

# Minutes of BPBCA BOG March 27th, 2025, Special Executive Session & Regular Hybrid Meeting - 03/27/25

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**Date and time:** 03/27/25 6:00 PM to: 03/27/25 9:24 PM

**Present:** Brooke Stevens, Recording Secretary, Peter Baril, BOG Member, John Cellino, BOG Member, Peter Meggers, BOG Member, Jim Schepker, BOG Chair, Will Fountain, Emeritus, Bill Bayne, BOG Member, Colleen Chapin, BOG Member, Arlene Garrow, BOG Vice-Chair, (Via Zoom)

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

**Location:** BP Clubhouse, 6 Sunset Avenue, Niantic, CT & Via Zoom

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## Topics

### 1. Call Meeting to Order

**Note** A Special Executive Session is scheduled for March 27th, 2025, at 6:00 p.m. The Regularly scheduled BOG Meeting will immediately follow the Executive Session, at 6:30 p.m.

**Note** Mr. Schepker called the meeting to order at 6:00 p.m. and did roll call; a quorum was present.

### 2. Motion to Enter Executive Session for the purpose of discussing Employee Compensation matters.

#### **Decision** MOTION (1)

Mr. Bayne moved to Enter Executive Session for the purpose of discussing Employee Compensation matters. Mr. Meggers seconded the motion. Motion carried, 7-0-0.

#### **Decision** MOTION (2)

Mr. Meggers moved to invite Mr. Fountain to join them in Executive Session. Mr. Bayne seconded the motion. Motion carried, 7-0-0.

### 3. Motion to Exit Executive Session

#### **Decision** MOTION (3)

Ms. Chapin moved to Exit Executive Session at 6:30 p.m. with no action taken. Mr. Baril seconded the motion. Motion carried, 7-0-0.

### 4. Zoom Info & Link

**Note** <https://us02web.zoom.us/j/87523276392?pwd=PbGqF5jlcHAAhg9TGJft90ScmZjY1.1>

**Note** Meeting ID: 875 2327 6392  
Passcode: 961669  
Phone Only: 305 224 1968 US  
One tap mobile  
+13052241968,,87523276392#,,,\*,961669#

**Note** <https://us02web.zoom.us/j/87523276392?pwd=PbGqF5jlcHAAhg9TGJft90ScmZjY1.1>

## 5. Call Regular Meeting to Order, Establish Quorum, & Pledge

**Note** Chairman Schepker called the Regular Meeting to order at 6:32 p.m. did roll call, noted a quorum was present, and led those assembled in the Pledge of Allegiance followed by a greeting to neighbors.


## 6. Additions to Agenda

**Note** There was none.

## 7. Approval of Meeting Minutes

### 7-1. February 27th, 2025, Meeting Minutes

**Note** see attached minutes.

 [Minutes of BPBCA BOG February 27th 2025 Regular Hybrid Meeting 02 27 25.pdf](#)

**Note** Mr. Schepker had the following comments to add to the meeting minutes:

In regard to the comments made by Mr. Fleet of 17 Cottage Lane, under the public comments section of the February 27th, 2025, meeting.

There is a significant discrepancy in the projected costs for clay court maintenance, ranging from \$1,500 to \$10,000.

**Note** He requests that members, particularly the women's groups who haven't done so previously, document their usage of the clay courts more carefully this season.

The purpose of this request is to gather data on how frequently and by whom the courts are being used; this information is crucial for understanding the actual demand for clay courts and for making informed decisions about maintenance budgets and resource allocation.

**Note** Item #9, which concerns insurance, says we're potentially working with up to four agencies, and this may be revised.

We may be working with fewer agencies, and we'll hear more about that later tonight.

**Note** In terms of edits to the Minutes Mr. Schepker had the following corrections:

1. \*Item #10 reads "Mr. Schepker said he would like the Board to consider increasing the mill rate from 1.93 to 2.3," when he was actually saying they consider increasing it to "2.04."

**Note** 2. \*Further down it reads "Mr. Bayne advised comparisons" which is repeated twice. One can be deleted.

**Note** 3. \*Item #16 says "...they're waiting for updated grand list from the town, and the amount of \$600 served as placeholder..." Mr. Schepker asked if this amount should be \$600 or is it actually \$4,000 for the telephone directory? Mr. Baril replied that it should be \$4,000.

**Note** Mr. Baril said during the clay court discussion he inquired if an estimate of how many members regularly use a clay court, but an analysis could not be provided.

**Note** Ms. Chapin had the following correction:

\*Under item #10, where it says she that "She noted that a wide range of property valuations within the Association," she actually said is "There's a wide range of economic abilities within the Association," which kind of has a different meaning.

**Decision** MOTION (1)

Mr. Bayne moved to approve the February 27th, 2025, Meeting Minutes as amended.

Mr. Cellino seconded the motion.

Motion carried, 7-0-0.

## 8. Chair's Opening Remarks

**Note** Mr. Schepker shared some of the following:

Tonight's agenda is busy with up to five potential votes, driven by active member teams.

The Hard-Court crew will present a cause for refurbishing and restriping their courts.

The Clubhouse Doors Consortium is working on bids to replace the 70-year-old doors.

The Remote Voting Team is developing secure remote voting capabilities.

The Endowment Team is seeking members for its independent Board, for which legal funding was previously approved.

These member-led activities are generally positive and constructive.

**Note** Regarding the courts, the Hard-Court crew believes current capacity is sufficient for both tennis and pickleball after refurbishment, so the Clay Courts will remain as they are.

The Clay Court group has ideas to reduce maintenance costs and will improve tracking and recruitment of enthusiasts.

Board members are actively participating in these initiatives.

**Note** The Board received four member inquiries- three about the art and clay courts (to be discussed later) and one from new homeowners seeking information.

There was also an email about golf cart parking, which will be discussed with the Beach Association Manager.

The February meeting included member comments on court issues, and a suggestion was made to include rules in the phone directory.

**Note** Three Board member terms expire in May, and members interested in serving can step forward then.

Thanks were given to anonymous Easter decorators and the Men's Club for the St. Patrick's Day dinner.

He highlighted the growing year-round community (now 58%).

Finally, there's a growing national interest in potentially renaming Niantic Bay to Black Point Bay due to the community's increasing recognition.

## 9. Public Comments

**Note** Mr. Cellino stated that he sent emails to the rest of the Board regarding proxy voting that were not included in the agenda. Mr. Schepker replied that voting is an item on the agenda so it can be discussed at that time.

## 10. Communications: Member Inquiries

**Note** see attachment.

 [Cingari\\_email\\_exchange.pdf](#)

**Note** see attachment.


 [Bogue\\_email\\_exchange.pdf](#)

**Note** see attachment.

 [Hayes\\_email.pdf](#)

## 11. 2025/2026 Budget Planning- (A. Capozza)

**Note** see attachment.

 [Operations-Work Sheet for FY 2025-26 Budget Draft 1-3-19-25.pdf](#)

**Note** see attachment.

 [Rec Program-Work Sheet for FY 2025-26 Budget Draft 1-3-19-25.pdf](#)

**Note** see attachment.

 [LT Capital Fund-Work Sheet for FY 2025-26 Budget Draft 1-3-19-25.pdf](#)

**Note** Mr. Capozza presented a draft budget review broken down into three parts- Operations, the Recreation Program, and the Long-Term Capital Fund.

**Note** (Receipts)

\*Zoning fees are at \$12,000 this year and Jim Ventres is projecting the same for next year.

\*Clubhouse rentals are at \$5,700 this year and Jim Moffett is projecting \$7,000 for next year due to higher usage.

\*Interest income, mainly from the money market account, is around \$4,000, reflecting lower renewal rates.

\*Miscellaneous and ZBA permit fees are projected to remain the same as last year.

**Note** (Disbursements)

a. contract services

\* Accounting fees (for the annual CPA compilation report) are slightly up at \$4,500 for next year.

\*Grass cutting is budgeted at \$6,500.

\*Computer services, including antivirus and QuickBooks, are increasing to \$850.

\*Insurance is projected to increase by about 6%, according to Bill Budd's assessment.

\*Legal fees are a pending item, and the board needs to decide whether to maintain the current \$15,000 or change it.

**Note** \*Payroll services are projected to increase by 5% to \$2,700.

\*Security Patrol, according to Jim Moffett, will remain the same, covering one night per weekend during the summer.

\*For clubhouse expenses, clubhouse cleaning is included.

\*Ground maintenance, which covers tree trimming, snow removal, and fertilizing, is budgeted at \$6,000.

**Note** \*Playground weeding is budgeted at \$100, the same as last year.

\*General playground maintenance, including safety mulch and tick spray, shows no change in cost.

\*Supplies, mainly for printing beach passes, the annual meeting letter, and tax bills, are budgeted at \$4,300.

\*Tennis maintenance remains unchanged at \$6,300, according to Jim Moffett, and this specifically covers the clay courts.

**Note** \*Utilities are projected to increase to \$11,400 due to higher electrical and propane prices.

\*Waterfront maintenance remains unchanged at \$42,000, with the primary expense being Nebelung for daily beach cleaning during the summer months.

\*\$25,000 is allocated for the removal of sand at the end and beginning of the season.

\*The Launched Shore Marine Company, which handles the installation of rafts and geese lines, (their bill is around \$12,000.)

\*This is another pending item currently estimated at \$35,000.

**Note** (Other Disbursements)

\*The Black Pointer newsletter has no increased cost for creation or delivery of its 10 issues, but printing costs are up by about 4%, totaling \$4,900.

\*Capital assets are another pending item with a placeholder of \$30,000.

\*Donations are budgeted at \$1,000.

\*Both the capital assets and donations figures will need further review at the end.

**Note** \*East Lyme taxes are projected to increase by 11%, based on the town's proposed 3-mill increase.

\*Social events are budgeted at \$5,000, covering the community's share of bands for the July 4th celebration and the Bosco band at the start of the season.

\*The ZBA costs remain unchanged at \$1,800, which is offset by \$18 in revenue.

\*Miscellaneous disbursements, an estimate for unassigned expenses, show no change from the previous year.

**Note** \*The final budget category is personnel services, Jim Moffett projects \$9,000, which is consistent with last year, covering three individuals who will be paid the higher minimum wage; Medicare costs are linked to the Association Manager's decision.

\*The Association Tax Collector said there will be no change in their fees next year.

\*The funding for the long-term fund is again set at \$75,000, pending a decision on whether this is the appropriate amount.

**Note** \*Summing up all disbursements totals \$380,000.

\*Subtracting the \$26,000 in other revenue results in a shortfall of \$354,000, which will need to be covered by taxes, calculated based on the grand list and mill rate.

**Note** Ms. Chapin suggested that before discussing the mill rate, the Board should first define their goals and the associated costs to achieve them. This approach would then naturally lead to the necessary mill rate calculation.

**Note** Mr. Bayne emphasized the need for a thorough examination of the budget to pinpoint the essential operational costs for next year. Additionally, he noted some omissions in the current draft that Mr. Capozza should be informed about.

**Note** Mr. Schepker noted that the only thing that they really separately do is the compensation.

**Note** Mr. Baril and Mr. Bayne discussed waterfront maintenance costs and some of the following key points were highlighted:

It costs \$7,000 for removing geese lines and buoys in the fall.

The current \$12,000 covers mobilizing and demobilizing that equipment, and it also covers sand and seaweed management.

There's a lot of debris on the beaches and the need for sand spreading.

The cost of cleaning the beaches before July 1st is in the current budget.

**Note** Nebelung isn't raising his costs next year.

Jim Barone has acquired a surf rake machine and is seeing about collaborating with Nebelung on its use, with more details to come once it's operational.

**Note** Mr. Baril asked asks Mr. Moffett if the \$4,800 social events budget covers just the band and cleanup for July 4th, or if it also includes the food. It's clarified that it covers both the food and the bands.

**Note** Mr. Schepker asked about the insurance bill, questioning if an 11% increase calculation would be recommended instead of the projected 6% or 8%.

**Note** Ms. Garrow explained that they are not yet within the 90-day renewal period, so definitive numbers on the increase are unavailable. While she hasn't heard a specific 6% from Bill Budds, she confirms there will be an increase but cannot provide a projection at this time.

**Note** Ms. Chapin pointed to the "receipts" section of the budget. She said the \$1,800 listed as "ZBA permits" should actually be "ZBA applications" or "variance applications," as they are not permits. While these application fees are intended to offset the ZBA's expenses, zoning has other costs related to public hearings, so a one-to-one offset of \$1,800 might not be realistic. She clarified that the \$1,800 expense assumes three variances, which may not occur. In the current fiscal year, there have been \$1,000 in ZBA charges despite no variances yet. It was decided to leave the numbers as they are with this understanding.

**Note** Ms. Chapin also pointed out a problem in the current year's budget where capital expenditures are arbitrarily divided. She suggested that moving forward, these should be thoughtfully combined as simply "capital expenditures" to avoid unnecessary debate over new versus maintenance.

**Note** Mr. Schepker noted that Mr. Bayne also said the same in an email to Mr. Capozza. Mr. Schepker recommended combining these categories and adding footnotes to the financials.

**Note** Mr. Cellino argued against combining maintenance and new capital items into one budget category. He uses a hypothetical "X, Y, Z" scenario where combining funds could lead to either buying new things or solely focusing on maintenance, potentially neglecting one or the other. He believes separate categories provide the Board with flexibility to ensure both maintenance and new capital projects (like kayaks or a new pier) are funded. He suggests unspent funds in each category should roll over annually due to the distinct nature of maintenance versus new additions. Ultimately, he concluded that maintaining the separate categories, with clear footnotes explaining their use, provides transparency for both the Board and the community.

**Note** Ms. Chapin said she strongly agrees with this point and gave an example of a current budget situation where there's a shortfall in capital maintenance (\$5,628 remaining vs. an \$8,300 request) but surplus in new capital (\$17,000). She argued that combining these lines would be a no-brainer to address immediate needs. While she doesn't strongly prefer one or two capital lines, she believes not clearly defining the intended use of capital funds is a disservice. She supports the new capital "to-do list" for future planning but feels the current arbitrary separation and inconsistent definitions of capital expenditures are detrimental.

**Note** Mr. Capozza reminded the Board that they have the authority to transfer budget money between accounts and Ms. Chapin replied that the budget should be monitored throughout the year to anticipate and avoid these types of situations.

**Note** Ms. Chapin disagrees with the idea that they are doing okay financially, implying a need for a single capital budget line. Mr. Bayne requested the inclusion of pro forma projections for major budget lines, specifically bulleting the assumptions for year-end expenses. This would clarify whether a number is a firm figure or a projection, potentially revealing more flexibility or a risk of running over budget; he finds it difficult to understand the financial trajectory from March 19th to the year's end without this additional information.

**Note** Mr. Bayne added that he mentioned including a couple of bullet points just to show that evolution of the numbers. Mr. Capozza replied that he can do that.

**Note** Mr. Cellino again argued against combining capital accounts, stating it would lead to a lack of accountability and transparency. He explained the current system of separate accounts (funded with \$30,000 and \$35,000) was established to ensure funds are readily available for projects when they arise, rather than deferring them to future budgets due to a lack of immediate funds.

**Note** He emphasized that while the Board has the flexibility to move money between accounts, the separate categories force discussion and provide transparency and full disclosure about available funds and their intended use, preventing a situation where all capital funds could be easily redirected without scrutiny. He does agree that footnotes will aid in making things clearer.

**Note** Mr. Schepker said he wants to eliminate the separate budget lines for capital items, preferring a single line item. He emphasized that discussions about these items and how funds are allocated will always be public. He argued that if critical repair work is needed, it should take priority over new acquisitions and receive the necessary funding, and funding decisions will be transparent and voted on by the Board, not made secretly.

**Note** Mr. Bayne believes the underlying economic planning for capital and large expenditures will improve their financial situation regardless of having one or two accounts. He suggests categorizing projects for fiscal year 26 as either capital or maintenance with clarifying footnotes. He feels the extra effort in creating this budget will better position them and that the current discussion might be about semantics, focusing on details they may have lacked previously.

**Note** Ms. Chapin questioned the increasing cost of the YouTube subscription under Clubhouse Operations, currently over \$1,000 annually. She wants to understand the reason for this expense and the value it provides to the membership.

**Note** Mr. Capozza said it was purchased when the Men's Club contributed to the cost of the television and Ms. Chapin pointed out that going forward members can use their own individual YouTube subscriptions.

**Note** Ms. Chapin also raised concerns about the donations line item, arguing that tax dollars shouldn't be used for this purpose. She noted a significant increase in donations last year and wants to reduce it to at least its previous level, not eliminate it entirely. She referenced a recent vote to contribute \$3,600 to establish a larger foundation, suggesting this should be the extent of their donations going forward.

**Note** Ms. Chapin reiterated that the donation program is separate from the membership and encourages individual contributions if members wish to support it, acknowledging it as a noble cause. However, she doesn't want her share of funds directed to philanthropy without her direct input and advocates for reducing the donation line item back to its previous level. Mr. Schepker concurred.

**Note** The Board discussed reducing the legal feed to \$10,000.



**Note** The Board discussed the new capital assets budget, currently at \$30,000 and some of the following was highlighted:

\*There was a suggestion to solidify capital projections and identify specific spending plans for the next year to get a clearer budget figure, as the actual need might differ (e.g., \$10,000 or \$55,000).

\*Specific upcoming expenses were mentioned-

\$16,400 for the east side survey, \$4,850 for a potential kayak dock survey, and an estimated \$18,000 for door replacements (bids are being received, ranging from \$13,000 to \$23,000).

\*Other items include the directory (\$4,000) and signage (\$2,300), with \$3,600 already allocated for the endowment attorney.

\*These items total around \$49,000 and include both new and long-term maintenance costs

**Note** Mr. Capozza suggested temporarily keeping the \$30,000 allocated for new capital and \$35,000 for maintenance capital. He plans to collect further feedback during the upcoming month's discussions and then adjust the budget accordingly.

**Note** The Board's discussion centered on the \$75,000 contribution with concerns raised about state limits on reserve fund size relative to the tax levy. It's noted this isn't a formal reserve. A past committee (the Long-term Capital Subcommittee led by Phil Lombardo) proposed higher contributions for long-term projects, with previous Boards gradually increasing the amount to \$75,000, aiming for \$25,000 increases each year. The Board opted to maintain the \$75,000 contribution for now.

**Note** Mr. Capozza explained that the Rec Program is budgeted for \$42,000 in payroll and \$14,000 in program costs, with the expectation of breaking even. He noted that the detailed information supporting this is forthcoming.

**Note** Mr. Capozza concluded with the long-term capital fund, budgeting \$75,000 similar to the current year, and earmarking some for specific projects like the clubhouse doors. The account is projected to have a positive year-end balance and benefits from approximately \$15,000 in interest income, which is a positive addition to their overall assets, although interest rates are expected to slightly decrease.

**Task** ☐ Mr. Capozza said he will calculate the draft budget per this evening's conversation and distribute the details for review.

*Owned by Al Capozza, Treasurer*

## 12. Clubhouse Doors Update/Board Vote- (C. Chapin)

**Note** see attachment.

 [294052-Clubhouse Doors - Proposed Scope of Work.pdf](#)

**Note** Ms. Chapin reported that Larry Connors' team is actively seeking quotes and has recently received several. Currently, they don't have a recommendation but have temporarily repaired the passive leaves of the door to ensure its secure. They've received four bids from certified local contractors, ranging from \$13,000 to \$23,000. Larry Connors is reviewing the details, and a vote to approve or reject the expenditure is expected in April.

## 13. Hard Court Upgrades/Board Vote- (P. Baril)

**Note** Mr. Baril mentioned that on the Saturday following the previous board meeting, a group of pickleball players visited the clubhouse to assess the court and begin planning potential short-term, mid-term, and long-term repairs. He then introduced Skip Guzy and Mike Walsh as two individuals deeply involved in this effort.



**Note** Mr. Walsh presented findings aligned with the community's Master Plan, emphasizing responsible asset improvement and social connections:

He noted they are currently behind the game in court utilization and proposes a blended court solution with dedicated tennis and four pickleball courts (using existing tennis court space), potentially with divider fences. This aims to increase usage, diversify players, and enhance community engagement.

He highlighted the USTA's guideline of resurfacing courts every 4-8 years (theirs were last done in 2011 and show cracks, mold, and delamination), contrasting their condition with an unusable, cracked, and weed-filled court at Black Point Farms.

He referenced a member survey word cloud that identifies the beach as the top asset, followed by activities, neighbors, and people, suggesting blended courts could enhance youth tennis and pickleball opportunities within the community or club.

He believes blended courts for the hard courts will work.

**Note** Mr. Guzy discussed proposals from seven vendors and noted some of the following:

\*While the courts look okay from afar, closer inspection reveals cracking, voids, exposed asphalt, and confusing multiple lines.

\* The need for maintenance, not new construction, and that proper layout could increase court usage.

\*In the last 14 years, \$84,000 was spent on clay courts versus zero on the multi-use hard courts.

\*There are three repair options-

1. Repainting four pickleball lines (\$2,500-\$3,600), which he deems a waste if resurfacing is needed later.

2. Repainting lines and patching cracks (\$3,250-\$5,140), a "half-job."

3. Resurfacing and reconfiguring to four pickleball courts and one dedicated tennis court for \$22,800 from a selected vendor.

**Note** Option three is recommended as it addresses all issues and is a common solution in other communities. The layout is feasible but slightly tight. The existing net could serve as a divider.

**Note** The question arises about which budget line this \$22,800 would come from, and it's noted there isn't enough in the current fiscal year. A suggestion of splitting the cost over two years is made, and it's identified as a capital expenditure.

**Note** Mr. Walsh highlighted that the current year has an established budget. He suggested that they need to identify the required funds but should plan to allocate them in next year's budget. He discouraged spending on superficial line repairs, deeming it a wasteful expenditure in the vicinity of \$6,000.

**Note** Ms. Chapin expressed concern about fitting four pickleball courts, questioning the measurements and the potential tightness, especially given pickleball's increasing athleticism. She suggests taping out the configuration this year for real-life testing before committing. Mr. Guzy responded that they can manage this year and repaint lines, aiming for resurfacing next year if budgeted. He confirms standard measurements can be checked. The proposed resurface is acrylic.

**Note** The Board discussed the feasibility of the four courts. While acknowledging tightness compared to professional standards, it's noted this is for community play. The possibility of moving the tennis court lines during resurfacing is mentioned. An alternative of two pickleball courts and a tennis court is also considered.

**Note** There was a suggestion to research why a tennis court is being squeezed in if clay courts exist, and it was briefly discussed how hard-court tennis players prefer hard-courts.

**Note** Mr. Cellino recalled that a past pro deemed the court usable with minor maintenance a couple of years ago and the Board discussed adding this to the capital budget, the timing of expenditure, and the possibility of voting on this item in April.

**Note** The presenters offer to walk the Board through the dimensions on-site.

**Note** The Board requested that Mr. Walsh and Mr. Guzy provide the quote material.

#### **14. Bellaire Seawall Repair/Board Vote (P. Baril / B. Bayne, P. Meggers)**

**Note** see attachment.

 [Bayne\\_email\\_update.html](#)

**Note** see attachment.

 [Bellaire\\_ROW\\_sea\\_wall\\_repair\\_-\\_vendor\\_1\\_quote\\_redacted.jpg](#)

**Note** see attachment.

 [Bellaire\\_ROW\\_sea\\_wall\\_repair\\_-\\_vendor\\_2\\_quote\\_redacted\\_\(1\).jpg](#)

**Note** Mr. Bayne detailed the Bellaire seawall repairs, deemed urgent due to voids and cracks, noting the photographs provided by Mr. Baril, and the work they've done in regard to this project. Two quotes were obtained- \$18,022 and \$8,300 from a well-known local vendor. The \$8,300 quote includes \$1,200 for repairs on a neighboring property. The net expense would be \$7,100 if the neighbor agrees to the \$1,200 portion.

**Note** A discussion ensued about handling the neighboring property's repairs, and a past situation was referenced where they kept contracts separate to avoid liability issues.

**Note** Mr. Bayne said a motion can be made to approve the \$8,300 contingent on the neighbor accepting the \$1,200 charge, with an agreement to develop a reimbursement plan.

**Note** Mr. Cellino further discussed the project, and after hearing his comments Mr. Bayne proposed developing a brief, legally sound agreement with the neighbor regarding the seawall repair on their property and their reimbursement for it.

**Note** Ms. Chapin asked about the cost of repairing grass on the right-of-way, which is not included. The urgency of the repair is emphasized to prevent water damage behind a neighbor's recent seawall work.

#### **Decision** MOTION (2)

Mr. Bayne moved to approve the \$8,300 per the agreements discussed.

Mr. Cellino seconded the motion.

Motion carried, 7-0-0.

**Note** Ms. Chapin pointed out that there's a \$2,600 shortfall in the maintenance capital line to cover this, necessitating a reallocation of \$3,000 from the new capital line to the maintenance capital line, which Mr. Capozza confirmed.

#### **Decision** MOTION (3)

Ms. Chapin moved to reallocate \$3,000 from the new capital line to the maintenance capital line.

Mr. Baril seconded the motion.

Motion carried, 7-0-0.

#### **15. Remote Voting – Bylaw Amendment/Board Vote (B. Bayne/C. Chapin/P. Meggers)**

**Note** see attachment.

 [Remote\\_Voting\\_Bylaw\\_Amendment.pdf](#)

**Note** Ms. Chapin noted there are two parts to the update and suggests addressing any necessary bylaw housekeeping second. She credits Diana Kycia and her team for advancing the remote voting initiative, stating that Ms. Kycia will now provide an update.

**Note** Ms. Kycia noted some of the following:

The work is complex.

Due to the compressed timeline (around 60 days until the annual meeting), the small group meets weekly and works offline.

They are building a comprehensive in-person and remote voting process.

She acknowledged the help of the Board Secretary and Tax Collector.

**Note** The scope involves e-ballot platform work (ballot creation, changes, authentication, multi-property voting), technical aspects (Zoom authentication via breakout rooms by street, camera switching, grant list coordination, preventing double voting), and extensive communication (five emails, potential social media posts).

**Note** The design is complete, with 28 procedures being written and tested, targeting completion by April 5th and testing by April 12th. By April 16th, they will evaluate readiness specifically for this year's annual meeting and provide a go/no-go recommendation at the April 24th meeting, including risk assessment and contingency plans.

**Note** Mr. Schepker informed the group that the mail date for the annual meeting notices is the following day, April 25th. He emphasized that the details for remote voting will be included in this mailing, meaning the necessary documents must be ready for the printer by that date.

**Note** Ms. Kycia confirmed that they are planning to have all remote voting details ready for the April 25th mailing. The current focus is ensuring all procedures and the system function as expected. If it's a go, the information will be provided to the Chair.

She noted that volunteer recruitment, training, and coordination are the next challenges between the April 24th decision and the vote date. Regarding cost, she believes around \$2,000 was initially allocated. They might need to increase the subscription level, potentially raising the cost to \$4,000-\$5,000, with a small incremental cost per email sent via e-ballot.

She believes they are financially okay but notes the dependency on the Board's discussion about the bylaws.

**Note** Mr. Cellino noted that she gave a phenomenal presentation.

**Note** Mr. Schepker mentioned that he's been privy to their conference calls, which are two hours long and involve eight to ten people. He highlighted that they've had at least six such calls organizing the remote voting, emphasizing the significant effort being invested in the project.

**Note** Mr. Cellino said the work they've done is incredible and thanked them for all of their efforts.

**Note** Ms. Chapin explained the following:

Our Charter requires a majority vote of eligible voters present at such meetings.

In late 2022/early 2023, Colleen Hayes, who was on the Board at that time, worked with our attorneys at Halloran and Sage, to develop an amendment for that bylaw, which would allow the use of virtual attendance. At the January 26th, 2023, board meeting the bylaw change was approved but no language was actually shared at that time.

She suggested restarting this process and considering the amendment this evening so it can ideally be included in the next agenda, noting it has therefore been made public, as required.

This is a consideration period, and we will not vote until next month.

Right now, we need to talk and get out if people want to make amendments to this.

**Note** Mr. Schepker clarified a point raised by John Cellino, stating that according to the attorney's documents, proxies, powers of attorney, or other designations of voting power are not valid forms of voting. To vote, a member must be present in person, either virtually or physically at the meeting. The new bylaw statement must explicitly prevent voting by proxies, Boards of Governors, powers of attorney, or other outside groups.

**Note** Mr. Cellino recalls this discussion happening last year, with Ms. Schepker and discussed at the Annual Meeting. He states that when he spoke to their corporate counsel and about six other attorneys a year ago, they indicated that under bylaws requiring in-person voting, a proxy counts as "in person" because the proxy holder stands in the member's place. He believes their bylaws can be adjusted by simply removing the "in person" requirement. He notes that the attorneys from Halloran and Sage specifically precluded proxies, and he intends to call them tomorrow.

**Note** Mr. Schepker disagreed, stating he has documentation indicating that no municipality in Connecticut permits proxies or powers of attorney to vote for members or citizens. He emphasized that while corporations allow proxy votes, they are not a corporation.

**Note** Ms. Chapin left the meeting at 8:30 p.m.

## **16. 1 Blue Heron Seawall App./Board Vote (B. Bayne/J. Schepker)**

**Note** see attachment.

 [Document 2025-03-10 163248.jpg](#)

**Note** see attachment.

 [17019 SEA WALL SURVEY \(1\).pdf](#)

**Note** see attachment.

 [1 Blue Heron CT. Sea Wall Repair Final Struct. 12-18-24 \(1\).pdf](#)

**Note** Mr. Bayne discussed the Blue Heron Seawall application and introduced Dave Weiss and his engineering firm, who submitted a complete application to use the Blue Heron right-of-way to rebuild the seawall, including all necessary documentation and drawings.

Mr. Weiss has met the policy requirements by submitting the fee, insurance naming Black Point as an additional insured, and a \$1,000 bond check for property restoration (which is typically returned to the homeowner upon completion, similar to East Lyme's practice). Mr. Bayne said Mr. Weiss will update the insurance to correctly name Black Point Beach Club Association as the insured.

**Decision** MOTION (4)

Mr. Bayne moved to approve the sea wall application contingent upon receiving the updated insurance policy tomorrow.

Mr. Baril seconded the motion.

Motion carried, 6-0-0.

**Note** Mr. Bayne instructed Mr. Weiss to submit the updated policy to Mr. Ventres and the checks will be forwarded to Mr. Capozza.

## **17. Insurance Update- (A. Garrow/P. Meggers)**

**Note** Ms. Garrow reported that she has been working with three insurance agents to find coverage. The first two agents believe Scottsdale Insurance, which they already have, is the only viable option for beach clubs, albeit with higher premiums. The third agent is still exploring other carriers beyond Scottsdale. If no alternative is found, they will need to confirm if their current agent wishes to continue representing them.

## **18. Rules/Regs Flyer (provided by J. Moffett)- Board Vote**

**Note** see attachment.

 [BPBC\\_Rules\\_Regs\\_Mar2025\\_\(1\).pdf](#)

**Note** Mr. Meggers briefly left the meeting.

**Decision** MOTION (5)

Mr. Bayne moved to approve the Rules and Regulations as drafted.

Mr. Baril seconded the motion.

Motion carried, 5-0-0.

**Note** Mr. Meggers returned to the meeting.

**Note** Mr. Schepker stated that his document might be included in multiple places- the first issue of the Black Pointer newsletter, the new telephone directory, and the mailing for the Annual Meeting, which is scheduled to go out to all households around May 1st or May 5th.

## **19. Visibility Regulations Update- (A. Garrow/C. Chapin)**

**Note** see attachment.

 [294053-291666-Visibility\\_at\\_Intersection\\_Ordinance - DRAFT - 2024-11-17.pdf](#)

**Note** Mr. Schepker tabled this item until the next meeting due to Ms. Chapin's departure.

## **20. Coastal Engineering Update/Board Vote (P. Baril, B. Bayne, P. Meggers)**

**Note** Mr. Baril reported some of the following:

On March 4th, a kickoff Zoom call was held with Coastline, the consultant for bathymetric and topographic surveys on the eastern shore and the proposed kayak dock area.

They anticipate this work will be initiated within the next two weeks, possibly sooner.

The Waterfront Task Force needs to develop a request for proposal for Coastline to conduct a structural conditions assessment on the eastern waterfront in the near future.

**Note** Mr. Bayne added that the surveys are detailed, requiring a foot-by-foot approach using survey equipment and are subject to weather conditions, taking several days. He indicates that work on the new waterfront is expected to begin around March 31st. They have also received follow-up estimates for the second phase of engineering and surveys for both waterfronts, which have been included in the capital plan.

## **21. 2025 Telephone Directory Update (P. Baril)**

**Note** Mr. Baril reported receiving the grand list spreadsheet from the Tax Collector, Colleen Hayes, who reformatted it for Excel. He further modified and sorted it by street name and number. A group consisting of Bob Gunther, Lil Diachenko, Tyler Brown, and himself will compare this to the 2022 directory, focusing on properties with ownership changes.

The goal is to create a new directory. They also plan to include a note in the Annual Meeting budget mailer asking new residents to contact them with their information, as phone numbers are not included in the grand list. Also, there are efforts by other parties in Black Point to secure ad revenue to help offset the directory's cost.

## **22. Playground Backlot Project Discussion (J. Schepker)**

**Note** Mr. Schepker mentioned the playground backlot project, a 1.3-acre area behind the playground. He noted the potential wetlands and contamination issues. The suggested uses (extra parking, horseshoe pits) don't align with the Master Plan priorities, so he isn't prioritizing the project currently. However, if members see great potential and want to lead this, they can inform him, and a committee to explore the backlot property could be formed later. For now, he doesn't consider it a pressing issue.

**Note** Mr. Schepker mentioned the playground backlot project, a 1.3-acre area behind the playground. He noted the potential wetlands and contamination issues. The suggested uses (extra parking, horseshoe pits) don't align with the Master Plan priorities, so he isn't prioritizing the project currently. However, if members see great potential and want to lead this, they can inform him, and a committee to explore the backlot property could be formed later. For now, he doesn't consider it a pressing issue.

## **23. Endowment/Charity Fund Update (B. Bayne)**

**Note** see attachment.

 [Bayne Endowment Fund Email Update.pdf](#)

**Note** Bill Bayne reported on the proposed endowment fund:

The Board approved forming a 501c3 with an attorney quote of up to \$3,600 for setup, contingent on community volunteers forming a separate, independent governing board.

This board would manage the endowment, run fundraisers, and administer the funds.

The goal is to supplement the costs of upgrading Black Point's facilities and assets, similar to many other communities that have such funds.

He acknowledged Anita Schepker's significant work and support in this endeavor.

**Note** Mr. Bayne announced the "A-team" of community volunteers who have stepped up to lead the endowment fund. The members are Sharon Bruce, Brian Comer, Larry Connors, Marge Carmen Vigada, Diana Kycia, Anita Schepker, and Sherry Weiss. He notes their significant skills and experience in areas relevant to endowments and non-profits, and the initiative will now be handed over to this group.

**Note** He will email the volunteer team to schedule an initial meeting. They have received protocols from the attorney, whom he will introduce to the group, and they will commence the process next week.

## **24. Capital Contribution Fee for BP Property Purchase Update (B. Bayne)**

**Note** Mr. Bayne explained that while many associations levy an initial capital contribution fee on new buyers, certain state regulations pertaining to their quasi-ministerial property status currently prohibit them from doing so directly. He stated that they are actively exploring permissible alternatives under state law and are still in the process of finding a solution. He acknowledged Anita Schepker's expertise and assistance in this ongoing effort, emphasizing that they do not yet have a definitive answer but are continuing to investigate.

## 25. Clay Court Conversion (J. Schepker)

**Note** Mr. Schepker stated that he does not anticipate the issue of potentially converting the clay courts to hard courts resurfacing in the near future. He thanked everyone involved in addressing the topic and those who will continue to help monitor and manage the clay court resource.

## 26. Coastal/Non-Coastal Project List Update (J. Schepker)

**Note** see attachment.

 [BOGCapital To-Do List.docx](#)

**Note** Mr. Schepker introduced what he terms the capital expenditures to-do list, noting that everyone has a copy. He asked to be informed of any errors or omissions. He explained that this worksheet serves as a tracking tool for both coastal and non-coastal projects, acting as a scorecard to monitor upcoming projects and their potential costs.

## 27. Reports

### 27-1. Association Manager

**Note** see attachment.

 [March 2025 Association Managers Reportx.pdf](#)

**Note** Mr. Moffett referenced his attached report and noted some of the following:

He thanked Kathy and Dave Olge for their efforts out front.

He has 12 summer rentals lined up.

He has provided nets and windscreens for pickleball and addressed the previous fence issue with the Homeowner.

The Basketball hoops are fixed.

He's been picking up trash.

He got tree service estimates for dead branches near the playground, tennis courts, and Gaga pit, expecting the usual contractor to be the low bid (around \$3,300) and believes there's money in Grounds Maintenance to cover it (almost \$3,700), though \$2,000 was budgeted for tree trimming next year.

**Note** The Board discussed how they will proceed with bids and make a decision after review.

**Note** Mr. Moffett also mentioned summer preparations:

Nebelung isn't raising prices and will be installing items on April 9th.

He's been coordinating summer beach patrol with East Lyme PD (one day a week, four hours), opening clay courts by May 2nd, and preparing for the parade and picnic (grills ordered, tent planned).

### 27-2. Tax Collector

**Note** see attachment.

 [TAX\\_COLLECTOR\\_REPORT\\_3-23-2025\\_for\\_2024-2025.xlsm](#)



**Note** Mr. Schepker noted that Ms. Hayes had to leave the meeting due to another obligation and gave her report in her stead:

Three delinquent accounts owe a total of \$1,390.63.

Notices of intent to lien were sent to these property owners on March 4th.

Ms. Hayes would like the Board to approve sending formal lien notices to these three accounts tonight if they remain delinquent, noting that all accounts are over a year past due.

**Decision** MOTION (6)

Mr. Baril moved to authorize Ms. Hayes to issue those lien letters.

Mr. Meggers seconded the motion.

Motion carried, 6-0-0.

### 27-3. Treasurer

**Note** see attachment.

 [Black Point-Rec Program-Budget vs Actual -thru 3-25-2025 YTD- \(1\).pdf](#)

**Note** see attachment.

 [Black Point-LT Capital Fund-Budget vs Actual -thru 3-25-2025 YTD.pdf](#)

**Note** see attachment.

 [Black Point-Balance Sheet as of 3-25-2025 YTD.pdf](#)

**Note** see attachment.

 [R D detail 2-26-25 to 3-25-25.pdf](#)

**Note** see attachment.

 [Black Point-Budget vs Actual -thru 3-25-2025 YTD.pdf](#)

**Note** Mr. Capozza referenced his attached report and noted the following:

\*For operations up to March 25th shows \$372,000 in receipts, which is 99% of the budget and a \$3,000 increase from last month due to higher tax collections and interest.

\*Year-to-date disbursements are \$260,000, a \$13,000 increase from last month primarily due to two payrolls (\$10,000) and utilities (\$1,300).

\*The proceeds minus disbursements result in a positive \$113,000 as of March 25th, but this is projected to decrease to a positive \$9,000 by June 30th.

\*The REC program figures remain unchanged from the previous month.

\*The long-term capital fund balance as of March 25th is \$324,000.

### 27-4. Zoning/ZBA

**Note** see attachment.

 [ZEO\\_Report\\_February\\_2025 \(1\).xlsx](#)

**Note** Ms. Garrow said regarding Zoning, their initial meeting for 2025 took place last Friday, the 21st. Currently, the only activity is an ongoing review of the existing regulations, with potential modifications being considered.

**Note** Ms. Garrow noted two members interested in joining the Zoning Board of Appeals (ZBA) and reads their bios for the Board's consideration:

\*Brendan Fox Jr. is a partner at two law firms, previously served as executive director of the Capital Region Development Authority and held positions including Deputy Chief of Staff to Governor Rowland.

He has extensive board experience in various organizations and is a graduate of the College of the Holy Cross and Western New England Law School.

\*Dan McMahon has been a Black Point resident for 22 years, actively opposed the Waterford Data Center, and is the Director of Marketing at Goodspeed Musicals.

While lacking direct zoning experience, he gained basic knowledge co-managing a housing project. He aims to provide a thoughtful perspective to the ZBA.

**Note** Ms. Garrow proposed appointing one as a full member and one as an alternate, which would complete the ZBA board. She has tentatively scheduled a ZBA meeting for April 1st to appoint a chairman.

**Decision** MOTION (7)

Ms. Garrow moved to approve Brendan Fox as a Full Member to the Zoning Board of Appeals and Dan McMahon as an Alternate to the Zoning Board of Appeals for three-year terms.

Mr. Baril seconded the motion.

Motion carried, 6-0-0.

**Note** Mr. Baril said he wants to formally acknowledge the Men's Club, especially Rick Diachenko, for installing the very stylish track lighting on the ceiling.

## **27-5. Waterford Data Center**

**Note** Ms. Garrow said there was nothing new to report.

## **27-6. Men's Club**

**Note** There was no report.

## **27-7. Women's Club**

**Note** There was no report.

## **27-8. Wrecking Crew**

**Note** There was no report.

## **28. Further Public Comments**

### **28-1. Jim Fox of 15 Blue Heron**

**Note** Mr. Fox, the BPBCA Zoning Commission Chair came forward and said discussed the challenges of zoning regulating hedges at intersections due to the existing non-conforming clause. Some of the following was noted:

Existing non-conforming properties (such as houses with setbacks or garages on property lines) are allowed to remain.

However, hedges grow and thus aren't static, making zoning enforcement difficult.

While regulations might limit hedge height at intersections to 36-42 inches, many are taller, and zoning can only ask, not force, homeowners to cut them.

When overhauling the zoning regulations Attorney Branse recommended making hedge height an ordinance under the Board of Governors' responsibility.

He finds the current draft ordinance lacking in addressing safety, particularly for children who might not see stop signs due to overgrown hedges.

Prioritizing homeowners' desire to keep their hedges over member safety is unacceptable.

**Note** Mr. Schepker replied this wasn't a main agenda item due to Ms. Chapin's absence but that she and Ms. Garrow have been discussing the difference between regulations and ordinances with the Attorney and will likely present a better draft at the next meeting. The goal is to have something in place before the season.

**Note** Mr. Fox emphasized the urgency, sharing near-miss incidents involving his wife and himself due to obstructed views at these intersections.

**Note** Mr. Moffett shared the Zoom chat comments:

1. 7:54 p.m. Garrett Hickey-

"The four courts are supposed to fit into one tennis court...?"

2. 8:04 p.m. Dominick Reis-

"Part of the reason we're looking at the high cost to repair the hard courts is because there has been virtually NO maintenance performed since the courts were last resurfaced. There should be ongoing maintenance work performed, just as is done with the lesser used clay courts and that should be built into each year's annual budget."

3. 8:26 p.m. Colleen Hayes-

"I have to log off for a work meeting at 8:30 p.m. There are no changes to the tax collectors report I submitted."

4. 9:11 p.m. Garrett Hickey-

"I apologize if I missed it at the start of the meeting, but was there a police report filed for the activity that took place at the clubhouse last night, with the vehicle almost damaging property? It almost hit the fence and the Clubhouse."

**Note** A speaker who didn't identify himself raised a safety concern regarding parking congestion, particularly with increased pickleball usage. He questioned if creating a parking lot with a driveway off the far end of the property behind the tennis courts should be a higher priority to alleviate traffic near the Clubhouse. He mentioned past consideration of a parking lot off Billow Road. He also noted limited parking in the front (around a dozen spaces) and increased traffic during events, posing a safety risk with kids crossing.

## **28-2. Alice Baril of 17 Sea View**

**Note** Ms. Baril raised a point about golf cart parking rules, noting potential confusion for new members regarding hanging tags versus mailed stickers for parking permits. The rules explicitly mention a "hanging tag" for parking in designated areas between 7 AM and 9 PM. A suggestion is made to clarify the rule by adding "hanging tag" to "parking permit."

**Note** Ms. Baril said in terms of Dinghy Beach, she observes a new ramp for larger boats and suggests putting a sign restricting boats beyond a certain point to maintain access for kayaks, as current boat placement is hindering kayak access.

### 28-3. Kim Craven of 46 East Shore Drive

**Note** Ms. Craven expressed appreciation for everyone's work, especially on the directory. She recalls that permission was obtained from all members for the previous directory. Mr. Baril said for the upcoming directory, they won't be contacting everyone individually.

Instead, a notice will be included in the budget mailing, informing members that if they were in the previous directory and wish to be excluded, have their phone numbers removed, or make changes, they need to contact the directory team. The responsibility to update their information will be on the members who see the notice.

**Note** Ms. Craven asked what time the Clubhouse closes, and Mr. Moffett said 10 p.m., and 11 p.m. in the summer. This led to a general conversation about the use of facilities after hours.

**Note** The Board discussed item number four of the Rules & Regulations (later clarified as section three, number five), which permits swimming in designated floating areas, there's concern about liability if swimmers are injured by boats or kayaks without posted warnings. The lack of swim lines suggests swimming shouldn't be allowed there. Despite long-standing member use, the priority is boating safety. The suggestion is to eliminate number five. Number six designates Dinghy Beach as a boating beach with boaters having priority. The signage at that site reflects number six. The decision is to eliminate the current number five and renumber the current number six as the new number five.

**Note** The Board further discussed amending the Rules and Regulations to eliminate section three, number five (regarding swimming) and to modify section one, number two (Parking and Traffic), as it relates to the "hanging tag" requirement for parking permits, as discussed earlier by Alice Baril.

#### **Decision** MOTION (8)

Mr. Meggers moved to amend the Rules and Regulations Section 1, Paragraph 2, where it reads "Current Black Point Beach Club Parking Permit (obtainable from the Tax Collector)" and modify it to read "(Black Point hanging tag obtainable from the Tax Collector)," to eliminate Section 3, Boating Areas, #5, and to renumber #6 as #5.

Mr. Cellino seconded the motion.

Motion carried, 6-0-0.

### 29. Chair's Closing Remarks

**Note** Mr. Schepker thanked the numerous member volunteers who have assisted with remote voting, the 501c3 formation, hard court improvements, and the Clubhouse Doors projects, highlighting their energy, ideas, intelligence, and diligence. A reminder is given about the three open Board positions to be voted on at the May Annual Meeting.

**Note** Regarding the Annual Meeting mailing, the printer's absolute deadline for receiving materials for a May 1st mail drop is April 25th. The mailing will include the Annual Meeting notice (with agenda), a notice of the election of officers, highlights from 2024 and 2025, the proposed 25-26 budget (being prepared by Mr. Capozza), details on remote voting, and possibly the revised rules and regulations. First Selectman Dan Cunningham and Jim Fox from the Zoning Commission will also be joining the Annual Meeting to offer comments.

### 30. Adjournment

**Decision** MOTION (9)

Mr. Bayne moved to adjourn the March 27th, 2025, BPBCA BOG Meeting at 9:24 p.m.

Mr. Meggers seconded the motion.

Motion carried, 6-0-0.

**Note** Respectfully Submitted,

Brooke Stevens, Recording Secretary

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## Next Meeting

Meeting title: Bpbca april 17th, special executive session & special meeting

Date and time: 04/17/25 07:00 pm to: 04/17/25 08:52 pm

Location: BP Clubhouse, 6 Sunset Avenue, Niantic, CT & Via Zoom

## Task Summary

### New Tasks

**Task** ☐ Mr. Capozza said he will calculate the draft budget per this evening's conversation and distribute the details for review.

*Owned by **Al Capozza, Treasurer***