000, and the Men's Club, and Kid's Club each contributing \$4,000 a piece.

They we will get final and complete bids for our next meeting or sooner on this subject.

**Task**  Mr. Baril asked that the bids be supplied to the Board in advance of the meeting, so they have adequate time to review them.

*Owned by John Cellino, BOG Chair*

**Note** Ms. Chapin said at this point in time, when we've got actual storm damage issues with our waterfront infrastructure, is this the best use of our money for the next six months? She added that they can have more of a discussion about this when they receive the final bids.

**Note** Mr. Cellino said that's fine, his opinion is different, these funds are budgeted for new Black Point projects.

**Note** Mr. Baril said he doesn't think the building of a multi-use court right now meets our priorities. He said we really don't have a pressing need for a new pickleball or volleyball court, which was supposed to originally be just a \$500 court in the back of the grass.

**Note** Mr. Baril added that nobody's talking about the logistics, where this is going to go. He asked if we would be taking the trees in the back to put this in and if it's going to impact the use of the Rec Program during the week?

**Note** Mr. Baril said other costs should be the priority and that he will put something more in writing.

**Note** Mr. Cellino briefly discussed how pickleball is the fastest-growing sport in America right now and how they're trying to improve our facilities.

#### **9-4. Maintenance of Long-Term Assets**

**Note** Mr. Cellino noted that Mr. Baril already discussed two items that fall under this umbrella.

#### **9-5. Basketball Hoops Update**

**Note** Mr. Cellino said delivery takes three or four days from order and he discussed the logistics of how and where it would be best to receive them.

#### **9-6. Remote Voting Bylaw Amendment Correction**

**Note** see attachment.

 [Remote\\_Voting\\_Memo\\_-\\_2023-09-18.pdf](#)

**Note** At the previous meeting, Ms. Chapin stated that the vote for this should be redone; the voting should have been proposed at one regular meeting and voted on at the next regular meeting that followed.

**Note** Ms. Chapin clarified that they actually voted that they were in favor of remote voting, but we have to come up with the procedures.

**Note** The Recording Secretary left the two comments above from the October 26th, 2023, and January 25th, 2024, meetings were left imbedded in tonight's agenda as a reference point for this topic.

**Note** Ms. Chapin clarified this whole thing should be redone, the process for a bylaw amendment requires consideration at a regular meeting and voting at a subsequent regular meeting, since this is not a regular meeting this item should be tabled.

#### **9-7. Hedge Height**

**Note** see attachment #1.

 [Hedge\\_Discussion\\_Points.pdf](#)

**Note** see attachment #2.

 [283526-Intersection\\_guidelines-9787562f8219364077d15ab766550d118d7857cc.pdf](#)

**Note** Mr. Cellino read Mr. Fox's previous comments regarding hedge height, that while this regulation has been within the zoning regulations for many years, their attorney has provided guidance that the jurisdiction, enforcement and tools of enforcement would be best within the hands of the Board of Governors.

**Note** Mr. Cellino said that Mr. Fox feels that the Board should look at the current regulation to determine the next best standard to ensure the safety of our members and their guests.

**Note** Ms. Chapin offered the following comments:

We have had regulations regarding heights at intersections in the zoning regulations since at least 1980. In 1998 those regulations were modified to provide some numerical values.

We have language which is specific to the enforcement of these regulations.

That's one thing that the Attorney said, that is different, so they'll have to get that information.

In many ways, hedges actually serve as a bit of a traffic calming measure.

One would like to think that people are not going as fast as they possibly can through these intersections, because they can't quite see clearly.

By changing some of our hedge regulations or actually enforcing our existing hedge regulations, we do have the potential for unintended consequences.

Our real issues are compliance-related.

It's not just hedges, its fences, its telephone poles, it's the giant utility box at the boat ramp, its mailboxes, it's the fact that the roads curve.

These are all complex issues.

**Decision** The Board briefly discussed hedge height and decided to revisit this item at the next meeting.

**Task**  Ms. Chapin said she will consult with the town to ascertain what they do, given that the baseline language is the same.

*Owned by Colleen Chapin, BOG Member*

## 9-8. Architectural Review

**Note** This item was discussed during the Zoning Liaison report.

## 9-9. Short-Term Rentals

**Note** The next Short-Term Rental Ad Hoc Committee meeting will take place at the East Lyme Town Hall on March 18th, 2024, at 7:00 p.m.

## 10. New Business

### 10-1. Budget Calendar

**Note** see attached calendar.

 [BP\\_Budget\\_Calendar-2024-25.docx](#)

**Note** Mr. Capozza reviewed the budget calendar and process with the Board.

### 10-2. BOG Election Procedures

**Note** The Board discussed the need for improving the election process in community governance, focusing on interest statement submission dates, election process organization, nomination flexibility, communication transparency, and neighborhood dynamics consideration. Suggestions include moving interest statement submission closer to the meeting date, formalizing the nomination process, allowing nominations from the floor, enhancing communication, and maintaining neighborhood harmony post-election.

**Note** The Board discussed sending out information, including resumes, to the community in advance of elections.

**Note** Ms. Garrow, Mr. Baril, and Ms. Chapin supported the continual allowance for nominations from the floor on the day of the election to ensure inclusivity and flexibility in the nomination process.

**Note** Peter Meggers asked if everyone is in agreement they could post something going on the website stating that if you're planning on running, we would really like to send your resume out to the Membership.

**Note** Mr. Baril said the election process, particularly for the chair position, was unorganized and rushed, and suggested improving it by including a special meeting or formal nomination process.

**Note** Tom Meggers said he agrees, he doesn't think they should vote for a President the day of the meeting, and this additional time will give them time to determine who wants the position, and who wants to be Vice Chair.

**Note** Ms. Garrow said she agrees with this as well, since everything was rushed.

**Note** Ms. Chapin said much like they might ask candidates why they want to be on the Board, the same consideration should be given to why a Board Member wants to be Chair or Vice Chair.

**Note** A suggestion was made to handle election results sensitively to maintain neighborhood harmony, proposing not to publicly highlight the number of votes each candidate received.

## 11. Adjournment

**Decision** MOTION (5)

Peter Meggers moved to adjourn the February 29th, 2024, Special BPBCA BOG Meeting at 8:32 p.m.

Mr. Cellino seconded the motion.

Motion carried, 7-0-0.

**Note** Respectfully Submitted,  
Brooke Stevens, Recording Secretary

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### Next Meeting

Meeting title: [Bpbca bog march 7th, 2024, special hybrid meeting](#)

Date and time: 03/07/24 06:00 pm to: 03/07/24 08:03 pm

Location: BP Clubhouse, 6 Sunset Ave, Niantic & Via Zoom- See below for live Zoom Link.

## Task Summary

### New Tasks

**Task**  Mr. Cellino said he will speak to Ms. Hayes about this and ask how she's informed about new owners in the community.

*Owned by John Cellino, BOG Chair*

**Task**  Mr. Baril said Mr. Cellino indicated that he's going to have a marine contractor look at the Sea View walkway damage and said he would like to be present for this appointment once it's scheduled.

*Owned by John Cellino, BOG Chair*

**Task**  Ms. Garrow said the Zoning Commission will be meeting next on March 15th, 2024, and she will be out of town. Mr. Cellino said he would cover the meeting for her.

*Owned by John Cellino, BOG Chair*

**Task**  Mr. Baril said some larger prints of the topographic plan are going to be dropped off to him tomorrow, and he suggested that Ms. Stevens post a copy of the A2 Survey on the website.

*Owned by Recording Secretary due 03/04/24*

**Task**  Mr. Baril asked that the bids be supplied to the Board in advance of the meeting, so they have adequate time to review them.

*Owned by John Cellino, BOG Chair*

**Task**  Ms. Chapin said she will consult with the town to ascertain what they do, given that the baseline language is the same.

*Owned by Colleen Chapin, BOG Member*