Draft Meeting Minutes OLSBA BOG July 22, 2026 Regular Meeting Via Zoom

Officers Present:

- **President: John Cunningham**
- **Vice President: Paul Yellen**
- **Secretary: Tracey Cappellucci**
- **Treasurer: Rob Cappellucci**

Board Members: Jerry Vande Werken, Tim Larson, Mary Kate Reynolds, Jay Moynihan, Jack Thomas, Bob Palazzo (joined late)

Key Takeaways

- Four prior meeting minutes were approved as a batch.
- June financial statements reviewed; association ended the fiscal year with just under $70,000 net income and a cash position of $221,210.
- Bill payment list approved, including legal fees, secretary stipend, utilities, beach cleaning, and facility use invoices.
- Legal billing policy clarified: all counsel contact must be filtered through the Board president or WPCA chairman; Jay to discuss billing frequency with Attorney Church.
- Beach operations update provided by Owen (lead guard); gate and beach staff working full weeks through Labor Day.
- Traffic concerns on Bel Air Drive noted; Paul to measure roads and assess speed barrier viability.
- Chris Shelton appointed to a three-year term on the WPCA retroactive to July 1, 2026, following a contested board vote.
- Motion approved to have Baltazar move the existing storage shed to a new location near the Amtrak lines, and to initiate discussions about a new shed per contract terms.
- Board approved delegating construction management oversight of the stormwater project to the WPCA, while the Board of Governors retains overall responsibility.
- A resident portal/tracking system prototype was presented to manage lateral hookup information and resident communications during construction.

- A public hearing (certified mailings required) must be held before sewer construction begins; Jay to coordinate with Attorney Church on timing.
- Special meeting to be scheduled to fill remaining two WPCA vacancies.
- Next regular meeting scheduled for the 19th.

Quorum verified and meeting called to order at 7:02 pm

Discussed Topics

1. Approval of Prior Meeting Minutes

John called the meeting to order and moved to approve four prior meeting minutes as a batch.

- **Details**
    - Tim: Moved to approve all previous minutes as described.
    - Jerry: Seconded the motion.
- **Conclusion**
    - All four prior meeting minutes approved unanimously.

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2. Treasurer's Report and Bill Approvals

Robert Cappellucci presented the June financial statements, including balance sheet, statement of operations, and accounts payable schedule.

- **Details**
    - Robert Cappellucci: Cash position at year-end is $221,210; CD balance increased by $2,200 due to interest; all association tax collections exhausted; net income just under $70,000 for the year.
    - Robert Cappellucci: Largest accounts payable items are two legal bills; beach cleaning costs slightly over budget at $13,700; legal costs represent the biggest budget variance.
    - Robert Cappellucci: Bills requested for approval include secretary stipend for Tracey, $564 printing costs, Norb Church legal invoice, Eversource, Bill Campbell, Connecticut Water, Anthony's June invoice, and a $10,000 payment toward Shipman balance.

    - Robert: Additional bills include $120 for middle school facility use and $130 for Terry Donovan's plumbing work (bubbler reinstallation and shower hookup at Brightwater).
    - Paul: Flagged Terry Donovan's invoice (under $200) not yet received by Rob; agreed to forward it.
    - Jay: Sought clarification on the Shipman/bond counsel payment plan; confirmed $25,700 owed, $10,000 to be paid from FY2026, $15,700 balance to be paid in FY2027 on an accrual basis.
    - Jerry: Raised concern about the Norb Church bill totaling $19,000 for January–June, questioning the policy for incurring legal fees.
    - John: Explained that internal disagreements and bond resolution issues drove higher legal consultation.
    - Robert: Agreed to speak with Norb Church about monthly billing going forward.
    - Tim: Suggested legal counsel contact be filtered through the Board president or WPCA chairman to regulate costs.
    - Paul: Confirmed historical practice that the president approves BOG communications with legal counsel; WPCA chairman handles WPCA-related communications.
    - Jay: Noted WPCA bills should be directed separately to the WPCA; agreed to discuss billing frequency and breakout with Attorney Church.
    - Jerry: Noted Attorney Church attended multiple meetings in full but was only consulted briefly, suggesting more efficient use of his time going forward.
    - Tim: Moved to approve the full bill list and allow the treasurer to work with the WPCA on attorney invoice allocation.
    - Jerry: Seconded.
    - Jay: Confirmed the $10,000 Shipman payment will come from FY2026 cash; books to be formally closed and published after final adjustments.
- **Conclusion**
    - Bill payment list approved unanimously, including all listed invoices plus Terry Donovan's plumbing bill and the middle school facility use invoice.
    - Treasurer to work with WPCA to allocate attorney fees appropriately between BOG and WPCA.
    - Jay to discuss billing frequency and breakout with Attorney Church.
    - Approved budget to be distributed via MailChimp with mill rate explanation; association tax bills to go out by July 31.

3. Beach Operations Report

Paul provided a comprehensive beach operations update, with lead guard Owen presenting a logistical report.

- **Details**
  - Owen: Before July 4th, some rule enforcement issues arose due to a newer guard's unfamiliarity with rules; a team meeting was held and digital/printed rule copies distributed.
  - Owen: July 4th weekend statistics — approximately 75–100 cars turned away on the 4th; 15–20 cooler interactions; 15–20 eating violations; one smoking interaction; offered to move coolers to the seawall to improve compliance.
  - Paul: Asked about identifying legitimate visitors vs. non-residents; Owen explained guards ask for last name, street, and house number.
  - Paul: Suggested providing the 2022 resident directory to guards for reference; Owen agreed it would be helpful.
  - Paul: Noted no formal written job descriptions exist; Owen described on-the-job pairing of new staff with experienced guards for first three shifts.
  - Jay: Asked about guard availability through August; Owen confirmed full weeks through Labor Day, including Labor Day weekend.
  - Paul: Private security working well; consistent staffing with one guard in particular; sign-in/sign-out process managed at Paul's house; zero incidents reported.
  - Robert Cappellucci: Asked about private security billing; Paul to resend invoices.
- **Conclusion**
  - Beach and gate operations improved after July 4th; staff working through Labor Day.
  - 2022 directory to be provided to gate staff.
  - Paul to resend private security invoices to Robert Cappellucci.

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4. Traffic Concerns on Bel Air Drive

Paul reported complaints from resident Norm Yester regarding excessive speed on Bel Air Drive.

- **Details**

    - Paul: Gate staff was leaving directional signs up on Sunday nights, potentially directing more traffic down Bel Air Drive; issue has since been corrected.
    - Paul: Norm requested speed barriers between Brightwater/Billow and Sea Spray/Saltair on Bel Air; Paul noted roads are very narrow and standard speed gates may not fit.
    - Paul: Alternative option of physically closing one end of Bel Air Road discussed but also questioned for viability.
    - Tim: Suggested a strategic traffic flow analysis once infrastructure improvements are complete.
    - Robert: Recalled prior discussion about speed tables as part of equipment replacement planning.
    - John: Confirmed the stormwater project includes speed tables.
- **Conclusion**
    - Paul to measure Bel Air Drive roads and assess speed barrier viability.
    - Speed tables are included in the stormwater infrastructure project.

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5. Beach Use Application

Paul reported on the Draft Beach Use Application developed with assistance from Diane Duhaime.

- **Details**
    - Paul: Draft sent to Board of Governors for input; received suggestions from Jerry and Jack; revisions planned for early the following week.
    - Paul: Informational signs for upper roads above Route 156 to be placed after consulting with the five affected homeowners.
- **Conclusion**
    - Paul to revise and redistribute the beach use application draft.
    - Paul to contact five homeowners regarding placement of informational signs.

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6. WPCA Board Vacancies and Appointment of Chris Shelton

Three WPCA seats became vacant following the June 30 term expirations of Chris Shelton and Jack Reynolds, and the resignation of Marty Merritt.

- **Details**

    - John: Presented a proposal for recruiting WPCA members with specific skills (project management, state liaison experience, communications, civil engineering) suited to the construction phase; suggested a special meeting to make considered appointments.
    - Jay: Moved to appoint Chris Shelton to a three-year term retroactive to July 1, 2026, citing Shelton's willingness and valuable service.
    - Jack: Seconded the motion.
    - John: Expressed discomfort acting without Shelton present, citing conflicting information about his availability and desire to continue.
    - Tim: Argued the appointment was not on the published agenda and moved to table; seconded by Jerry.
    - MK: Expressed frustration at the length of the procedural debate, noting the difficulty of finding volunteers.
    - Jerry: Seconded the motion to table.
    - Vote on tabling motion: Jerry — Yes; MK — No; Tim — Yes; Jay — No. Motion to table failed (2–2).
    - Vote on appointment of Chris Shelton: Jack — Yes; Jerry — Yes; MK — Yes; Tim — Abstain; Jay — Yes.
    - Tim: Later clarified his understanding of tabling procedure was partially incorrect; reiterated concern about agenda transparency and the risk of the vote being challenged.
    - John: Clarified his pushback was not a reflection on Shelton's capabilities but a desire to have Shelton present to speak for himself.
- **Conclusion**
    - Chris Shelton appointed to a three-year term on the WPCA, retroactive to July 1, 2026.
    - Special meeting to be scheduled to fill the remaining two WPCA vacancies.
    - Board acknowledged need for greater agenda transparency for future appointments.

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7. Infrastructure Project — Bioxide Station and Storage Shed Proposals

Proposals for the bioxide station and storage shed neutral colors were reviewed and approved. The need to relocate the existing storage shed to clear the bioxide station site was discussed at length.

- **Details**
    - John: Proposals for bioxide station and storage shed neutral colors were circulated; no objections raised.
    - Jay: Explained Baltazar needs the current shed site cleared for the bioxide facility; proposed moving the existing shed to a location near the Amtrak lines, as identified in a preliminary site plan by Fuss & O'Neill.
    - Paul: Confirmed the existing shed is in good condition (no leaks, approximately 15 years old); recommended moving rather than demolishing it.
    - Tim: Asked whether the new shed (included in the contract) could be installed first, then contents transferred.
    - John: Noted the new shed timeline is approximately 10 weeks (October delivery); also noted the $30,000 new shed was part of the contractual consideration for use of the site.
    - Bob: Suggested requesting a credit if the new shed is not taken.
    - Jerry: Moved to approve having Baltazar move the current shed to a location approved by the Old Lyme land use officer, and to initiate discussions with Baltazar about ultimately providing a new shed.
    - Bob: Seconded.
    - Jay: Confirmed the site visit with Fuss & O'Neill is scheduled for July 27, at which the shed matter will be addressed.
    - Paul: Noted Scott Mitchell agreed to remove old swim lines and buoys behind the shed at no cost.
- **Conclusion**
    - Bioxide station and storage shed neutral color proposals accepted.
    - Motion approved: Baltazar to move existing shed to Amtrak-adjacent location (pending land use officer approval); discussions to proceed regarding new shed provision per contract.
    - Paul to coordinate shed clearing with Jay; site visit with Fuss & O'Neill on July 27.

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8. Resident Portal / Lateral Hookup Tracking System

John presented a prototype web-based system to manage resident communications and lateral hookup information during the construction phase.

- **Details**

    - John: System allows residents to log in, claim their parcel, review lateral placement maps, approve or request changes, indicate sewer and water connection intent, and access contractor registration information.
    - John: Features include well disposition tracking, paving contractor coordination, parcel sharing/delegation, and a connections guide with key deadlines.
    - Jack: Asked for a web link to beta test the system; John agreed to email it.
    - MK: Praised the system.
    - Paul: Offered to serve as an in-person resource for residents who need help navigating the information or reviewing lateral placements on-site.
- **Conclusion**
    - John to send beta test link to board members.
    - Paul to serve as on-site resident liaison for lateral hookup questions.
    - System to be distributed to membership once sufficiently ready.

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9. Construction Schedules and Project Updates

John shared project schedule links and provided updates on upcoming pre-construction activities.

- **Details**
    - John: Baltazar to begin tree trimming and soil/site sampling prior to construction; construction expected to start after Labor Day with completion targeted for July timeframe; rumors suggest possible early completion if weather permits.
    - John: Reached out to Evan Sneed at the Mohegan Tribal Historic Preservation Office regarding archaeology review; Sneed expressed interest in a site walk; Bob Palazzo to be coordinated for the visit.
- **Conclusion**
    - Pre-construction activities (tree trimming, soil sampling) to begin in coming weeks.
    - John to coordinate archaeology site walk with Evan Sneed and Bob Palazzo.

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10. Sheffield Brook Repairs

Jack reported on two options provided by Old Colony for the Sheffield Brook drainage system.

- **Details**

    - Jack: Option 1 — continue cleanouts of accumulated sand (approximately $2,000–$3,000); Option 2 — temporary improvements including duck-bill valves on the 36-inch pipes (approximately $10,000).
    - Jack: Recommended the cheaper maintenance option; noted the system is designed to be self-cleaning but lacks sufficient water flow from Sheffield Brook to push sand out.
    - John: Noted the system appeared to be working adequately this summer with maintenance; suggested the cleanout falls under the existing inter-municipal maintenance agreement.
- **Conclusion**
    - Jack to respond to Old Colony confirming agreement to fund the maintenance cleanout per the inter-municipal agreement (approximately $2,000–$3,000).

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11. Board Operations — Communications, Elections, and External Updates

John raised several operational improvement topics.

- **Details**
    - John: Proposed moving away from email toward modern messaging platforms for more transparent and fluid board communications.
    - John: Noted elections process needs to be codified by a committee within the next year to avoid future issues.
    - John: Proposed at minimum monthly (ideally weekly) project updates with photos and narrative for the membership during construction.
- **Conclusion**
    - Communications platform proposals to be developed.
    - Elections committee to be formed to codify procedures.
    - Regular construction updates to be established for membership.

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12. WPCA Public Hearing Requirement

Jay noted a statutory requirement for a public hearing before construction begins.

- **Details**
    - Jay: Connecticut statute requires a public hearing with certified mailings before sewer construction begins; anticipated for August or early September; no vote required at the hearing.

    - John: Asked about required notice period before the hearing; Jay to confirm with Attorney Church.
- **Conclusion**
    - Jay to coordinate with Attorney Church on public hearing timing and notice requirements.
    - Robert Cappellucci confirmed certified mailing information is available.

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13. Stormwater Project — Scope Review and WPCA Construction Oversight

Jay raised the possibility of revisiting the stormwater project scope for cost savings and moved to delegate construction management to the WPCA.

- **Details**
    - Jay: Noted the stormwater bid came in at $3.4826 million vs. the $2.157 million presented to voters in May 2025 and the original $1.7 million bid in 2021; suggested exploring whether a reduced scope option from the 2019 Stormwater Report could save costs before construction begins.
    - John: Cautioned that the detailed design has been stamped by PEs, reviewed by DEEP, Army Corps of Engineers, and EPA; peeling back scope risks liability and may not yield significant savings given that piping costs represent the lion's share.
    - Bob: Supported asking the question quickly; noted any changes would require PE-stamped letters and proper approvals.
    - Tim: Urged that any scope changes be documented and presented publicly before action; supported constituting the full WPCA before proceeding.
    - MK: Suggested simply asking Baltazar whether a scope change is even feasible at this stage.
    - Jerry: Expressed concern that revisiting scope could jeopardize coordination between sewer and stormwater construction.
    - Jay: Agreed to approach Fuss & O'Neill and Baltazar informally to assess feasibility; will report back.
    - Jay: Moved that the Board of Governors delegate construction management of the stormwater project to the WPCA.
    - Jerry: Proposed modifying the motion to clarify that the Board of Governors retains responsibility for the stormwater project but elects to delegate construction management to the WPCA.

    - Jack: Seconded the modified motion.
    - Tim: Voted in favor reluctantly; urged that future agenda items of this nature be posted publicly in advance.
- **Conclusion**
    - Motion approved unanimously: Board of Governors retains responsibility for the stormwater project and delegates construction management to the WPCA.
    - Jay to informally approach Fuss & O'Neill and Baltazar to assess whether any scope reduction is feasible; to report back to the board.

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14. Branding / Intellectual Property Correspondence

A resident (Julia Nixon) raised a concern about community members selling Old Lyme Shores-branded merchandise.

- **Details**
    - John: Noted the association likely has no trademark on "Old Lyme Shores" and is in a weak legal position; not prepared to act tonight.
    - Robert Cappellucci: Noted Kerry Pope sent a check to the association; believes the branding company donated all proceeds rather than keeping them; to verify.
    - MK: Noted the original artwork creator may not have received ongoing royalties.
    - Jerry: Referenced the concept of work-for-hire.
- **Conclusion**
    - Robert Cappellucci to verify the nature of the proceeds donation and report back.
    - No legal action to be taken at this time

Adjournment: Jay makes motion to adjourn at 9:30pm, seconded by MK

- Approved unanimously