

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF WARDEN AND BURGESSES THURSDAY, JUNE 14, 2018 AT 4 PM AT 4 NIBANG AVENUE, FENWICK, CT.

Present: Warden Newt Brainard, Peter Brainard Jr, David Savin, Arthur Wright, Jonathan Gengras (left at 6 PM), Frank Keeney (left at 6:30 PM), General Manager Jeff Champion, Robert Gay

Not Present: Pam Christensen

Others Present: Attorney Michael Zizka, Cindy Patterson, Jessica Gay, Bill Webster, Chuck Chadwick, Tom Riggio, Robert Boody, Connie Wilson, Hall Wilson, Dinny Bush, Debbie Neely, Rick Neely, Lori Arute.

The Warden called the Meeting to Order at 5:04 PM. Two Burgesses had to leave by 6:30 PM so the Warden rearranged the Agenda to act on any business that required a vote.

A Motion was made by Jonathan Gengras seconded by Frank Keeney to appoint Jim Mitchell as the Borough Dockmaster for a one year term starting July 1, 2018 to June 30, 2019.

PASSED UNANIMOUSLY.

Open Forum for Residents to Speak

Jessica Gay, speaking as a resident of the community, reported that Andy Griswold reported that vicious vandalism has occurred at the Staniford osprey nest. The individual or individuals tried to saw down the post to the nest. She noted that this crime is a federal offense. Frank Keeney will report to the Police Chief and it may be necessary for Andy Griswold to file a Police Report of the incident.

Bill Webster handed out a Memo to the Burgesses announcing that both FIF and LPLT will be holding donor participation parties to thank residents for past participation and to discuss the Hepburn and Sequassen Dune Projects. He requested the Burgesses to attend the Parties which will be held in July and August. He stressed that educating the Community is of paramount importance to the success of the Projects. In addition, he requested that the Sea Level Rising Committee be disbanded and be replaced with a Steering Committee similar to the Marsh Restoration Project Committee. The Warden will take this under advisement.

Michael Zizka: Attorney with Halloran and Sage-Represents the Borough's Zoning Commission

Two issues are before the Board to which Mr. Zizka was asked to address. First, the Concerns Committee would like to hire him to research the options available to the Borough concerning our rights with respect to Borough-owned Roads. The Concerns Committee with the Burgesses would like to know what options are also available to limiting public access to the Beach, the west side entrance to the Borough and other areas. Mr. Zizka needs to determine the legal status of the Borough roads and he contact Campbell Hudson to gather pertinent information concerning this issue from him. Once the legal status of the Roads is determined he can then suggest available options to the Concern Committee and Burgesses as to how they can manage the Roads and other spaces within the Borough.

**A Motion was made by Jonathan Gengras seconded by David Savin to hire Michael Zizka to do research to provide information regarding how to limit Public Access within the Borough for up to \$5000.
PASSED UNANIMOUSLY.**

The Second Issue discussed was Short Term Rentals within the Borough and how to regulate them. The Warden intends to have a Public Meeting during the summer to hear the Residents speak to the issue but would like the Burgesses to be informed prior to this Meeting as to how they can be regulated in the Borough. What is the best way to regulate the Rentals? Is it through an Ordinance or a Zoning regulation? What are the time constraints to putting in place a Policy? Mr. Zizka reviewed the advantages/disadvantages of an Ordinance versus Zoning regulation and provided a history of state court rulings that have been decided recently. Mr. Zizka explained that this is a complicated issue facing many communities and there is no State Law specifically addressing this issue. Many times decisions are based on the specific impact Short term Rentals have on the Community. Specific to Fenwick would be noise, traffic, party house, disrupting the quality of life that Fenwick has been known for. Current zoning laws were reviewed and a discussion took place as to whether they are presently not allowed in the Borough. The Warden requested that Mr. Zizka provide him a brief narrative as to what is currently allowed within the Borough. As long as there is no conflict between the Zoning Board and the Burgesses as to this issue, Mr. Zizka may represent both parties.

Update on Hepburn Preservation Project

Cindy Patterson presented an update on the two Living Shoreline Projects: Sequassen Dune and Hepburn Dune. Two grants have been applied for: the Borough of Fenwick received a CIRCA grant for the engineering and monitoring portion of the Project and LPLT is working with Andy Fisk from the Connecticut River Conservancy to find other grant opportunities. Also under consideration is a community fundraiser. The Warden

will follow up with Mr. Fisk to review what is necessary on the Borough's end to pursue certain Grants and to grant permission for Mr. Fisk to move forward.

General Manager's Report

Jeff Champion provided his Report to the Burgesses and highlighted the following:

- There was much difficulty in hiring a Park Monitor. Last year's Park Monitor Chuck will be returning on July 16th and one of Daryl's team members will provide coverage in the meantime. The Board feels that with the new General Manager there will be an opportunity to manage the responsibilities of the Position better and thus the Park Monitor will provide better service to the Community.
- The Pier will be completed by June 22nd
- More information will be forthcoming on Solar Panels. Further discussion was tabled for a future Meeting.
- The Lease for the Lawn Mower is almost completed
- The Golf Course is in great condition.
- The Beach Furniture has been ordered and reimbursed by FIF.
- The email system has been replaced. Jeff asked that all Burgesses please sign in to the new Outlook system so that we can end the First Class System.
- Phone System is being replaced and will take three days.

Treasurer's Report

Bob Gay reported that at the end of the Borough's fiscal year the Borough will show a surplus of \$10,000. Non resident Season Ticket Holders and an increase in Building fees are responsible for the surplus. Again, he reiterated that the Borough continues to be dependent on FIF in that they purchased the Beach furniture and contributed to the repairs on the Pier. Capital Reserves did not need to be used this year.

Warden's Report

The Warden discussed that the Burgesses will hold a meeting to discuss the Short Term Rental Issue and to hear the GZA Presentation concerning Sea Level Rising and the Dune Projects. Date to be determined at the next Burgess Meeting in two weeks.

Other Business

Next Burgess Meeting: Friday, June 29th at 4 PM.

**Being no further business, at 6:55 PM, a Motion was made by Peter Brainard, Jr. seconded by David Savin to close the Meeting.
PASSED UNANIMOUSLY.**

Respectfully Submitted,

Julie G. LeBlanc, Clerk