

**BLACK POINT BEACH CLUB ASSOCIATION**  
**BOARD OF GOVERNORS**  
**Regular Meeting**  
**August 30, 2007**  
**7:00pm**  
**Amended 9-29-07**

1. **The Chairperson called the meeting to order at 7:00pm and a quorum was established.**  
Present: Andrew McKirdy, Chairman, John Campion, Vice Chairman, Sandy Adams, Nancy Flynn (7:03pm), Joan Hayes, David Weiss.  
Absent: Jill Coscarelli, Mary Cahill  
Staff present: Gemma Balukonis Dowd, Secretary, Mike Manifold, Association Manager, Carolyn Boyle, Treasurer, Atty. Ed O'Connell and Atty. Josh Foley

2. **Convene to Executive Session, Pending Litigation, 7:01pm**  
**MOTION** by Mr. Campion, seconded by Mr. Weiss to convene into executive session to consider pending litigation and to include the officers, manager and attorneys Ed. O'Connell and Josh Foley.  
**VOTE** all in favor, motion passed unanimously.  
Executive session concluded at 7:41 pm. The board thanked Atty's Ed O'Connell and Josh Foley for their time and called the members back to the meeting.

**Re-Convene Public session 7:44pm**

**MOTION** to add two items to the Aug. 30, 2007 agenda proposed by Mr. Campion and seconded by Ms. Flynn, VOTE passed unanimously as follows:

1. Change in the September 2007 meeting date
2. Mrs. Hayes to discuss a social item for 2007

3. **Approval of the minutes from July 26, 2007.**  
**MOTION** to accept the minutes of the July 26, 2007, Black Point Beach Club Association Regular Board of Governors Meeting was made by Mr. Campion, seconded by Mrs. Hayes, no discussion, all in favor, the Board VOTED unanimously to approve the minutes

4. **Treasurer's Report, Ms. Carolyn Boyle.**  
Ms. Boyle provided the Profit and Loss Statement for the 2007-2008, 8-27-07 actual and the Liberty Bank Check register from 7-22-07 to 8-27-07.  
Ms. Boyle stated there were no significant changes; a few items were noted, over budget by 2,500.00 primarily due to an air conditioning repair at the club house, personnel expenses in contingency as approved at a pervious meeting, hiring the bonfire D.J and a monthly increase to the zoning officer.  
Mrs. Adams questioned if all Recreation program expenses had been included. Ms. Boyle stated any outstanding charges on the credit card may not have hit the system yet, but other expenses are accounted. Some discussion followed to clarify specific check entries.

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

5. **Members Comments.**  
Mrs. Weidl, 22 Indianola Rd. inquired if the 2007 managers "to do list" had been completed.

Mr. Jim Moffett, 49 Sunset Ave., asked about the placement of additional rip rap on the [South \(corrected from North\)](#) side of the Sea Breeze pier.

Mr. Gene Massey, asked if the board is considering any regulation to moderate noise levels and cited a 3am problem recently on Osprey Rd.

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

**6. Chairperson's report and Correspondence, Mr. McKirdy.**

A letter from the Black Point Women's Club was distributed to members of the board.

**7. Manager's Report, Mr. Manifold**

Mr. Manifold reported on various items to the Board and some discussion followed:

- Mr. Manifold addressed cleanliness of the clubhouse. He assumed responsibility for the lack of supervision in this area in 2007, stated he would correct the problems and take action for communicating any policy for the next year. He apologized for any inconvenience this year's issues caused members who rented the club house and to the Black Point Women's Club.
- Neibelung will do the walkway work at the old Sisti's property after the summer when his work slows down.
- The tennis court sprinkler system may need an electrical connection fix. Mr. Manifold will check with local electricians and pursue the work over the fall season with our contractor. If unsatisfied, he will look for another source for service. He noted it is almost impossible to obtain service during the summer season. He hopes to have the work done and tested before shut down in the fall to make sure all is working.
- New signs were erected and then stolen from the Sisti walkway and the South Beach boat beach. Mr. Manifold will paint the concrete in both areas with the notices "Caution no trespassing" and "Boat beach no swimming".
- Recent repair of the A/C at the clubhouse was \$880. Mr. Manifold is instructing the treasurer to pay it out of the contingency fund.
- Mr. Manifold thanked John Dowling for his help with the movies on the beach. And thanked the social committee and Dave Weiss for efforts this summer.
- Beach bench was relocated.
- Kayak trail was widened so as to provide better access.
- Pier cut was made
- Telephone directory cost was 1,500. \$500.00 will be paid to defray cost. Thanks to Mary Beth Stone and others (sorry names not recorded) who put this together.
- The Rec program [fundraising \(corrected from fees\)](#) brought in \$2,200. "Thanks" to the Spaghetti supper, pancake breakfast and the dance. Special thanks to members involved in organizing these events. Some expenses dropped and others increased for what looks like [over an \\$8,000.00 \(corrected from \\$500.00\)](#) net income.
- Dara Flom did a good job and provided positive leadership and organization for the Rec program.
- Mr. Campion asked if the data were available on the season and enrollment breakdown, etc. Mrs. Adams responded with some figures, saying a report is coming out and that this year provided a base point for measure. This year had enrollment total of 160 children: 73 seasonal, 38 weekly, 49 guests.
- Mr. Manifold will maintain a database for attendance, income and expenses.
- Mr. Manifold responded to the comments on security and problems with noise, etc. He has spoken regularly with officer Crooks. The best approach is for members to contact the police at the time of a disturbance, making a call to at 2:00am it is more effective. Mr. Manifold will hear any comments or complaints, but his best approach will be to pass info on to the police.
- South Beach Rocks. Some discussion followed to alleviate the rock problem on South Beach and beach cleaning techniques, especially with any possible DEP changes to beach cleaning or

grading that could be in place starting next year. Mr. Weiss and Mr. Manifold will follow up. The problems were noted by the board with a desire to remedy what can be done.

- A tree on the Sea Spray right-of-way needs to be removed. C&S priced the work at 350. Mr. Manifold received board permission to have the tree removed before any property damage could occur.
- Sea Spray right-of-way. Mr. Manifold obtained a price for paving the right of way area by the Spano and Vaninni properties as the board directed. \$2,777 for a 45'x30' area and a slightly smaller area for \$2,150.00. The board discussed this at some length primarily to ascertain the benefit to the association for the price and in consideration of the length of time Mrs. Vaninni has been waiting for an answer. It was agreed that no promises had been made, and that regrettably some time has passed, but the board felt other projects might benefit from this association money and said that they would not support spending money on the right-of-way.
- Beach sand levels were discussed between Nehantic and Whitecap as regards harvesting/ storing and storm damage. Also discussed was the raking method and tractor device used and owned by Jim Beebe.
- Mr. Manifold reported the boat ramp attachment is working and the attachments are done or in progress.
- Mrs. Adams inquired about Ryan Stanley's payment. Mike stated Ryan was working at a reasonable rate to do a number of items including weed cutting, spraying and the path to the kayak launch, etc.
- Reward for burglaries (\$500) has not been awarded. The police have tips but nothing conclusive to lead to an arrest. Nothing further to report.

#### 8. **Tax Collector's Report, Mrs. Hayes for Mrs. Cahill**

Mrs. Cahill was not at the board meeting. She was representing Black Point at the Council of Beaches meeting regarding the proposed DEP beach cleaning/raking regulation. Mrs. Hayes reported the tax collection is down by \$6,666.00 related to the remaining delinquents.

#### 9. **Committee Reports**

1. Administration, Mr. McKirdy, the new parking and zoning fees are now in effect.

2. Capital Improvements, Mr. Champion, reported on the club house acoustical consultation provided by Klaus Kleinschmidt PF, Consultant in Acoustic and Noise Control. The recommendation was reviewed by the board and Mr. Champion was authorized to obtain estimates to bring before the membership.

3. Social Committee, Mrs. Hayes,

Mrs. Hayes presented a new social event to be held as a fundraiser for the acoustical repairs of the club house. **An adult dance will take place on Sat. September 22, 2007 at the club house.** The cost will be \$10. per person. Bring your own food, beverage and enjoy! The dance is open to all adult members. Popular music of the 50's, 60's and 70's will be played.

MOTION by Mrs. Hayes, seconded by Ms. Flynn requesting the board of governors support the dance as indicated. No further discussion was heard, all in favor, none opposed, board VOTE was unanimous in favor of the new social event.

Mr. Weiss reported the Bon Fire August 18, 2007 was a success. Mr. Neibelung brought the 275 gallon oil drum to the beach and back and it worked great. Music was provided. Cans were collected and donated to the Shoreline Soup Kitchen in Old Lyme. Next bonfire it is suggested a donation of \$1.00 be publicized to help defray expenses for the DJ. The notice would be printed in the Black Pointer.

The Old Black Point fireworks were the same night, August 18, 2007. I was suggested the bonfire be held one week earlier next year to avoid conflict. Thanks were offered to all especially to board members Mrs. Hayes, Mrs. Coscarelli, Mr. Weiss and families hosting electrical and water!

Mr. Weiss notified the East Lyme police by telephone providing the start and end times of the bonfire. The same will be done next year to alert 911 in case residents accidentally call in a fire/smoke alarms related to the bonfire.

**10. Old Business**

No old business appeared before the board.

**11. New Business**

1. Proposed DEP regulation to require a general permit for beach grading and cleaning activities. Mr. McKirdy reported that Mrs. Cahill was absent from the board meeting to be at the DEP meeting. Mr. McKirdy provided a statement, to be read by Mrs. Cahill, on behalf of the BPBC association opposing the proposed regulation as written. Discussion followed.
2. Plans for the Annual Informational Meeting. Mr. McKirdy asked Ms. Boyle if she could provide an updated, un-audited, end of the year report and make a few comments to the membership. He also asked members of the board to briefly introduce key items.
3. Mr. McKirdy discussed the proposed Charter Revision suggestion put forth to allow members to serve on a board but not vote as a member of the association. He offered: In checking with the records and opinions that legal counsel previously provided us, they make clear that Connecticut General Statute 7-327 provides that "only eligible voters can hold office" in a special district such as ours. Accordingly, there is no point in raising the issue at the informational meeting because the only option that would work is the one that was rejected by the membership last year.
3. Future Agenda Items.  
Charter, Acoustics and Manager personnel in September.
4. **Notify:** Cancellation of the Board of Governor's Meeting on Thursday, September 27, 2007, 7:00pm. Re-schedule to SATURDAY, September, 29, 9:00am.

Mr. Weiss, Mr. Champion and Mr. Manifold will take a look in the fall and in the spring to evaluate locations for rip rap replacement while we are within permit approval for the next three (3) years. We own rock, located at the Billow Rd. storage site, which may be used.

**12. Member Comments**

Mr. Massey, thanked the board for its thoughtful attention to Black Point matters. He commented that in his enjoyable years on South Beach he can not recall seeing such rock exposure, creating a nuisance for bathers. He asked the board put what attention could be made to this matter and he offered the rocky beach is a reason the boat beach is in use, especially by children.

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

**13. Adjournment**

There being no further business, a MOTION was made by Mr. Champion and seconded by Mrs. Adams to adjourn the Thursday August 30, 2007, regular meeting of the Black Point Board of Governors, no further discussion followed, all in favor, none opposed, the VOTE was unanimous.

Respectfully submitted,

Gemma Balukonis Dowd, Secretary

Minutes, August 30, 2007, Regular Meeting, Black Point Beach Club Association, Board of Governors submitted September 6, 2007

Amended 9-29-07