

# Minutes of BPBCA BOG September 26th, 2024, Regular Hybrid Meeting - 09/26/24

**Date and time:** 09/26/24 6:00 PM to: 09/26/24 9:26 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 & Tax Collector, Al Capozza, Treasurer

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

**Link:** <https://app.meetingking.com/meetings/418044>

## Topics

### 1. Zoom Info. & Link

**Note** Topic: BOG - Sep 26, 2024  
Time: Sep 26, 2024 06:00 PM Eastern Time (US and Canada)  
<https://us02web.zoom.us/j/87052690361?pwd=2OYiv39ma6bsJoOydLHHW5nGsi1H2m.1>  
Meeting ID: 870 5269 0361  
Passcode: 282640  
Phone only: 305 224 1968  
One tap mobile  
+13052241968,,87052690361#,,,,\*282640# US

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

**Note** Chairman Schepker called the Meeting to order, did roll call, noted a quorum was present, and led those assembled in the Pledge of Allegiance followed by a greeting to neighbors.

### 3. Additions to Agenda

**Note** There were none.

### 4. Approval of Meeting Minutes

#### 4-1. August 22nd, 2024, Regular Meeting Minutes

**Note** see attached minutes.  
[Minutes of BPBCA BOG August 22nd 2024 Regular Hybrid Meeting 08 22 24.pdf](#)

**Note** Mr. Schepker inquired Mr. Cellino regarding page 6, specifically about the amendment and the usage of the terms "repealed," "repeal," and "appeal," questioning if the wording was deliberate or required alteration. Mr. Cellino responded that it should state "repealed," to which Mr. Schepker expressed his belief that the language needs revision to more accurately reflect the intended meaning. had the following corrections:  
Mr. Schepker had the following corrections:  
Page 11, bottom paragraph should read "surplus" and not "shortfall."  
Page 8, item 13-1, contains the language "explore the use of coded stock" when it should read "coated stock."  
Page 13, regarding the Master Plan Review Committee, it says there will be 5 members, when it should actually say 6 members.

**Decision** MOTION (1)  
Ms. Chapin moved to approve the Meeting Minutes of August 22nd, 2024, as corrected.  
Mr. Bayne seconded the motion.  
Motion carried, 7-0-0.

#### 4-2. August 28th, 2024, FOIA Workshop Minutes

**Note** see attached minutes.  
[Minutes of BPBCA BOG August 28th 2024 FOIA Workshop 08 28 24.pdf](#)

**Decision** MOTION (2)  
Mr. Bayne moved to approve the August 28th, 2024, FOIA Workshop Minutes as submitted.  
Mr. Baril seconded the motion.  
Motion carried, 6-0-1.  
Ms. Garrow abstained due to her absence from the August 28th, 2024, Meeting.

#### 4-3. August 31st, 2024, Special Executive Session & Annual Meeting Minutes

**Note** see attached minutes.  
[Minutes of BPBCA BOG August 31st 2024 Special Executive Session Followed by the Annual Informational Meeting 08 31 24.pdf](#)

**Note** Mr. Schepker said on Page 3, item 6-2, under Treasurer, it reads "...the Recreation Program received \$52,400, surpassing the budget by \$46,400" and it should instead say "surpassing the budget of."

Mr. Schepker said on that same line, the figure "\$46,400" to "\$6,000."

Mr. Capozza noted he also has some corrections to send to Ms. Stevens, and the Board opted to table the approval of the August 31st, 2024, Minutes until the next meeting.

**Task**  Ms. Stevens said she will incorporate the corrections and resend the minutes to the Board for review.

Owned by *Recording Secretary* due 10/23/24

**Note** Ms. Chapin added that in terms of the meeting minutes, she doesn't think we should be talking about people's health issues publicly. She said she's sensitive to people's health issues and privacy.

## 5. Chair's Opening Remarks

**Note** Mr. Schepker offered the following opening remarks-

"Since our last report provided at the monthly Board of Governors meeting on August 22nd, we continued to see a rich roster of unique events and programs hosted once again by volunteers dedicated to making Black Point such a richly rewarding place.

Among them:

Dozens of participant teams squared off in the Battle of the Beaches Cornhole Tournament hosted here at Black Point on August 24th, with teams from Crescent and Attawan beaches enjoying our hospitality, including the grilled lunches and beverages served. On that same morning, also on our Clubhouse grounds, we hosted the Beach Wide Tag Sale that provided all Association Members with the chance to offer those attic and basement treasures for the benefit of other smart shoppers.

Then on August 29th the first-ever Dad/Mom Joke Nite featured the fearless and very funny talents of 7 local jokesters in a hilarious program that also included a pasta dinner served up by a clutch of kitchen volunteers.

And two days later the 3rd annual Cardboard Boat Race impressed the several hundred spectators lined between the piers on the Main Beach on Saturday, August 31st. A new Junior Navigators' class and the usual open competition class impressed everyone with the ingenuity and skillful engineering of their boat-building abilities, as well as the tenacity and perseverance of their drives to finish first at the finish line...or just to finish at all.

Also on August 31st, the Black Point Market hosted a free music and beer-tasting event on the store's front lawn and decks, followed on September 7th by the Mud Fish & Funk Weed band, comprised entirely of Black Point musicians. Those performances were followed by keyboardist Leslie Candish on September 14th. And the BP Market concert series wrapped up its season on Saturday, September 21st with a return of the Bosco Brothers' Band.

The Women's Club also announced its roster of Fall 2024 events, to include Craft Mornings, Dominoes Train Nights, Morning Walks, Evening Hip Hops, and many more events throughout the fall and winter seasons.

We saw the final season matches on the Bocce Court on September 6th, ending a season of fun on Fridays, followed by the Bocce Banquet on September 13th.

And most recently, the Autumnal Equinox on the Main Beach on September 22nd provided a fitting sendoff to the summer's end, celebrated by neighbors from throughout Black Point.

In last month's thank-you notes I shared an observation regarding the stacking and racking of tables and chairs that always takes place after meetings and events held at the Clubhouse, always done by the many hands of volunteers making light work of the task. And I'm reminded now of another neighborly custom that takes place here every Monday. For residents who return to their homes late on Sundays, somehow their trash bins, placed streetside that night before, always find their way back to their garages or back decks or lawns on those Mondays. I know a retired cardiac surgeon who bought a home on East Shore last year, relocating here from Madison, and he told me that he knew he had found just the right home when he learned that perfect strangers had taken in his trash receptacles on one of those Mondays.

And in closing, special thanks also to the Black Pointer team that produced and delivered door-to-door the weekly newsletter that kept us all connected all summer long.

And finally, thanks to Jim Allen for his longstanding service among our Wrecking Crew leaders. Jim is retiring from that role to focus on his duties as Commissioner with the East Lyme Harbor Management & Shellfish Commission.

It has been a summer of making fond memories...and promises to make next summer even better. There is a very special ethos embodied in this Black Point community. For that, coming from all of you Black Pointers, thanks for all that you all do."

## 6. Communications: Member Inquiries

**Note** see attachment.

 [Manwaring\\_email.pdf](#)

**Note** see attachment.

 [Hickey\\_email.pdf](#)

**Note** Mr. Schepker discussed this evening's agenda and detailed the communications received at the previous meeting as well as the interim. He noted that comments were received about the tennis and pickleball courts, including requests for resurfacing and better organization of parking spaces, a request was made to extend noise limit hours during summer months, and a reminder was issued to always leash dogs. Other Member inquiries received, also included a request for a floating deck, a supervised preschool program, as well as responses to previous inquiries.

### 6-1. Public Comments

### 6-2. Laurie Reardon of 39 Nehantic

**Note** Ms. Reardon expressed that she is quite new and is still learning about the Board's role within the community. She questioned the future of pickleball courts, mentioning her confusion about the various lines on the court. She recognizes the tennis lines but is puzzled by the multitude of colors, unsure if it's due to her lack of knowledge or if the court requires resurfacing.

Ms. Chapin responded that she could address the meaning of these lines for better public understanding and suggested posting this information on the website. She noted that resurfacing the courts would necessitate reapplying the lines, indicating a need for a broader discussion. Additionally, Ms. Chapin invited Ms. Reardon to join the pickleball games on Monday, Wednesday, and Saturday mornings at 9 AM, describing them as open and welcoming events where she could learn everything necessary.

Ms. Reardon added that she'd like to know if pickleball itself will be enhanced or not.

Mr. Schepker replied that this discussion will be a bigger picture item, but thank her for her inquiry, because it helps nudge that ultimate discussion along.

### **6-3. Wendy Bourget of 1 Osprey**

**Note** Ms. Bourget said she has questions about something she thinks may be having a vote tonight. It's the document on the policy relating to construction and improvement. She's wondering about emergency situations where a sea wall may need to be built. She also doesn't see anything in here with regards to the Association's responsibility and how long they have to respond.

### **6-4. Tom Meggers of 15 Sea View**

**Note** Mr. Meggers discussed how pickleball has come up during the last few meetings, be it the need for new nets, lines and the like. He thinks the Board needs to strongly consider installing an additional court at the Clubhouse.

**Note** Mr. Schepker and Tom Meggers discussed how there are differing opinions and approaches in regard to how to construct a pickleball court. Tom Meggers said he thinks another court would be beneficial but that they should dial down its construction and associated costs.

### **6-5. Heather Manwaring of 9 Ridge Trail**

**Note** Ms. Manwaring discussed the email she submitted to the Board, and her desire to organize a free program at the Clubhouse for younger kids in the neighborhood. She envisions kids and their parents meeting here once a week from 10am to 11am to do arts & crafts, parachute, and similar other events.

**Note** Mr. Cellino asked about liability and insurance and Mr. Schepker noted that the card groups that meet here don't need to obtain insurance.

**Note** Mr. Bayne recommended that she draft an outline and consider using a structure similar to the Club Program if needed, to avoid unnecessary complexity. He also mentioned that they could go over her outline and proposal during their meeting in October.

**Note** Mr. Schepker said if eventually, this gets approved by the Board, and the liability is not an issue for insurance, and the costs aren't prohibited, then we can move forward a little bit quickly in October, November, December, or whenever that can be.

### **6-6. Peter McAndrew of 6 Sea View**

**Note** Mr. McAndrew's comments highlighted some of the following:

New York State has rigorous requirements for the younger population, so the Board may want to be cautious when looking at liability.

He understands the access for construction for Association owned property but what's the genesis of this?

Is there an update on the multi-use court?

He'd like to thank everyone who contributed attachments for the minutes, these attachments make it easier to follow the discussion.

In terms of the endowment management, would the Cahill Fund fall under this rubric?

**Note** Mr. Schepker said we'll take up these issues in the course of the conversation and noted they already heard a bit about the multi-use court when Tom Meggers made his comments. He explained that the Cahill Fund is a unique, standalone foundation with a very narrow focus, which is to make scholarship money available to kids who are going to college, and will always remain a separate, distinct, standalone foundation, and will not become part of this larger, other entity.

### **6-7. Colleen Hayes of 20 Sea Breeze**

**Note** Ms. Hayes clarified that in regard to Ms. Manwaring's proposal parents would be bringing their kids for play dates, and it won't be a drop-off situation, therefore, state laws are not a concern.

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### **6-8. Wendy Bourget of 1 Osprey**

**Note** Ms. Bourget appreciates your initiative to propose a bylaw change and recognizes the importance of informing the public and members before voting. She recommends revising the language in section one to specify that the Board will consider it in a regular meeting prior to the vote, rather than stating 'in advance of the meeting,' which could imply a period as long as two or three years. A more formalized timeline, such as 'at a meeting within the preceding three months,' might be more appropriate.

## **7. Access to Association Property Document/Board Vote (Bill Bayne)**

**Note** see attachment.

 [BPBCA - Final Draft Access Policy Revision 9-24-2024 with permit fees - clc \(1\).pdf](#)

**Note** see attachment.

 [BPBCA Property Access App Ex! B draft Sept 24 2024 - MKB edits \(2\).pdf](#)

**Note** see attachment.

 [BPBCA Property Access App Ex! A 9-24-2024 draft MKB edits and annotations \(2\).pdf](#)

**Note** see attachment.

 [BPBCA Cert of Completion Exhibit! D draft 9-24-2024 \(1\) \(1\).pdf](#)

**Note** see attachment.

 [BPBCA waiver-release-lien-form Exhibit! E Sept 24 2024 \(1\)MKB edits \(2\).pdf](#)

**Note** see attachment.

 [BPBCA Cert of NON-Completion Exhibit F draft! 9-24-2024 MKB \(2\).pdf](#)

**Note** Mr. Bayne provided an update on the access to Association property documentation, emphasizing the need for governance over association properties, and highlighted some of the following:

The Association has a large balance sheet of problems.

Governance is needed for people to access properties for work, construction, and maintenance.

A policy has been drafted and revised multiple times, and is still in draft form.

The policy categorizes work into two types- minor work and major projects.

Homeowners need to apply to the Association for permission to work on their property if it impacts Association property.

A new position called the Association Access Supervisor has been created, separate from the Zoning Enforcement Officer.

The current Zoning Enforcement Officer, Jim Ventres, is expected to take on this new role.

The new role is necessary to guide projects impacting Association properties.

The Association Access Supervisor and Association Manager will finalize the application.

The policy adds rigor to the approval process.

Each situation might require different handling and editing of the policy.

Category 1 includes minor repairs and maintenance.

Category 2 includes major projects.

**Note** Mr. Schepker offered that clarification is needed on who owns the scour walls at the base of seawalls and access areas and Mr. Cellino cautioned that they should not be discussing this aspect outside of Executive Session given the recent litigation and the window still being open for appeal.

**Note** Mr. Cellino remarked that there are inconsistencies and confusion in the document, the document started small but has grown complex, and Mr. Bayne replied that efforts are being made to simplify it, and noted that he literally received new edits today at 4:00 p.m.

**Note** Mr. Cellino added that he doesn't agree that the Association Manager should be involved in this, when they have an experienced ZEO who can handle this.

**Note** Mr. Cellino touched on the need for the policy to distinctly tackle improvements and repairs, emphasizing the importance of clear guidelines. Additionally, he mentioned that the bonding requirements should be explicitly outlined.

**Note** Mr. Baril expressed that, given Mr. Cellino's and the public's comments, a vote tonight would be premature. However, he emphasized the urgency due to an existing request initiated in February for significant work. He is concerned that this may not have been noticed and is keen on ensuring that we reach a resolution and secure approval.

**Task**  Mr. Bayne further discussed the draft policy and asked Board Members to submit comments and suggestions to him in writing. He will share another draft for public review, and the document will be finalized after addressing inconsistencies and incorporating the feedback he receives.

Owned by **BOG Board** due 10/21/24

## 8. Bylaw Change – Article V Amendment/Board Vote (John Cellino)

**Note** BOG

Currently, Article VII reads:

**AMENDMENTS**

Sec. 1. These Bylaws may be amended or repealed at any regular meeting of the Board of Governors, provided that such amendment or repeal shall have been considered by the Board at a regular meeting in advance of the meeting at which action is taken.

Reason for proposed change:

The above current Bylaw re Amendments lacks transparency with and/or input from the BP membership. The below proposes to allow such.

Proposed Replacement:

**AMENDMENTS**

Sec. 1. These Bylaws may be amended or repealed by the following procedure: The Bylaw amendment or repeal shall be included on the agenda, as new business, at a regularly scheduled Board of Governors meeting, at which time, the Board of Governors shall consider such amendment or repeal. Upon a majority vote of the Board of Governors, the proposed Bylaw amendment or repeal will be included for public comment on the agenda for a subsequent regularly scheduled Board of Governors meeting. A member communication duly and properly noticed, of a public comment session for the proposed Bylaw amendment or repeal, including the proposed language, brief description of the reason for such proposal and the date & time of the meeting. Following the closing of the public comment session, the Board of Governors, will consider a motion to either approve, modify or deny the proposed Bylaw amendment or appeal. A motion to pass a Bylaw amendment or repeal will require an affirmative supermajority vote of a minimum of, two-thirds of the entire Board of Governors.

**Note** Mr. Schepker and Mr. Cellino briefly discussed the language, and Mr. Cellino noted the wording should be "repealed." Mr. Schepker asked if staying with the word "repeal," and changing the one reference in that second to last sentence from "appeal" to "repeal," if they were ready to approve this bylaw?

**Note** Ms. Chapin expressed concern that the term "consider" in the first paragraph, where it states the Board of Governors shall consider amendments or repeals, lacks a clear definition. She believes this ambiguity is at the heart of the current issue. According to our bylaws on amendments, 'consider' implies a discussion and decision on the appropriateness of the language. However, this process was not followed during the most recent amendment in May. When she suggested a discussion, she was informed that merely placing it on the agenda sufficed as 'consideration'.

**Note** Ms. Chapin added that there's also some commas that aren't needed and a couple commas that are missing.

**Note** Mr. Cellino explained that the process involves raising the issue, holding a public meeting, and then proceeding to a vote. It's essential to report our actions and involve the public in voting. Following that, a public hearing is scheduled to consider their feedback. After discussing the reasons for our presence, we engage in a debate on every motion before holding another public hearing. The idea is to engage the public actively, culminating in a formal vote to reach a resolution.

**Note** Ms. Chapin suggested the language "the Board of Governors shall consider, through inclusion on the agenda, solicitation of public comments, and discussion among Board members, such amendment or repeal" in place of the word "consider."

**Note** Ms. Chapin noted there are redundancies that should eventually be addressed but it represents the spirit of their intent, which they should pass first.

**Note** Ms. Chapin explained that, procedurally, a two-thirds majority vote is required to agree to the amendment first. This step is necessary because the language has changed due to the amendment. Once the edit is agreed upon by a two-thirds majority, they can then proceed to approve the bylaw.

**Decision** MOTION (3)

Mr. Baril moved to approve the following bylaw change language edit:

"Sec. 1. These Bylaws may be amended or repealed by the following procedure: The Bylaw amendment or repeal shall be included on the agenda, as new business, at a regularly scheduled Board of Governors meeting, at which time, the Board of Governors shall consider through inclusion on the agenda, solicitation of public comments, and discussion among Board members."

Mr. Bayne seconded the motion.

Motion carried, 7-0-0.

**Decision** MOTION (4)

Mr. Bayne moved to approve the bylaw change as amended.

Ms. Garrow seconded the motion.

Motion carried, 7-0-0.

**Note** Ms. Chapin pointed out that Ms. Bourget observed that it could be three years until it's brought up again, so she thinks there's value in tightening that up. She added that they didn't amend language, so it doesn't really matter, but it's something to keep in mind for the future.

## 9. Insurance Coverage Update (Peter Meggers)

**Note** Mr. Meggers addressed the insurance coverage, highlighting a 24.3% rise in premiums. Mr. Capozza affirmed that this is within our budgeted amount. We have allocated \$33,000, and the cost is approximately \$31,000, with a slight additional amount.

**Note** Mr. Cellino detailed the insurance process and how our agent actively solicits competitive rates for them. Mr. Schepker noted that next year, they'd like to see the list of companies that were part of the bidding process.

**Note** Mr. Capozza clarified that the insurance is a budgeted item, so no vote is needed.

## 10. Property Damage Reimbursement Request, 16 E. Shore Drive (Board Vote)

**Note** see attachment.

 [Goyal\\_email.pdf](#)

**Note** Per Peter Baril:

Currently there are 8 "front-in" golf cart parking spaces, based on last season's line painting. One space is located underneath the utility pole guy-wires.

There is 60 feet of usable length in the grassed area adjacent to the property owner's metal fence. The average length of a golf cart (4-seater) is 9 feet. Assuming a 2-foot buffer at either end of each cart to maneuver carts by parallel parking; that would provide a maximum of 4 golf cart parking spaces.

**Note** Mr. Schepker reminded everyone that a resident couple requested that the Association pay for damage to their fence, possibly caused by a golf cart. The Board discussed the issue, noting that the responsible party is unknown and that similar incidents have occurred before. The cost to repair the fence is estimated at \$710.

**Note** Mr. Schepker said according to Section 4, Article II, the Association can't take responsibility but he's still hopeful that the responsible party will come forward. Mr. Cellino gave the history of a previous issue with the fence noting it's an ongoing issue, and how parking reconfiguration might be helpful.

**Note** Mr. Schepker said he will draft a response and share it with Mr. Meggers.

## 11. Proposed Capital Budget Expenditure – Golf Cart Purchase (Board Vote)

**Note** Mr. Meggers and Mr. Capozza discussed the potential purchase of a golf cart with a utility bed for the Association's use. They considered both gas and electric options, with a preference for electric, since gas models are more difficult to find. The estimated budget for the golf cart is between \$7,500 and \$8,000.

**Note** Mr. Capozza indicated that the expense would be allocated to the current year's capital assets, which have no commitments to date, which has a budgeted amount of \$32,000.

**Note** Mr. Moffett said he would prefer both a top and cover for protection.

**Note** The Board discussed storage and charging locations. Mr. Cellino said he doesn't think the golf cart needs to be stored at the Clubhouse and Mr. Baril said he would be more comfortable if the golf cart was stored at Mr. Moffett's home.

**Note** MOTION (5)

Mr. Bayne moved to allocate \$9,000 for the purchase of a golf cart.  
Mr. Meggers seconded the motion.

**Note** The Board considered setting aside additional funds as a buffer and debated the language for the motion.

**Decision** MOTION (6)

Ms. Chapin proposed an amendment to the prior motion and moved to approve the allocation of \$9,000 for the acquisition of a golf cart designated for the exclusive use of the Beach Manager for Association tasks, or as the Board deems appropriate.

Mr. Meggers seconded the motion.

Motion carried, 7-0-0.

## 12. Application for Clubhouse/ Rules & Regulations BPBCA Documents – Revisions (Board Votes) (Jim Moffett)

**Note** Attached are .pdf copies of the Clubhouse Rental Application and the BPBC Rules and Regulations for your review. The proposed changes are based on discussions at previous BOG meetings and are highlighted. Additions to the document are in yellow. Subtractions to the document are in a light pink shade.

 [BPBC\\_Rules\\_Regs\\_Sep2024.pdf](#)

**Note** see attachment.

 [BPBC\\_Clubhouse\\_Rental\\_App\\_Sep2024.pdf](#)

**Note** Mr. Moffett's changes to the rules & regulations which the Board discussed, (see above attachment), included some of the following:

1. - No boat trailers allowed in club property parking areas.
2. - Short-term overnight parking permitted with approval.
3. - No diving or jumping from piers or rock formations.
4. - Dog rules updated to specify leashing requirements.
5. - Changes to boating areas terminology.

**Note** Mr. Moffett's changes to the Clubhouse rental application which the Board discussed, (see above attachment), included some of the following:

1. - Clubhouse access defined for members as per the charter.
2. - Removal of security deposits.
3. - Minimum \$350 fee for excessive cleanup or damage.

**Note** The Board discussed whether to increase the rental fee for the Clubhouse from \$300 to a higher amount, considering the costs and comparisons with other venues like the VFW and American Legion.



**Note** Ms. Chapin detailed how they're taxed at a low rate because they're not a revenue generated entity. She suggested getting a sense of what other town associations charge, tabling this item, and reviewing this matter again in October.

**Note** Ms. Chapin noted it would also be beneficial to understand what the actual cost of operation is.

### 13. Beach/Clubhouse Signage Revisions (Peter Baril)

**Note** see attachment.

 [Draft Clubhouse Sign.pdf](#)

**Note** see attachment.

 [Draft Beach Sign layout.pdf](#)

**Note** The need for unified branding and signage for Black Point was discussed by the Board. The goal is to create a consistent look and feel across all signs, including a potential tagline.

**Note** Discussions were held on the signage depicting rules for the Clubhouse playground, focusing on language modifications and safety protocols. Ms. Chapin mentioned she has contacts in the community who might assist with the design. She plans to consult with them, and the final version will be presented for review at the upcoming meeting.

**Note** The Board further discussed signage.

### 14. Waterfront Task Force/Estuary Gateway Update (Bill Bayne, Peter Baril, Peter Meggers)

**Note** see attachment.

 [Kayak Project Meeting Summary 9-5-24.pdf](#)

**Note** see attachment.

 [Waterfront Task Force - 2024 update Edited.pptx](#)

**Note** Mr. Bayne said he would like to formally extend the Estuary Gateway Initiative to include newly appointed members Skip Guzy, Meg Parulis, and Larry Connors. He mentioned that they met and discussed the project's scope, determined the necessary actions to progress, and prepare for the presentation to the Board and community for approval.

**Note** Mr. Bayne's recap highlighted some of the following:

Scope and actions needed for waterfront projects were detailed.

Engineering services required for the projects were outlined.

Surveys and pre-reviews are necessary steps before formal applications.

The goal is to present a responsible plan to the community for a vote.

The Master Plan set priorities for beach maintenance, nourishment, and the estuary, and the Task Force is aligned with these priorities.

Future challenges include storms, coastal erosion, and financial planning.

Members of the Task Force previously met with the Connecticut Department of Energy and Environmental Protection (DEEP).

DEEP emphasized the need for timely upgrades to avoid setbacks from future storms.

The community should not wait to complete necessary upgrades.

DEEP will support the community in these efforts.

Engineering firms need to be selected for the projects.

The process includes pre-reviews and permit applications.

The goal is to start construction by late next summer or early fall, depending on the winter conditions.

Cost estimates range from \$15,000 to \$20,000 for surveys and \$10,000 to \$20,000 for design drawings.

The RFQ-P document, he (Mr. Bayne), prepared, aims to hire a consulting firm based on their qualifications.

The goal is to approve this by the next October meeting to proceed with submerged vegetation studies in May and October.

**Note** Ms. Chapin suggested that they not overlook the boat ramp when they make their plans.

**Note** Mr. Cellino suggested hiring Ralph Lewis or someone of his caliber and to determine if sand should be brought in for South Beach prior to the budget season.

### 15. Establishment of a BPBCA Endowment/Charity Fund Update (Bill Bayne)

**Note** Mr. Bayne detailed how the Association is exploring the creation of an endowment charity fund, similar to the Cahill Foundation, to support community projects and reduce assessment fees. The fund would be managed by a professional company with a projected return of 7-9% after fees.

**Note** Ms. Chapin believes there's considerable work ahead. She's excited about the idea and sees a significant opportunity in the generational wealth accumulated to benefit our future. However, she emphasizes the need for thorough planning and community engagement to gauge interest. She questions whether we can secure pledges of \$100,000 to justify moving forward with the project, essentially asking if the potential outcome is worth the effort.

**Note** Mr. Cellino believes it's crucial to engage with the community to evaluate the viability of their plans. His perspective is that once the funds hit \$10,000, a threshold is reached, and no further action can be taken. In his view, starting is essential, akin to paving a sidewalk in an undeveloped area—it's the first step towards future development. The process would involve the Board for oversight, suggesting a dual-system approach: a committee to manage the fund and a mechanism for individuals to apply for and receive funding for their projects.

**Note** Mr. Schepker explained that the fund should operate independently from the Board and rely primarily on member participation. The funds raised would be allocated for emergency repairs or as specified by donors. While the structure could be modified in the future, it should initially begin this way.

**Note** Mr. Bayne stated that additional homework is necessary, alongside guidance from an attorney.

## 16. Introduction of a Capital Contribution Fee on the Purchase of BP Property (Bill Bayne)

**Note** Mr. Bayne briefly discussed a proposal for implementing a capital contribution fee for new homebuyers in Black Point to support community assets and maintenance. The fee structure would be legally compliant and exclude transfers between family members or to a trust.

**Note** Mr. Bayne noted the next step is to schedule a conference call to further explore this item.

## 17. Remote Voting Update (Colleen Chapin)

**Note** Ms. Chapin provided a brief update noting that authentication of participants is the biggest challenge. Various software options are being reviewed but no commitment can currently be made to have a system in place by May 28th.

**Note** Mr. Bayne pointed out that there are third-party vendors that can set this type of system up.

## 18. Clubhouse Upgrades (Colleen Chapin/Arlene Garrow)

**Note** Ms. Garrow gave an update about facility upgrades including replacing doors and the HVAC system. The door replacement project is estimated to cost between \$8,000 and \$12,000. The HVAC system is old and may need replacement soon, with costs and timelines to be determined.

**Note** Mr. Schepker inquired about getting bids from contractors, and Ms. Chapin responded that she really needs to understand the priorities because it's quite a task to obtain them. She emphasized the importance of knowing these priorities.

**Note** The Board further discussed potential Clubhouse upgrades.

**Note** Mr. Schepker suggested that obtaining two additional opinions might be beneficial, along with some cost estimates for preparation. They could also provide a rough idea of the system's longevity—whether it could last another year or two. The uncertainty remains, but understanding the potential costs of system replacement is crucial.

## 19. Reports

### 19-1. • Association Manager (Jim Moffett)

**Note** see attachment.

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

**Note** Mr. Moffett provided updates on various activities including rentals, grass cutting, garbage can setup, and beach grooming. An anonymous donor funded a new plastic fence for the golf cart area, which will be installed in the spring.

**Note** Ms. Garrow suggested adjusting the beach cleaning schedule for September to include one mid-week cleaning, likely on Wednesdays, because of seaweed buildup, in addition to the existing weekend cleanings.

### 19-2. • Tax Collector (Colleen Hayes)


**Note** see attachment.

 [TAX COLLECTOR REPORT 9-18-2024 for 2024-2025.xlsm](#)


**Note** Ms. Hayes shared that here are 18 delinquent accounts totaling just under \$7,700 as of August 23rd, 2024.

### 19-3. • Treasurer (Al Capozza)


**Note** see attachment.

 [BP-Balance -9-22-2024.pdf](#)

**Note** see attachment.

 [BP-LT Capital Fund-9-22-24.pdf](#)

**Note** see attachment.

 [BP-Rec Program-9-22-24.pdf](#)



**Note** see attachment.

 [Black Point-Budget vs Actual as of 9-22-2024.pdf](#)

**Note** Mr. Capozza reported that Total YTD Receipts amounted to \$355,515, 94% of the budget, and + \$7,000 from last month's report due to tax collections (\$4,634), and zoning permits (\$1,650).

**Note** Total YTD Disbursements amounted to \$135,265, an increase of \$12,152 from last month's report. Items contributing to this increase are waterfront maintenance (\$6,000), the Black Pointer (\$2,299), and Utilities (\$687).

**Note** Total Actual from July 1 thru September 22, 2024, YTD, Receipts minus Disbursements equals \$220,250, Positive. Estimate to June 30, 2025, Receipts Minus Disbursements equals Zero.

**Note** The Rec Summer Program Ended August 9, 2024. Total YTD Receipts amounted to \$55,905 vs a budget of \$58,000. Total YTD Disbursements amounted to \$Payroll (\$38,498) and Rec program expenses (\$16,863) vs a budget of \$55,646.

**Note** Total Actual from July 1 thru September 22, 2024, YTD, Receipts minus Disbursements and Capital items equals \$544, Positive. Estimate to June 30, 2025, Receipts Minus Disbursements equals \$544, Positive.

**Note** For the Long-Term Capital Fund, the balance as of 9/22/24 equals \$316,899, which includes \$1,200 in interest.

#### **19-4. • Rec Program (Colleen Hayes)**

**Note** Ms. Hayes recommended signage indicating that the playground is closed during recreational hours. She suggested consulting the Association's attorney regarding the sign's wording and observed that rules with less detail might be more effective. Additionally, she inquired about enforcement strategies and the importance of having them documented in writing.

#### **19-5. • Zoning/ZBA (Arlene Garrow)**

**Note** Ms. Garrow reported that there is nothing new concerning the ZBA. However, there are still a few alternate positions available, and those interested should reach out to Dan Deknis.

Regarding zoning, a meeting took place on September 20th, with new regulations set to be implemented on October 1st, 2024. The Commission conducted an on-site visit at problematic intersections to assess the implications of hedge and fence disputes. Informal measurements of setbacks and heights were taken to understand the impact of the upcoming regulation. These regulations will apply only to new installations, not existing ones. Nevertheless, the Zoning Commission is urging the Board of Governors to adopt this as an ordinance and apply it retroactively.

She added that she and Ms. Chapin have been working on the language for the enforcement and appeal process in the ordinance. They hope to have something presented to the Board prior to our October meeting for review and discussion

#### **19-6. • Waterford Data Center (Arlene Garrow)**

**Note** Ms. Garrow mentioned that she had emailed Holly Cheesman in early September, noting the quietness and her efforts to encourage members to write letters. She felt it was unusually quiet and, and Ms. Cheesman said to her knowledge, there were no changes, but she promised to verify with her researcher and update her.

Ms. Cheesman later confirmed that there were no new filings, and the situation remains unchanged. Ms. Garrow had a chance encounter with Holly last night and a phone call this afternoon, during which she shared that Connecticut has a deal with Dominion to buy half of their energy output. The other half is available for sale, and currently, Massachusetts, Rhode Island, and Maine are considering buying it. If they do, it could jeopardize the Data Center project, as it would lack the necessary energy supply.

Ms. Cheesman has been actively participating in meetings and hearings regarding this matter with the three states. She remains hopeful that this development might halt the Data Center's progress. Ms. Garrow extended her gratitude to everyone who has been sending her articles related to the Data Center.

#### **19-7. • Men's Club (Rick Diachenko)**

**Note** No report was submitted.

#### **19-8. • Women's Club (Jocelyn Williams)**

**Note** No report was submitted.

#### **19-9. • Wrecking Crew (Leslie Doherty)**

**Note** No report was submitted.

### **20. Further Public Comments**

#### **20-1. Sally Cini of 28 Sea Breeze**

**Note** Ms. Cini raised concerns regarding the dog leash regulations on the beach. While it was mentioned that we are following the town's policies, this is not entirely accurate. If dogs are required to be leashed at all times on the beach from October to May, they are unable to run freely or swim, which is the main reason people bring their dogs to the beach. During the summer, this restriction is in place at Cini Beach downtown, a popular spot. Dogs must be leashed on the unless there is a change in policy after May, such as on September 15th, when dogs are allowed to run and swim. It's worth considering that many people may view it this way and would welcome a change in the regulations concerning dogs.

**Note** She recounted that years back, a significant meeting took place at the Community Center, discussing changes to voting rights and membership criteria, with a complete overhaul of the language used. The crux of the matter was the transfer of property ownership to offspring, which allowed individuals to reside there without the ability to furnish a certificate of ownership. Consequently, these names now appear on the property deeds, the Board should therefore proceed with caution and consider this in their decision making.

## 20-2. Larry Connors of 50 Indianola

**Note** Mr. Connors detailed the safety issues with the Clubhouse door and how the pin is defective, which Ms. Chapin and Mr. Schepker discussed.

## 20-3. Mike Johnson of 45 Bellaire

**Note** Mr. Johnson commented that whoever did the trimming on Sunset did a great job.

## 20-4. Cheryl Colangelo of 39 Whitecap

**Note** Ms. Colangelo discussed the corner of Whitecap and East Shore, and how the ZEO advised her that said the family was very amenable to replacing those hedges there and repairing the damage that they were doing overhead. They haven't been replaced yet so she's going to touch base with Jim Ventres tomorrow.

## 20-5. Jim Downing of 9 Sunset

**Note** Mr. Downing asked about the timeframe for dogs on the beach in town, which is September 15th to May 15th.

## 20-6. Wendy Bourget of 1 Osprey

**Note** Ms. Bourget suggested changing Section 3, boating areas, item 2, from "tied to" to "stored against." She commented that past regulations had this language, and she would like to see that language return. She doesn't think there's any place to address emergencies.

## 20-7. Chat Comments

**Note** 01:02:46 Kathleen Schneider: If officially a preschool, may have need for child clearances, etc.

01:03:18 Kathleen Schneider: May want it to be characterized as just an informal gathering of parents, not a preschool

01:04:06 Kathleen Schneider: So general insurance would be applicable?

01:52:06 Kathleen Schneider: Charge on my new cart lasts a long time, it's a sealed battery system too. No maintenance required

01:55:09 Kathleen Schneider: I was told to have a 15 volt (amp?) plug in

**Note** 02:24:26 Colleen Hayes: Please add that playground is closed during Rec Club hours, per the by-laws.

**Note** 02:24:51 Patty DeAngelis: Reacted to "Please add that play..." with

**Note** 02:29:23 G Hickey: Do the cameras actually view the entire grounds? The playground, bocce court and backstop portion? It was said that when the fire in the woods occurred last week that the incident was not in the cameras view. When I was on the grounds the other day it looked as if two cameras are pointed in the exact same direction and not out at the playground and other areas of the grounds

**Note** 02:55:10 Black Point Beach Club: Zoomers - I will try to work your comments in during the closing public comment period; if I can't, I will share them with Brooke so they are reflected in the minutes. - colleen

## 20-8. Leslie Doherty of 42 Nehantic

**Note** Ms. Doherty discussed how she disagrees with the dog dates and inquired how long a leash is allowed.

## 21. Adjournment

**Decision** MOTION (7)

Ms. Chapin moved to adjourn the September 26th, 2024, BPBCA BOG Meeting at 9:26 p.m.

Mr. Meggers seconded the motion.

Motion carried, 7-0-0.

**Note** The next regularly scheduled BOG Meeting will be held on October 24th, 2024, at 6:00 p.m.

**Note** Respectfully Submitted,  
Brooke Stevens, Recording Secretary

## Task Summary

### New Tasks

**Task**  Ms. Stevens said she will incorporate the corrections and resend the minutes to the Board for review.

*Owned by Recording Secretary due 10/23/24*

**Task**  Mr. Bayne further discussed the draft policy and asked Board Members to submit comments and suggestions to him in writing. He will share another draft for public review, and the document will be finalized after addressing inconsistencies and incorporating the feedback he receives.

*Owned by BOG Board due 10/21/24*