

**BLACK POINT BEACH CLUB ASSOCIATION
BOARD OF GOVERNORS
Regular Meeting
July 26, 2007
7:00pm**

1. The Chairperson called the meeting to order at 7:00pm and a quorum was established.

Present: Andrew McKirdy, John Campion, Sandy Adams, Nancy Flynn, Joan Hayes.
David Weiss. Jill Coscarelli arrived a few minutes in to the meeting.
Staff present: Mary Cahill, Tax Collector; Gemma Balukonis Dowd, Secretary, Mike Manifold, Association Manager, Carolyn Boyle, Treasurer

2. Approval of Minutes

June 21, 2007, Regular Meeting.

On MOTION by Mr. Campion and seconded by Mrs. Hayes, the board voted UNANIMOUSLY to approve the minutes from the June 21, 2007 Regular Meeting, *with the following corrections:*

Agenda item #1, Mrs. Sandy Adams was incorrectly marked as attending, but was absent from the June 21, 2007 meeting.

Agenda item # 10, Old Business, Audit Relief Legislation, Mr. McKirdy was incorrectly quoted as saying, "...we are exempted from any audit." It should read "...we are exempted from having to do a comprehensive audit."

3. Treasurer's Report, Ms. Carolyn Boyle.

Ms. Boyle provided the Profit and Loss Statement for 2007-2008, 7-23-07 actual and the Liberty Bank Check register from 6-19-07 through 7-23-07.

This is the new fiscal year and there is little new to report. Income has been received from Zoning fees, recreation program deposits, Club house rental and tax collection. Ms. Boyle would keep the projected income the same.

Personnel charges will show a \$2,000.00 overage for fees paid to the tax collector and treasurer for extra work performed as related to the pier project. It was discussed to make the adjustment now and take money from the contingency to reflect the proper balance in the budget.

Black Point has a safe deposit box, Mrs. Cahill will locate the key, etc.

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

4. Members Comments.

It was noted by Mr. McKirdy that member comments are heard during this portion of the meeting, and the Board may discuss items during the meeting, but the Board is not in a position to respond to the individual at this time.

Mrs. Betty Levine, 12 Bellaire Rd. spoke to the Board regarding a problem she is trying to resolve with neighboring tenet noise which is causing her household sleepless nights and an inability to enjoy their property. The Levine's sent a letter to the Board asking if there was anything that could be done to help her situation. Mrs. Levine further noted that she contacted the police recently at 3am to speak with the renters, and an officer kindly responded.

A response letter from Mrs. Levine's neighbor was received by the Board and forwarded to Mr. McKirdy at the meeting, to be read by the secretary.

Mrs. Fries, 26 Nehantic Dr., confirmed the nuisance problem addressed by Mrs. Levine.

Mrs. Cathy Vaninni, 64 East Shore Dr. Asked the board to identify where on the list a postponed capital improvement item regarding the Sea Spray right of way stood. The 2005 correspondence she received from the Board needs to be updated to identify what might be done the time frame.

Mr. George Fries, Suggested that the balance sheet at the meeting show any deficit for the year and be adjusted in the next year.

Mrs. Weidl, 22 Indianola Rd. urged the board to take care of the acoustical problem in the club house under capital improvements.

Mrs. Barbara Johnston, 35 Sea Crest Ave. commented on website posting and noted that the Rules and Regulations (fines) section needs to be updated.

Mrs. Weidl, commented that the Black Pointer was not including the rules and regulations as had been done in the past, and suggested it be included to help cover a number of issues. She also asked if there was any noise ordinance.

No further member comments, Mr. McKirdy closed this portion of the meeting.

5. Chairperson's report and Correspondence, Mr. McKirdy.

A letter from Mrs. McQuilken concerning her service as editor of the Black Pointer was distributed to board members. Letters were also distributed to the board from Ms. Lori Lippman and Mr. Philip Levine.

6. Manager's Report, Mr. Manifold

Mr. Manifold reported on various items to the Board:

- Dara Flomm is doing good with the Rec program
- Ace Security has a new guard and is working out fine
- Police are doing more patrols
- Jack Santos cut rebar and will fill a patch at low tide.
- The attachment to the boat launch has been shored up and the float has been pushed out a bit to stop wear on the attachment and the float
- Mr. Manifold paid the three Belles Marina invoice
- Neibelung is not going to get to the seawall, his schedule is too full. Mr. Manifold said he could 1. get more bids, or 2. go with one of the higher bids.
- Cars were accidentally locked into the Whitecap parking lot on the weekend. Mr. Manifold would like to leave the lot unlocked overnight when it appears members need the space, to avoid locking them in.
- Comment to discuss putting stones down or paving the right of way in front of Spano's.
- Patching needs to be done on the end of the Whitecap where it is buckling.
- Discussion on boat beach swimming and liability concern, it was discussed a notice could be placed saying no swimming.
- Bonfires were a huge success, thank you to the Weiss family.
- Mr. Manifold noted that thank you letters were sent out for the audit relief legislation to the helpful officials
- Joan and Tom Hayes are handling the teen dance, positive comments and discussion followed

- The Black Pointer is working out kinks in the publication. The format will remain 4 pages and include the rules and regulations.
- Mrs. Adams asked about replacing the warning tape in front of the old Sisti home. Mr. Manifold said it came off during the storm and he would see to a replacement.
- The kayak pathway was not widened enough, Chuck Casey made a 3-4 ft. swath earlier in the spring, and it may need to be redone.
- The tennis court sprinkler system is not operating properly as a unit. Hunter Sprinkler is really busy and hasn't been responding to Mike's calls. He's spoken with the installer but the repair work is backlogged.
- Sam is doing the clay court work early in the morning and any help members might want to add is fine by Mike. He is in consultation with Bill Delaney.
- Mike has hired someone to do weeding at the clubhouse; it got a bit over grown but should be done again.
- Blue Heron right of way is experiencing grass burn or lack of growth, this was discussed.
- Mr. Manifold asked the board to agree on a method to repair the White Cap right of way blacktop. Mr. Campion and others discussed this problem. It was decided Mike would make the repair leaving what is fine and removing what is not with a plan to bevel the surface angle to match the concrete, to avoid tripping, etc.
- It was commented by Mrs. Adams that the beach security guards need to sweep the right of way and by Ms Flynn to have them clean debris from the base of the stair at Main Beach.
- Mrs. Adams mentioned football throwing went on in the water and asked that the security guards be instructed this is not permissible during beach hours.
- Mr. Weiss helped clarify the topic, and some discussion followed the planting of grass in Blue Heron right of way between the Sullivan/Peck properties. The grass is not growing, possible salt in the soil, or other, the board agreed they had no problem if Mr. Peck or Mr. Sullivan wish to do this work in the fall.
- Comment was made to have Neibelung do the work at Sisti's old property and to have Mike put up cautionary signage.
- Some discussion followed to preserve the boat beaches for boating.
- Mr. Manifold received an ok from the board to get estimates for paving at the Sea Spray right of way. Mrs. Cahill explained the stones came about during the sewer installation at the request of Mr. Spano. The board was in agreement they would not place stone at this location; any work is pending estimates and board review.

7. Tax Collector's Report, Mrs. Cahill

Mrs. Cahill stated she has 2 delinquents from the first and second pier tax dates. She has \$1678.41 uncollected. Letters sent were unanswered. She asked the Board if she should do anything further and some discussion followed.

8. Committee Reports

1. Administration, Mr. McKirdy,

Mr. McKirdy reported that the committee is working on a policy manual for the association. The following votes were taken.

- Position Description – Association Manager. Mr. McKirdy mentioned a minor adjustment to this position. MOTION was made by Ms. Flynn and seconded by Mr. Campion to approve the manager's job description as written. All in favor, none opposed, the VOTE passed unanimously.
- Position Description – Association Secretary. MOTION to approve the position of Secretary as written was made by Mrs. Hayes and seconded by Mr. Weiss. All in favor, none opposed, the VOTE passed unanimously.

- Position Description –Association Treasurer. MOTION to approve the position of Treasurer as written was made by Ms. Flynn and seconded by Mr. Weiss. All in favor none opposed. The VOTE was passed unanimously.
- Evaluation procedures for Association personnel. Mr. McKirdy mentioned name changes to clarify positions were made. MOTION to approve the Evaluation Procedure for Association Personnel was made by Mr. Campion and seconded by Mrs. Hayes. No questions, all in favor, none opposed, the VOTE passed unanimously.
- Mrs. McKirdy presented a hard copy of the “Application for Use of the Club House” and the “Rules for Use of the Clubhouse”. He explained that a change was made on page 3, section 10, to now read: “. . .b) a certificate of liability insurance showing that the Member requesting use of the Clubhouse is personally insured for at least \$1,000,000. In the case of Clubhouse use not involving liquor, a certificate of liability insurance showing that the Member requesting use of the Clubhouse is personally insured for at least \$300,000. must accompany the application. Generally, a copy of the current declarations page of the Member’s homeowner’s policy may be acceptable to the Manager...”

MOTION to approve the “Rules for Use of the Clubhouse” as written was made by Mr. Weiss and seconded by Ms. Flynn. All in favor, none opposed, the VOTE passed UNANIMOUSLY. The rules will be given to Bill Hahn to post on the website by Mr. Manifold.

2. Capital Improvements, Mr. Campion

Mr. Campion identified Capital Improvement projects for 2008.

1. Pocket Parks
2. Acoustical treatment for the clubhouse. He will have the problem evaluated and get an estimate.
3. Sea Spray Right of Way.
4. Composition Tennis Court repair.

Some discussion followed on the tennis court problem, a bit of history from Mrs. Cahill and, comment to evaluate a new procedure by Ms. Flynn, who has seen it in operation.

3. Social Committee, Mr. Weiss

Mr. Weiss reported on the Bon Fire last weekend. The DJ played tunes that were appropriate for the group and everyone enjoyed themselves. Mr. Weiss located a 275 gallon oil drum and had it split in half to act as a base for the fires. The drums are stored up at Billow Road and can be easily moved, removing debris within the drum to save beach cleaning, etc. Mr. Weiss has gotten the fundamentals down for the amount of wood to burn, etc.

Mrs. Hayes and Mrs. Coscarelli are handling the teen dance at the club house on Thursday night. They were very positive about the reception they have received. The dance will run from 8-11pm and is open to Black Point members and their guests. A music request list and the sale of water is planned. Chaperones will be provided. They are open to offering a dance for the younger children they want to see how this one goes.

Movies will be shown on the beach, August 5th using DVD projection of “Happy Feet” and “Homebound, the Incredible Journey”, with help from Mr. Bollo.

Mr. Weiss has a suggestion for a kayak race. There will be a sailboat race Labor Day weekend, it will be noted in the Black Pointer to help advertise the event.

The August 18 Bonfire needs a DJ. There was discussion to donate food to the Food Bank as part of the event. It was suggested that there be notice of “a donation of \$1.00 per person” to help with the event. Also, the baking of cookies or brownies would be accepted as a fundraiser. Discussion on laminating signs to help promote the event was raised by Mrs. Coscarelli.

9. Old Business

1. Mr. McKirdy reported that the audit relief legislation was signed on July 5, 2007. Black Point saved money because of this legislation and we will in years to come. Anita Schepker and Carolyn Boyle worked to help passage.

2. Proposed ordinance on fees and fines. Mr. McKirdy addressed some of the member questions raised during the scheduled Public Hearing portion of the meeting at 6:30pm. He commented to say that Black Point can't schedule fees in advance to know how many applicants will be filing for any particular date. The cost of legal publication ads and stenographer fees has to be covered. That in fact, the cost is about \$600.00 per single appeal. We are reducing the subsidy to the applicant but still paying the bulk of the cost.

MOTION to Approve the Proposed “Ordinance Establishing a Schedule of Zoning Fees” as written was made by Mr. Campion and seconded by Mr. Weiss. All in favor, none against, the VOTE passed UNANIMOUSLY.

It was noted that the new fees become effective 10 days after being printed in the New London Day.

Fines on parking regulation. Mr. McKirdy answered a member question about obtaining multiple parking tags per household. In response it was noted that limited parking exists in public areas and that one parking tag per household is fair, owners are asked to share use. Mr. Manifold will have tickets and warnings printed. These will be distributed by beach security as required. Any money received will go in to the general fund.

MOTION to Approve the Proposed “Ordinance Establishing a Fine for Violations of Parking Regulations” as written was made by Mr. Campion and seconded by Mrs. Adams. All in favor, none opposed, the VOTE passed unanimously.

**10. New Business
Zoning Issues**

1. Appointment to Zoning Commission and ZBA.

Mr. McKirdy announced that at the Administration Committee meeting on Saturday, it was decided that the following appointments would be recommended to the Board of Governors.

Mr. John Sullivan, Regular member of the BP Zoning Commission for a three year term ending July 31, 2010.

Mr. Randy Molloy, Alternate Member of the BP Zoning Commission for a three year term ending July 31, 2010.

Mr. Steven Reed, Alternate Member of the BP Zoning Commission for a one year term ending July 31, 2008.

Mr. John Manuck, Alternate Member of the BP Zoning Commission for a two year term ending July 31, 2009.

MOTION to accept the appointment as presented was made by Ms. Flynn and seconded by Mrs. Hayes. All in favor, none against, VOTE passed UNANIMOUSLY.

Mr. Phil Hagaman, Regular member of the BP ZBA for a three year term ending July 31, 2010.
Ms. Roberta Jordan, Regular Member of the BP ZBA for a three year term ending July 31, 2010.

Mrs. Anita Schepker, Alternate Member of the BP ZBA for a three year term ending July 31, 2010.

MOTION to accept the ZBA appointments as presented was made by Ms. Flynn and seconded by Mr. Campion. All in favor, none opposed, VOTE was passed UNANIMOUSLY.

2. Future Agenda items

In answer to Mrs. Levine, as to whether there is any existing noise ordinance, it is noted that an ordinance exists for construction start and stop. The town police have a system for fining after three (3) calls are made on a particular location. It was suggested Mrs. Levine follow the process the police support, although sympathetic, Black Point is not in the position to enforce these matters.

The resident State Trooper is head of the East Lyme Police.

Future Agenda Items:

- Tennis Courts
- Sea Spray

Mrs. Adams reported on the upcoming Spaghetti Supper, 100 tickets have been sold for three sittings at 5, 6 and 7:00pm. The favorite menu from past dinners will be used. The club house is decorated and tables are set up for the dinner.

11. Member Comments

Mr. George Fries, commented on parking violations and that the tennis courts need to be ready for 8:00am.

Having no further comments, Mr. McKirdy closed this section of the meeting.

12. Motion to Convene into Executive Session by Mr. Campion and seconded by Mrs. Hayes, to consider matters pertaining to pending litigation and personnel. Executive Session convened at 9:22 PM.

All board members, the Manager and Marianne O'Neil, Chair of the Zoning Commission, were in attendance at the beginning of the meeting. Mrs. O'Neil left the meeting at 9:58 PM.

Public Session resumed at 10:13 PM.

On motion of Mr. Campion, seconded by Mrs. Flynn, it was VOTED unanimously to add "Compensation of the Zoning Enforcement Officer" to the agenda.

On motion of Mrs. Flynn, seconded by Mr. Campion, it was VOTED unanimously to increase the compensation of the Zoning Enforcement Officer from \$1800 to \$2400 annually effective July 1, 2007.

13. Adjournment

There being no further business, the meeting was adjourned at 10:15 PM.

Respectfully submitted,

Gemma Balukonis Dowd, Secretary
Minutes of the July 26, 2007 Board or Governors Meeting, August 3, 2007.