

POALH Board of Governors

Meeting Minutes

August 7, 2023

The virtual and in person meeting was called to order at 7:00 pm by Laurie Dworak at 15 Lookout Drive, East Haddam, CT and with Google Meet.

Board Members Present in Person: Lynn Crisci, Laurie Dworak, Hema DeSilva, Dave Edgington, Evelyn Passan, Kathy Sabo & Phil Sabo

Association Members in attendance in person: Lisa Hober - Treasurer, Chris Popolizio, Peter Rutledge & Keith Marvin

Association Members in attendance virtually: Nancy Kavanaugh (7:11 pm)

Minutes: *Evelyn Passan made a motion to waive the reading and accept the minutes of the July 17, 2023 board meeting. Dave Edgington seconded.* Discussion: Kathy Sabo reported there was a change in the minutes today. In the President's Report section from "the association does let members use their equipment" to "the association does not let members use their equipment.". Laurie Dworak does not accept the minutes because at the last board meeting there was a discussion about the webmaster and the website budget. There is nothing in the minutes on that discussion and Laurie feels it is not up to us to omit any subject or anything that is discussed and if the webmaster has contention regarding it he can come to a meeting. Kathy Sabo reported that it has been her practice since she has been secretary to take into consideration what people say to her.. Kathy gave two recent examples of when she had revised the minutes at the request of Laurie Dworak and also Evelyn Passan.. Kathy Sabo indicated that she would revise the minutes to include the website expenses conversation. A board member asked if we could just agree to accept the changes in the president's report? Kathy Sabo felt that we could just wait until next month to approve the minutes. *Evelyn Passan revised her motion that we postpone accepting the minutes of the July 17, 2023 board meeting until they are edited and can be voted on at the September 2023 meeting. Dave Edgington seconded. A vote was held. All board members present agreed (7).*

Public Comment: Chris Popolizio reported he was asked to do some fact finding on maintenance to the pickleball and tennis courts along with Pete Rutledge, Tom Tyrell, Chris Tyrell and Keith Marvin. Some of that fact finding would include quotes to make repairs that might include filling cracks, resurfacing, relining for tennis and pickleball. A couple of quotes have been received. Chris asked the board if a committee could be formalized to look further into this work of maintenance to the courts for this upcoming year and future years moving out. The end goal is to ask the members for money at the August 20, 2023 meeting to make some of these repairs. They are seeking estimates now of what it would take to make these repairs. The goal is to have a "not to exceed price" to present to the board and the association members based on quotes that they have received. They are looking to add two pickleball courts to the two that are already on the courts for a total of four and refurbish the courts. They have visited other courts to look at color schemes and set up. The goal is to maintain it before there is so much disrepair that it cannot be fixed. To replace what we have would be a \$300,000 investment. Pete Rutledge would like to add the creation of rules of use for the courts for the committee to work on as well. Keith Marvin noted we need to look at long term programs that review our long term assets. Pete Rutledge also noted that the cracks on the tennis courts now are a liability. Chris Popolizio noted that he has had an opportunity to read the bylaws and if the board approves to formulate this committee that they would want to make sure the members of the committee are within the bylaws. Pete Rutledge noted that the committee would provide line item costs of each repair so the association can pick the things they want to get accomplished.

President's Report: Laurie Dworak noted that the board received emails regarding the pickleball & tennis courts and it will be discussed under new business. Laurie received correspondence regarding dodder, which is an invasive plant that is established at the second beach garden. Corinne Halliday has offered knowledge and help to address the issue and has the original garden plan from DEEP. She will coordinate with Ballek's Garden Center to help with this project. Laurie also received correspondence regarding people smoking cigars and cigarettes on the beaches. Laurie received an email from Lynn Crisci regarding POALH insurance. There was discussion on the raft at little beach not being a viable claim. Laurie spoke to the insurance agent regarding why we are insured as an HOA. The insurance agent stated that there is no general liability tax code for special taxing districts such as ours. We are not a municipality therefore we are insured as a corporation and an HOA.

Financial Reports:

- **Tax Collector:** Lynn Crisci reported that we have 42 accounts that are now past due. There is still \$18,809 still owing plus an additional \$577.00 in interest. One of these accounts is one that is already in collection. There is a pending tax sale in September. Hema DeSilva asked how many accounts there are in the association. Lynn Crisci reported it is close to 500.
- **Treasurer:** Lisa Hober reported she posted the reports on the drive. Phil Sabo and Lisa Hober talked about how to handle the money for ladies night. Kathy Sabo asked about the money that was in last year's budget for the weed treatment. Lisa Hober reported it went into allocated reserves.

Committee Reports:

- **By-Laws:** The bylaws will be revisited this year.
- **Budget Committee:** Laurie Dworak reported the budget committee had a town hall meeting. It was mildly attended. Tim Pelton was there and also talked about the dam. Kathy Sabo noted that the budget committee gave the board recommendations that we are holding off until September. She inquired about the motion the budget committee put forward about bids. Laurie Dworak reported that state law says that any financial policy that is voted on by the membership is not legally binding. The

membership can vote on budgets and anything over \$20,000. Other than that the membership has no say in policy. The board of governors can make financial policies, change them at will and change them at any board meeting. They need to be noted and followed. Therefore, the motion regarding the bidding process will not be presented to the membership at the August meeting.

- **Dam Committee:** Laurie Dworak reported that Tim Pelton came to the budget town hall meeting. The eel ladder is not actually a ladder. When they pour the cement for the spillways about 50 pounds of rock would be thrown in so that should the eel get up the 8-10 feet into the slushway they can have something to wiggle on or create friction with. It seems that DEEP is requiring the town to be approved for the project before they even consider approving us for the project. There are still no accurate numbers regarding the repairs. Any numbers are just guesses at this point.
- **Events:** Laurie Dworak reported Lynn Butler is taking over as events chair. She is only doing the three bands this year and is learning the events coordinator position. She is not starting until next season. Evelyn Passan will monitor the event's email. Lisa Sobestanovich is still looking for volunteers for carnival. It was suggested that members who signed up on the volunteer list should be called. Dave Edgington had a conversation with Lisa Hober about upfront cash needed for beach games, food and carnival. Dave indicated money requests in the past went to the events chairperson and wanted to know what to do this year. Laurie Dworak asked Dave to give it to Lisa Hober.
- **Geese:** Evelyn Passan reported that the geese have been flying for three weeks and will make a note of that for the budget committee next year. They geese started flying at the end of July. Evelyn will put a post out to membership letting them know it is now ok to harass the geese. Evelyn Passan will also be letting the group of vetted dog owners know that they can now use their dogs to harass the geese as long as they are wearing their red bandana. There was discussion regarding the dogs on the beach and a recent encounter with a child/person. There are six certified dogs for the geese committee. It was noted that Evelyn should perhaps look into vests for the vetted dogs to help let members know they are working, most of the dogs should be on a leash and let owners know the dogs are not allowed to interact with people on the beach. Evelyn Passan reported that the wire mesh fence on first beach has been destroyed. She will leave the part of the fence on the grass down for now but leave the fence along the waterfront still up.
- **Lake Quality:** Laurie Dworak reported that two gentlemen from the east side are putting together a report to approach the town to appeal for some help in curbing the runoff from the leased farm land. They will sit with Jim Ventres. The lake is exhibiting some algae growth this week which is expected this time of year. There have not been any large floating blooms. The committee will be applying for grant money in December to help pay for the costs of weed treatment. The committee is in need of some new members from the association. Corinne Halliday is looking to step down as chair of the lake quality committee. Corinne will still go to the town looking for money and doing those types of things. It was reported that a weed treatment called a clipper treatment will still happen this year and it will still be effective this late in the game as it attacks all exposed growth regardless of the state of maturity. It does not attack the roots. Everything right now is held up with DEEP. The committee also believes that the Town of East Haddam should have an ordinance regulating septic in the three lakes. They are trying to work with Jim Ventres on the septic issues with the lakes. It was noted that a clipper treatment is an herbicide that kills the growth, not an actual cutting of the weeds. Evelyn Passan asked about a possible payment made to Solitude in March of \$7,000. Lisa Hober reported that there are definitive bills that are approved by Corinne Halliday and are already contracted. Lisa will find out if there was a bill paid in March.
- **Nominating:** Lisa Hober reported that nominations will be posted in detail in the newsletter. Kathy Sabo presented what the ballot will look like.
- **Properties:** Phil Sabo reported that he replaced 4 picnic tables - 2 at second beach and 2 at third beach. Third beach residents paid for a third picnic table on their own. Lynn Crisci has a crew at third beach to stain the picnic tables and Gary & Kathy Petersen will take care of the ones at second beach. There were some yellow jackets swarming on the kayak rack at second beach. Phil reported that he took care of it. Phil reported that Chris from All Waste is unable to do a five year contract due to dumping fees changing yearly. There was a conversation about cutting the trash pickup to once a week on Mondays. Jansky's has not gotten back to Phil about a five year contract. Phil further asked that a policy be put in place to who can have the codes to the pavilion doors. He does not feel the codes should be given out for the right and middle doors, but it is a board decision. It was noted that there is no problem giving out the code to the left side door (events closet) but we should be hesitant to give out the code for the other two doors due to records and the security system. Phil Sabo suggested that perhaps the closets could be switched around to put all the events stuff into the middle and put the maintenance stuff in the left side closet. The table and chairs would fit in the middle closet. Therefore, anything anyone needed for an event would be in the middle closet. It was suggested that the left and middle closets be for events and the right closet just be used for file cabinets and maintenance. We will table this for the September meeting. Dave Edgington noted that there may be one more no smoking sign that could be put up on first beach. Phil noted the parking passes this year have been pretty good. Phil is looking into putting fans into the pavilion to move the air. He is not sure if they will be paddle fans or big round ones. The board agreed that this would be a good idea and for Phil to continue looking into it. Phil noted that people have asked him to relay to the board that they would appreciate it if board members could speak one at a time, perhaps raising their hand to speak. Evelyn Passan asked Phil to check into fixing the reserve beach area. There is no handrail for the stairs and the runoff has washed away the path. Phil Sabo reported that he has been filling in the erosion at third beach. He is just waiting for the contractor to come and fix it.
- **Technology:** Nothing to report.
- **Water Testing:** It is being performed routinely and our water has been testing well.
- **Other:**

Old Business
None

New Business

- **Tennis/Pickleball Committee:** Lynn Crisci asked if the committee that is set up now has the people on it that stepped forward at the June association meeting. Phil Sabo replied that he contacted the people that expressed interest at the June meeting to work on this project. Phil noted he made a mistake by calling it a committee as he does not have the right to form a committee. The group of people he put together were in charge of a fact finding mission to get prices and to see what could be done. Diane Nelson, Keith Marvin, Peter Rutledge and Tom Tyrrell were contacted to start this process. Lynn Crisci asked when the fact finding finishes and the contracts are together would this be a new expense or is it something that is included in the budget for the upcoming year. Keith Marvin stated that in the budget plan there was really no money to appropriately maintain the tennis courts and current expansion of pickleball courts. The goal was to save ourselves from replacing a \$100,000 investment by spending \$10,000 to \$15,000 to get it straightened out and at the same time to make it larger for pickleball players and pacify the tennis players. There is no real money budgeted in the expense budget for 2023-24 and no money in 2024-25 but there was a feeling that we have been moving money over to the accruals. Because there is no asset management planning committee we needed to do something. The money would have to be coming out of the accrual and there is money available for that. This is why it would come up at the August meeting to vote on it not to exceed an amount of money so the committee can go and do its work. The final contract would come back to the board for review and approval. Laurie Dworak felt the August meeting was ambitious to have everything done and the motion put forth to the membership. It was Laurie's understanding there be different line items with amounts to repair things. Chris Popolizio stated that they would create an RFP and ask for the contractors to give a line item assessment. At this time they have no hard figures. They are waiting for the quotes to line up with the scope of the work and then come back with other quotes in alignment. This would enable them to have a better understanding of what the cost of this project would be and if it could be done in stages or if they have the funding and the approval from the members to do it all at one time. Laurie Dworak noted that the committee wanted to bring to the membership a do not exceed number. Chris Popolizio noted that getting an RFP is difficult as it is a very aggressive market. He feels that he can get at least two prices and pricing on things like nets and then come up with a do not exceed price by August 20th. Keith Marvin stated that they would not be ready to award the contract to a contractor but there would be enough information to have the general budget engineering of this project. All the sealing, coating and lining would have to happen in the warm weather. All that could be done in the winter is filling the cracks. The contractor would be paid in phases. Chirs Popolizio stated that the cracks needed to be fixed before they got worse. Peter Rutledge reiterated that it is difficult to get pricing. Chris Popolizio informed the board the location of a few companies that do courts and their process. Pete Rutledge asked the process of approval from the board. Laurie Dworak reported that the board would first approve the committee and then the committee would bring their recommendation back to the board. Laurie Dworak indicated at this point it would be via email. Kathy Sabo felt this project is too ambitious to have ready for the August association meeting. Chris Popolizio indicated that the cracks were looked at by a reliable vendor and it will get to the point where the cracks will be non serviceable to the point of closing the courts down. It is in our best interest to address the cracks. If we do not bring it to the association this August then we will have to wait a year. Keith Marvin noted we should get phase one completed this winter which is filling the cracks because the winter will just make it worse. Then in the spring the cracks would be taken care of again and the recoating and relining would be done. If the project gets deferred it will just become more and more costly. Dave Edgington asked what the cost was to just fill the cracks. Chris Popolizio reported there is no price yet. Dave Edgington feels we just need to protect the court now. Pete Rutledge asked for clarification on the state law Laurie reported on under the budget committee. He asked for confirmation that anything above \$20,000 needs to go to the association and anything below that does not have to go to the association for a vote. Laurie Dworak reported that was the legal advice she received. Laurie Dworak asked about the cracks and the need to fill them twice because they were so bad. Chris Popolizion stated that there was no way to guarantee that the cracks will not come back as they are so large. One contractor did indicate that it would need to be done two times. Laurie Dworak stated that it was her understanding that the contractors they have been to will not do the crack filling unless they get the whole job. Chris Popolizio does not know the answer to that question and would not want to speculate. He stated that at a minimum for safety reasons and to protect the courts the committee needs to move forward with this project. Evelyn Passan confirmed that the committee is trying to get something to the membership for the August meeting to fix the courts and then proceed from there. Then go to the association for money to allow it to be fixed not to exceed a certain amount. Chris Popolizio stated the goal is to fix the cracks, seal the surface and reline the courts. Chris Popolizio noted that there are 56 members in the Lake Hayward community that plays pickleball. Pete Rutledge noted that to fix the cracks and paint the court would have to be approved. He asked if a design would need to be approved by association members. Laurie Dworak indicated that it should be part of the presentation at the August meeting. Phil Sabo requested that Chris Popolizio head up a committee of his choosing with the properties manager involved along with the board. Phil feels they can come to the August meeting with a figure but be prepared when the association members ask for specific figures on how much is it to just fill the cracks. Laurie Dworak stated that if they have a proposal the contract would require the cracks to be filled now to prevent any further winter damage, filled again in the spring by the same company. *Evelyn Passan made a motion to create the tennis/pickleball court committee. Dave Edginton seconded. All board members present agreed (7).* Kathy Sabo requested that if this committee is going to bring a motion before the membership at the August meeting she would like to see the wording of the motion. Laurie Dworak indicated that the board

should help the committee with the motion they are going to make. Their presentation should encompass what their plans are and the timeline with pictures, etc. Pete Rutledge inquired about the board approving funding over \$20,000 and what the association has to approve. Laurie Dworak indicated that the \$20,000 threshold is the legal answer however the membership should have a say in an expenditure of any amount. Kathy Sabo stated that any money that the committee is requesting is going to come out of the capital reserves fund so the association members need to approve that. Unless it is an emergency, then the board can move forward taking money out of reserves for emergency purposes. But if it is just to do something the association members need to approve any money that comes out of that fund. The board can spend money out of the operating budget but this committee is talking about taking money out of the reserves. Chris Popolizio asked where the money came from to repair the basketball courts last year and was told they were out of reserves. He felt that this is a very similar situation. There should be a motion from the floor. Chris Popolizio would present and make the motion.

- **Insurance** - Lynn Crisci indicated that we currently pay \$30,000 a year in an insurance program. She indicated we are probably overdue to take that insurance program out to bid. Lynn thinks there are some serious concerns on how the insurance program is structured. Lynn would like to put together a committee to get a proposal specification and go out and get three competitive bids for our insurance program for July of 2024. Lynn would like to go out even prior to July and replace the policy midterm. She feels we would be well served. The fact that we are being insured under homeowner's condominium which is a whole section of law in Connecticut when we are in fact a governmental entity which makes us subject to a different section of the law raises some concerns. Evelyn Passan volunteered to help Lynn Crisci. Laurie Dworak noted that it is the president's signature that goes on the insurance policies so if there is a subcommittee we should wait until we get our new board members and the responsible person should remain involved on the committee. Evelyn also noted that there are very few companies that cover what we have. Hema DeSilva thought we should get legal advice as well. Laurie Dworak indicated that she is waiting for a response from our agent in writing regarding the fact that we are a special taxing district and there is no code for that. Once we have an answer in writing we can have the attorney look at it.
- **August Meeting:** The tennis and pickleball court committee needs to be put on the agenda under the reports of the committees. The nomination ballot was approved. The tax report should be in the newsletter as well as the treasurer's June 30th reports the weekend of the meeting. Also the budget, agenda and June meeting minutes should be included. Dave Edgington noted that there will be a petition to request a special meeting to discuss the Airbnb's. Laurie Dworak talked to the attorney about that. Airbnb's are a slippery slope right now as it is not clear if they are actually a business or not. Phil Sabo will take care of setup for the meeting along with Dave Edgington.

Dave Edgington made a motion to adjourn the meeting. Lynn Crisci seconded. A vote was held. All board members present agreed (7).
The meeting was adjourned at 9:06 pm

Next board meeting will be a hybrid meeting on Monday, September 11, at 7:00 pm at 15 Lookout Dr., East Haddam, CT and via a Google Meet.