

POALH BOARD OF GOVERNORS

Meeting Minutes

January 25, 2020

The meeting was called to order at 9:01 am by Bonnie Sudell at 83 Wildwood Drive, East Haddam, CT.

Board members in attendance: Cindy Biancamano, Jeff Conway, Janet DePratti, Jason Griffing, Gary Petersen, Kathy Sabo, Bonnie Sudell & Bill Taylor.

Board Members Absent: Hema DeSilva

Association members in attendance: Ed Bader, Tax Collector, Lee Griffin, Treasurer, John & Rhoda Szymkowicz (97 Lakeshore Drive), & Mike Trocchi, Webmaster

Public Comment:

Swimming Lessons: John Szymkowicz commented on the topic of swimming lessons and the fact the board no longer will allow them. He spoke of this tradition going back 60 years at Lake Hayward that was originally paid for by the association, then partially paid for and eventually privatized. The current instructor, Meredith, is excellent, has her own insurance and is willing to share coverage with the association. John posed the question: How is this different from hiring a nanny to watch children at the beach? Mike Trocchi then commented on the same topic stating that he understood that insurance companies will not cover us, but he spoke to a lawyer and there are standard exclusions we could add to allow for the swim lessons. Mike would like more public input on decisions the board makes. He believes the charter is vague and confusing regarding regulating businesses on the beach. Mike questioned the coverage difference between swimming lessons, concerts, carriage rides as they all have their own liability. He feels the board should represent the community, negotiate with Meredith and pay a higher insurance premium.

Radon: Bill Taylor offered information regarding radon kits that could be procured from the Chatham Health District by calling 860-365-0884 to test your home. He asked that this information be included somewhere on the association website for members.

Minutes: A motion to accept the minutes of the September 25, 2019 Board Meeting was made by Bill Taylor and seconded by Cindy Biancamano. A vote was taken and the minutes of the September 25, 2019 Board Meeting were unanimously accepted by all board members present.

Financial Reports

- **Treasurer:** Lee Griffin handed out his report noting incomes since the last meeting of \$993.53 in bank interest, and \$4,212.03 in tax receipts. Expenditures were \$31,198.98 consisting of \$9,932.50 for the purchase of the Skene property, \$5,371.75 for stipend installments, \$10,971.00 for All Waste (3 months service) and the remaining was for normal Utilities and misc. purchases. He provided this budgeted vs. actual report: 1) Budgeted Income \$209,081.00; Actual Income \$206,405.05; a \$2,675.95 difference, 2) Budgeted Expenses \$209,081.00; Actual Spent \$121,821.53; an \$84,583.52 difference. Overall account balances as of 11/16/19 are \$231,001.35, which consists of \$1,901.30 in checking, \$492.10 in Money Market, and \$228,607.95 in Special Money Market, which provides a higher yield average of 2.5%. Specifics were detailed in a hard copy report handed out along with a monthly cash flow and balances report. Lee reported on the 3rd Beach dredging project as follows: Approved budget of \$41,000.00, current expenses \$32,425.40, balance remaining \$8,574.57 (balance of JDA contract \$6,500.00) looking to come in under budget by \$2,074.57. Lee also reported that all bank statements and invoices have been reconciled.
- **Tax Collector:** Ed Bader reported to date 98% of the taxes levied as of July 1, 2019 has been collected. There were 18 taxpayers who had not paid their July 1, 2019 taxes so a demand notice was sent in November asking them to pay. Ten of the 18 have paid their taxes and 8 did not respond. The 8 delinquents have been turned over to the attorneys to process for collection. All 8 taxpayers are chronic delinquent taxpayers and therefore, we will request that they pay an estimate of their July 1, 2020 property taxes and their delinquent taxes, interest and lien fees as part of this collection process.

Presidential Comments: Bonnie Sudell reported that she received the following inquiries: 1) Kathy Willey of 108 Wildwood commented that if the board is enforcing signage laws the Cold Spring Farm sign should come down as the

signage rules should be in place for everyone. 2) Rob Wright of Lakeshore Drive had questions regarding surveyors near his property surveying the right-of-way. 3) An Eversource contractor trimming trees near Eversource power lines asked permission to leave his equipment in the parking lot while doing the work. He was granted permission as long as it is done in a timely manner. 4) Christina on Ridgewood Rd called with concerns about someone cutting trees and was assured it was Eversource doing trim work or a private property owner doing the work.

Election of Vice President: Kathy Sabo nominated Cindy Biancamano for vice president and was seconded by Jeff Conway. Cindy accepted the nomination. A vote was taken and Cindy Biancamano was unanimously voted in as vice president by all board members present

Review of Board of Governors meeting dates for 2020 Year: Dates on the calendar are good.

Committee Reports

- **Budget:** Nothing new to report.
- **Dredging:** Bill Taylor reported the dredging project at Third Beach has been completed in October. Bill has started writing a summary of the site preparation and will write something up for the spring packet. Jon Allegra will need to complete his end of the work by May 1st. Sediment removed will be monitored. John Allegra owns the weed block. Allegra Enterprises is contractually responsible to restore the beach to pre-dredging work condition.
- **Events:** Jeff Conway reported that three bands have been booked for the season – Furious George, Savage Brothers and Firefly. He would like to book one more band. The 50/50 raffle will continue during band performances, as it is a nice offset of the cost. Lisa Rogers, on the events committee, will continue to host art events on Friday nights. Jeff also proposed the idea of a pie-eating contest with a t-shirt for participants. The point was brought up that this might be a choking hazard. Bill Taylor suggested talking to Tom Savinelli about his quartet performing again perhaps with other musicians performing before and/or after them. Tom is open to coordinating this. Jan DePratti would be happy to look into the juggler for the carnival again as most people seemed to like it but the fee may go up as he has to travel. It was stated by a board member that they did not think the show for the fee was worth it.
- **Lake Quality:** Ed Bader reported we have still not received the herbicide treatment permit. We are waiting for that before we engage Solitude. Ed Bader commented that we should make sure Solitude's permitting process is stable, as they had misinformed us in the past. We are now waiting for a 3-year permit, which will be our permit so we have the flexibility to change companies.
- **Properties:** Gary Petersen reported that in October work parties removed the swim lines and rafts. New swim lines will need to be purchased for this year. On November 2nd 12 boats were removed to the ball field. There was some controversy regarding that some of the boats were stolen. Gary never received a phone call regarding this incident. This year we will make sure to cable all the removed boats together and association members will have to pay \$50.00 to get them back. Cindy Biancamano asked if year round residents could leave their kayaks/boats on the racks as some like to use them after the cutoff date of removal. Gary also reported that in November a tree branch had fallen on a dwelling at 88 Town Road. Lois Campinelli (owner) called Gary for references of people who could repair damage, which was given. This tree had previously been marked by Eversource to be removed and Eversource eventually removed the tree. Our landscaping company, American Pride, cleaned the right-of way between Lookout & Ridgewood and the north end. Work will continue on the Third Beach walkway from the ramp to the start of the parking lot crosswalk. The work will be sent out to bid. Gary put new locks on all pavilion doors. The keys are all different for each door and all copies have been tested. Jeff Conway asked how the street signage installation was proceeding. Gary reported that 15 of 60 are done. Work will continue when the ground thaws.
- **Public Safety:** Bonnie Sudell reported that a new homeowner at 48 Lookout Drive needs parking passes and she will issue them.
- **Secretary-Clerk:** Kathy Sabo reported that she has been given the information from Jan DePratti to order the new recorder for association meetings. Kathy will order it in March. Jan DePratti reported she received a voter registration from Rob & Lori Popolizio. She will hand the voter registration book over to Kathy in the spring.

- **Technology:** Jan DePratti reset Jeff Conway's password.
- **Water Quality:** Jan DePratti reported Mike Trocchi put a new PDF on the website regarding water quality. Kathy Peterson will continue with lake quality.

Old Business

- **Strategic Plan:** Jeff, Lee & Hema agreed to work on this committee. There has been no discussion as of yet but they will have something for the next meeting.
- **Blighted Property Criteria:** Ed, Jason & Jan agreed to work on this committee but no discussion has taken place yet. Bonnie Sudell reported that there have been numerous complaints about blighted properties around the lake. East Haddam did not pass an ordinance that we could piggyback on so we have to make our own way.
- **Dam Inspection Report:** Ed Bader reported on behalf of a committee consisting of himself, Gary Peterson, Corrine Halliday (POALH members) & Tim Pelton and Wolf Koste from the east side of the lake. It is important to have involvement from homeowners on the east shore as well. Lake Hayward's Class BB dam needs to be inspected every 7 years. Ed Bader requested quotes from several engineering firms and the committee chose Karl Acimovic from Columbia CT. Mr. Acimovic follows a prescribed format set by the DEEP. After providing Mr. Acimovic with a topographical survey he has generated a 52-page report regarding the dam. It has been reviewed and given back to Mr. Acimovic with comments and he will generate a final draft this January. Bonnie Sudell will need to sign off on the report and send it to the CT DEEP to review and give us an action plan. On the double spillway the eastern side is in worse condition than the western. We need to adopt a comprehensive maintenance plan such as: mowing the berm for visual inspection; monitoring seepage under the headwall; monitoring silt backing up to the berm. The Town of East Haddam requested a capital plan and operating budget for 2021 in order for them to consider helping with the project. We will attempt to get grants. Mr. Acimovic helped to determine three capital projects: 1) reconstruct eastern spillway and fix drainage at western spillway. The road is eroded and the Town of East Haddam, after numerous requests, have just put trap rock down but then finally paved it but the asphalt is cracking; 2) redo drainage system; and 3) bio retention basin on Skene property. We have been advised that it is prudent to submit a permit application to DEEP a.s.a.p. as it takes 1-1 ½ years to get approval for the project. Mr. Acimovic will help with bid specifications so we can get someone qualified to do the job. The board would need to bring the plan to the association members to get approval. Once the job is done on the dam it should last 50-75 years. Bill Taylor asked if there were any history of dam reports if they do it every 7 years. Ed Bader reported that the CT DEEP used to do the inspections so perhaps they were not done as thoroughly. CT DEEP no longer does it and we now have to do it and pay for it but a better job is done. Jeff Conway asked if there is a time frame with the proposal to the town budget. It was answered that the time frame is hard to say. The Town of East Haddam annually provides an amount of funds to be split among the three lake associations. In fiscal 2019-20, the total amount was \$20,000. Our continual thrust to the Town of East Haddam is that we are supporting part of the town budget so we should get more money. Bonnie thanked Randy Miller, Felicia Tencza and Ed Bader for working tirelessly on this aspect.
- **Rights of Way & POALH Property Encroachment:** Gary Petersen reported that surveying done showed that 283 Lake Shore Drive was using POALH property. Ed Bader and Gary met with them. They claim they own 15 feet of POALH property. They do not want to move stairs. Property at 287 Lake Shore will also be affected by this survey. Surveys/maps the property owners have show different property lines. Jim Ventres from the Town of East Haddam land use administration feels our survey is wrong. Mr. Ventres feels our surveyor used the wrong pins. This was indicated to our surveyor but he stands by his work. Gary pointed out that surveying is more accurate now with GPS, etc. Both property owners were advised to get their own survey done but neither property owner has gotten one. We need to get this correct. Kathy Sabo suggested that perhaps in good faith the association could pay for half of the second survey and the homeowners pay half to get another view. It was stated that surveying property is the responsibility of the homeowner. It was asked if there are any benchmarks to go by. They did find one.
- **Property Purchase Update:** The Skene property was purchased. We would need to develop a capital project to build a bio-detention basin and have that plan approved by the Town of East Haddam. As part of the Town of East Haddam's 2020-21 budget process we submitted a request for \$25,000 to construct the basin and

requested the Town fund 50% of the cost. Detailed specifications of the project would need to be developed and approved by the Board and Association members.

- **Swim Lessons:** Bonnie Sudell opened the discussion by summarizing the past sponsorship of swim lessons by the association. It was brought to the board's attention that swimming lessons were being held this year after the board's decision not to conduct or allow swimming lessons on POALH property due to the fact that it is not covered by our insurance policy. The board waited until the end of the current swim lesson season to end before requesting that the lessons no longer take place. Jason Griffing also commented that part of the problem might also have been that all students were not children of homeowner's at the lake. Ed Bader explained that we have asked our insurance agent to get quotes from other companies to insure us but 4 other companies would not even quote us insurance due to the beaches and lake. Bonnie Sudell commented that it is a high-risk market. Cindy Biancamano asked if we could get a rider added to the policy. This is an option that she will look into. Kathy Sabo suggested we talk to our lawyers to draw up a waiver that can be signed by the parents of children taking lessons like you do when you go zip lining or parasailing. It was further commented that we would also need to see the swim instructor's insurance policy. Jeff Conway is an insurance adjuster and feels this could be done. Take it all to an attorney. Jan DePratti also reminded us that any homeowner who has lakefront access could certainly hold swim lessons on their property. They would then hold the liability. Ed Bader also stated that we have bigger problems with all athletic events taking place at the lake and events that have alcohol. We are a municipal district and have to be careful of litigation. Jason Griffing expressed a concern that if we keep adding riders to the policy then taxes will inevitably go up. There was a general consensus to provide choices to the association members to vote on if we can.
- **Signage Enforcement:** Bonnie Sudell indicated that she received complaints of too many signs at the lake. The board has instituted the enforcement of the association signage rules. Ed Bader called a few people and most signs were taken down. He just has two he is still working on. Ed feels that if we cannot enforce the signage rules that we would have no ground to stand on to enforce a blight ordinance. Jan is working on a modification to the signage regulation in the by-laws and will have something for us to discuss at the next board meeting.
- **Other:** Jeff Conway inquired if anything had been done about the blighted property on Wildwood. Ed Bader reported that nothing has been done. The owner is alive and the bank handles the property taxes so they are paid. He asked the Chatham Health District and Fire Marshall to step in but they could not. The only thing we can do is send a letter to the trust company. There is a hole in the roof and vermin present. We understand that some people have tried to buy the property but have received no response.

New Business

- **Solitude Check:** The ongoing issue of the Solitude lake weed treatment check was discussed due to the weed treatment not taking place. Ed Bader sent a two page document to board members regarding this issue and how it has affected the check we wrote to Solitude as well as the reimbursement we get from the Town of East Haddam for this procedure. Recently a revised reimbursement application was filed with the Town of East Haddam and Lee Griffin met with Cindy Varricchio, finance director for the Town of East Haddam in an effort to be transparent with the town regarding this issue. The association did not have to give any money back to the town as our expenditures for weed treatment still exceeded the percentage of the amount of monies the Town of East Haddam allowed us. The town was satisfied with our explanation. In the future we will not predate any checks for anything. The recommendation made by Lee Griffin and Ed Bader is to correct the POALH June 30, 2019 financial statement by removing the disbursement not made to Solitude of \$10,297 and adjusting the 2020-2021 budget levy to \$185,803 thus reducing the July 1, 2020 mill rate to approximately 4.10 mills versus 4.3425 mills. Bill Taylor made a motion to accept this recommendation and Jason Griffing seconded the motion. All board members present voted in favor of this motion.
- **Electronic Spring Packet:** Sending out the spring packet electronically to association members was discussed to reduce the cost of the spring packet mailing. Cindy Biancamano asked what % of the membership do we have emails for on file. Jason Griffing reported he has 360 emails for 200 individual properties. He also noted that the spring packet can always be found on the website and he could provide people with links. Gary Petersen expressed that he would not be in favor of receiving the packet electronically. Jan DePratti feels electronically is a great idea. It should be started this year. You can survey people you have emails for already to see if they

agree to receive the spring packet electronically. Jason Griffing thought he could even send out an email next week polling the membership. There could be a sign up sheet at the large POALH meetings. He feels we should always push toward doing things electronically when we can. Jan & Jason will come up with a proposal regarding this to vote on at the February board meeting. Jeff Conway indicated that he could coordinate a hand delivery of the packet to people at the lake if there is an issue or a need.

- **Pavilion Usage Charge:** Felicia Tencza has requested that the board look into charging for the use of the pavilion. Jason Griffing is dead set against charging. Once you start charging there are expectations with that. He suggested that the contract reflect that tables need to be put aside for public use during an event. The board can establish time blocks for rental and we can spell out the cleanup requirements in the contract as well. Jeff Conway agreed that it is not clear in the contract what is included or the cleanup requirements. He agrees that there should be time blocks so someone cannot have it for an entire day. Cindy Biancamano does not agree with charging for rental as she feels that is part of the amenities we get by paying our association dues. Bill Taylor also does not agree with charging for the pavilion. We can collect a security deposit only which will be returned after the event is over if there is no damage and cleanup was done. He feels we can certainly earmark a portion of the pavilion for public use anytime that it is has been reserved. He feels it is important that people who use the pavilion bring their own equipment, etc. not opening the doors to POALH items. It is also important to make sure that it is cleaned up after every function, even association sponsored events such as the Halloween Party. Bonnie Sudell does not agree with an entire day reservation. She notes that four-hour blocks of time are normal. She does not agree with charging but still feels we need a security deposit. Lee Griffin was concerned on who would enforce the four-hour time blocks. Who would tell them to leave? Jan DePratti definitely supports a security deposit but not charging for the reservation. She suggested perhaps a six-hour time block. Kathy Sabo does not support charging for the pavilion reservation. She suggested perhaps dividing the day in half for reservations such as having a daytime reservation time slot until 4:00 pm and an evening time slot starting at 5:00 pm. We can talk further on this in February and vote on this issue.
- **Other:**
 - Some board members would like to discuss at a future meeting guidelines being put into place for cleaning up after events at the pavilion, even association events. There was a problem with cleanup after the Halloween Party last year.
 - Gary Petersen brought up the topic of the Tadd Wamester land being sold on the other side of the lake. He inquired if we had a say on what could be built there as he thinks it is on association property. Ed Bader commented that there were two properties in that area that was on the tax roll. One came off, as it was clearly not in association boundaries but the other remains on the rolls. It looks like there is a building site there. This is property on Haywardville Rd. of about 5 acres. We probably should look at the deed of the association and have a survey done to determine if they are on association property or not.

Bill Taylor made a motion to adjourn the meeting. Jeff Conway seconded it. The meeting was adjourned at 11:37 a.m.