

**Filing of the Black Point Beach Club Association Board of Governors
February 25th, 2021 Meeting Motions and Deferred items Summary.**

MOTION (1)

Ms. Bonelli moved to approve the meeting minutes of January 28th, 2021 as presented.

Mr. Lombardo seconded the motion.

Motion carried, 6-0-0.

MOTION (2)

Mr. Fountain moved to accept the Treasurer report as presented.

Mr. Lombardo seconded the motion.

Motion carried, 6-0-0.

MOTION (3)

Ms. Bruce moved to accept the Tax Collector report as presented.

Mr. Fountain seconded the motion.

Motion carried, 6-0-0.

The Board opted to no longer do motions to accept the reports.

Mr. Moffett will address with the Board cleaning the debris on Billow once the cost is determined.

The Board tabled the discussion regarding rocks in the boat launch vicinity until the next meeting.

MOTION (4)

Mr. Lombardo moved to define a “dinghy” as a watercraft with a maximum length of 10 feet and a maximum width of 5 feet, and with no motor.

MOTION (5)

Mr. Lombardo amended his previous motion and moved to define a “dinghy” as a watercraft with a maximum length of 10 feet and a maximum width of 5 ½ feet, and with no motor.

There was no second, motion failed.

MOTION (6)

Ms. Bruce moved to define a “dinghy” as a watercraft with a maximum length of 15 feet and a maximum width of 5 ½ feet, and if the watercraft has a motor, no motor is to be left on the beach.

Ms. Colangelo seconded the motion.

MOTION (7)

Mr. Diachenko moved to amend Ms. Bruce's motion and define a "dinghy" as a watercraft with a maximum length of 16 feet and a maximum width of 5 ½ feet, and if the watercraft has a motor, no motor is to be left on the beach.

Ms. Colangelo amended her second.

Motion failed, 2-3-1.

Vote:

Nay- Mr. Lombardo, Mr. Fountain, and Mr. Diachenko

Yay- Ms. Bruce and Ms. Colangelo

Abstentions- Ms. Bonelli

The Board tabled the discussion about boat launch beach issues and will consult Attorney Zamarka as well as the Association Insurance Carrier.

The Board will revisit the prospect of doing a mailing as a means of imparting the information detailed in the Long Term Capital/Fiscal Planning presentation, at the next meeting.

Mr. Johnson, Mr. Moffett, and Mr. Fountain will report back next month regarding the Sea View ramp to the beach repairs.

MOTION (8)

Ms. Bruce moved to reappoint Sally Cini for an additional BPBCA ZBA term and to appoint former Alternate Members Marianne Neptin and Anita Schepker, as Regular Members of the ZBA for one term.

Mr. Fountain seconded the motion.

Motion carried, 6-0-0.

MOTION (9)

Mr. Lombardo moved to enter Executive Session at 8:23 p.m. for the purpose of discussing pending litigation.

Mr. Diachenko seconded the motion.

Motion carried, 6-0-0.

MOTION (10)

Ms. Bruce moved to exit Executive Session at 9:03 p.m. with no action taken.

Ms. Bonelli seconded the motion.

Motion carried, 6-0-0.

MOTION (11)

Ms. Bruce moved to adjourn the BPBCA BOG February 28th, 2021 Regular Meeting at 9:03 p.m.

Mr. Diachenko seconded the motion.

Motion carried, 6-0-0.

Respectfully Submitted,

Brooke Stevens, Recording Secretary

**Black Point Beach Association
Board of Governors
February 25th, 2021 Regular Meeting Minutes**

Join Zoom Meeting at the following link:

<https://us02web.zoom.us/j/9460236028?pwd=MFduSCtuMDc4OXdlb1ZrZ1JOem5vQT9>

Join Zoom Meeting at zoom.us and use the following Meeting ID and Passcode:

Meeting ID: 946 023 6028

Passcode: 052633

Join Zoom Meeting and Dial by your location:

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Present: Cheryl Colangelo, Chair
Will Fountain
Janet Bonelli
Rick Diachenko
Phil Lombardo
Sharon Bruce

Absent: Steve Beauchene

Also Present: Jim Moffett, Association Manager
Al Capozza, Treasurer
Ruth Ames, Tax Collector
Jim Allen, Zoning Secretary
Brooke Stevens, Recording Secretary

The Regular Meeting of the Black Point Beach Club Association Board of Governors, was held on Thursday February 25th, 2021 at 6:00 p.m. via zoom.

I. Call Meeting to Order & Attendance

Ms. Colangelo called the Meeting to order at 6:04 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. Ms. Colangelo did roll call and noted a quorum of Commission members is present. She added that the meeting information was posted on the website as well as social media.

II. Approval of Minutes

a. January 28th, 2021

MOTION (1)

Ms. Bonelli moved to approve the meeting minutes of January 28th, 2021 as presented.

Mr. Lombardo seconded the motion.

Motion carried, 6-0-0.

III. Communications to Board

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

IV. Public Comments

1. Colleen Chapin of 53 East Shore Drive made some of the following comments regarding Sea View Beach:
 - She's listened to a lot of the back and forth on this issue over and would like to add her 2 cents.
 - She thinks that as one of the few remaining people who have used this beach in every capacity for over 50 years, that she might bring a little more perspective to the situation.
 - She understands that there are safety concerns with respect to swimmers and boaters but there are also safety concerns at other beaches designated for swimming only.
 - We don't have lifeguards at any beach - we have "swim at your own risk" signs.
 - We have giant air mattresses bouncing among waves in designated swimming areas and this doesn't seem to be an issue.
 - We have golf carts cruising thru stop signs in the daylight and after dark with no lights and no registration. But we don't seem to be seriously looking at addressing those issues.
 - It is her personal and observed experience that people on the beach at sea view make way for, are aware of, and often help when those of us with boats want to launch or land.
 - When they don't offer a polite "excuse me, I'd like to put my kayak in the water" is met with a quick move and off I go. It is a nice shared community scenario.
 - She knows that there are members with moored boats that don't have a dinghy and swim out to their boat; that some

boats have slipped moorings and people on the beach have seen this, swam out, and secured the boats.

- She knows that some people might share a paddle board, splash around, take turns, learn, etc... all of which requires some element of swimming and sitting on this beach.
- The idea raised last month of signage that is more cooperative and more community based seems like a better overall solution than strict rule based signage that will be challenging to enforce and will necessarily lead to more enforcement of rules that few follow and few have the interest or authority to enforce.
- She sees this is becoming unnecessarily divisive and adds a layer of stress no one needs.
- We have all made it through the last year which has frayed nerves, worried many of us for our health and for the health of our families, friends and neighbors....and this will continue.
- She asked if we can work together as a community to just share these public spaces and offer a hand of help rather than a fist of no.

There were no further public comments.

V. Reports

a. Treasurer

Ms. Colangelo noted the report supplied by Mr. Capozza (attached.) Mr. Capozza said February has been a light month in terms of transactions; the income was less than \$100 and the only expenses were payroll and the standard utility expenses. He said the year to date was at \$215,000 in income and that compares to a \$218,000 budget excluding the recreation program and the surplus transfer; on the expense side we're at \$128,000 which represents about 60% of the expense budget. Mr. Capozza said the budget process will start next week and he reminded the BOG to let him know by March 8th, 2021 if they have any new projects and/or insights into any changes that should be made.

Mr. Lombardo suggested Board Members communicate any expenditures they think we may have by the end of the year and outside of the norm. He said they should also communicate anything they may want to cover budget wide for the following year.

MOTION (2)

Mr. Fountain moved to accept the Treasurer report as presented.

Mr. Lombardo seconded the motion.

Motion carried, 6-0-0.

b. Tax Collector

Ms. Colangelo noted the report supplied by Ms. Ames (attached.) Ms. Ames said there have been no changes to her report besides the additional payment she received today. She shared that she has had many problems with the postal service and the time needed to deliver mail has been excessive.

Ms. Ames said late notices have gone out for accounts outstanding and asked if she should order parking tags and stickers like she normally would given the time of year. Ms. Bruce said she thinks it would be best to order like she has in the past, the rest of the Board agreed, and asked her to proceed as usual. Ms. Bruce and Ms. Bonelli said the parking committee will have to review this item further and that any changes made would be for the following year.

MOTION (3)

Ms. Bruce moved to accept the Tax Collector report as presented.

Mr. Fountain seconded the motion.

Motion carried, 6-0-0.

Ms. Ames said she doesn't believe it's necessary to do motions to accept the reports and Ms. Stevens said historically this has been handled both ways and is really just semantics. The Board opted to no longer do motions to accept the reports.

c. Zoning Liaison & Piers

Dr. Beauchene was not in attendance. Ms. Colangelo shared RFP for the POCD project is up, has a mid-March deadline, and they anticipate receiving responses from 4 or 5 companies

d. Charter Revision

Ms. Bruce said there is a charter commission meeting scheduled for March 8th, 2021 at 6:00 p.m. for the purpose of organization and the division of tasks.

e. Association Manager

Mr. Moffett referenced his monthly report (attached) which he sent to the BOG for review and inquired if there is any interest in having a mailbox in front of the Clubhouse in lieu of a PO Box which the board discussed. Ms. Ames said a PO Box would still be needed for tax bills which people continue to send to the BOG PO Box 715 instead of PO Box 274, which is designated for tax collections.

The Board, with the exception of Mr. Fountain, agreed a mailbox would be fine as long it isn't an inconvenience for Mr. Moffett. Ms. Colangelo asked Mr. Moffett and Ms. Ames to work out the arrangements together.

Mr. Moffett mentioned the cleanup of debris on Billow and Mr. Lombardo felt they should wait to approve the expenditure until the exact figure is known. Ms. Colangelo asked Mr. Moffett to present this item again once he determines what the cost will be.

Mr. Moffett and Mr. Allen detailed the brainstorming they've been doing regarding the rocks in the boat launch vicinity which are a hazard to the boats and their navigation (see attached report submitted by Mr. Allen.) Mr. Allen said Niantic Dockage might have some solutions they have not yet entertained and they will also determine if any permitting is needed. The Board opted to table this item until the next meeting.

Mr. Moffett asked about Clubhouse reservations and Ms. Colangelo said the current Executive Orders have been extended until April 20th, 2021. She suggested waiting until April 20th, when we know what orders will be in place.

Mr. Lombardo asked about the Bookbox Library they approved several months ago and allocated \$300 towards and Mr. Moffett said that was spearheaded by Suzanne Smith and he will reach out to her.

VI. Old Business

a. Boat launch beach issues

The Board continued the discussion that was tabled at the previous meeting and Ms. Colangelo asked if Mr. Diachenko and Mr. Fountain if they had anything they wanted to elaborate on from their report regarding rules and regulations for the boat launch area. She also wondered if this discussion should be part of the POCD project since they will be tasked with reaching out to the entire community.

Mr. Diachenko did a short summary of the previous two reports they provided regarding the Boat Launch and Dinghy Beach which consisted of the following items and bullet points:

1. Signage Observations and Concerns-

- ***Old Sign- No Dockage/Swimming***
- ***No reference to beachgoers***
- ***Sign replaced this Summer not allowing swimmers & sunbathers***
- ***Design of compromise sign to meet resident feedback (which was tabled at the January meeting.) Potential signs read: "Boating & Small Craft Launching Area, All Others Please Yield, Boaters Have Priority" or "Boating Access Area Per DEEP, Swim At Your Own Risk"***

2. Access Observations and Concerns-

- ***Drop-off to Dinghy Beach***
- ***Need to provide room to rig and tear down***
- ***No Parking Signs (S); Rocks and Stones (N)***
- ***Some crafts block access to Dinghy Beach***
- ***Long term residents have used beach and helped boaters***
- ***Issues with stopping access***

3. Usage/Residents' Interviews Concerns and Observations-

- ***Confusion- size of permitted crafts***
- ***Dinghies usually range in length 1.8m to 6.1m (6 ft to 20 ft)***
- ***Boat trailer issue resolved- only allowing dollies and pull-carts***

- *Storage of dinghies versus easy access- limits use*
- *Swimmer and beach access*
- *Resident interviews*
- *Keep things the same*
- *Boaters have right of way*
- *Swimmers and beachgoers yield and help*
- *Beach should be open to all residents w/ above restrictions*
- *BP jurisdiction ends at high tide water mark?*

Ms. Colangelo made some of the following observations and comments:

- There are divergent opinions about how that beach gets used and should be used.
- There are real safety concerns.
- We have a rule and the question is whether we're going to change the rule or leave the rule as is.
- Signage not consistent with the rules is problematic and could lead to legal issues.
- What will be the impact on insurance once we imply that it's permissible to use the beach for purposes beyond getting one's boat into the water.

Mr. Fountain said people have sat on that beach for the last 23 years and he thinks it's okay to share the area.

Mr. Lombardo said he would like to have a discussion and define what exactly a dinghy is.

The Board discussed dinghy size and what watercrafts can be classified as a dinghy.

Mr. Fountain said if your watercraft has a motor it's not a dinghy and Mr. Lombardo said a motor isn't particularly safe for those who are swimming.

Mr. Moffett said he has required people to carry their small motors to ensure the safety of swimmers.

Mr. Diachenko said historically small water crafts with motors have been used as a means of reaching boats that are moored further out so you can't say a motor doesn't constitute a dinghy.

Ms. Bruce said people can be required not to leave their motors on the beach.

MOTION (4)

Mr. Lombardo moved to define a "dinghy" as a watercraft with a maximum length of 10 feet and a maximum width of 5 feet, and with no motor.

Ms. Bonelli wondered if there is a way to separate the two different uses on the beach more clearly.

MOTION (5)

Mr. Lombardo amended his previous motion and moved to define a “dinghy” as a watercraft with a maximum length of 10 feet and a maximum width of 5 ½ feet, and with no motor.

There was no second, motion failed.

The Board further discussed the definition.

MOTION (6)

Ms. Bruce moved to define a “dinghy” as a watercraft with a maximum length of 15 feet and a maximum width of 5 ½ feet, and if the watercraft has a motor, no motor is to be left on the beach.

Ms. Colangelo seconded the motion.

Ms. Bonelli said she feels like this is being rushed and would like more discussion prior to this issue being decided.

MOTION (7)

Mr. Diachenko moved to amend Ms. Bruce’s motion and define a “dinghy” as a watercraft with a maximum length of 16 feet and a maximum width of 5 ½ feet, and if the watercraft has a motor, no motor is to be left on the beach.

Ms. Colangelo amended her second.

Motion failed, 2-3-1.

Vote:

Nay- Mr. Lombardo, Mr. Fountain, and Mr. Diachenko

Yay- Ms. Bruce and Ms. Colangelo

Abstentions- Ms. Bonelli

Mr. Lombardo and Mr. Diachenko both spoke of postponing the discussion while Mr. Fountain and Ms. Bruce agreed it would be best to resolve this issue. Ms. Bonelli said she only abstained because she didn’t feel the discussion was complete.

Ms. Colangelo reiterated that she would really like to hear from more people in the community. Ms. Bruce said she would be more comfortable speaking with the Association Attorney and Insurance Agent before proceeding and Ms. Bonelli concurred.

The Board opted to postpone this item and Ms. Colangelo proposed that the Board send any possible questions they would like to ask Attorney Zamarka regarding this matter so it can help them determine any risks to the Association as well as a solution.

b. Long Term Capital/Fiscal Planning Task Force Committee

Ms. Colangelo observed that this subcommittee has been called several different names and it would be helpful if it had a consistent title. She asked that the subcommittee decide on a title and let her know.

Mr. Lombardo said they 've managed to collect a lot of data, have done analysis, drafted a report, and that Mr. Diachenko volunteered to put it together and present it.

Mr. Diachenko presented the findings of the Long Term Capital Improvement Committee and discussed the following:

****Please see next page for slide show presentation****

Capital Asset Financial Committee

Preliminary Findings

December 2020 - Revised February 2021

Goals Capital Assets Task Force

Black Point is a dream location for generations

- Maintain this jewel of a place
- Improve our assets
- Minimize assessments
- Maintaining a high quality beach, recreation facilities
- Insure property values
- Continue the dream for generations

Topics for Consideration

- Inventory of Assets
- Long Term Costs to Maintain
- Strategies to Meet Funding Objectives
- Alternate Ways to Meet Funding Objectives

Asset Inventory

Inventory of Capital Assets

- Shoreline
 - Piers
 - Right of ways
 - Beaches
 - Boat Launch
 - Back Bay
- Facilities
 - Club House and Out Buildings
 - Club House Mechanicals
 - Playground Facilities
 - Tennis Courts
 - Basketball Courts
 - Parking Lots

Assessment Costs

- Pier Projects Pier I 2006-2007; Pier II 2019-2020
- Costs \$1,350,000
- \$1,200,000 Assessments
- \$150,000 Reserve Fund

Cost to Maintain - Long Term

Long Term Cost to Maintain Considerations

- Present Replacement Costs
- Life Span Estimate in Years
- Annual Costs

Estimated Costs to Maintain BP Shoreline Assets

Time frame 30 years

- Piers
 - Nehantic
 - Indianola
 - Sea Breeze
 - Sea View
 - Osprey
 - ROWs
 - Back Bay

\$2,012,500

Estimated Costs to Maintain Other BP Assets

Time Frame 50 years

- Club House and Out Buildings
- Club House Mechanicals
- Tennis Courts
- Play Ground
- Basketball Court
- Boat Launch
- Parking Lots

\$545,000

Strategies - How to Pay to Maintain Assets?

Costs will Happen!
Question is...How to Fund?

Yearly Taxes

- Mil Rate Relatively Flat – Exception Assessments

Tax Rates

- 1.49 2016–2017
- 1.6 2017–2018
- 1.4 2018–2019
- 1.48 2019–2020
- 1.42 2020–2021

Recent Assessments

- **Main Pier I** 2006–2007 \$584,300 Mil Rate Adder 6.2
 - Assessment 1 – Paid over 2 years – Increase 200%/yr
 - Taxes Paid – 3x average rate
- **Main Pier II** 2019–2020 \$603,858 Mil Rate Adder 4.3
 - Assessment 2 – Paid less than a year – Increase 300%/yr
 - Taxes Paid – 4x average rate

Assessment Questions

- Asset Preservation Costs Will Happen!
- Increasing taxes 3 to 4 times the Mil Rate/yr for assessments acceptable to BP households?
- What are other options?

Asset Preservation

Tax Options:

- Assessments – Taxes triple, Quadruple or more
- Building a Capital Asset Fund
 - Increase in annual tax rate
 - Minimize large assessments
 - Payments spread out
 - Reduce short term financial impact on households

Taxes - Recent Assessments

- Pier Assessment Mil Rates $6.2 + 4.3 = 10.5$
- Time span (2007 - 2020) 13 years
- Mil Rate 10.5 divided by 13 years = 0.81 Mil Rate/Year

Goal

- Annual tax proposal equal to or less than assessments

Current Annual Taxes for Capital Asset FUND

- Mil Rate 0.06
- Approximately \$14/Household
- 4.2% of BP Annual Taxes Reserved for Capital Assets

Preliminary Tax Options:

Option 1:

Estimated Asset Costs – Shoreline & Facilities \$2,557,500 – 30 years*

Approximately \$89,100/Year or 0.63 Mil Rate Increase

Current contribution to Capital Improvement Reserve from Annual Taxes

- 0.06 Mil Rate

Progressive tax adder based on Mil Rate

- $0.63 - 0.06 = 0.57$ Mil Rate Increase

Common Asset Funding Planning Practice – 80% Funding

* Today's Dollars

- 80% Funding – 0.44 Mil Rate Increase

0.06 reduction from capital improvement reserve

Preliminary Tax Options:

Option 2: Without 1 ft Pier Deck Height Increase

Increase pier heights – avoid future beach erosion –
Option 1.

If Pier Height **NOT** changed:

Estimated Asset Preservation Costs – \$1,307,500 – 30
years*

Approximately \$47,500/Year or 0.33 Mil Rate

Progressive tax adder based on Mil Rate

- $0.33 - 0.06 = 0.27$ Mil Rate Adder
- 80% Funding – 0.21 Mil Rate Adder

* Today's Dollars

Preliminary Tax Options:

Option 3:

Flat Tax Option – Capital Asset Funding – Based on 600 Households

- Approximately \$140/yr per household
- 80% Funding – \$106/year

Flat Tax Option w/o Deck Height Change

- Approximately \$66/year per household
- 80% Funding – \$51/year

Note:

Assessments 2007 – 2020 \$1,350,000

Average per household: \$173/yr – (600 households over 13 years)

Tax Reduction Options

Alternate Funding

Tax Reduction Options

- Common Planning Practice - Capital Asset Funding 80%
 - Start with lower 70% target and build to 80%
 - Option 1: Mil Rate Adder: 0.38
 - Option 2: Mil Rate Adder. 0.17
 - Option 3: \$93/yr - \$42/yr (no deck height change)
- Excess Funds - To Capital Asset Funding
- Fund Only Most Predictable
- ID Other Sources of Income

Potential Other Sources of Income

- Sales Transfer Property Tax
- Annex Adjoining Properties
- Cell Tower on Community Property
- Fees - Winter Storage - Property Owners Only
- Sell a Brick
- Other...

Next Steps?

Next Steps:

What are other sources of income for BPBC?

Other asset considerations:
BPBC Improvements and Funding?

Ed Zito, a member of the subcommittee said there is more work to be done and Ms. Colangelo asked how best to communicate this information to the membership.

The Board discussed doing a mailing to impart this information to the membership.

Mr. Moffett said the Committee needs to determine the legality of a flat task prior to completing the mailing.

Ms. Colangelo said they can decide about the mailing at the next meeting.

c. Pins for ROWs

Ms. Colangelo said Dave Coonrod will be sending Dr. Beauchene estimates for pinning the right-of-ways.

d. Sea View ramp to beach repairs

Ms. Colangelo said Mike Johnson has been working with Mr. Moffett and Mr. Fountain on ways to address the Sea View ramp dropoff problem and asked for their comments.

Mr. Johnson said we'll have a better idea of what is happening once the sand is moved, but the water that is coming down the boat ramp road from going onto the beach side; whatever is done to the ramp will still be washed away unless you can do so. Mr. Moffett said the next step is to push the sand back and then they will determine the best course of action. Mr. Johnson, Mr. Moffett, and Mr. Fountain will report back next month regarding this matter.

e. Rec Program Update

Ms. Colangelo shared that Ms. Banever and Ms. Garnett have reached out to the previous counselors and 5 of the 8 are willing to work, and they're still waiting to hear from the other 3. She noted the link on the website for both volunteers and counselors is live, and that we currently do not have a Water Safety Instructor but the Co-Directors are attempting to obtain that certification themselves. Ms. Colangelo said they're still examining ways to modify activities for greater safety.

VII. New Business

a. ZBA Term Expiration and Renewal

Ms. Colangelo noted that three of the ZBA terms are expiring and thanked Paul Pendergast, Joyce Wojtas and Sally Cini for their hard work and contributions. Colleen Chapin, the ZBA Chair, said that Ms. Cini would like to be reappointed and she would like to fill the other two positions with Alternate Anita Schepker and Alternate Marianne Neptin. Ms. Colangelo said parties interested in the alternate positions can contact the ZBA.

MOTION (8)

Ms. Bruce moved to reappoint Sally Cini for an additional BPBCA ZBA term and to appoint former Alternate Members Marianne Neptin and Anita Schepker, as Regular Members of the ZBA for one term.

Mr. Fountain seconded the motion.

Motion carried, 6-0-0.

b. Women's Club

Ms. Colangelo shared that Kay Parulis is crafting a schedule of social distancing activities for people to engage in during the Summer season and more information will be forthcoming; Ms. Parulis may plan outdoor meetings and hold each meeting twice to ensure social distancing.

VIII. Further Public Comments & Board responses

1. Wendy Bourget of 1 Osprey said she appreciated the Long Term Capital report and asked about the several references made about raising the pier a foot. She said she is in favor of healthier alternatives to raising cash as opposed to the potential risks associated with cell towers. She said in terms of motors on boats, when motors face the beach they can be problematic for people but when they face the sea wall the blades can do damage to the sea wall as well.
2. Kim Craven of 46 East Shore Drive reiterated that the name of the financial subcommittee is important and should be consistent. She said if funding is from a reserve account it can only be allotted for specific items unless the membership votes to approve the expenditure, and if funding is not from a reserve account the Board has the final say but has historically allowed membership input. She asked about the scenarios presented and if the rates would be based on the assessment of each home, or if everyone would pay the same rate.
3. Cindy Trocki of 22 Blue Heron said she appreciates the time and efforts of everyone to make the community better but wonders if we're doing legally since we're leaning more towards being an HOA when we're a municipality. She thinks we should have the Attorney really study the Charter as well as the bylaws to ensure that we're operating in the manner required. Ms. Trocki said she's been trying to convince the Board to put this on the agenda so we can review what is permissible and that the Board doesn't seem to be operating as the Charter and bylaws state we should.

MOTION (9)

Mr. Lombardo moved to enter Executive Session at 8:23 p.m. for the purpose of discussing pending litigation.

Mr. Diachenko seconded the motion.

Motion carried, 6-0-0.

MOTION (10)

Ms. Bruce moved to exit Executive Session at 9:03 p.m. with no action taken.

Ms. Bonelli seconded the motion.

Motion carried, 6-0-0.

IX. Adjournment

MOTION (11)

Ms. Bruce moved to adjourn the BPBCA BOG February 28th, 2021 Regular Meeting at 9:03 p.m.

Mr. Diachenko seconded the motion.

Motion carried, 6-0-0.

Respectfully Submitted,

Brooke Stevens, Recording Secretary