

**Black Point Beach Club Association
Board of Governors
Minutes of Regular Meeting
Friday, June 28, 2013
6:30 p.m.
6 Sunset Ave., Niantic, Connecticut 06357**

A Regular Meeting of the Black Point Beach Club Board of Governors was held on Friday, June 28, 2013 at 6:30 p.m. in the Black Point Beach Club Association Clubhouse located at 6 Sunset Avenue in Niantic, Connecticut.

Present Tom Kelly, Chair; Mary Cahill, Vice Chair; Phil Hagaman,
Jim Moffett

Absent: Dr. Brendan Fox, Nancy Flynn, Jim Pillion

Also Present: Tom Sheehan, Association Manager
Carolyn Boyle, Treasurer
Cathleen Special, Secretary

1. Call to Order and Attendance

Chairman Kelly noted that a quorum was present and called the Regular Meeting of the Black Point Board of Governors to order at 6:35 p.m.

1.a. Additional Agenda Items

None

1.b. Approval of Minutes of Regular Meeting held May 24, 2013

Mr. Kelly called for a motion or any discussion of the May 24, 2013 Regular Meeting Minutes.

****Motion [1]**

Mr. Hagaman made a motion to approve the minutes of the Regular Meeting held May 24, 2013. Ms. Cahill seconded the motion.

Vote: 3 - 0 - 1 / Mr. Moffett abstained. Motion Passed.

1.c. Introduction of Jim Moffett, New Board Member

Mr. Kelly introduced Jim Moffett to the members of the Association. The membership voted Mr. Moffett onto the Board at the May 25, 2013 Annual Meeting.

2. Reports

↓ Association Manager's Report - Tom Sheehan

The beaches and waterfront were ready for use by June 19. Sand delivery to Sea Breeze Beach was delayed due to weather, but was it was delivered on June 22.

Daily grooming began June 22.

The July 4th picnic and parade are planned for Thursday, July 4. The House and Garden tour will be held Friday, July 12. The bonfire on Main Beach will be held on Saturday, July 20, to coincide with East Lyme Day. The fire will be lit at 8:00 p.m. and extinguished at 11:00 p.m.

Maura Stamm is working on a boating program again this year. DEEP offers a free course which consists of three sessions and a test. They require that we advertise to outsiders. Ms. Stamm also contacted a private instructor, but the fee would be \$125 per person for one four-hour session. Mr. Sheehan will provide updates as Ms. Stamm acquires more information.

Club registration is scheduled for Sunday, June 30, 12:00 p.m. to 1:00 p.m. at the clubhouse.

Complaints have been received regarding speeding and failure to stop at stop signs. All crosswalks and stop lines will be repainted by the Town. Painting was supposed to be completed in June but was delayed due to weather. A new crosswalk will be added to Indianola and East Shore Drive.

Complaints also have been received regarding advertising signs posted on properties. Contractors may post signs on a property while they are working there, but all signs should be removed once the work is completed.

The Zoning Commission will be sending out letters regarding overgrown hedges. Some are causing dangerous situations. Mr. Sheehan asked the members to trim their own hedges and ask neighbors to trim theirs.

The numerous storms over the past year have moved the stones that line the waterfront and piers. Rocks that were in the same place for years have become dislodged and can create a dangerous situation for anyone climbing on the rocks or jumping into the water. Mr. Sheehan asked for everyone's help in educating people about this danger.

Mr. Sheehan would appreciate the help of volunteers for small painting projects, planting, and general cleanup of BPBCA property.

A police officer will patrol the area from 8:00 p.m. until 12:00 a.m. Friday and Saturday.

1 **Treasurer's Report - Carolyn Boyle**

The financial report as of June 28, 2013 was reviewed. This is the final report of the current fiscal year, which ends June 30, 2013. Total income budgeted was \$239,450; we took in \$201,557. There is \$13,228 in the checking account and \$15,918 in the long-term capital account for a total of \$29,146 with a few more bills for the current fiscal year expected.

‡ **Tax Collector's Report – Carolyn Boyle for Ruth Ames**

Ms. Boyle read a letter and report from Ruth Ames who was away on a trip that was planned long before she was appointed Tax Collector.

The letter reported that tax bills for grand list year 2012 were sent out in early June. Accounts with outstanding balances were included in the letter. Liens for those accounts were filed, and the East Lyme Tax Collector was advised of the delinquencies in order to “piggyback” efforts to collect on the same accounts.

Ms. Boyle noted that although on paper there is only \$29,146 in the BPBCA accounts, we have an additional \$107,996.90 from taxes as of July 1.

‡ **Chair's Report – Tom Kelly**

The Zoning Commission has advertised for the ZEO position. Two people have been interviewed. Ned Cosgrove will remain the Interim ZEO until someone is hired.

‡ **Ex Officio to Zoning – Mary Cahill**

Two members of the Zoning Commission are coming up for reappointment - Sharon Sklar and John Manuck. Ms. Sklar is willing to serve another term; however, Mr. Manuck has decided he will not. The Commission does have three alternates, so they will still have a full commission. Ms. Cahill encouraged all Board members to suggest names of nominees for the Zoning Commission.

**** Motion [2]**

Ms. Cahill made a motion to reappoint Ms. Sharon Sklar as a regular member of the Zoning Commission for another three-year term.

Mr. Hagaman seconded the motion.

Vote: 4 – 0 – 0. Motion Passed.

‡ **Ex Officio to Zoning Board of Appeals – Tom Kelly**

Mr. Kelly reported that the only outstanding litigation is the Lowney case. A decision is expected soon. This case accounts for the bulk of the legal fees included in the Treasurer's report.

3. New Business

‡ **Request by an Association member to set up payment plan for delinquent taxes.**

Mr. Kelly received a request from a member who would like to establish a payment plan for delinquent taxes. The matter was tabled for discussion in Executive Session.

‡ **Capital Improvements Members/Committee Assignment Discussions**

Tom Kelly and Jim Moffett volunteered to be on the Capital Improvements Committee. The Committee will make recommendations to the Board.

‡ **Job Descriptions**

The Board will review the job descriptions for the Tax Collector, Treasurer and Secretary.

↓ **Agenda Format**

In response to requests by some members, Ms. Cahill recommended that the agenda for Board meetings be restructured so that Member Comments take place toward the beginning of the meeting. She noted that most Town commissions and boards hold members comments in the beginning. The Black Point BOG meetings used to have Members Comments early in the meeting but moved them to later in the meeting because many of the concerns raised by members were addressed in the Association Manager's report. After discussion, it was agreed that the July 19th meeting would have Member Comments follow approval of the minutes.

↓ **Audit**

Ms. Cahill suggested that a letter be sent to the auditor saying that the Board should not have to wait until May to be notified of the surplus for the previous fiscal year. The Treasurer submits her information to the auditor in August. We should be able to have the year-end surplus figure by our March budget meeting.

Ms. Boyle noted that the auditor may want to raise his fee. It may be a good time to consider other firms.

↓ **Reappointment of Association Manager**

Mr. Kelly stated that Tom Sheehan has been doing a fantastic job as Association Manager and requested that a motion made be reappointing Mr. Sheehan as Association Manager for the upcoming fiscal year.

**** Motion [3]**

Mr. Hagaman made a motion that Tom Sheehan be reappointed as Association Manager for the fiscal year 2013-14.

Ms. Cahill seconded.

Vote: 4 - 0 - 0. Motion Passed.

4. Old Business

None

5. Communications (made available)

The correspondence log is available to members for review. Members may contact the Secretary to make an appointment.

6. Committee Reports

None

7. Public Comment

Jane McLane, 24 Sea View Avenue, asked what the reason is for the drastic changes to the bottom of Sea View Avenue and Sea Crest Avenue. At the Board's request, Mr. Sheehan responded. Mr. Sheehan stated that the Sea Crest right of way experienced

major damage in Storm Sandy. The abutting property owner asked if he could repair the damage at his own expense with no claim to the property. He replaced the loom, cemented the rocks together and will return our benches to the property. The right of way is and will remain owned by the Association.

Regarding Sea View, boats were being parked to the left of the right of way, trailers would back up onto Sea View, and some trailers were even left there when people went out in their boats. Mr. Delmastro, an abutting property owner, offered to beautify the property at his own expense with no claim to the property. The improvements he made hinder parking in that area and save the Association the maintenance of mowing and trimming. Access to the boat launch is not hindered.

Both abutting property owners were willing to sign legal documents that clearly state the rights of way are Black Point property. We just need to send the letter every ten years. The improvements are making the rights of way more attractive and saved Black Point a significant amount of money. As an aside, the boat launch is open. The sign is still there because it is very heavy, but it will be removed.

Will Fountain, 31 Whitecap Road stated there is no tobacco use allowed at McCook Park or Hole in the Wall. If they instituted that rule, why can't we institute that rule? Mr. Fountain also wants to make sure rules are enforced equally. If someone was to circulate a petition for a no smoking rule on the beach, he would like a response from the Board before next year. If he sends a letter, he would like a reply. Beach Security stopped a boy and his grandfather from playing with a ball but did not tell someone else that he could not have a cooler on the beach.

Daniel Collins, 138 Old Black Point Road, sent an email to Ms. Cahill and Mr. Kelly regarding the non-maintenance of a strip of land that Black Point owns. The Town is requesting that Mr. Collins acquire a wetlands permit for improvements that he is doing. However, Mr. Collins needs the Board's involvement because Black Point owns a piece of the property that he is improving. On the Town map it appears that Black Point owns more than a one-foot strip. Mr. Collins is making these improvements at his own expense and does not make any claim to the Black Point piece of the property. Mr. Kelly asked Mr. Collins to send the Board an email explaining exactly what he needs from the Board. Mr. Collins also mentioned that he and his wife work at Defender Industries. Defender Industries offers a safe boating and personal watercraft class. They contract someone to provide an eight-hour class for approximately \$60 per person. The class will be offered in the next four to six weeks.

Wendy Honiss-Bourget, One Osprey Road, recommended that the Board consider a different employment term for the Association Manager so it does not start at the busiest time of the year. She also expressed concern about the allowed fishing times. The new sign that has been installed allows fishing from 6:00 p.m. to 8:00 a.m. However, there is an existing sign that states that rights of way close at 9:00 p.m. It is her opinion that allowing fishing throughout the night causes a noise problem, could be a liability, and she feels personally threatened. Ms. Honiss-Bourget provided the Secretary with a copy of a letter that she would like copied and distributed to the Board.

She would like a response from the Board.

Cindy Fountain, 31 Whitecap Road, suggested that the Association compare fees and charges of propane companies other than Osterman. Ms. Boyle responded that Mr. Sheehan is in the process of doing that.

8. BOG Response

None

9. Executive Session

**** Motion [4]**

Mr. Hagaman made a motion that the Board enter into Executive Session at 7:37 p.m. for the purpose of discussing insurance and legal matters. Mr. Sheehan and Ms. Boyle were asked to attend.

Mr. Moffett seconded the motion.

Vote: 4- 0 - 0 / Motion Passed.

**** Motion [5]**

Mr. Hagaman made a motion to not renew the fidelity bond covering the officers of the Association.

Ms. Cahill seconded the Motion.

Vote: 4 - 0 - 0. Motion Passed.

**** Motion [6]**

Ms. Cahill made a motion that the Board return to Regular Session at 8:05 p.m.

Mr. Moffett seconded the Motion.

Vote: 4 - 0 - 0. Motion Passed.

10. Adjournment:

There being no further business before them, Mr. Kelly called for a motion to adjourn.

**** Motion [7]**

Ms. Cahill made a motion that the BPBC Board of Governors Regular Meeting of June 28, 2013 be adjourned at 8:17 p.m.

Mr. Moffett seconded the motion.

Vote: 4 - 0 - 0. Motion Passed.

Respectfully submitted,

Cathleen Special, Secretary