

Minutes of Black Point Beach Club BOG Regular Meeting - 01/26/23

Date and time: 01/26/23 6:00 PM to: 01/26/23 8:30 PM

Present: Brooke Stevens, Recording Secretary, John Cellino, BOG Member, Colleen Hayes, BOG Member, Colleen Chapin, BOG Member, Tom Cherry, BOG Member, Will Fountain, Emeritus, Janet Bonelli, BOG Chair, Tom Meggers, BOG Member

CC: Al Capozza, Treasurer, Jim Moffett, Association Manager, Absent: Ruth Ames, Tax Collector

Location: Via Zoom
<https://us02web.zoom.us/j/85328051064?pwd=VUpOOTZ3c0JBbk5TWk0ckhTai8zQT09>
One tap mobile
+13092053325,,83365385424#,,,,*633938# US
+13126266799,,83365385424#,,,,*633938# US (Chicago)
Dial by your location
+1 309 205 3325 US
+1 312 62

Link: <https://app.meetingking.com/meetings/390849>

Topics

1. Call to Order

Note Ms. Bonelli called the meeting to order at 6:11 p.m., and noted a quorum was present.

2. Additions to the Agenda

Note Mr. Capozza said he'd like to add the Treasurer Report for January 2023 to this evening's agenda since it was posted prior to him sending the report.

Note Ms. Chapin suggested that the email thread regarding the request for a Clubhouse rental during Labor Day weekend, and the email discussion regarding keeping the Clubhouse open during winter months be added to the meeting minutes. She cautioned that discussions like these should be reserved for actual meetings, since the Board needs to be as transparent as possible, and this is all public information; if discussions like these do occur via email, they need to make sure they're included for the record.

 [Clubhouse_email_thread_1.pdf](#)

Note Email thread 2

 [Clubhouse_remaining_open_for_winter_email_discussion.pdf](#)

3. Communications

Note See attached communications

 [Trocki_email.pdf](#)

Note Ms. Bonelli noted they received correspondence from the Trocki family, which she has reviewed but the Board has no response at this time.

4. Reports

4-1. Treasurer

Note see attached report

 [Financial Report Budget VS Actual as of 11-30-2022.xls](#)

Note see attached report

 [Financial Report Budget VS Actual as of 12-31-2022.xls](#)

Note see attached report

 [Financial Report Budget VS Actual as of 1-26-2023.xls](#)

Note Mr. Capozza discussed his report and noted that through January 26th, 2023:

Total YTD Income amounted to \$329,058.

This is an increase of \$1,178 vs last month YTD report.

Items contributing to this amount are zoning permit fees (\$1,200), Current year tax collections (\$-22).

We basically received 99% of our budgeted income.

Total YTD Expenses amounted to \$213,315.

This is an increase of \$20,393 vs last month's YTD report.

Some items contributing to this amount are legal fees (\$8,090), insurance (\$4,640), payroll (\$4,502), utilities (\$812), and miscellaneous (\$2,349).

Total Actual from July 1st thru January 26th, 2023, YTD Income minus Expenses equals \$115,743, Positive.

Estimate to June 30th, 2023, Income Minus Expenses equals approximately \$37,000, Negative.

All line items look good with the exception of legal fees, which is currently \$18,000 over budget.

They will need to meet to determine how the legal fees cost will be funded, or if it will just be accepted as an overage.

He suggests adding the legal fee discussion to next month's agenda.

He would also like to add the FY 23/24 budget calendar to next month's agenda as well.

Note Ms. Hayes said the reason the legal fees are over budget is because there's active litigation against the Association that they're defending; there are two lawsuits by the same two members.

She added that since it's active litigation, they can't comment, but if one chooses, they can go to the Connecticut Judicial website, put "Black Point Beach Club Association" in, and the information is readily available online.

4-2. Tax Collector

Note Ms. Ames was not in attendance.

 [TAX COLLECTOR REPORT 1-24-2023 for 2022-2023.pdf](#)

4-3. Association Manager

Note See attached report.

 [Assoc_Mgr_Report.pdf](#)

Note Mr. Moffett shared some of the following:

They completed the Eversource Energy audit.

It took about 3 days, and there is an all-new lighting system in the bathroom, kitchen, office, closets, and main room.

Outside, there are all new LED light fixtures.

The video and audio upgrades are on schedule.

The tv has been installed with the Sonos soundbar & subwoofer and works great.

He has the speakers but is waiting on the speaker cables as well as the abcd switch.

He'll be having these installed within the next month.

There were some very high tides last month which resulted in some damage done at the bottom of the Sea Spray, that he had Mike Nebelung repair with some gravel.

He would like to take a moment to thank the Wrecking Crew, led by Will Fountain and Jim Allen, as well as Bill Dewey on Nehantic.

All are saving the Association thousands of dollars by donating their time and services to complete improvements and provide repairs.

During the lighting repair they discovered there was water damage in the subceiling, and the drywall is all rotted out.

Last weekend, he and five others, led by Bill Dewey & Will Fountain, worked very hard to repair it.

He would like to again mention installing a concrete pad in the back of the shed where the tent would go over.

It'd be about 23 ft x 25 ft, and he will share the specific details with the Board.

Mike Nebelung came up with a price of \$6,000, which will include the pad for the 4x6 shed behind the garage.

He would like the Board to consider this and have it completed before summer.

He would also like to see about the pulley at the Sea View boat dock.

He's asking that they don't hang it up just yet, he received a lot of complaints about it last year.

People hit their heads on it, and kids like to hang off of it.

He has backup systems in place and can utilize the Wrecking Crew to move the gangways.

Mike Nebelung or Chuck Casey can also help if needed.

He thinks the risks associated with it outweigh any benefits.

He'd prefer they not have it this summer.

Lastly, when he was moving the dock it caused some damage to his golf cart, and he's hoping to get reimbursed for it.

Note The Board discussed the pulley.

Note Mr. Moffett said the pulley is there so if a storm comes in, they can hook up the gangway, and pull it up a few feet. He doesn't think it makes enough of a difference and that they should remove it and put it on the concrete pier; if a storm comes in, they'll have six hours to move it.

Note Mr. Meggers said he agrees 100%, but the reason the pulley went up last year was because every time a storm comes in, they're not always aware of how bad a storm will be, and it allows any one of them, at any time, to go down there, pull it up, and get it out of harm's way.

Note Mr. Meggers said it's not the best solution and is a bit of an eyesore, but it gets expensive to replace the boat dock; most people who complain about it, aren't aware of its function. He added that if anyone is going to hit their head on it, it would be him given his height, and he hasn't.

Note Mr. Meggers said he's not against taking the pulley down, but he's not confident they will have enough time to get down there, and be able to move the gangway without it, in time. He added they spent a lot of time and money last year repairing it.

Note Ms. Chapin agreed with Mr. Meggers and suggested they explore a more cost effective, efficient, safe, and effective solution.

Note Mr. Meggers said this is always going to be an issue, so there's no easy solution to it.

Note Mr. Fountain shared that Jim Mastria has collected equipment to raise the arm and pulley, and Ms. Hayes said that might solve the issue of people hitting their head on it.

Note Ms. Chapin said Mr. Moffett is in charge of the operation of the waterfront, and they don't want to spend a lot of money, but whatever is done, should be done safely; they might have a better way to move forward with whatever Mr. Mastria is proposing.

Note Mr. Cherry said if raising it up helps, it might be worth waiting to see how that works out before taking any further action.

Note Mr. Cellino said the Wrecking Crew is well aware of this situation and have been trying to come up with a solution. He added that Mr. Moffett is correct, kids are often all over it, and he detailed an example he witnessed. Mr. Cellino said it's a hazard as it exists today, either they improve it or take it down.

Note Mr. Meggers asked about posting a sign, which the Board discussed.

Note Ms. Chapin said people ignore our signs and kids will continue to be kids.

Note Mr. Meggers suggested they wait to see what Mr. Mastria and the Wrecking Crew come up with. He added that they could ask Mr. Mastria to attend a meeting, explain what he has in mind, and they can decide if they agree.

Note Ms. Hayes said in terms of the concrete pad, she thinks this is something they should discuss as part of next year's budget.

Note Ms. Hayes said in terms of reimbursing Mr. Moffett for the golf cart damage, she feels he should be since he was doing Association business.

Note Mr. Meggers and Mr. Cherry said they agree.

Note Ms. Chapin said she agrees on the condition that they don't keep doing this; the fact that he used a golf cart to bring a float all the way up to the top of Billow is not ideal. She said she knows many people do a lot with their golf carts such as dragging boats around, but she thinks they need to work smarter, not harder. Ms. Chapin said it should be understood that given the circumstances, this is a one-off reimbursement.

Note Mr. Meggers said they need to keep in mind that Mr. Moffett doesn't have a truck.

Note Ms. Chapin replied that she understands that, but the Wrecking Crew now has a trailer, and by his own admission Mr. Moffett said he did this to save \$150, and now they're paying \$450. She said things like this happen, there is the cost of doing business, she just wants to make sure they're prudent.

Note Mr. Cellino said he thinks the Association should have their own golf cart, and the Association Manager shouldn't have to provide his own to do his job. He endorses reimbursing him but asks that next time he mention the damage sooner; if it's a matter of simply replacing a clutch, that is something members of the Wrecking Crew might have been able to fix for him.

Note Mr. Cellino said going forward, if Mr. Moffett finds himself in a similar situation, he can absolutely use his truck to complete the job.

Note Ms. Bonelli said she supports reimbursing Mr. Moffett but understands the point Ms. Chapin is making.

Decision MOTION (1)

Mr. Cherry moved that they reimburse Mr. Moffett \$450, for the damage he incurred to his golfcart.

Ms. Chapin seconded the motion.

Motion carried, 6-0-0.

Note Mr. Cellino said he doesn't think the price for the pad is a bad one, and detailed the materials and method that he thinks would be best for the project. He said he would like to see them look at moving forward on this in April.

Note Mr. Cellino led a discussion on how it would make more sense to run the budget on a calendar year, and easier for the Board and Membership to understand.

Note Ms. Chapin explained the July to June budget cycle is a state mandate since they're a quasi-municipality.

Note Mr. Cellino discussed how quick books could be utilized to establish a calendar year budget in conjunction with the state required cycle.

Note Ms. Hayes said she agrees that it would certainly make it easier for her to understand it herself, and asked Mr. Capozza for his thoughts.

Note Mr. Capozza said he doesn't have comments right now, he would have to look at it more closely from the standpoint of using quick books, and what the state requires.

Note Mr. Cellino said they can also ask the Association Attorney about this as well.

Task The Board agreed to add the budget cycle discussion to the next meeting agenda.

Owned by Brooke Stevens, Recording Secretary due 02/16/23

Note Ms. Chapin asked Mr. Moffett for more details about the audio-visual upgrades. She'd like to know the overall status of the internet, where we are with being able to have hybrid meetings at the Clubhouse, and when the Clubhouse will be open to allow us to have them?

Note Mr. Moffett said the visual upgrades are done, the audio is coming together, as far as the internet, they updated the router last week with Frontier by going to fiber optics, and they set up new passwords. He added that he hasn't bought the camera yet and discussed the model he is leaning towards.

Note Ms. Chapin asked what they're looking at in terms of time frame for getting this completed and tested?

Note Mr. Moffett said probably by the end of March, and the Clubhouse will essentially be open as of St. Patrick's Day.

Note Mr. Moffett said the Clubhouse is actually open right now since the winter has been mild, the water is still on; it was left on once they discovered the drywall problem, and it doesn't make sense to close it for 5 weeks.

Note Mr. Moffett confirmed they can have in person meetings, but he still needs to obtain the camera and test it before it can be hybrid.

4-4. Wrecking Crew

Note Mr. Allen was not in attendance to provide an update and Ms. Bonelli noted they continue to do anything and everything to help the Association.

Note Mr. Moffett detailed all the members of the Wrecking Crew who are always on hand to help. He noted that the crew saved the Association \$2,000-\$3,000 last weekend by repairing the ceiling underneath the air conditioning unit.

Note Mr. Fountain said the next project will be to repair the waterfront for spring launch.

Note Ms. Bonelli said this group works tirelessly and are amazing.

Note The Board discussed some of the great work the Wrecking Crew has done.

4-5. Liaison Reports

Note There were no reports.

5. Approval of Meeting Minutes

5-1. October 27th, 2022, Special Meeting Minutes

Note see attached minutes

 [Minutes of BPBCA Board of Governors Special Meeting 10 27 22.pdf](#)

5-2. October 27th, 2022, Regular Meeting Minutes

Note see attached minutes

 [Minutes of Black Point Beach Club BOG Regular Meeting 10 27 22.pdf](#)

Note Mr. Capozza said he has a minor change to the October 27th, 2022, Regular Meeting Minutes: Page 6, "Ms. Chapin said the Association line item is \$3,100 and with the net of the Recreation Program, that amount equals \$8,800."

Mr. Capozza said the word "Association" should be removed and the word "playground" should be inserted, and the same should be done for the task listed in the following paragraph as well.

Decision MOTION (2)

Ms. Bonelli moved to approve the Special Meeting Minutes of October 27th, 2022, as presented and the Regular Meeting Minutes of October 27th, 2022, as amended.

Mr. Cherry seconded the motion.

Motion carried, 6-0-0.

6. Old Business

6-1. Website Discussion

Note Ms. Chapin and Ms. Hayes gave a brief update on the website.

Note Ms. Hayes explained that after speaking with both Eleanor, and Leslie, the webmaster, they came to the conclusion that would be best to revise and update the current website we have. She added that they gave Leslie a starting figure of \$2,000 and asked what could be accomplished out of their wish list with that number; Leslie believes it's very possible for them to achieve what they would like.

Note Ms. Hayes said with the help of Ms. Stevens, they hope to have a kind of rough draft for the Board to look at, at the next meeting; it will be easier for the Board to comment while they have something to look at.

6-2. Playground Equipment

Note Ms. Hayes reported the following:

It's going to be \$4,200 to have the pirate ship delivered and installed.

We just have to prepare the land.

This fall Mr. Fountain and Mr. Moffett readied an 8x14 footprint to accommodate the equipment.

There's are some ladders and game plagues that come off of that, which will be a little bit longer.

We also need a three-foot clearance border all the way around.

They've measured that out, and there's plenty of room.

She'll call next week, give a deposit, and it will be delivered in the spring.

She's also going to follow up to make sure they can back the equipment in, off of a shed trailer.

Note Ms. Hayes and Mr. Moffett discussed how the three bars will have to be removed prior to installation. Mr. Moffett advised Ms. Hayes to ask them if anything else needs to be removed.

Note Ms. Hayes said she will ask the vendor to come out to the site to take a look.

Note Ms. Hayes said Mr. Capozza gave her the figure, \$9,584 is left over from last year and this year, so that task can be closed; since the pirate ship is \$4,200, that leaves them around \$5,300. She added that the other two pieces will be around \$10,000 to \$11,000 installed so they will need to keep working to get the other two.

Note Ms. Bonelli asked what their savings will be this year by having one Club Director instead of two?

Task Ms. Hayes said she hasn't done the Club budget yet, but they'll be going to one Director, and a Junior. She said she will calculate that out.

Owned by Colleen Hayes, BOG Member

6-3. Master Plan Update

Note Ms. Chapin said she sent a report to the Board which she will briefly review.

 [2023-01-22 Master Plan Update for BOG.pdf](#)

Note Ms. Chapin offered some of the following highlights:

There was concern at the last meeting about the consultants and the proposal.

She has reached out, and we're on track based on their anticipated deliverables.

We've initiated the project.

We've done the baseline documentation, done the online survey, working group meetings are ongoing, and we're going to anticipate focus group meetings and community meetings in person as the spring and summer approach.

The original budget project from the FY 22 budget was \$26,000.

As of the end of December, we've expended 13,520, so they're at about 52%.

We have big work ahead of us.

After the Steering Committee Membership was approved, John Horoho informed her that he needed to step back.

His presence was to represent new members, new residents, and zoning.

She reached out to Jim Fox, the Zoning Commission Chair, and he suggested that Charlie Bruce fill that role.

She would like to recommend a motion for tonight's meeting that the Board of Governors approve the appointment of Charles Bruce to the Masterplan Steering Committee, replacing John Horoho.

They've had at this point three virtual public meetings related to the next steps for the master plan.

On November 16th, the consultants met with them and provided an overview of the survey results, an overview of our baseline assets, and directed us towards developing a kind of a community vision and long-term goal.

On November 30th, they met and developed the draft mission statement for going forward- what this community is/ wants to be.

They met last night, and they'll start to develop actual long-term goals to meet those desires of who we are.

They will be meeting in mid-February, and she's going to ask the consultants to attend.

At this meeting they will be reviewing their work product to date, and the consultants will be guiding us through the next steps of what we want for goals, objectives and strategies.

And then ultimately, they'll be setting up a timeframe for developing in person workshops with the larger community.

There's been a lot of community participation in these forums, and people seem to be engaged in the process.

Note Ms. Chapin noted their meetings are available to view on Youtube, and there are links to them on the Black Point Beach Club website.

Decision MOTION (3)

Ms. Chapin moved to appoint Charlie Bruce to the Master Plan Steering Committee in place of John Horoho.

Mr. Cellino seconded the motion.

Motion carried, 6-0-0.

6-4. Update on Written Policy for Clubhouse Tables & Chairs

Note Mr. Cellino briefly discussed the proposed policy he drafted.

 [Black Point Table and Chair Rental.doc](#)

Note Ms. Bonelli asked what happens when someone rents the Clubhouse when the chairs have already been promised to someone else?

Note Mr. Cellino said some of the following:

He thinks that's outside of the form itself.

From a practical standpoint we have more chairs than we've ever had before.

Mr. Moffett will know well in advance if the chairs are already rented.

Mr. Capozza came back with some excellent comments, which he will incorporate.

He's going to add a verification component to it as well.

He will revise the form and email it to everyone in advance of the next meeting, so it can be voted on at that meeting.

Note Ms. Chapin asked Mr. Cellino if it's a concern or if they care if someone rents tables and chairs, and takes them outside of Black Point?

Note Mr. Cellino said that will not be permitted and Ms. Chapin suggested that explicitly be in the form.

Note Mr. Cellino said they don't want to be a rental source for all of East Lyme and he will make this very clear in the form.

Note Mr. Cherry asked if the rental fee is \$2 a day, or \$2 per event? Mr. Cellino said he will clarify the fee as well.

6-5. Remote Voting

Note Ms. Hayes said at the last meeting, they had some suggested language to change the bylaws, and it was brought up that we should tweak the language a little bit, to allow a voter to vote whether or not they are present at the meeting, whether virtually or in person they could still vote on any Association business.

Note Ms. Hayes said she has revised the language and will email it to everyone.

 [Remote Voting Language.pdf](#)

Note Mr. Meggers asked if they would have to attend a meeting virtually to vote and Ms. Hayes said it's up for discussion, but she was thinking they could keep the vote open for 24 hours after the meeting.

Note Ms. Hayes said if someone is not participating, it would affect people getting voted onto the Board, so they'll have to think about that; Do we have to present the slate of eligible people in advance of the meeting to give people time to vote, and can you put in your vote if you're not able to attend the meeting online or in person?

Note Ms. Hayes said this change would only be changing the bylaws to allow for online voting; the process itself can be worked out later.

Note Mr. Meggers said virtual and online voting is becoming the way of the world.

Note Ms. Hayes reviewed the suggested language and said they'd be changing Article Two, Section Five of the bylaws to read:

"Any member of the Association shall be entitled to vote at any meeting of the members with one vote per property in accordance with section one B of the Charter, provided that he or she is physically present at the meeting or is participating virtually by an approved electronic platform, and that would be online voting. Such meetings may be held in person virtually by means of electronics platforms which permit authentication of the participant as an eligible member, or a combination of the two, provided that any such meeting shall comply with the Connecticut Freedom of Information Act.

Regardless of the format of the meeting, the use of proxy's, powers of attorneys, or other delegation of voting power to another member of the association is or are expressly prohibited."

Note The Board discussed online voting.

Note Ms. Hayes said you can only vote remotely or in person, but you can't do both; You would have to register your property with your email, that would be only one email, so only people who have a registered email associated with their property would be allowed to vote.

Note Ms. Bonelli said she's not sure she sees the value in this, despite Covid and everything else.

Note Mr. Meggers said it allows people who are not here year-round to participate, and Ms. Bonelli said they could run into a lot of issues here.

Note Ms. Bonelli asked how they can test it and Ms. Hayes said every online platform has a testing capability.

Note Ms. Hayes said the change allows them to do online voting, but it doesn't say that they definitely will.

Note Ms. Chapin said she thinks if they allow for it, they can just allow it, but they haven't created the vehicle in which to do it right, or the vehicle in which to do it; there's going to be a lot of logistical details and sorting out of details that she realistically doesn't think they will be able to do for the next voting cycle.

Note Ms. Chapin said they're not ready for hybrid meetings never mind online voting.

Note The Board further discussed online voting.

Decision MOTION (4)

Ms. Hayes moved to change Article Two, Section Five of the bylaws to read:

"Any member of the Association shall be entitled to vote at any meeting of the members with one vote per property in accordance with section one B of the Charter, provided that he or she is physically present at the meeting or is participating virtually by an approved electronic platform, and that would be online voting. Such meetings may be held in person virtually by means of electronics platforms which permit authentication of the participant as an eligible member, or a combination of the two, provided that any such meeting shall comply with the Connecticut Freedom of Information Act.

Regardless of the format of the meeting, the use of proxy's, powers of attorneys, or other delegation of voting power to another member of the association is or are expressly prohibited."

Ms. Bonelli seconded the motion.

Motion carried, 5-0-1.

Ms. Chapin abstained from the vote. She said conceptually she thinks that this is the right way to go, but she's concerned that she doesn't have the language in front of her at this moment, and she prefers to read it herself for full comprehension, rather than having it read to her.

7. New Business

7-1. Expansion of pickle ball courts

Note The Board discussed how the players can achieve the expansion themselves right now by utilizing duct tape, and noted they agreed to pay for the materials needed. No further action is needed.

7-2. Update on Use of Clubhouse year-round

Note Ms. Bonelli said the Clubhouse remained open, but they didn't receive any winter rental requests. She noted that keeping it open was unexpected this year and it was not publicized. Ms. Bonelli said this is something to consider for next year.

Note Ms. Chapin asked how their next meeting will be held and Ms. Bonelli said it will be held via Zoom.

7-3. Records Retention Schedule

Note see attached schedule for municipalities; anything disposed of must receive permission from the CT State Library.

 [Records_Retention.pdf](#)

Note Ms. Stevens explained that the retention schedule is a way to purge old, unneeded documents that do not provide historical value; permission is obtained from the Chair in writing and then forwarded to the Connecticut State Library for approval.

Note Ms. Stevens explained that the retention schedule is a way to purge old, unneeded documents that do not provide historical value; permission is obtained from the Chair in writing and then forwarded to the Connecticut State Library for approval.

Note This discussion led to the managing of documents in general, the idea of scanning all kept documents for backup, and doing a physical inventory of all paper documents.

Note Ms. Bonelli, Mr. Capozza, and Ms. Stevens discussed picking a date in the future to meet at the Clubhouse and review all records on hand.

Note The Board discussed purchasing a decent multi-document scanner.

Note Ms. Chapin asked what our electronic repository for this information will be? She said she created a Google site so that she could post all the YouTube videos from the Master Plan meetings, and once we get more documents, they will be available as well, so she can offer it as our Black Point document repository. She said they should all think about the full lifecycle when they start to think about digitizing material.

8. Further Public Comments

8-1. Rick Diachenko

Note Mr. Diachenko of the Men's Club shared some of the following:

They're happy that they were able to contribute the \$1,800 for the new Clubhouse tv.

They're not going to be increasing their rates.

They just want to get up to 100 members and as they get more, they want to continue to invest back in the community.

They're trying to facilitate booking Mass Confusion again this year.

The Men's Club dates will be forthcoming.

Note Mr. Meggers said the Annual Black Point Beach Club Golf Tournament will take place on July 10th, 2023.

9. Adjournment

Decision MOTION (5)

Ms. Bonelli moved to adjourn the January 26th, 2023, Regular Meeting of the Black Point Beach Club Board of Governors at 7:41 p.m.

Ms. Hayes seconded the motion.

Motion carried, 6-0-0.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary

Task Summary

New Tasks

Task The Board agreed to add the budget cycle discussion to the next meeting agenda.

Owned by Brooke Stevens, Recording Secretary due 02/16/23

Task Ms. Hayes said she hasn't done the Club budget yet, but they'll be going to one Director, and a Junior. She said she will calculate that out.

Owned by Colleen Hayes, BOG Member