

**BLACK POINT BEACH CLUB ASSOCIATION  
BOARD OF GOVERNORS  
Regular Meeting  
Thursday October 25, 2007  
7:00pm**

1. **The Chairperson called the meeting to order at 7:00 pm and a quorum was established.**  
Present: Andrew McKirdy, Chairman, John Campion, Vice Chairman, Sandy Adams, Joan Hayes, Jill Coscarelli.  
Absent: Nancy Flynn, David Weiss  
Staff present: Mike Manifold, Association Manager, Carolyn Boyle, Treasurer, Mary Cahill, Tax Collector, Gemma Dowd, Secretary.

2. **Approval of Minutes, September 29, 2007, Special Meeting**  
**MOTION** to accept the minutes of the September 29, 2007, Black Point Beach Club Association Special Board of Governors Meeting as presented was made by Mr. Campion, seconded by Mrs. Hayes, no discussion, all in favor, the Board **VOTED** unanimously to approve the minutes.

3. **Treasurer's Report, Ms. Carolyn Boyle.**  
Ms. Boyle provided the Profit and Loss Statement for 2007-2008, 10-24-07 actual, and the Liberty Bank Check register from 9-29-07 to 10-24-07.  
Ms. Boyle clarified some items and stated the account balance for 10-24-07 is \$167,697.

**MOTION** to accept the treasurer's report as presented was made by Mr. Campion and seconded by Mrs. Adams. No further discussion followed. The board **VOTED** unanimously to accept the treasurer's report as submitted.

4. **Members Comments.**  
Ms. Carolyn Boyle, 4 Sea View Ave., stated she encountered a coyote while walking her dog at 7:30am toward South beach. She suggested an alert be placed on the website asking members to contact the DEP if a coyote is spotted. Ms. Boyle will provide the DEP information she is gathered for web posting. Some discussion followed.

No further member comments were heard; Mr. McKirdy closed this portion of the meeting.

5. **Chairperson's report and Correspondence, Mr. McKirdy.**  
Mr. McKirdy reported the action taken by the board resolving the boat float timing decision as written in the May 28, 2005 minutes, approved for current and future years:

1. ***Time Extension of Docks***

*On Motion of Mrs. Schepker, seconded by David Weiss, the board unanimously voted to approve the installation of the docks and launches, weather permitting, on or about June 1<sup>st</sup> and remove them, weather permitting, on or about September 30<sup>th</sup>.*

2. Tax Collection Options

Mr. McKirdy spoke with Ruth Ames, East Lyme Tax Collector, regarding East Lyme process for delinquent tax collection. Mrs. Ames explained East Lyme does not use a collection agency, because the agency would then assume the town's authority. In addition, it charges a flat fee up front. Mr. Ed O'Connell, legal council for BPBC as well as the town advised that the town should not go to collection. Mrs. Ames suggested two options:

1. If a mortgage is on the property, notify the bank to send a delinquent bill.

2. We could initiate a tax sale proceeding to demand payment.

Mrs. Cahill will contact the Town Clerk to investigate mortgage companies and follow up on collection.

## 6. **Manager's Report, Mr. Manifold**

Mr. Manifold reported on various items to the Board as follows:

- Jordan Brook Sprinkler, Tennis Courts the sprinkler system was fixed during a visit by Jordan Brook, who freed up a stuck rubber diaphragm 3 layers down in the system. The sprinkler system will be readied for winter. Jordan Brook will meet with Mike early in the spring to do a system check.
- Dave Putnam checked the playground for replacement or problem items. He reported to Mike that the see-saw could be replaced but that all else looks good. Trees could be trimmed and evaluated for safety.
- Mike will locate playground fixture brochures from various vendors for new equipment options or future replacement and report back to the board in the spring.
- Niantic Plumbing will shut down for the season next week.
- Mike Nebelung has taken the boat float out from South Pier
- Sand Harvest was discussed to be done now at the low tide.
- Broken bench was put on tennis court some discussion followed regarding locking up benches and tables to avoid items being moved and dragged into the playground, etc.
- Police hired 9pm-1am Halloween night.
- Grass Blue Heron CT. right-of way Mr. Manifold sent a soil sample to UCONN, expected back in 2 weeks. Mike commented that the soil is very densely packed.
- Rip Rap placement at piers Mr. Campion and Mr. Manifold marked with paint the pier areas they thought could use some rip rap. Mr. Manifold will ask Mike Nebelung to start replacing stone as he has time before the spring.
- Rock placed at Bollo's wall base Mr. Manifold explained that he had a conversation with the Bollo's regarding unauthorized placement of stone on the beach in front of their sea wall. Mr. Bollo explained that contractors were delayed and the rock placement is intended as temporary to avoid damage over the winter. Some discussion followed and it was suggested this item be added as new business to the agenda for this meeting.

## 7. **Tax Collector's Report Mrs. Cahill**

Mrs. Cahill commented on the status of tax collection. 16 properties are delinquent and liens will follow. Other action may be taken on two specific properties with 2,000 and 1,800 dollars over due. Some discussion followed.

## 8. **Committee Reports**

### 1. **Administration,**

- Mr. McKirdy brought forward the Rules and Regulations update and the board discussed each item making changes to incorporate.

### 2. **Capital Improvements,**

- Acoustical Repair at Club house Mr. Campion and Mrs. Adams reported that the bid process for acoustical repair at the clubhouse is not complete. They have one bid at \$11,500. Mr. Campion will call other vendors to check on the submission delay. He is advising we wait to move on any repairs until more bids have been received.
- One time cleaning of the interior of the Club House Mrs. Adams met with Service Master and received an estimate of \$1,050. Some discussion followed as to timing and the contract specifications. It was generally agreed by the board that this estimate was acceptable and that the cleaning should happen before the acoustical paneling is installed.

**MOTION** to approve the hiring of Service Master for a cost of \$1,050 to clean the club was made by Mrs. Hayes and 2<sup>nd</sup> by Mr. Campion. **VOTE** was unanimous.

**3. Social Committee, Mrs. Hayes**

Mrs. Hayes updated the board stating the Carol Sing and bonfire is scheduled for December 14, 2007 at Main beach starting at or about 6:00pm. All are welcome.

**9. Old Business**

- Proposed ordinance on zoning boards appointments and terms was read by Mr. McKirdy. Mr. Campion suggested section 3 be amended to clarify the ZBA consists of five members and three alternate members. (Attached)

**MOTION** to adopt the ordinance confirming the terms as amended was made by Mr. Campion and 2<sup>nd</sup> by Mrs. Coscarelli. No further discussion, no objections the board **VOTED** was unanimously in favor.

- Proposed amendment to the Board Bylaws Mr. McKirdy explained the proposed amendment to the term limits as described:  
*Sec. 8. Term Limits. Members of the Board of Governors shall be eligible for election to not more than two consecutive terms of three years each, provided that an individual appointed to an unexpired term of two years or less may serve not more than eight consecutive years. Any person who has served two consecutive terms on the Board shall again be eligible for election after an interval of three years. (Attached)*  
No further questions or discussion.

**MOTION** to approve Article III, Section 8, Terms Limits, of the By Laws as presented was made by Mr. Campion, and 2<sup>nd</sup> by Mrs. Adams. No objections, all in favor, the **VOTE** passed unanimously.

- Audit contract update Mr. Manifold and Ms Boyle are working to update the engagement letter. Mr. McKirdy explained, for all present, the updated bill Mrs. Schepker and others worked to pass this past July 2007 raised the limits to \$1,000,000. The board agreed to empower the manager to contract for not more than \$5,000.
- Rip Rap placement Mr. Campion suggested we go forward and authorize Mr. Nebelung to place rip rap in the marked areas before the summer. Some discussion on timing and sand harvesting followed.

**MOTION** to authorize Mike Nebelung to replace rip rap before the summer was made by Mr. Campion and 2<sup>nd</sup> by Mrs. Hayes. No objections, all in favor, the **VOTE** passed unanimously.

- Beebe plaque The board discussed and approved the proposed plaque for Jim Beebe. It was agreed Mr. Manifold would personally deliver the tribute when completed.

**10. New Business**

1. Bollo Stone Placement The board added this new item to the agenda and addressed a problem created when the Bollo's added stone to the BPBC beach property in front of their sea wall. Mr. Campion and Mr. Manifold explained the situation with consideration of timing and repair to the sea wall. Some discussion followed to put in writing a request to rectify the problem.

**MOTION** was made by Mr. Campion and 2<sup>nd</sup> by Mrs. Adams, the board agreed to allow the rock to remain until June 1, 2008, when it can be either incorporated into the new sea

wall construction or removed from the beach. No further discussion, no objections, the board **VOTED** unanimously to approve this action in writing.

2. Pink Wall footings

Mrs. Cahill requested the beach sand be harvested during our lowest tided in October and again in March. And that the sand be raised to cover and support the lower section of the pink wall. Included is an approximate 10 foot section at the White Cap wall where additional interlocked stone should be used to foot an area otherwise undermined by water.

Some discussion followed on harvesting sand and using concrete from the old Sisti wall in this process.

**2. Future agenda items**

1. April 3, 2008, next BOG meeting covering the new budget.
2. Special meeting call, if needed, by Mr. McKirdy when Mr. Campion obtains acoustical contract information.

**11. Member Comments**

No Member comments were heard.

**12. Executive Session**

The Board did not require an executive session on matters pertaining to litigation, this session was cancelled.

**13. Adjournment**

On **MOTION** of Mr. Campion, seconded by Mrs. Adams, it was unanimously **VOTED** to adjourn the October 25, 2007, regular meeting of the Board of Governors at 8:49 PM.

Respectfully submitted,

Gemma Balukonis Dowd, Secretary