

**Black Point Beach Club Association  
Board of Governors  
Minutes of Regular Meeting  
Thursday, April 26, 2018  
6:00Pm**

The Regular Meeting of the Black Point Beach Club Association Board of Governors was held on Thursday, April 26, 2018, at 6:00 p.m. in the Black Point Beach Club Association Clubhouse located at 6 Sunset Avenue in Niantic, Connecticut.

Present: Kevin Callahan, Chair; Cheryl Colangelo, Vice Chair; Will Fountain, Steve Beauchene, Mary Cahill, Ex-Officio and Jim Pillion present by telecommunication at 6:10Pm

Also Present: Carolyn Boyle, Treasurer; Maureen Lowney, Secretary

Absent: Robin Murdock-Meggers, William McDowell and Ruth Ames, Tax Collector

**1. Call meeting to order; Attendance**

Mr. Callahan called the Regular Meeting of the BPBCA Board of Governors to order at 6:00Pm. A Quorum was present.

**a. Approval of Minutes of March 29,2018 Special Budget Meeting**

Mr. Callahan called if there were any omission or corrections on these minutes. There being none he called for a motion to accept the minutes.

**\*\* Motion [1]**

**Mr. Fountain made a motion to approve the minutes of the Regular Meeting held on March 29, 2018, as read. Ms. Colangelo seconded the motion.**

**Vote: 4 - 0 - 0. Motion passed**

**2. Public Comments**

Mr. David Roth, 57 Indianola Road, proposed giving private tennis lessons to members of the Black Point Beach community and offering a tennis camp for the children. Mr. Roth is a certified tennis Pro and has a \$6million liability insurance policy. He said he could give a percentage of the fee back to the Association.

Ms. MaryLou Weidl, 22 Indianola Road, with the new management scheme would like to know who is in charge of what.

Ms. Jean Galati, 7 Nehantic Drive, commented that it would be great to offer the kids tennis lessons. She also asked when the spraying of the ticks would take place at the Club House grounds. Mr. Callahan said it was scheduled for June 23, the same date as last year. Ms. Galati commented that she thought it should be done earlier. Mr. Callahan said he would check with the company that does the spraying to find out why it is done that late in June.

Ms. Colleen Chapin, 53 East Shore Drive, commented on the proposed mill rate and thought it should stay the same and not go down.

Ms. Kim Craven, 46 East Shore Drive, is having her seawall repaired. She brought Mr. Keith Neilson from Docko, Inc. to the meeting and had him give a report on the scope of the work being done to the seawall. Mr. Callahan said that Ms. Craven's seawall touches our walkway and there has been a lot of back and forth on what is going on so Mr. Neilson came to explain about the work being done. He showed a map of the site plan. The Craven's are trying to raise their seawall so they won't experience wave damage like they did in Hurricane Sandy and to overlay the front of the seawall with a reinforced concrete base that will stand up better in the long run to the forces of breaking waves and maintain structural integrity of the wall. As they have started the work they have uncovered some conditions that show some more extensive area of deterioration for the midsection of the southerly half of the wall. In order to make sure the wall is structurally stable and sound as possible for the longest term they are considering a couple of different options. One of them is to put footings in below our walkway. That would mean taking out the walkway which is in front of the wall and then replacing that walkway. The original form of concrete that is in front of the wall was not a walkway but a scour wall designed specifically to prevent erosion of the beach sand and it undermined the seawall to the point that the wall would become unstable. In order for them to pursue this option they will need a DEEP permit to remove that concrete and put in new concrete. This is a different approach than what was originally considered during the approval of the wall a year ago by the town the DEEP and the corp of engineers. They have all the permits necessary to do the work as originally planned. Mr. Neilson is requesting the Board to approve the option of removing and replacing the concrete walkway. Mr. Neilson says he does not have copies of the original permits for the walkway. He said he does know that the original footings for the seawall pre existed 1995, so fairly confident that the DEEP would be able to approve a certificate of permission to replace that concrete without any permits to prove otherwise he can't guarantee exactly how the process will go.

Much discussion followed.

Mr. Callahan asked Mr. Neilson if he was asking for permission to take up the sidewalk. Mr. Neilson said yes and to approach the DEEP with questions about permitting and replacing that concrete.

Ms. Cahill said they need to make sure before they do any work that they have a permit. She told Mr. Neilson that they need to make sure that whatever they need to do for their project that they need to give us back our walkway. Mr. Neilson said he has to ask the DEEP to replace it. If the DEEP says they won't give a permit than there is a problem as the sidewalk is attached to the seawall. He also stated that the association has covered the Craven's footings twice by pouring cement on the sidewalk.

Mr. Fountain asked if they get a permit to take out the sidewalk is the homeowner going to replace it.

Mr. Callahan stated that the cost to remove the walkway is \$7,000.00 and another \$15,000.00 to replace it.

Ms. Craven said she would not pay for the walkway to be removed or replaced. Mr. Beauchene asked where the property line ends and said we would probably loose the walkway forever.

Mr. Pillion suggested we get a legal opinion to see what direction to go in. Mr. Callahan and Mr. Beauchene agreed with Mr. Pillion. Mrs. Cahill asked Mrs. Craven to take on some of that expense as we can't ask the members to pay and maybe that it should bring it up to the members. Mr. Beauchene said the scope has changed from last year.

### 3. Reports

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

Ms. Boyle presented her report.

Bank Balances as of 3/31/2018

Checking and Sweep accounts \$161,433.23 . Long Term Capital \$86,395.22

#### **\*\*Motion [2]**

**Ms. Colangelo made a motion to accept the proposed 2018—2019 budget as presented.**

**Mr. Beauchene seconded the motion.**

**Vote: 5 - 0 - 0. Motion Passed.**

#### **Tax Collector's Report - Kevin Callahan for Ruth Ames**

Mr. Callahan reported that \$222,869.19 has been collected in taxes. \$640.35 is still outstanding for this tax year. 2 properties with no payment and 2 properties have partially paid. There is still \$251.52 outstanding from the tax year 2016.

#### **Chair's Report - Kevin Callahan**

Mr. Callahan reported that they held interviews for the Waterfront supervisor position and they will discuss the interviews in executive session.

Mr. Callahan also reported that 6 new windows have been installed at the clubhouse, there are new backboards for the basketball court and the trees around the court are going to be taken down on Monday and the clubhouse is getting a new roof. He stated that Mr. Fountain went out and got 3 and 4 bids for each project and he thanked Mr. Fountain for doing that job.

Mr. Callahan said 2 signs had come down during the storm in the fall one at South Beach and one at the Nehantic right of way. He also mentioned that we are having a community cleanup of the clubhouse grounds this Saturday.

Ms. Colangelo said that we need bigger signs with less words at the Sea View Boat Launch and at the backwaters on Old Black Point Road. She also said we need to enforce that only boats with stickers that identify that the boats belong to members be placed on the racks as we have limited space. She proposes to give warnings and inform people if boats do not have an ID they will be removed from the racks.

Mr. Callahan said that Mr. & Mrs. Colangelo will be in charge of the 4th of July picnic this year. Mr. Pillion said that he will help with the picnic and that it is very labor intense.

Mr. Callahan said they needed to make an amendment to the By Laws. Article IV last sentence in Sec. 1 reads '**the Association Manager shall convene and preside at such meeting until the election of the Chairperson.**' Since we no longer have an Association Manager Mr. Fountain suggested we change it to the Secretary.

**\*\*Motion [3]**

**Mr. Fountain made a motion to change the last sentence of Article IV Sec. 1 of the By Laws to read The Secretary to the Board of Governors shall convene and preside at such meeting until the election of the Chairperson.**

**Mr. Beauchene seconded the motion.**

**Vote: 5 - 0 - 0 Motion passed**

**Ex Officio to Zoning - Steve Beauchene**

Mr. Beauchene reported there had been no meeting in April but at the March meeting they discussed the use of the right-of-ways by contractors. They thought they should need a permit to use it or get permission from the Board.

**Ex officio to Zoning Board of Appeals - Jim Pillion**

Mr. Pillion reported that the ZBA will be holding a meeting soon, as a couple of members first terms will be up.

**4) New Business**

Mr. Fountain said he asked Mr. Neilson a year and half ago for the As Built on the Boat Launch and has not received it yet. He also mentioned we need a sign down by the backwaters on Old Black Point Road. Mr. Fountain asked if we were going to hire someone for odd jobs. He also mentioned that the old utility pole is still in front of the ClubHouse. Mr. Callahan said he called Eversource on it a couple of months ago. Mr. Fountain also asked if we were getting tickets to give out to illegally parked cars and golf carts and Mr. Callahan said yes. Mr. Fountain asked if we had a contract for the swim lines and Mr. Callahan said yes it was all set.

**5) Old Business**

Mr. Beauchene stated that Mr. Greg McMahon had asked if the BOG will still allow the committee, he is on, if they were still able to discuss with Millstone things that come up. Mr. Callahan said they were still allowed.

Mr. Callahan asked the Board if they thought they still needed the Police to patrol and what hours, days and start and finish dates. Mr. Beauchene said he felt the presence of the Police was a deterrent for speeders and other activities. Mr. Pillion said to keep them.

**6) Communications - Made available**

**7) Public comments**

Ms. Sandy Adams, 26 White Cap Road, mentioned that the hedges at the corner of White Cap and East Shore are very high and dangerous. She stated that cars can't see when someone is crossing the road and asked if we are enforcing the trimming of hedges.

Mr. Phil Lombardo, 3 East Shore Drive, asked if the Board was still having the Right of Ways surveyed. Mr. Lombardo suggested that the Board ask Mr. Neilson to write a one page letter addressing the changes to the seawall.

Ms. Colleen Chapin, 53 East Shore Drive, asked about the kayaks and ID stickers if they were just for kayaks all watercraft.

### **8) BOG Response**

Mr. Callahan said we are hiring a Waterfront Supervisor. He said that he was the contact for people wanting to rent the club house. He also mentioned that we are having a Community Clean up day on Saturday April 28, 2018. Mr. Callahan said we have a great community and this was an opportunity for everyone to meet.

Mr. Callahan said he will check about spraying for ticks at an earlier date.

Mr. Callahan said the hedges are an ongoing discussion with the Zoning Board. They had an East Lyme Official come out last year. They did a drive by and sent letters to violators. The Zoning Board wants to start fining homeowners this year. Mr. Callahan said he will check about the surveys on the right of ways.

### **Executive Session**

#### **\*\*Motion [4]**

**Mr. Fountain made a motion at 7:59Pm to enter Executive Session to discuss personnel and legal matters.**

**Ms. Colangelo seconded the motion.**

**Vote: 5 - 0 - 0. Motion Passed.**

#### **\*\* Motion [5]**

**Ms. Colangelo made a motion to exit Executive Session at 8:35pm.**

**Mr. Beauchene seconded the motion.**

**Vote: 5 - 0 - 0. Motion Passed.**

#### **\*\*Motion [6]**

**Ms. Colangelo made a motion to Offer contract for the position of Waterfront Supervisor, pending background check to Jim Moffett.**

**Mr. Beauchene seconded the motion.**

**Vote: 5 - 0 - 0 Motion passed.**

#### **\*\*Motion [7]**

**Mr. Pillion made a motion to retain legal counsel to advise the BOG on our legal status regarding association property adjacent to Craven seawall.**

**Mr. Beauchene seconded the motion.**

**Vote: 5 - 0 - 0**

#### **\*\*Motion [8]**

**Mr. Beauchene made a motion that the Regular Meeting of the Black Point Beach Club Association Board of Governors be adjourned at 8:50 p.m. Mr. McDowell seconded the motion.**

**Vote 5 - 0 - 0. Motion Passed**

**Respectfully submitted,**

**Maureen Lowney, Secretary**

