

Minutes of BPBCA BOG June 27th, 2024, Regular Meeting - 06/27/24

Date and time: 06/27/24 6:00 PM to: 06/27/24 8:30 PM

Present: Brooke Stevens, Recording Secretary, Bill Bayne, BOG Member, Peter Baril, BOG Member, Colleen Chapin, BOG Member, John Cellino, BOG Member, Arlene Garrow, BOG Vice-Chair, Peter Meggers, BOG Member, Jim Schepker, BOG Chair, Will Fountain, Emeritus

CC: Jim Moffett, Association Manager, Colleen Hayes, Club Liaison & New Tax Collector, Al Capozza, Treasurer

Location: BP Clubhouse, 6 Sunset Avenue, Niantic, CT & Via Zoom

Link: <https://app.meetingking.com/meetings/415300>

Topics

1. Zoom Info & Link

Note Topic: BOG Regular Meeting - 2024-06-27

Time: Jun 27, 2024 06:00 PM Eastern Time (US and Canada)

<https://us02web.zoom.us/j/83726322021?pwd=mg8ScaDi6Ywt7acKdfFmU7YaYW62vA.1>

Meeting ID: 837 2632 2021

Passcode: 599454

Phone only 1 929 205 6099

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Note <https://us02web.zoom.us/j/83726322021?pwd=mg8ScaDi6Ywt7acKdfFmU7YaYW62vA.1>

2. Call Meeting to Order, Establish Quorum, & Pledge

Note Chairman Schepker called the Meeting to order at 6:03 p.m., did roll call, noted a quorum was present, and led those assembled in the Pledge of Allegiance.

3. Approval of Meeting Minutes

3-1. BOG May 23rd, 2024, Meeting Minutes

Note see attached minutes.

 [Minutes-of-BPBCA-BOG-May-23rd-2024-Regular-Hybrid-Meeting-05_23_24.pdf](#)

Note Ms. Chapin noted that on page 6, item 6-6, the person who spoke was actually Sean Brosseau, and on page 12, the first and third note are the same.

3-2. May 25th, 2024, Annual Meeting Minutes

Note see attached minutes.

 [Minutes-of-Black-Point-Beach-Club-Annual-Meeting-05_25_24-1.pdf](#)

Note Mr. Schepker noted on page 5 the last name of Matt, the new Club Director, should be added and Ms. Stevens replied that his last name has not been provided to her. Mr. Capozza said the new Camp Director is named Matt Reichelt.

Note Mr. Cellino said there's a gap in the Minutes and no mention of Susan Daly taking over the microphone. He explained that she spoke out of turn at length, despite being asked politely to refrain, and he thinks that's an integral part of our meeting, and that the Board should consider a reprimand.

Note Mr. Cellino said we've had these incidences before and thinks they should have and enforce a considerable policy in these cases.

3-3. BOG May 28th, 2024, Special Hybrid Organizational Meeting Minutes

Note see attached minutes.

 [Minutes-of-BPBCA-BOG-May-28th-2024-Hybrid-Organizational-Meeting-Minutes-05_28_24.pdf](#)

3-4. BOG June 5th, 2024, Special Hybrid Organizational Meeting Minutes

Note see attached minutes.

 [Minutes-of-BPBCA-BOG-Special-Hybrid-Organizational-Meeting-06_05_24.pdf](#)

3-5. April 25th, 2024, Meeting Minutes

Note see attached minutes.

 [minutes_\(10\).pdf](#)

Note Ms. Stevens said she neglected to put the April 25th, 2024, Meeting Minutes on the initial agenda for this evening, so the Board tabled this set of Minutes until the next meeting.

Decision MOTION (1)

Mr. Bayne moved to approve the Meeting Minutes of May 23rd, 2024, the Meeting Minutes of May 25th, 2024, as amended and the Meeting Minutes of May 28th, 2024, and the Meeting Minutes of June 5th, 2024, as presented.

Mr. Baril seconded the motion.

Motion carried, 7-0-0.

4. Additions to Agenda

Note MOTION (2)

Mr. Meggers said he would like to reinstate having two public comments sections per meeting, one at the beginning, and one at the end of the meeting.

Mr. Cellino seconded the motion.

Note The Board debated on whether to have one or two rounds of public comments during meetings.

Note Mr. Cellino explained that the Board had contemplated removing one section repeatedly over the past two years. However, the Association Members and several Board Members strongly insisted on maintaining two sections. He noted that this structure promotes significant transparency and interaction, allowing members who wish to speak towards the end of the meeting to do so without waiting a month for the next opportunity.

Note Mr. Baril mentioned that during the summer months, it is beneficial to allow public comments at the end. If individuals wish to express their preference for having public comments at the beginning, they are welcome to do so. He believes that to expedite the meeting, especially this initial one, it should proceed as scheduled.

Note Mr. Schepker mentioned that his opening remarks will address this issue and proposed that while they could offer two opportunities for public comments if members desire, he hopes that by combining these into one, the process will be expedited.

Note Mr. Cellino stated that their meetings are held monthly, and he believes that rushing to conclude is not the objective. They have responsibilities to fulfill, and there is a public desire to listen, provide feedback, and engage in discussions on various issues.

Note Mr. Meggers explained that according to Robert's Rules of Order, public comments are intended to let the public offer initial remarks. Then, at the end of the meeting, having considered the presented input and information, there is an opportunity for additional comments.

Note Mr. Bayne inquired whether the second round of public comments would be restricted to topics covered during the meeting. Mr. Schepker responded that it would not be limited, and individuals are free to speak on any subject of their choosing during the public comment period.

Decision MOTION (2) Vote:

Motion failed, 3-4-0.

Yay- Ms. Garrow, Mr. Cellino and Mr. Meggers.

Nay- Ms. Chapin, Mr. Schepker, Mr. Baril and Mr. Bayne.

5. Chair's Opening Remarks

Note Mr. Schepker had some of the following remarks:

Going forward, it will be my goal to conduct these meetings with civility and with brevity.

Regarding brevity, my target will be to conduct this in future meetings in two hours or less, if possible. You may have noticed in tonight's agenda, for example, that we've placed reports on the Wrecking Crew, Women's Club, and Men's Club.

We will, of course, accede this to our goal whenever Member issues require whatever time is needed. One central issue of tonight's agenda is the presentation of the Master Plan by Governor Chapin.

This Master Plan will be critical to this Board and Boards for the next ten years in establishing project priorities. It is a working document, but it also reflects the priorities set by members in the plan's development and revisions over these past few years.

Note Mr. Schepker also addressed the topic of Board Liaison assignments, highlighting that he and the Vice-Chair have received very helpful suggestions from the majority of the Board members. He added that they possess significant expertise within this Board in areas such as finance, engineering, property development, management, and legal matters. The challenge lies in leveraging these talents and personal interests effectively, a process initiated by this document.

Note Mr. Schepker expressed a particular interest in one proposed liaison, the Waterfront Task Force. He is requesting the collaboration of three Board Members for this task force: Peter Baril who has an engineering background; Bill Bayne, who has an expertise in finance; and Attorney Peter Meggers, for his legal knowledge. Our waterfront areas are not only our most valuable assets but also the costliest to manage. He is urging the team to immediately begin assessing our shoreline needs and to initiate the compilation of a list of critical priority projects.

Note Mr. Schepker stated that a key issue he intends to advance in upcoming meetings is the continuation of the previous Chair's efforts to bolster the reserve fund.

He explained that given our position as a waterfront property, our shoreline is perpetually subjected to the onslaught of wind and waves. This relentless environmental assault inevitably leads to costly damages to our shoreline assets. To address this, he proposes that we mitigate these expenses through steady, gradual contributions, thereby enhancing our reserve fund both this year and in subsequent years.

He is convinced that this approach will help alleviate the unforeseen, catastrophic events that we find ourselves unprepared for.

Note Mr. Schepker remarked that since Mr. Cellino took on the role of Chair, noticeable divisions have emerged within the Board, some quite significant. Nonetheless, it's evident that a mutual fondness for Black Point and a commitment from its members to enhance it in every way possible daily unites the Board. Consequently, he encourages the Board to begin this evening by focusing on what unites us and to approach our differences with open minds and a readiness to compromise when necessary.

Note Mr. Schepker briefly discussed his plans to reach out to Russell Blair for a meeting on FOIA and to find a volunteer parliamentarian to assist them when needed in the future.

6. Emeritus Role: Continuance Consideration

Note Mr. Bayne remarked that he constructed a new house a few years back with his brother as the contractor. Initially, when he encountered Mr. Fountain, who was diligently ensuring compliance on various matters daily, his first impression was of the task's difficulty. However, over time, Mr. Bayne grew to greatly value Mr. Fountain's dedication, despite initially deeming it excessive. Recognizing Mr. Fountain's deep care for Black Point, Mr. Bayne is eager to endorse him for this ongoing role.

Decision MOTION (3)

Mr. Bayne moved to reappoint Will Fountain as Board of Governors Emeritus.

Ms. Garrow seconded the motion.

Motion carried, 7-0-0.

Note Mr. Schepker read the following into the record:

Attention Black Pointers-

Once again, we have much to be grateful for in our Black Point community, thanks to the talented and tireless efforts provided by a truly diverse group of Members.

Among our recent good-news outcomes:

First, thanks for the service provided by retiring Board members Tom Cherry and Tom Meggers for their remarkable contributions to our community. And grateful thanks also to John Cellino for his past role as Board chairman, and his continuing service on our Board.

Our Wrecking Crew installed canopies, erected new basketball hoops, beautified the White Cap parking lot area, suspended privacy screens along fence lines at the clay tennis courts, and positioned and stained 2 new playground wooden vehicles that the kids all adore.

The Men's Club recently convened a dozen members who groomed the bocce court for the new season, preceded by Wrecking Crew volunteers who removed volumes of weeds.

Beach cleanups, which recently have included the removal of two trees and a large commercial boat float cushion that had washed up on shore and needed immediate removals were also quickly dispatched.

The installation of swim buoys and a new swim line at South Beach.

The restoration of South Beach that included stone removals and the addition of new sand.

The restoration of flagpole and other benches at the Clubhouse facility.

A two-man volunteer crew has just recently finished relining at our parking areas. I'm told that this duo has done this work "for many years," and all they ever ask for is "white paint, please."

Another 2-man crew recently eliminated invasive plant life at the backwater kayak walkway area and used an eco-friendly spray to begin to eliminate the poison ivy thriving there.

Two scholarship awards to local high school seniors, a daughter and grandson of local Members, were awarded through the Cahill Foundation.

Plans to restore the Sea View/Sea Breeze beachfront walkway, with temporary, protective safeguards now in place there until that project can be completed.

The private contribution of a plant sprayer that will greatly help with the watering of the gardens and planters at the Clubhouse.

Installation of a new water fountain, with ice cold water, for all Clubhouse users.

Repairs and upgrades to the Men's and Women's rooms at the Clubhouse

The addition of a brand-new AED unit at the Clubhouse, a donation coordinated by local members and an outside Foundation.

And even with all of these items reported on here, the Board of Governors knows that it has likely omitted many kind and quiet additional contributions of Members' time and talent. If we have missed any items, we cannot immediately add comment here – but we will welcome any additions to this list during a Public Comment opportunity at our next Board of Governors meeting.

And finally, thanks to all for making our community such a uniquely special place.

7. Communications: Member Emails Received

Note see attached.

 [Delmastro June 7.pdf](#)

Note see attached.

 [Tom Meggers June 6.pdf](#)

Note see attached.

 [Girgenti May 25.pdf](#)

Note see attached.

 [Sharon Bruce May 24.pdf](#)

Note see attached.

 [Tom Kelly May 23.pdf](#)

Note see attached.

 [Lizarraga_email_May_22.pdf](#)

Note see attached.

 [Magnuson June 24_email.pdf](#)

Note Mr. Schepker stated that one of his objectives is to reply to member emails, which he estimates they have received four or five of in the past 30 days, within 24 to 48 hours. The response might not always contain the requested information, but it will communicate this clearly. It will indicate that while all the requested information is not yet available, efforts are being made to obtain it promptly, and a Board member has been designated to handle the inquiry.

Note The Board had a brief discussion about improving the digitization and management of Board documents and records.

8. Legal Matters Update (John Cellino/Peter Meggers)

Note Legal matters were mentioned, including a proposed response to a recent court order. Mr. Meggers said that given the appeal period and where we're at, we probably should not comment to the Association as of yet.

9. Insurance Update (Peter Meggers)

Note Mr. Meggers deferred to Mr. Cellino who reported that Bill Budds is their agent, has been so for over 30 years. and is diligently checking with other vendors since the Association policy expires at the end of September. He added that the liability policy expires at the end of April.

Note Mr. Cellino further explained that for municipal insurances they actually may come in at all rates, but they won't cover items like the Women's Club, Men's Club, our Running Race, and the like. We have to get separate policies, so he, Mr. Budds, and Mr. Meggers are going to do a comparison chart, and they will have different bar charts prepared, for the Board to review.

Note Mr. Cellino clarified that their main concern is the liability policy and he confirmed that the Tax Collector and Camp Director are covered under their insurance policy.

Note Mr. Meggers briefly discussed the role of underwriters and their function in the insurance process.

10. Board Liaison Roles

Note see attached.

 [Liaison Board Roles 2024.xlsx](#)

Note Mr. Schepker explained that he and Ms. Garrow came up with a new Liaison list, shared it with the Board in advance of this meeting, and received Board Member feedback. He emphasized that this is a working document.

Note Mr. Schepker expressed strong concerns regarding the Waterfront Task Force, which comprises three Board Members. There is a significant array of talent within this group. Recently, he reviewed several older documents outlining various proposals for the restoration of groins and piers. Some of these proposals date back four or five years, and immediate action hasn't been taken on many fronts, but there are instances where proposed actions have already been implemented.

Note Mr. Schepker emphasized the need to concentrate efforts on certain issues, pointing out that the fate of Black Point is tied to the state of its beaches. He insists that this should remain a primary concern, as it is his greatest worry for the future. The discussion on this topic may be continued in a forthcoming July meeting. Meanwhile, he welcomes any suggestions to modify existing categories or to introduce new ones. He is grateful for Bill Bayne's contributions, which account for a quarter of the list and include excellent new categories.

Note Mr. Cellino said the list doesn't include other Black Point assets such as the beach, the Clubhouse, the tennis courts, right-of-way(s) and so forth.

Mr. Cellino and Mr. Schepker discussed creating an Infrastructure Task Force to address maintenance and infrastructure issues. Mr. Baril and Mr. Bayne volunteered to be part of this subgroup.

Note Mr. Schepker has observed that fences and hedges pose a significant issue, and he has delegated the liaison responsibility to Ms. Garrow and Ms. Chapin.

Note After some Board discussion, it was determined that kayak issues such as storage, can fall under the Infrastructure Group.

Note Ms. Chapin acknowledged the extensive workload for a volunteer board, and said she agrees it's commendable; there's much to accomplish. She asked what approach he anticipates for engaging the community in these initiatives? Since this all pertains to master plan activities, how does he imagine involving the community? They undoubtedly possess expertise and strong interests, and public comments may offer too limited a chance.

Note Mr. Schepker used remote voting, which Ms. Chapin oversees, as an example. He mentioned that when this topic arises and a proposal to the board is imminent, members with strong opinions on the issue could contribute to its development, future discussions, or the shaping of the proposal. He believes that as we progress, these groups will reach out to the members, seeking their thoughts and assistance. Then, if a motion is necessary, it can be made; otherwise, during a general discussion, one might seek support from the broader community.

Note Mr. Meggers inquired about the feasibility of remote voting with Ms. Chapin, who responded that, given the current setup, she does not consider it technically possible. However, it is technically feasible for us. The Board has never discussed it in detail. Ms. Chapin will approach this matter with increased rigor in the future.

Note Mr. Schepker mentioned that some individuals feel excluded because they are unable to be present in person to vote, which has sparked this conversation.

Note Mr. Cellino stated that the vote was cast, and the matter was discussed during Colleen Hayes' tenure on the Board. She is a strong advocate for it and is quite confident in its feasibility. However, Ms. Chapin approached him later to highlight that the bylaw had been altered and our adherence to it was not proper.

Note Mr. Cellino addressed the Charter's stipulation that a person must be "present" to vote and noted that proxy voting is currently barred by a bylaw rather than the Charter itself. He mentioned that this matter will be examined legally, and he will gather more information on the subject. Mr. Schepker said he currently has Ms. Chapin assigned to this topic but will add Mr. Cellino's name as well.

Note Mr. Bayne expressed that due to the expanding scope of this list, it's essential to be transparent and include community members with expertise who are not on the Board. He noted a structured process is necessary, and he has spoken with several individuals who are ready to assist. He added that they should proactively invite these individuals to join the task force, or whatever name they decide upon.

Note Mr. Schepker mentioned that if you review the liaison roles document, you'll notice some entries are in parentheses, such as the Finance Subcommittee (with Al Capozza), the Waterfront Task Force (with Jim Moffett), and the Council of Beaches (with Mary Cahill). This format can be used for any members who are not on the Board. Additionally, it is preferable to include as many names as possible.

11. Reports

11-1. Association Manager (Jim Moffett)

Note see attachment.

 [June 2024 Association Managers Report.pdf](#)

Note Mr. Moffett, the Association Manager, presented his attached report on various activities, including rental agreements and event coordination.

Note He mentioned that the golf cart registration event on June 16th was a tremendous success, organized in conjunction with the East Lyme Police Department, resulting in the registration of 48 golf carts. Mr. Schepker raised concerns regarding safety regulations for golf carts, e-scooters, and e-bikes, and emphasized the importance of reminding parents about these regulations.

Task Mr. Moffett said they can remind parents about the regulations via facebook, the website, and the Black Pointer, which he will facilitate.

Owned by Jim Moffett, Association Manager

Note Mr. Baril expressed a concern from a member about the seaweed near the pink wall, mentioning flies and odors. He understands that the usual method is to push the seaweed aside, cover it, and then, when there's enough, it becomes cost-effective to remove it. Mr. Moffett confirmed this as the standard practice and Mr. Baril requested that instead of removing it, more sand should be added on top.

Note Mr. Moffett mentioned that some logs had washed up on the beaches, so he collaborated with Chuck Casey and Mike Nebelung to remove them. He replaced the sign at Seaview, and in June, he partnered with the Wrecking Crew to set up the tent. He also worked closely with the Wrecking Crew for several weeks on the basketball hoops, and they have nearly completed that project.

Note Mr. Moffett detailed the numerous maintenance tasks he completed, which are included in his report.

Note Mr. Moffett elaborated on the preparations for the July 4th event, including the logistics of having an ice cream truck and live band, and the Board concurred that it should proceed as it has in previous years, regardless of weather conditions. Preparations for the summer beach patrol was also discussed.

Note Mr. Schepker has requested Mr. Moffett to review the clubhouse rules listed on the website, including the dropdown menu and the Black Point Beach Club Association's rules and regulations document. Upon examination, it was found that some of the information is outdated and not accurate. Mr. Moffett will propose necessary updates, present these changes to the Board for consensus, and these proposed amendments will be shared at the next meeting, where they will be discussed in detail.

Note Ms. Chapin inquired about possible measures to enhance the effectiveness of the Moby Mat at South Beach. Currently, it becomes buried and tangled, which seems to negate its intended purpose. She questioned whether extending or rerouting the mat might be necessary. Although aware that this may interfere with beach cleaning, she expressed significant frustration over the potential unavailability of this accessibility option.

Note Bill Bayne mentioned that he cleaned it last weekend, and by yesterday, it had been pulled up and filled with sand. The water has become turbulent again, which makes it challenging. Ms. Chapin said she is willing to assist in any way she can.

11-2. Tax Collector (Colleen Hayes)

Note see attached report.

 [Tax_Collector_June_2024_report.pdf](#)

Note Ms. Hayes noted tax bills are due July 1st, the last day to pay without penalty is August 1st, and as of June 25th, 300 members have paid in full, and we've collected \$179,002.35.

11-3. Treasurer (Al Capozza)

Note see attachment #1.

 [Financial_Report-Budget_vs_Actual_as_of_6-27-2024-YTD.pdf](#)

Note see attachment #2.

 [Balance_Sheet_as_of_6-27-2024-YTD.pdf](#)

Note see attachment #3.

 [P_L_DEtail-5-24-24_to_6-27-24_\(1\).pdf](#)

Note see attachment #4.

 [Rec_Program-as_of_6-27-24.pdf](#)

Note Mr. Capozza referred to his attached reports, indicating that the financial period spanned from July 1 to June 27:

In the operations category, we recorded nearly \$340,000 in revenue, which is almost 5% above our budget. This marks an increase of about \$3,000 from last month's report, attributed to zoning fees and investment income activities.

Disbursements totaled \$285,000, or 88% of the budget, increasing by roughly \$35,000 since the previous report. Notable expenditures include \$12,500 for the maintenance of long-term capital assets, specifically the South Beach project.

Waterfront maintenance costs were \$9,000, covering the replacement of rafts, geese lines, swim buoys, and sand relocation for the geese.

Payroll expenses were \$5,000, legal fees were \$3,000, paid to Robertson & Cole for coastal permitting advice, and clubhouse expenses were \$30,000, which included bathroom repairs and monthly cleaning services as mentioned by Mr. Moffett.

As we approach June 30th, we anticipate a net positive of approximately \$11,000 in receipts over disbursements.

Note Mr. Capozza stated that for the Recreation Program, they considered the additional capital asset items that had been agreed upon. This included the playground equipment purchased for \$4,000, and 50% of the cost for the water filling station, which was \$1,300. Additionally, adjusting both basketball hoops amounted to 50% of \$5,000. Consequently, our net receipts currently indicate a balance of approximately \$5,000.

11-4. Rec Program (Colleen Hayes)

Note Ms. Hayes clarified a point from Mr. Capozza's statement, emphasizing that the goal is to break even financially. The intention is to reinvest all funds into the program, not to profit from it. The focus is on enhancing the program and the facilities used by the children.

Ms. Hayes further stated some of the following:

Club activities commenced this week, with attendance currently between 60 and 70 kids. However, next week, which coincides with the 4th of July, is typically the peak period, often attracting over 100 kids. Feedback from the counselors about the program and the new Director has been overwhelmingly positive, which is excellent.

They are especially excited about the new structure that it introduces to the program.

The water bottles and the water bottle filler have been very well received.

Note Mr. Meggers expressed his gratitude to Ms. Hayes for coordinating the morning children's tennis program. He mentioned it has been fantastic, and he can attest to that on behalf of his children and several others.

Note Ms. Hayes expressed her gratitude, noting they discovered a remarkable professional who, despite her cautious optimism—since we hear similar promises each year—is eager to sustain and develop our tennis program. Gary Rybczynski is essentially spearheading this effort, and she has participated in some of his clinics; he's excellent with the adults and has been marvelous with the children, making him a truly valuable addition to our community, especially as he comes to instruct us on our own courts.

Task Mr. Meggers said he will follow-up with Garrett Hickey about the potential basketball clinic that they discussed at the last regular meeting.

Owned by Peter Meggers, BOG Member

12. Liaison Reports

12-1. Zoning (Arlene Garrow)

Note Ms. Garrow announced that Jim Allen's term on the Zoning Commission will expire on July 31st, and he will be stepping down. Currently an alternate, Mike Walsh is seeking to renew his term for an additional three years and wishes to become a full-time member. The alternate position that Mike will vacate is open, and Gail Shepard has expressed interest in filling it. According to her biography, she has over 35 years of experience in the insurance industry, holding various management and executive roles, and is presently an assistant vice president in the regulatory compliance department.

Decision MOTION (4)

Ms. Garrow moved to extend Mike Walsh's term for three years and move him to a Full Member of the Zoning Commission.

Mr. Bayne seconded the motion.

Motion carried, 7-0-0.

Decision MOTION (5)

Ms. Garrow moved to accept Gail Shepard of 20 Osprey Road as an Alternate on the Zoning Commission. Ms. Chapin seconded the motion. Motion carried, 7-0-0.

Note Ms. Garrow said she would like to thank Jim Allen for his many years of service to the Zoning Commission, and all assembled gave him a round of applause.

12-2. ZBA (Arlene Garrow)

Note Ms. Garrow announced Anita Schepker's resignation, which has created a vacancy on the ZBA. Tom Wunder from 20 Sea View Avenue is interested in assuming the position for the remaining 14 months.

Mr. Wunder's qualifications include:

50 years of experience in MEP design, which encompasses mechanical, electrical, and plumbing design within the building construction industry.

As the CEO and project manager for a plumbing-centric MEP engineering firm, he has adhered to Black Point's building safety codes and frequently collaborated with both state and local building inspectors, as well as state review departments.

His recent involvement in the design and construction of an addition and renovation at 20 Seaview Avenue has further acquainted him with the building regulations of East Lyme and Black Point, through numerous consultations with Jim Ventres and the town building inspector.

Decision MOTION (6)

Mr. Baril moved to accept Tom Wunder as a Full Member of the ZBA, completing Anita Schepker's term of 14 months.

Mr. Schepker seconded the motion.

Motion carried, 7-0-0.

Note Ms. Garrow reported that Kim Craven, currently a Full Member, will have her term conclude on July 31st and is seeking a three-year renewal.

Decision MOTION (7)

Mr. Bayne moved to renew Kim Craven's term as a Full Member on the ZBA, for an additional three years.

Ms. Chapin seconded the motion.

Motion carried, 7-0-0.

Note Ms. Garrow said that both she and Ms. Chapin sit as Alternates on the ZBA, they've both been there many years, and since no further people are approaching to fulfill the positions that expire on July 31st, at this time, they would like to renew for an additional three years.

Note Mr. Cellino questioned whether it's a conflict of interest to have BOG Members on other boards especially since the BOG approves these candidates.

Note Mr. Schepker observed that they're experts in this area and great assets to the ZBA. He added that he has met with both the Zoning and the ZBA Chairs, and they haven't objected to them occupying these roles.

Decision MOTION (8)

Ms. Garrow moved to renew the ZBA Alternate Member terms of Colleen Chapin and Arlene Garrow for three years.

Mr. Baril seconded the motion.

Motion carried, 5-0-2.

Ms. Chapin and Ms. Garrow abstained from the vote.

12-3. *

12-4. *

13. Waterford Data Center (Arlene Garrow)

Note Ms. Garrow gave a brief update on the Waterford Data Center, encouraging continued phone calls and letters to keep the pressure on.

14. Master Plan Review (Colleen Chapin)

Note A power point presentation was given on the community Master Plan by Ms. Chapin, who highlighted its goals, objectives, and the extensive community involvement in its development.

Note Ms. Chapin offered some of the following remarks:

The timeline of this project has been since May 2021, when the funding was approved.

Work didn't really begin until 2022.

A tremendous amount of work that's been done with the community, surveying a lot of public meetings, developing a vision, developing goals, iterating through objectives, and actions.

Workshops were held and very well-attended.

Many public meetings were held to review the drafts.

In early May, the Steering Committee signed off on the draft.

They're quite proud of the Master Plan they created and now hand it off to the BOG for adoption.

The Steering Committee was comprised of herself, Arlene Garrow, Peter Baril, Rick Diachenko, Frank Carmon, Al Galati, Joe Katzbek, Phil Lombardo and Ed Zito.

There were other people on the Committee who dropped in and out, including Tom Meggers, John Horoho and Charlie Bruce.

There's been a lot of participation in this process.

The first step was to establish a vision.

This took a lot of effort but was achieved with a lot of community input.

Black Point is a welcoming year-round private beach community, providing a safe, healthy, and vibrant lifestyle for its residents.

And our legacy and our destiny continue to commit us to responsibly maintaining and improving our collective assets and fostering this community going forward.

They want it to be aspirational, and they want to continue down this path.

Out of this process, they've basically developed four key goals, or four thematic areas.

They have to do with money, governance, waterfront, and community.

Specifically, they want to make sure that we are improving our financial sustainability and fiscal accountability.

We've heard a little bit about that tonight as a shared goal here, governance, strengthening and building our organizational efficiency, having liaison roles, and working with FOI Commission to make sure we're doing things properly.

We are a quasi-municipality.

That means a lot of things.

We have a lot of responsibility.

We need to make sure that we have all our paperwork in place, that we're documenting our history, that we're using our history, that we're not reinventing the wheel.

In terms of the waterfront, we are the beach.

We want to continue to invest and improve the waterfront access ways.

We have a lot of challenges.

When the community had the survey, and in the workshop, the biggest thing for the community was the waterfront.

In terms of overall community, providing that vibrant lifestyle, that encouragement to come here, to come to the party Saturday night, to do the Fourth of July parade, to make sure we have recreational facilities, to make sure we have the recreation program, all of that kind of builds this vibrant community and that's a really important thing that they want to continue.

We have a lot of people in this room and in this community that have led those efforts for years and we have to continue doing that forward.

Within the framework of goals and objectives lie the action items.

There's an abundance to tackle, and it's not feasible to accomplish everything in a single day or even within a year.

It's akin to a plan, a concept, a roadmap, a vision for the future, where we pinpoint specific tasks.

We take a moment to reflect.

In the following year, we assess: Are we on course? What have we achieved? Where is improvement needed? What are we lacking? What new developments require increased visibility?

This approach exemplifies how we can progress without the overwhelming pressure to achieve it all at once.

We have a timeline that allows for distribution of efforts.

We can pause, evaluate, make necessary adjustments, and persistently advance.

We can celebrate successes.

We can celebrate things that we've achieved, things that we've done.

We can look back and know that we can build on that going forward.

All of their meetings, drafts, work products, notes, and videos are on the website.

The Projects and Community Master Plan final documents are on the website.

She encourages people to look at them if they haven't already.

Note Mr. Baril complimented Ms. Chapin on all her hard work noting it was much like herding cats.

Note Mr. Cellino suggested a meeting during which people can ask questions as they review it. He said he would also like to see the Zoning Board and the ZBA weigh in on this, they have tremendous expertise in those areas, and they have not weighed in.

Note Mr. Schepker confirmed that the documents have been shared with them. They have provided feedback, which he has relayed to Board Members, Mr. Baril, Ms. Chapin, and Ms. Garrow and their comments were overwhelmingly positive, they offered a few specific suggestions, such as implementing a routine measure or creating a map; their responsiveness was prompt, and they expressed great satisfaction with the process.

Note Ms. Chapin noted that one of the members of the Steering Committee throughout has been a member of the Zoning Commission. She asked Jim Fox, the Zoning Chair, for direct representation.

Note Mr. Cellino said they have a ZEO who was not consulted on this but has recently reviewed the document. He added that this project was expensive, he thinks that's a major component that's missing a bit, and that they need to discuss that.

Note Mr. Schepker said it can be part of the July agenda, they can discuss it as much as necessary with members of the public and as well as the Board Members, and they can take a vote then or not. If it's determined that more review is needed, they can proceed accordingly.

Decision The Board decided to delay the vote on the Master Plan until July to ensure all Members have read it and to allow for public input.

15. Finance Committee – Member Status

Note Mr. Capozza noted the subcommittee is comprised of himself, Mr. Cellino, Ed Zito and Tom Cherry.

Note Mr. Schepker inquired if Mr. Cherry was continuing his participation and Mr. Bayne offered his services as well.

Note Mr. Cellino discussed the upcoming maturity of a CD and the need to decide on its renewal, and the potential of scheduling a special meeting to decide this matter.

16. Maintenance of Long-term Assets (Peter Baril/Bill Bayne)

Note Mr. Baril and Mr. Bayne discussed the maintenance of long-term assets, including repairs to the damaged Sea View walkway and the installation of temporary fencing for safety.

Note Mr. Schepker said they're hoping to have it all done and serviceable by July 4th weekend, and the one snag in the final project, is to have a fence line reinstalled; Mr. Baril is taking the lead on that fencing issue, but the concrete itself should be done within a few days.

Note Mr. Meggers cautioned against making public comments on certain seawalls due to ongoing litigation, suggesting that such discussions be reserved for executive sessions.

17. Beaches & Groins Advisory Group (Bill Bayne/Peter Baril)

Note Bill and Scott Bayne briefly discussed beach and groin advisory appointments and updates from the Department of Environmental Protection.

Note Scott Bayne provided an update on DEEP's response and plans for a meeting to address issues at Black Point, including bringing the entire staff for better familiarity. Concerns raised about the continuity of the process and the need for a single point of contact for DEEP interactions.

Note Scott Bayne discussed the condition of the beaches, including the need to rake stones at low tide and issues with the handicapped mat leading to a stony area. He suggested beach sweeping to eliminate seaweed and maintain beach conditions.

Note Mr. Baril mentioned a 2020 report on piers and groins with recommendations that need to be addressed soon, highlighting the potential high costs. He proposed retiring the Beaches and Groins Advisory Group name and integrating it into the new Waterfront Task Force.

Note Mr. Schepker noted Mr. Moffett will also be serving on the Waterfront Task Force.

18. Backwater Kayak Group (Larry Connors)

Note Mr. Connors had the following remarks:

Our group met last week for an update and to share members' thoughts.

Our biggest take-away is that we still await the visit from DEEP and the opportunity to seek their input regarding possible options for our property.

We have people in our group who have experience in writing Requests for Proposal and are aware there are also members of BOG who could offer additional experience. Once we know more about what DEEP might consider for our plan, we will begin to draft said RFPs.

We have done some clearing at the backwater site.

It looks more friendly with the 10-foot tall phragmites cut to a few inches tall.

Phragmites are a serious invasive, loathed by DEEP regulations which recommend strong chemicals and equipment to remove them, yet DEEP regs also require minimal walkway areas in order to facilitate best lighting to protect plant growth.

This is one of the conflicts we hope to have explained in the DEEP meeting.

We are probing the site with crowbars in order to understand the challenges the site offers for constructing a walkway.

Most of the site is below the HTL, or High Tide Line, also referred to as the Coastal Jurisdictional Line. Any of us who have dug holes for fenceposts understand that rocks and clay soil require hard work to go down 3 ½ or 4 feet for a solid base.

We have at least that much loose, muddy organic deposit that wants to swallow our crowbars, so the challenge is quite different from what we experience on most Black Point property.

We invite members of our Association who have experience working as members of the East Lyme regulatory bodies to volunteer to help us through those applications and meetings, should our effort get that far.

While that is far ahead of us, it behooves us to know of and enlist talent to be ready should it be needed.

19. Men's Club – Rick Diachenko

Note see report attachment.

 [Men's Club.pdf](#)

20. Women's Club – Jocelyn Williams

Note see report attachment.

 [Women's Club June 27 Update.docx](#)

21. Wrecking Crew – Jim Allen

Note see attached report.

 [06 27 2024 BOG WC Report.docx](#)

22. Old Business

22-1. Multi-Use Court (John Cellino)

Note Mr. Cellino provided an update on the Multi-Use Court. Initially, when they approved the project, we were on-site to lay it out, with the court intended to be adjacent to the tennis court, to the left of it and set back from the entrance. On that day, Jim Allen, Rick Diachenko, Will Fountain, and himself were marking the area when Mr. Diachenko suggested placing it further back in an unused, more accessible area of land. They all agreed it was an excellent suggestion.

This new placement would align the end of the tennis court with the pickleball court and avoid any interference with the baseball field's third base. However, relocating the court would incur additional costs, such as the removal of trees marked by Jim Moffett, estimated at around \$4,200. There's also a need to trim overhanging trees on the tennis court's right side, which would cost an extra \$1,000—a worthwhile expense that's anticipated in next year's budget. Mr. Nebelung's original quote for his services was \$5,500, with \$4,200 allocated for labor.

Note Mr. Schepker said some of the following:

In the past, listening to this discussion, there was considerable disagreement on whether the project is necessary.

It started as a volleyball court, and we got a letter saying you can't play volleyball on asphalt. There's a lot of issues.

He suggests that Mr. Cellino puts together a proposal, identify contractors, costs, and their availability, what season.

Mr. Cellino talked about doing this next fall, or next spring.

Put together a proposal so the Board can discuss it and vote on the very specific details of that proposal.

Note The Board discussed the multi-use court at length.

Note Mr. Cellino discussed the need for additional courts due to high demand for pickleball and tennis.

Note Mr. Bayne suggested putting the relocation of the court on the agenda for the July meeting.

Note Ms. Chapin raised concerns about the environmental impact and the need for approval from the East Lyme Wetlands Commission. She said they should consider taking a membership vote at the Labor Day meeting to approve the project.

Note Mr. Meggers pointed out that that the court itself has already been approved.

Note Mr. Cellino pointed out that if we choose to proceed, adhering to all the rules is excellent. However, we are not constructing a structure; we are merely creating a pad, which he believes is a debatable point. Essentially, if we adopt this method, any action we take in this vicinity will be subject to scrutiny, as it falls within 300 feet of the upland review area, thereby requiring surveys, wetlands alleviation, and so forth.

Note Mr. Meggers said they should just go forward with the initial plans which were already approved, and not change the location.

Note Mr. Baril offered some of the following:

The project was initially introduced to us in October of the previous year.

By January of this year, we had developed a topographic site plan that could have been utilized for siting, but the decision to proceed was made at the very last moment.

We need to stop this narrative.

Relocating it to the woods does not represent an optimal location.

Note Mr. Baril inquired about the costs associated with the tree cutting, and discussed the potential damage to tree root systems, as well as the need for structural fill.

Note Mr. Baril said he would like to see any itemization that Mr. Cellino has in regard to this additional cost.

Note Mr. Cellino suggested they proceed with the initial location that was approved for this project.

Note Mr. Cellino noted the approval, was for the location, at a cost of \$20,000. He added that we've submitted an offer for that amount and are now in the process of obtaining written confirmation of the costs to ensure everything aligns; If the figures are right, they'll proceed with the work in the original location.

Note Mr. Schepker confirmed that Mr. Cellino would bring the issue back to the Board for discussion in July, indicating that Mr. Cellino would not proceed with hiring a contractor and beginning excavation at this time.

22-2. Basketball Court Modifications Update (Peter Meggers)

Note Mr. Meggers said everything went great thanks to the assistance of the Wrecking Crew, who led the charge for installation of the hoops. He noted the positive feedback and appreciation from the community.

Note The Board discussed the costs and Mr. Meggers reported that the hoops were \$5,100, and with concrete, rods, and the excavator, the total is now \$6,900.

Note Mr. Schepker highlighted the need to keep a close eye on our financial situation. He pointed out that if we start with a budget of \$5,000 and our expenses climb to \$8,000, we need to be extra careful. Without a solid plan in place, we could see costs skyrocket by 40, 50, or even 60%. It's quite a challenge to figure out how to handle these potential increases with our limited budget.

Note Mr. Meggers said he will cover the costs for the seed and the hay.

Note Mr. Bayne emphasized the importance of staying positive. He's heard numerous kids in his neighborhood express their love for the club and basketball. South Beach has received a tremendous amount of positive attention. The initiative to repair the Seaview walkway, despite today being the first visible sign of progress, requires people to stay away from the area. If this hadn't happened today, there would be comments. Thus, there's been a wave of positive public feedback on these recent initiatives, so kudos to everyone involved.

23. Member Public Comments

23-1. Skip Guzy of 17 Woodland

Note Mr. Guzy expressed concern about the about the underutilization of their courts. He questions whether an additional court is needed. He added that the planned court is essentially an auxiliary court, and pointed out that a proper coding and lining is needed for pickleball.

Note Mr. Guzy detailed how infrequently all of their courts are used, which illustrates that a new one is not needed.

23-2. Kim Craven of 46 East Shore Drive

Note Ms. Craven asked about the scope of work for the walkway project and observed the need for better communication and documentation.

Note Ms. Craven and Mr. Baril briefly discussed the work for the walkway, and he explained that he has seen nothing in writing.

Note Ms. Craven discussed how the addition of a compliance person would be helpful for improving community awareness about Association rules and regulations. She also inquired if any consideration had been made as to the need for background checks on renters.

23-3. Kelly Fecteau of 20 Bellaire

Note Ms. Fecteau asked if a fence is included with the multi-use court and Mr. Schepker replied that there is not. Ms. Fecteau said if you're looking to have tennis or pickleball, you need a fence, so it doesn't make sense to install a court without one, so this should be included in the quote that is obtained.

Note Ms. Fecteau said she likes Ms. Chapin's suggestion that this particular project should go before the entire Black Point community for approval. She thinks the Board needs to see that there is an overwhelming number of members of this community who want the multi-use court, before the money is spent.

23-4. Peter McAndrew of 6 Sea View

Note Mr. McAndrew shared some of the following:

He thinks that we've already had some demonstration of opposition to the multi-use court, and he has voiced that himself in the past, and will do so again tonight.

He also supports Ms. Chapin's idea of opening it up to the membership.

He urges the Board to review the community Facebook page, where they could actually tally the number of people who voiced their opposition, if they're interested.

Note Mr. McAndrew also expressed concerns about the location and environmental impact of the proposed multi-use court, including drainage and the proximity to wetlands. He also doesn't think the default should be just to go back to the original location because, the proposed new location is getting some pushback.

23-5. Colleen Hayes of 20 Sea Breeze

Note Ms. Hayes said some of the following regarding remote voting:

When she was on the Board, she consulted with the Association lawyer about remote voting, and they were advised that a bylaw change would make that possible.

If we're disagreeing with our Association lawyer, she suggests they go back to him.

Our attorney is familiar with both the Charter and the Bylaws, who advised that no Charter change was needed.

We cannot keep letting our Association be run only by the few people who are able to attend in person.

We have 575 homes, and we don't even get a quarter of that amount the way we currently allow voting to happen.

Note Ms. Chapin expressed her desire to clarify the issue of remote voting. She acknowledges the complexities and the necessity of it, and personally, she is very interested in its implementation. However, the challenge lies in our Charter, which specifies that attendance at the meeting is required. The Bylaw introduced was crafted to require virtual attendance authentication at meetings, a capability we currently lack in terms of technical feasibility and reliability. While not opposed to the idea, she emphasized that the wording was intentional, as our legal counsel identified 'in attendance' as a crucial component in the Charter.

Note Ms. Chapin plans to investigate further, but as it stands, our current technology setup and investments don't provide a reliable authentication method in the Clubhouse. This often leads to chaos during large meetings. There's much to consider and implement to make it work smoothly.

Note Ms. Hayes replied that there are multiple third-party companies who are able to authenticate voting on behalf of the Association, and we don't have to do it ourselves.

Note Ms. Chapin said she will investigate this topic further.

Note Mr. Schepker said he would ask that Ms. Chapin work very closely with Ms. Hayes on this, as this issue emerges, as we get closer to resolution, if we need to involve third-party vendors, we need to understand what that cost might be, and then we can decide, is it worthwhile doing it or is it essential to do it? He noted that this is certainly an issue nationally as well as locally.

23-6. Tom Meggers of 15 Sea View

Note Mr. Meggers mentioned the letter he sent which requested maintenance and improvement of the Seaview right-of-way. He emphasized the need for consistent upkeep and noted that the other right-of-way(s) are taken care of.

Note Mr. Schepker said he will broach this topic with the Wrecking Crew, in the event that they wish to take this project on.

Note Mr. Meggers detailed the decision to block off one side of the boat beach area to address traffic congestion and safety concerns.

Note Mr. Cellino discussed the decreased usage of the boat ramp over the past twenty years and its current limited use.

23-7. Garrett Hickey of 8 Sunset

Note Mr. Hickey raised concerns about large pieces of asphalt and concrete on the main beach, which pose a danger to visitors. Mr. Schepker asked him to speak with Mr. Moffett about this matter.

Note Mr. Hickey and Mr. Schepker also discussed installing signage to indicate parking spots reserved for Black Point Beach Association members to prevent unauthorized parking.

23-8. Steve Brody of 10 Billow

Note Mr. Brody discussed the numerous cars not stopping at the stop sign on Billow and East Shore Drive, which poses a significant safety risk. He also noted his concerns about children and others not wearing helmets while using e-scooters and electric bikes.

Note Mr. Brody emphasized the importance of something being done before someone gets hurt.

23-9. Cynthia Etienne of 48 Nehantic

Note Ms. Etienne suggested they entertain having a block watch or constable to monitor and enforce safety rules.

23-10. Andrea Montovani of 41 Sea Breeze

Note Ms. Montovani extends her gratitude to everyone for their diligence, and she'd like to echo her thanks for the swift completion of the Sea View walkway, which is crucial for our families' safety. She has observed people ignoring stop signs and children riding without helmets. Her stance is that parenting is key; we should guide our children rather than resort to patrols, which could lead to unnecessary turmoil. She believes in self-regulation rather than external control, emphasizing the role of parents in ensuring their children's safety.

24. Chair's Closing Remarks/Adjournment

Note Mr. Schepker thanked everyone for their comments, feedback, and for attending.

Decision MOTION (9)

Ms. Chapin moved to adjourn the June 27th, 2024, BPBCA BOG Regular Meeting at 8:46 p.m.

Mr. Bayne seconded the motion.

Motion carried, 7-0-0.

Note The next regularly scheduled BOG Meeting will be held on July 25th, 2024, at 6:00 p.m.

Note Respectfully Submitted,
Brooke Stevens, Recording Secretary

Task Summary

New Tasks

Task Mr. Moffett said they can remind parents about the regulations via facebook, the website, and the Black Pointer, which he will facilitate.

Owned by Jim Moffett, Association Manager

Task Mr. Meggers said he will follow-up with Garrett Hickey about the potential basketball clinic that they discussed at the last regular meeting.

Owned by Peter Meggers, BOG Member