

Meeting Minutes

Regular Meeting of the OLSBA Board of Governors on Wednesday, March 20, 2024 via Zoom

Meeting called to order at 7:01 PM. Up to 33 attendees were in on the Zoom call.

- I. A quorum was verified.
Roll Call- All governors present

President Diane Duhaime (**Diane D**) welcomed everyone to the meeting, including any new members joining us for their first BOG meeting, and BOG members and officers, all of whom were present.

Officers:

- Diane Duhaime (**Diane D**), President
- Paul Yellen (**Paul Y**), Vice President
- Norm Yester (**Norm Y**), Treasurer
- Joanne Gilland (**Joanne G**), Secretary

Board of Governors:

- John Mandracchia (**John M**)
- Jay Moynihan (**Jay M**)
- MaryKate Reynolds (**MaryKate R**)
- Scott Rottinghaus (**Scott R**)
- Kathi Stickley (**Kathi S**)
- Gregory Symon (**Greg S**)

- II. **Vote** seeking to approve the minutes for the February 21, 2024 Regular Meeting of the BOG

A motion made by **Kathi S** / seconded by **John M**
All in favor.
Motion passed.

- III. **Expenses. Vote** seeking to approve payment of the following by our treasurer

<u>Date Rec.</u>	<u>Vendor Name</u>	<u>For</u>	<u>Amount</u>	<u>Line Item</u>	<u>Line Item Balance Remaining</u>
3/7/2024	Old Colony Beach Club Association	50% of Sheffield Brook cleanout on 9/7/2023 and 12/20/2023	\$800.00	Beach Cleaning/ Maintenance	_____
3/6/2024	Eversource	Account No. # 51590682084	\$326.30	Utilities	_____
2/15/2024	Eversource	51324992072, Street Lights	\$10.26	Utilities	_____
2/20/2024	Eversource	51081003006, Street light	\$20.93	Utilities	_____
2/21/2024	Eversource	51054582028, Brightwater	\$9.62	Utilities	_____
2/21/2024	Nickerson Landscape	27921, 2/13/2024 plowing	\$625.00	Maintenance	_____
3/4/2024	South Lyme P.O.	P.O. Box rental	\$72.00	_____	_____

- Any other expenses or bills

Connecticut Water bill in the amount of \$290.60 - A motion to pay this bill was made by **Scott R.** / seconded by **Kathi S.**

All in favor.

Motion passed.

IV. **Vote** seeking to approve the following modification to the invoice policy approved by the BOG at its January 24, 2024 meeting to include the following:

Eversource and Connecticut Water Invoices. The Treasurer is approved to pay, and shall pay, each routine, recurring Eversource and Connecticut Water Co. invoice provided that (a) there are sufficient funds in the Utilities line item of the then-current budget to cover the invoice; and (b) the amount paid to Eversource each month shall not exceed \$ _____, and the amount paid to Connecticut Water each quarter shall not exceed \$ _____. The Treasurer will promptly notify the BOG via email if there are insufficient funds to pay any such invoice and/or if the amount of any such invoice exceeds said not to exceed amount

Discussion included how it made sense that routine regularly issued utility bills be paid in a more timely and efficient manner without having to present them to the BOG beforehand at monthly BOG meetings. It was agreed that the Treasurer ascertain the highest monthly payments to Eversource and highest quarterly invoices to Connecticut Water last year and add 20 percent to those amounts to use as the maximum pre-approval amounts to insert in the above blanks, and the above vote should be amended to require that the Treasurer have the approval of the President or Vice President prior to paying such invoices. The President agreed to revise the vote and circulate a draft for review and comment by the BOG members in anticipation of a new vote at the April BOG meeting. Motion was not voted on. It was also mentioned that the CWC turned on the water this past week.

V. **Treasurer's Report**

Norm Y presented Treasurer's report. Noted the status of the receivables remain unchanged from last month and requested assistance from anyone who could help with collecting from members who are not current. Norm Y reported that he spoke with John Cunningham, WPCA Treasurer, about potential for moving our account from Citizens to a different bank. WPCA is staying with Citizens which Norm Y said is good because it permits wire transfer funding from Association to WPCA. In response to BOG request, Norm Y researched if OLSBA could get higher interest rate on cash reserve account, and identified a Cantor Fitzgerald money market account. Initial minimum deposit is \$100,000, but Cantor Fitzgerald will waive it for OLSBA if we deposit \$75,000 (and if account goes under \$75,000, will be no penalty) To transfer money back to OLSBA checking account from Cantor Fitzgerald, would need board approval. Has FDIC insurance of up to \$25 million per account. Funds would be accessible within 24 hours. The Board expressed interest in this.

Jay M asked about the transition process from the present accounting firm to the future Treasurer and book keeping service. Norm Y said that he and his firm are not going anywhere, they will help close out the fiscal year, and will handle or help the new

Treasurer and tax collector with other things, including running payroll, doing quarterly payroll tax returns due in July, and helping the new people coordinate anything they need. Discussion also included possibility of, on a cash basis, exceeding the bottom line of current budget before end of this fiscal year because of the unapproved expenses and budget issues of prior administration, and what the FY2024-2025 budget might look like. Discussed internal transfers between budget line items versus spending more than the membership approved (which spending would not be permitted). The current cash savings reserve budget line item was not created as a restricted account and may need to be used during this fiscal year. More to be discussed at the April 3, 2024 Finance Committee meeting.

Vote. A motion was made by **Greg S** to give Norm Y, with President and Vice President oversight, approval to move money from the cash reserves to a Cantor Fitzgerald type of account that would garner 4% to 5% interest, is liquid within a few days, has no additional fees, and is FDIC insured / seconded **Kathi S**.

Further discussion included having terms in writing.

All in favor.
Motion passed.

VI. **Committee Reports**

A. Beach

Mr. Garvin spent 2 days hauling sand off the beach with about 50-60 truckloads removed. Next step is to have beach cleaner come in with a bull dozer and push sand to high tide mark and push the rest to the low tide mark which should conclude the sand movement for the rest of the year. There is truly nothing we can do to stop the sand movement as demonstrated by article showing failure of berms down south; sand will always migrate. Thanks to George Finley for all of his help. The flow of Sheffield Brook looks good and working the way it is supposed to.

B. Infrastructure

1. **Vote** seeking approval to remove “planters, benches” from activities of the Beach Committee to the activities of the Infrastructure Committee

John M. surveyed the roads with assistance of B and L Construction and determined that there were 45 major indentations in our roads. Estimates for various levels of repair will be available within week or so – at least one estimate on time to give to Finance Committee by 4/3/2024. Cost of purchasing two benches to either replace broken benches or to add on to the roads at the beach came in at a cost of \$1,300-\$1,400 dollars.

Motion made by **John M** /seconded by **Greg S**.

All in favor.
Motion passed.

John M noted light outage with one pole and one pole leaning over – tickets put in with Eversource. Eversource committed to replacing the light and fixing the leaning pole – hopefully by June 2024.

C. Finance

1. **Vote** seeking approval to add capital improvements planning and insurance activities to those of the Finance Committee, and to appoint Rob Cappellucci as a member of the Finance Committee.

Motion made by **Kathi S** / seconded by **Greg S**.

All in favor.

Motion passed.

Finance Committee report included discussion of the need to make line items more specific. Norm Y putting template together for Finance Committee. By April 15, want different committees to inform Finance Committee what items they need and the estimated costs for them. Goal is to get proposed budget to BOG by May 15.

John M wants budget to be examined and wants to start looking into increasing the budget for some infrastructure improvements such as road repair, benches, etc. An assessment may be in order, unless can be built into the budget for FY2024-2025. Kathi S thinks we should get some estimates for larger ticket items (put out to bid) to bring back to Finance Committee so that they can be evaluated and incorporated into the budget.

Discussion included whether we have a capital reserve that is brought forward to the next budget year, what WPCA will be requesting for FY2024-2025, and the next two fiscal years, the need for OLSBA to spend money on infrastructure (e.g., roads), need to put funds into reserves, creating a true separate capital expense reserves account, and the need to identify and budget for big ticket items. Also discussed was if the WPCA requests to be reimbursed \$9,000 dollars for legal fees, the request should be made at the earliest opportunity so it can be addressed by the BOG before the Annual Meeting. It was noted that everyone needs to come to the table at the April 3 Finance Committee meeting with all of their asks.

Vote. Motion made by **Jay M** to appoint Greg S to the Finance Committee/ seconded by **MaryKate R**.

All in favor

Motion passed

D. Communications -The committee is starting the second issue of the newsletter and soliciting content ideas and photos which should be sent to MaryKate R and Greg S. Can include call outs for committees seeking volunteers with certain skill sets.

E. Service Manual - Committee discussed the intent to make the manual digital based on punch list and hope is to include links to web sites in the service manual.

F. Ad Hoc Search Committee for Independent Audit Firm- Discussion led by Jay M who stated that in Dec. 2023, the board voted to take a look at the possibility of an audit of the finances since the board sent the financial communication disclosure to the membership.

A draft solicitation was circulated but the concern is now that the expected cost of 5 to 10 thousand dollars may be difficult to get approval for because of budgetary constraints. An alternative to consider is to put this in FY2024-2025 as a budget item. Paul Y thinks FY2025 is the best time and also does not think we have the money to do it this year. Greg Y wants to identify the cost for it and decide if it's a priority that falls above or below the line for FY2024-2025. Diane D wants the board to consider that this should be highlighted separately to the membership for approval at the Annual Meeting as OLS

has never done this before, – be transparent and see if the membership agrees with the BOG that it is worth spending the money on.

G. Nominating – Discussion led by John M regarding the email soliciting the Treasurer and Tax Collector positions and will post the Secretary position later this month. There is also an opening on the WPCA since Sue Mahoney resigned her position as of March 15, 2024. This is being brought up to the BOG to see if there is anyone interested in serving on the WPCA. This would then meet the compliance of the current WPCA ordinance (at least 2 BOG members on the WPCA). Greg S explained what his obligations are being the BOG member on the WPCA.

H. Voting Operations – Committee is looking at the proxy form and the need to develop a methodical check in and verification process for the membership at the annual meetings with a check off of the voting member against a record of the owner's address.

VII. Security Committee

A. **Discussion** concerning potential name change of the Security Committee based on input from insurance broker. Gate and beach attendants need backing of all members to support them. Everybody on the beach needs to support rules we have for the beach, Committee activities include:

- Hiring and managing gate and beach attendants; interfacing with Treasurer/bookkeeper for payroll
- Managing traffic control (e.g., street gates, speed gates, speed detectors)
- Distributing membership stickers and maintaining records for same
- Distributing boat registration stickers and maintaining records for same
- Distributing and enforcing beach rules via gate and beach attendants and communications with members
- Surveying past officers, board members and others for their experience as to what has and has not worked well
- Assess security camera options, including placement, costs, videocam via website, storing recordings
- Serving as point of contact with law enforcement, both proactively (e.g., guest speaker invitations for advising membership on home and family protection) and, as the committee may deem appropriate, post-incident
- Assign and manage work schedules, payroll and payroll approvals to Treasurer
- Developing and recommending a budget line item with regard to its activities
- Memorializing its activities to guide the membership in future years
- Any other activities related thereto as may be requested by the BOG

Report by John M on the hiring of Eric B as the new lead for the gate attendants. Staffing should start for Memorial Day.

B. **Vote** seeking approval to appoint the following to the Security Committee: Erik Bird, John Mandracchia, David Rosenberg, Scott Rottinghaus

Motion was made by **John M**/ seconded by **Greg S**

All approved.

Motion passed.

Diane D asked the BOG to think about revising the current rules ordinance to prohibit smoking on the beach in light of complaints received from members. Also brought up was last year's July 4th late night incident where 200 plus people from outside OLS came onto the beach,

created significant disturbances, and police came. Wants to start thinking about setting aside money for Fourth of July weekend evenings security coverage by 2 off-duty police officers to deter people from coming over to our beach. Discussed potential for one road only to be open. If Old Lyme off-duty officers aren't available, perhaps looking into off-duty officers from another town.

VIII. **Annual Stipend from Town of Old Lyme**

A. **Discussion.** \$8,100 annual stipend to OLSBA for "Security," based on overall Town of Old Lyme budget line of \$71,700. The stipend is usually paid twice per year (January and August); however, no payments for 2024 have been received yet by OLSBA.

B. **Vote** seeking to approve Greg Symon of the BOG, and the OLSBA President, Vice President and Treasurer, to work together to prepare and send from OLSBA to the appropriate persons/departments at (a) the Town of Old Lyme; and (b) certain other beach associations located in Old Lyme, an official OLSBA position statement concerning OLSBA's past and future receipts of funds from the Town of Old Lyme.

Paul Y reported that we received check from Town of Old Lyme in the amount of \$3,871.00 to offset our security expenses. Norm said this was the second check from the Town of Old Lyme this fiscal year. Last year we got \$8.100 and the amount was a bit lower this year. Paul Y noted that the Town of Old Lyme Board of Finance has final decision on the amount, not the First Selectman.

Discussion about whether OLS should request additional funds from the town regarding things such as beach cleanup after storms. Discussion included that we should not ask town for funds to help cleanup the beaches after storms since we are private property and our own municipality.

IX. No motion made. **WPCA**

A. August 11, 2012 OLSBA Board Resolution Appropriating \$9.7M for Sewer Project - [20120811-OLSBA-CWFBondResolution - Google Docs](#)

Section 2. The President is authorized in the name and on behalf of the Association to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the Association with engineers, contractors, attorneys and others.

Section 5. The President is hereby authorized, empowered and directed in the name and on behalf of the Association to execute and deliver such other instruments, documents and agreements and to take such other and further action, as he shall deem necessary, appropriate or desirable to carry out the purpose and intent of the foregoing resolutions and to effectuate the transactions contemplated hereby.

B. Agreement with City of New London for wastewater collection and sewage treatment. New London has requested an increase of \$2,500 to \$5,000 for Town of Old Lyme and Beach Associations "to pay for all reasonable attorney's fees and costs" incurred by the City of New London in preparing the amendment to the original agreement.

Diane D explained that the Board Resolution authorizes the President to take certain actions on behalf of the Association without further approval from the BOG, including increasing the maximum amount of the attorney's fees and costs to \$5,000 in the ongoing contract negotiations with the Town of New London.

C. Sewer Project Workshop Planning - Greg S noted that he wants this planning workshop to educate the board and the community on the sewer project. There are enough new owners who may want a question and answer session.

X. Agenda Format- Discussion led by Jay M to determine if there is interest in having Public Comments at the front end of the meeting and higher up in the agenda. It was generally agreed that Public Comments should not be moved to the top of the agenda; rather, the format should allow people to raise their hands at any time when wanting to comment, and they should be acknowledged when the President asks for further comments after the board completes its discussion.

XI. The next Regular Meeting of the BOG is scheduled to take place via Zoom on Wednesday, April 24, 2024 at 7 p.m.

XII. Public Comments

David Rosenberg questioned the excessive amount of sand on our beach and the sand removal process. Paul Y responded that the origin of the sand deposited on our beach during the winter is largely unknown. Sand from Hawk's Nest is gravelly and filled with shells, and Hawk's Nest seems willing to take as much sand as we are willing to give them. We were advised that selling sand may not be permitted according to CT DEEP. Hawk's Nest removes the sand at its own expense, which results in savings to OLSBA.

Paul Graml questioned the Security Committee regarding the average cost per hour for our gate attendants. He would like to evaluate how much we pay per hour for 3-4 people and if we could get that done with fewer people who are professionals. He would like an analysis that looks at other options. David Rosenberg had questions about gate attendants, and suggested we review what we are spending and doing internally before seeking outside professionals. Norm Y reported that we are under budget for security this year because it was well-managed last season with regard to not paying guards when they were not needed. John M wants to set expectations with attendants from day one – for example, have one attendant at Brightwater and one at Saltaire and, if only one road open, have one attendant to float. Attendant to get a board member, David Rosenberg or another member to assist them with difficult to handle situations. David Rosenberg has ideas to streamline process, including attendants communicating with cell phones for taking breaks. Paul Y wants to survey other beaches to see what they are paying and their expectations from their attendants.

Greg S asked about liability, and Diane D noted we currently have liability insurance and workers' compensation and we presumably have hired responsible individuals as gate attendants who use common sense and are careful in performing their jobs.

In light of break-in and other incidents at OLS, Diane D wants the Security Committee to explore the possibility of installing video recording cameras high up on utility poles for year-round surveillance (suggested checking what Old Colony and other beaches do in this regard).

XIII. Adjournment

Motion made to adjourn by **John M** /seconded by **MaryKate R**

All in favor.
Motion passed.
Meeting adjourned at 9:35 PM