

**Black Point Beach Association
Board of Governors
June 25th, 2020 Regular Meeting Minutes**

Call in number: 425-436-6363, access code: 436260
(Dial *6 during Public Comments to speak)

Present: Cheryl Colangelo, Chair
Will Fountain
Cary Michael Johnson
Steve Beauchene
Rick Diachenko
Phil Lombardo
Bill McDowell

Also Present: Jim Moffett, Association Manager
Al Capozza, Treasurer
Ruth Ames, Tax Collector

The Regular Meeting of the Black Point Beach Club Association Board of Governors, was held on Thursday June 25th, 2020 at 6:00 p.m. via teleconference.

I. Call Meeting to Order & Attendance

Ms. Colangelo called the Regular Meeting of the BPBCA Board of Governors to order at 6:03 p.m. and noted the teleconference is being recorded in its entirety and in accordance with the requirements of executive order 7B, issued by Governor Lamont, which allows for public meetings to held over teleconference; both the meeting recording and meeting minutes will be posted to the Black Point Beach Club website, Bog@blackpointbeachclub.com. Ms. Colangelo did roll call and noted a quorum of Commission members is present. She encouraged members to sign up for the Black Point email mailing list on the website.

II. Approval of Minutes

a. May 28th, 2020

Mr. Diachenko said the second sentence on page 11 reads “Ms. Diachenko” when it should say “Mr. Diachenko.”

MOTION (1)

Mr. McDowell moved to approve the May 28th, 2020 Meeting Minutes as amended.

Mr. Johnson seconded the motion.

Motion carried, 7-0-0.

b. June 16th, 2020

MOTION (2)

Mr. Johnson moved to approve the June 16th, 2020 Meeting Minutes.

Mr. Fountain seconded the motion.

No vote, motion failed.

Mr. Diachenko said there was not a hard copy posted along with the recording on the website and the recording is garbled. Ms. Colangelo explained the Recording Secretary was not in attendance; she will work with Ms. Stevens on deciphering and crafting written minutes for this meeting. The Board tabled approval of the June 16th, 2020 minutes until the next meeting.

III. Communications to Board

Ms. Colangelo noted that correspondence from members via email will be part of the record (attached.)

IV. Public Comments

1. Peter Liashek of 3 Waterside Road referenced the June 24th, 2020 email he and several others sent to the BOG (attached) and asked if it had been received. Ms. Colangelo said they have and it will be discussed during the meeting.

V. Reports

Ms. Colangelo gave a huge thanks to Mr. Johnson and Mr. McDowell for all of their efforts on behalf of the Association; both of their terms are up and neither intend to run again at this time.

a. Treasurer

Mr. Capozza detailed his financial report distribution which he previously supplied to the BOG (attached) and shared some of the following:

- He reminded the Board that he reformatted this form in order to separate the pier repair activity from the typical operating expenses.
- The Association income through June 25th without piers was \$253,000 compared to a budget of \$248,600.
- This is about a \$5,000 increase over budget and due mostly to higher leans and interest.
- The expenses through June 25th were \$203,000 and will increase to around \$220,000 as we pay the final year end bills.
- If we look at the \$220,000 compared to our adjusted budget of \$248,600, we basically came in \$29,000 under budget.
- When you take the surplus of \$33,700 from the normal operating budget and add it to the \$66,000 loss utilized for the pier, you come up with an overall net loss of \$32,200.

Mr. Capozza detailed how we previously had the accounting firm of Cohn & Reznick who provided annual reporting and financial expertise and basically assists Black Point in the presentation of their financial statements; the firm notified the Association that they're ending this 40 year relationship affective the last fiscal quarter they did, which was June 30th, 2019.

Mr. Capozza observed that the services they provided are the minimum amount an accounting firm can provide; they do a cursory review but do not perform any kind of audit of the financial statements. Ms. Colangelo explained how Mr. Capozza looked into two alternative firms and determined that Garvey, Steele and Bancroft would be the best fit for the Association. Mr. Capozza noted they're a local firm out of Mystic and services will be \$250 more than before.

MOTION (3)

Mr. Lombardo moved to employ Garvey, Steele and Bancroft to do our accountant's compilation report.

Dr. Beauchene seconded the motion.

Motion carried, 7-0-0.

b. Tax Collector

Ms. Ames shared the following:

- \$90,454 of the \$201,472 for the real estate taxes due has been collected.
- 316 homes out of 580 haven't yet been paid but this is excellent for this time of year.

- She's only had one person ask for tax deferment due to Covid-19.
- We've also done exceptionally well in regards to back taxes- there are only 3 outstanding accounts and 1 of those 3 is partially paid.
- The outstanding balance for back taxes is \$1,108.
- In regards to special assessments, there are 4 outstanding accounts and 1 is partially paid and the total outstanding amount is \$2,754.
- In regards to parking tags there have already been 12 reported lost and usually the number is only 4 for the whole season.
- Mr. Moffett and his patrol have to monitor tags to determine if any of the now voided tags are in use.
- It's much worse this year and many of the ones missing were utilized for golf carts.
- For the other districts that employ her each member must request a hanging tag and they're charged a fee.
- She suggests that Black Point do like others and charge a \$10 fee to obtain a tag.
- This fee is reasonable and is a money maker.
- Currently Black Point is paying \$1,300-\$1,400 for these tags and with a \$10 charge you would make a profit.

Ms. Colangelo said it's important for the Board to look at this issue this Summer and will put it on the agenda for the next meeting. Ms. Ames suggested continuing to hand them out as needed until she runs out. She noted that people shouldn't be penalized for trying to do the right thing.

c. Piers and Seawalls

Dr. Beauchene reported the following:

- Rick Pinder who did the pier work for us will be coming out on Tuesday or Wednesday weather permitting, to complete everything and seal the pier; they wanted to wait for the warmest weather possible.
- We can have no foot traffic whatsoever after it's sealed, for 24 hours.
- We also had the remaining piers assessed, all the field work is done and the data is being compiled.
- We hope to have the report by the first or second week in July so we can determine how to proceed in the future.

Ms. Colangelo said Dr. Beauchene, Mr. Johnson, Mr. Fountain and Mr. Moffett have responded to three different homeowner communications; two of the homeowners live on opposite sides of the Bellaire right-of-way. Dr. Beauchene shared the following:

- Scour walls prevent wave action from undermining sea walls.
- The scour wall present there is in disrepair and we have been unable to determine who actually built it.
- Our beach property ends on the Nehantic pier and we don't own the beach further down.
- The scour wall is below the high mean water mark so it's really under the jurisdiction of the DEEP.
- He wrote a letter to the landowners explaining they would need to approach DEEP for approval.
- The concern for the BOG is how would they access their sea wall to make repairs.
- A plan would need to be sent to the BOG for work approval at the right-of-way.

Mr. Fountain said Black Point Beach didn't build the seawall and Ms. Colangelo added that the seawall is on Black Point property, which is the problem.

d. Zoning

Dr. Beauchene reported that Zoning is working on addressing building in regards to preexisting nonconforming lots, as well as property management guidelines.

e. Grounds

Ms. Colangelo asked Mr. Fountain and Mr. Johnson if there is anything new coming up that needs to be addressed and there was nothing to report.

f. Fishing & Watercraft

Mr. McDowell said there are only two leftover stickers which he has handed over to Mr. Fountain, along with his watercraft records for the last few years.

Ms. Colangelo explained these are stickers for small water crafts and kayaks that people may obtain free of charge; they allow the kayaks to be stored on the kayak racks and enable the BOG to contact the owner of any small water crafts in the case of a hurricane or storm.

Mr. Fountain reported that he has ordered an additional supply of stickers.

Ms. Colangelo reminded the membership that paddle boards may not be stored on the kayak racks since they're too wide. She asked Mr. Moffett if he and his staff can check on the racks once a week and leave a note for any kayak without a sticker, instructing

them to obtain one once available- if they don't do so the kayak will be removed after one week.

g. Association Manager

Mr. Moffett noted his report for June 2020 which he sent to all the Board members (attached) and can answer any questions the Board may have. He said he has received a \$1,700 bid from an arborist to clean up several trees by the playground. Ms. Colangelo said our bylaws require that we receive more than one bid and Mr. Moffett said he would seek out additional bids which will be made part of the record.

MOTION (4)

Dr. Beauchene moved that Mr. Moffett obtain two additional bids and authorized him to hire an arborist, to prune the playground trees for a fee not to exceed \$1,700.

Mr. Diachenko seconded the motion.

Motion carried, 7-0-0.

Ms. Colangelo clarified for the membership that they're having seaweed cleanup starting now along with daily beach raking but noted it's not reasonable fiscally to have seaweed carted out everyday.

Ms. Colangelo asked Mr. Moffett about the beach patrol schedule and the Board discussed staggering the hours of the employees.

Mr. Lombardo said changing the hours would increase expenses and Mr. Moffett responded the hours are not increasing, they're merely being staggered. Mr. Lombardo stressed the importance of not exceeding budgetary control limits.

MOTION (5)

Mr. Diachenko moved to change the timeline of the beach patrol to 5 ½ hours a day and stagger employee hours for greater coverage.

Dr. Beauchene seconded the motion.

Motion carried, 6-0-1.

Mr. Lombardo abstained from the vote.

Ms. Colangelo said they previously approved to hold the 4th of July parade and after receiving approval from Mr. Nickerson, asked Mr. Moffett if he had an outline of what

the parade will look like. Mr. Moffet said he thought it would be prudent to use the recent high school senior class parade as an example.

Ms. Colangelo said Mr. Nickerson recommended that walkers and bikers not be utilized in the parade and asked if Ledge Light had any restrictions. Mr. Johnson said only golf carts, cars and trucks should be utilized and people must stay inside of their vehicles. Mr. Lombardo said no candy should be thrown. Mr. Fountain said people need to be responsible for their own social distancing.

Ms. Colangelo said Mr. Nickerson recommended making the parade longer so people aren't gathered all together. The Board discussed having the parade go up and down every street.

IV. Old Business

a. Cahill Scholarship

Wendy Bourget of 1 Osprey Road previously announced on behalf of the Cahill Scholarship Fund, this year's winners Natalie Joy Taylor and Jason Sinning. She said they will each receive a \$1,000 scholarship and shared some of the following:

- Natalie graduated from East Lyme High School this year and will be attending the University of South Carolina.
- She is a strong student and a stand out field hockey player.
- She was a member of the lacrosse team and held numerous volunteer roles.
- She is the daughter of members Angela and Timothy Taylor.
- Jason Sinning graduated from Cheshire High School this year and will be attending Dartmouth College.
- He is a member of the math and science honor society and was a member of the football and track team.
- He worked as a special olympics tutor and volunteered at a thrift shop.

John Bourget of 1 Osprey Road read a portion of Natalie and Jason's essays to the membership. Ms. Bourget thanked all the Black Point students who took the time to apply and share their memories. She also thanked all the members of the Scholarship Committee and everyone who donated to the scholarship fund.

b. Long Term Fiscal Planning Committee

Ms. Colangelo said that sadly the Chairperson of this subcommittee will not be with us after this week. She said that now that we can meet in small groups at the Clubhouse, she would like to ask that this committee resume their activities. She suggested they choose their own Chair and notify the Board. Ms. Colangelo reminded the membership that these are public meetings which must be noticed.

c. Approve Updated Policies and Procedures

Ms. Colangelo referenced all the policy and manual changes the Board has approved during the last year and a half; she sent copies to each member of the Board along with date changes, and has asked Ms. Stevens to incorporate them in the policy manual and on the website.

Ms. Colangelo added there are still some items the Board revised that still need to be voted on in order to become official such as the new job descriptions, employee contracts and permission to use the right-of-ways for staging purposes (attached.) She suggested addressing the beach patrol job description separately.

MOTION (6)

Dr. Beauchene moved to accept the new job descriptions, employee contracts, permission to use the right-of-ways for staging purposes and to include them where appropriate in our rules and regulations.

Mr. Diachenko seconded the motion.

Motion carried, 7-0-0.

Mr. Lombardo moved to amend the motion to include the beach patrol job description and exclude the number of hours.

MOTION (7)

Dr. Beauchene amended his motion to include the beach patrol job description with the modification that they work 5 ½ hours a day.

Mr. Diachenko amended his motion.

Motion carried, 6-1-0.

Nay: Mr. Fountain

IX. New Business

a. After hours parking

Ms. Colangelo detailed the complaints made over the last several years in regards to illegal parking in the right-of-way on Osprey and Waterside. She noted they received

numerous emails this week (attached) with suggestions and included some of the following comments:

- They would like signage on the right hand side stating a parking tag is required or painting on the actual asphalt.
- Permitted parking on Waterside is not currently marked.
- Where homes abut the right-of-way they would like some kind of delineation to prevent parking on the grass.
- They would like our evening patrol to drive along Osprey and facilitate with the Police so that they respond to a trespassing complaint.

Mr. Moffett said brand new signs were installed on Osprey yesterday and he's waiting for a quiet time to paint "no parking" on the asphalt.

The Board discussed parking in the right-of-ways.

Ms. Colangelo said she believes most of the complaints in regards to Osprey are after hours. She said they need to consider if there is a way to constrain traffic and educate people based on the recommendations of the ten families that contacted us. Mr. Johnson suggested a site visit to South Beach to see for themselves.

Mr. Diachenko said he thinks signage at Waterside is a good idea and Ms. Colangelo said a sign has been put on Osprey and the Board agreed to painting the "no parking" on the asphalt. She asked about some subtle demarcation for parking at Waterside.

Mr. McDowell suggested installing small discrete posts and a chain to prevent parking on the grass at the right-of-way but still obtain pedestrian access. He and Mr. Johnson will facilitate with Mr. Moffett to determine signage and post selection/placement. Ms. Colangelo said to make sure the beach patrol on the weekend patrols Osprey and said that she and Mr. Moffett will meet with the East Lyme Police about this matter.

Mr. Lombardo asked how the Police could be contacted after hours and Ms. Stevens supplied the non-emergency telephone number- (860) 739-7007.

Mr. Johnson said several members have expressed interest in starting a neighborhood watch and Ms. Colangelo said she encourages those members to explore this for the future.

Mr. Moffett and Ms. Colangelo discussed encouraging members who are year round residents to keep their tags on display all year long. Mr. Moffett said people fishing should also have Black Point passes and that this has been a problem in the past.

b. Election Procedures

Ms. Colangelo said she posted the election procedures today and that Mr. Moffett has devised a whole system for pedestrian traffic; no one will be in front of the Clubhouse unless they're leaving and checkin for voter eligibility and ballots will be divided on both sides of the back of the Clubhouse.

She clarified that people may vote if their name is on the deed with the exception of a Trust or LLC, or if they're a registered voter in East Lyme. She added that voting will be staggered, socially distanced and Mr. McDowell will be handing out donuts as people exit the front of the Clubhouse.

Ms. Colangelo said we currently have two candidates for the BOG, Sharon Bruce and Bob Trocki, and that we will also be taking nominations from the floor on Saturday.

c. Women's Club modified activities

Ms. Colangelo said that Kay Parulis wants to talk about modified Covid sensitive activities for the Summer. She was unable to contact Ms. Parulis so the Board decided to move onto a later item on the Agenda until she and the Recreation Directors were ready to speak.

d. Individual employee request

Ms. Colangelo said she had originally planned an executive session as the time to discuss the request of two employees but since one of them doesn't have to occur in the executive session they're going to discuss additional services from the BOG Secretary now.

Ms. Colangelo shared that as with the special assessment last year, the Tax Collector has gotten reimbursed for extra work and similarly, the Secretary is seeking reimbursement as well. She said that during the last several months she has probably attended more than double the amount of meetings as usual.

Ms. Stevens summarized the extra work she performed between attending meetings and taking over tasks from the Webmaster. She said taking over the website tasks was

more convenient as well as a monetary savings for the Association, as is the email which she also recently took charge of.

Ms. Stevens said a general rule of thumb for a recording secretary is an hour and a half work for each hour of a meeting. She would guesstimate for the special meeting alone it was an additional 20 hours and 5 hours for emails and website duties.

Ms. Colangelo clarified that Ms. Stevens is asking for reimbursement for 25 hours beyond her regular duties and Ms. Stevens replied yes, if the Board is amenable to that. She said the starting rate for recording secretary for the Town is \$18.32 an hour.

MOTION (7)

Dr. Beauchene moved to reimburse Ms. Stevens \$500 for the extra work she performed this year.

Mr. Fountain seconded the motion.

Motion carried, 7-0-0.

Ms. Stevens thanked the Board.

e. Recreation Directors; Erica Garnett and Nadia Banever

Ms. Garnett shared how she and Ms. Banever discussed activities they can do safely such as:

- Movies on the beach since that is already a bit of a distanced activity that doesn't require interaction, and they would like to have them more often than they've had in the past.
- Before the movie there could be a kind of community gathering for which people bring their own food.
- They would like to hold a virtual spirit week and people can participate by sending in photos.
- They would love any and all feedback to make sure these are activities people want to do and feel safe doing.
- 4 of the 7 weeks they'd like to have a movie night and at least one big event for each of the other 3 weeks.

Ms. Colangelo briefly discussed the current social activity restrictions by the health department such as start and end time, number of participants, social distancing and attendance tracking. She added that in terms of food she thinks we would need to see more documentation from the Board of Health of what that would entail.

Mr. Diachenko said in terms of food he believes people would have to bring their own and not share it like a buffet. Ms. Colangelo said they would need to know how the activities will be supervised and noted the number of people allowed together will probably increase, but social distance needs to be maintained.

The Board discussed the perimeters needed for social activities.

Mr. McDowell suggested using the Clubhouse to have a kind of drive-in theater where people stay in their vehicles while watching the movie.

Mr. Lombardo asked if there would be a cost involved in holding these activities and Ms. Colangelo said there is no budget to pay staff so there will have to be a cost to participate in each activity if the Directors want to be reimbursed.

Ms. Garnett and the Board further discussed social activities and safety and Mr. Diachenko shared how playgrounds are reopening.

The Board said they're fine with having movies on the beach, as they are with a virtual spirit week but the Directors will need to determine how to fund it.

The Board discussed safety considerations with Ms. Garnett.

Ms. Banever detailed how they'd like to have a parade at the end of spirit week in the last week in July; the Directors will formulate a parade plan which they will detail at the July meeting.

Ms. Colangelo said that Ms. Garnett and Ms. Banever both provided 10 hours of service this Winter which they have not been compensated for; normally they receive a salary but will not this year since there is no recreation program this Summer.

MOTION (8)

Dr. Beauchene moved to reimburse Ms. Banever and Ms. Garnett \$200 each.

Mr. Diachenko seconded the motion.

Motion carried, 7-0-0.

f. Further Public Comment and Board response

1. Peter Liashek of 3 Waterside said he is more than happy to meet with Mr. Fountain, Mr. Diachenko and Mr. Moffett tomorrow. He said he has a lot of knowledge about the right-of-way on Waterside.

2. Kim Craven of 46 East Shore asked if they have something new to address she would like it mentioned prior to public comment. She likes Ruth's idea to have each member include a self addressed stamped envelope with their tax payment, which we use to send their hanging tag. She agrees with charging for lost tags not stolen tags.

She asked about liability if staging is allowed on the right-of-way and said without Club more security hours may be needed.

Ms. Colangelo responded that an extra person for the beach staff was hired to help accommodate anticipated activity and the Board will go back online after the executive session and it will also be in the meeting minutes. Dr. Beauchene said contractors carry their own liability for their equipment or construction damage.

3. Wendy Bourget of 1 Osprey thanked the Board for taking the time to discuss the issues with parking in the right-of-ways. She said she would also love to meet with Mr. Diachenko, Mr. Fountain and Mr. Moffett and offer her input in regards to the signage.
4. Bob Trocki of 22 Blue Heron said he is running for the Board of Governors but his bio is not on the website like the other candidate.
5. Patty DeAngelis of 56 Sea Spray inquired about the number of people allowed in a group on the beach and if the tag should be exposed.

Ms. Colangelo said the limit is still 5 since the Board hasn't had a chance To revisit this and beach passes should be in public view.

Ms. Stevens noted for the record that she only received Ms. Bruce's information this afternoon but that the Trocki's emailed Mr. Trocki's bio during this meeting and she immediately posted it to the website and facebook, so it's there now.

IX. Executive Session

MOTION (9)

Mr. McDowell moved to enter the Executive Session at 9:08 p.m. for the purpose of discussing individual employees.

Dr. Beauchene seconded the motion.

Seconded the motion.

Motion carried, 7-0-0.

MOTION (10)

Dr. Beauchene moved to exit the Executive Session at 9:40 p.m. with no action taken.

Mr. McDowell seconded the motion.

Motion carried, 7-0-0.

MOTION (11)

Dr. Beauchene moved to approve \$1,300 for an increase in the Tax Collector's salary from August 23rd, 2019 to July 1st, 2020.

Mr. Lombardo seconded the motion.

Motion carried, 7-0-0.

XI. Adjournment

MOTION (12)

Dr. Beauchene moved to adjourn the BPBCA BOG May 28th, 2020 Regular Meeting at 9:55 p.m.

Mr. Johnson seconded the motion.

Motion carried, 7-0-0.

Respectfully Submitted,

Brooke Stevens, Recording Secretary

