

**MINUTES OF THE SPECIAL MEETING OF THE WARDEN AND BOARD OF
BURGESSES ON THURSDAY, AUGUST 22, 2019 AT
4 NIBANG AVENUE, FENWICK, CONNECTICUT**

PRESENT: Warden Newt Brainard, Arthur Wright. Frank Keeney, Jonathan Gengras, Pam Christensen (4:05PM), Robert Gay, General Manager Jeff Champion, Zoning Enforcement Officer/Land Use Administrator Marilyn Ozols, and Superintendent Daryl Aresco.

MEMBERS OF THE PUBLIC: Robyn Gengras, Greg Millard and Bill Webster.

The Warden called the Meeting to Order at 4:02PM.

Approval of the Minutes

A Motion was made by Frank Keeney seconded by Jonathan Gengras to approve the July 26, 2019 Minutes as presented.
PASSED UNANIMOUSLY.

Floor Opened for Public Comment

No comments.

General Manager's Report

Jeff Champion provided his Report to the Burgesses prior to the Meeting. He discussed the following items:

-**EZ Links:** EZ Links has still not responded to the separation letter dated 6/27/19. The 60-day time period they have to respond ends 8/29/19. The Warden stated Atty. Campbell Hudson has advised the Borough to wait until 8/29 before proceeding.

-**Golf Carts:** Golf cart rentals began 8/18/19, with \$350 in rental fees received to date. Pam Christensen inquired regarding the efficiency and cost effectiveness of the program. Frank Keeney asked that the matter be addressed in Executive Session. The Warden added that, as the program is starting at the end of the season, it will be evaluated over the winter; as long as it breaks even, it's a net positive for the Borough, as it attracts more golfers.

-**Pier:** CT River Dock & Dredge will cut test holes in the pier after Labor Day. Once the holes are cut, the situation will be assessed and a report will be provided to the Burgesses.

-**Beach Area:** New sign near beach entrance has been somewhat effective in deterring non-residents who have not paid the fee from using the beach. Approximately 50% of lifeguard staff has finished for the season, due to school starting, etc. One umbrella was lost in a recent storm. The Warden reported some vandalism of the beach furniture and umbrellas which took place 8/15-8/16. He added that he had some names and/or golf cart license

numbers which he is investigating. Jeff Champion stated that someone rode bikes on the greens during that same time period.

-Golf Course: Golf is trending toward breaking the \$54,000 record for the month of August. The two biggest factors in the increase in revenue seem to be online tee times, which have allowed many same-day singles to jump on, and a mid-shift employee answering phones between 9AM and Noon, which has facilitated more tee time bookings.

Treasurer's Report

Treasurer Bob Gay distributed copies of his report to the Burgesses prior to the meeting. He discussed the following items:

There is an approximate \$75,000 surplus reflecting the past 2 years combined (\$25,000 + \$50,000). If the Burgesses wish to initiate/approve projects, this is the year to do so. The Treasurer advised prioritizing carefully as some of the proposed projects to be presented later in the meeting are quite costly. He reminded the Burgesses that grants often require the Borough to match funds; e.g., a \$250,000 grant might require the Borough to contribute \$25,000 in matching funds.

Board, Commission and Committee Reports

Park Commission: Frank Keeney reported that the Park Commission met Friday, 8/16/19. The Warden invited Greg Millard to speak regarding golf course tee leveling project. Greg Millard reported that in order to maximize playable area of tees, as well as allow time for divots to recover, and to offer an improved golfer experience (thus attracting more golfers), the Park Commission is proposing to level several tees on the course. The par-3 holes are most in need of leveling. The Commission has received a cost estimate of \$111,000 from a third-party contractor. It is hoped that 3 or 4 tees could be done at a time, with the whole project being completed over the course of 4-5 years. The Commission has assumed that the Borough would supply some support costs for the project, which costs are not included in the \$111,000 estimate. Such support costs might include moving dirt and fill, etc. Superintendent Aresco stated the estimated costs are mainly for labor, as the Borough already has a lot of the required material. He added that each tee should take a couple of days to complete. Art Wright requested that the support costs necessary from the Borough be outlined more specifically, as past underestimations have proved costly. Frank Keeney stated that the Commission would approach FIF to partially fund the project. Art Wright stated FIF would be meeting 8/23/19 and the project would be discussed. He believes the FIF is inclined to support it. Resident Bill Webster stated he was in favor of anything to improve golfer experience, including this project.

A Motion was made by Pam Christensen seconded by Frank Keeney that the Burgesses allocate up to \$25,000 per year over 4 years out of the 2018-2019 operating surplus to

begin the proposed tee leveling project, with the order of tees leveled to be based on established priorities. There was brief discussion.
PASSED UNANIMOUSLY.

The Warden invited Robyn Gengras to present her report and the proposal for a new playground. Robyn stated that she and Margaret Wade have carefully and thoroughly researched the matter and consulted with Jeff LaRue. The current playground is approximately 20-30 years old and badly in need of replacement. The goals for the new playground are (1) to keep the same footprint and height, with safety being the highest priority; (2) efficiency – it is hoped the project could be completed by Summer 2020; and (3) to keep the same general layout. She presented an estimate of approximately \$80,000 for the new playground. She added that Jeff LaRue recommended that the current playground be removed this fall, whether or not the Borough approves the new project. Robyn strongly recommended the Borough consult with an attorney regarding ADA compliance. Certain individuals/families in the Borough have indicated they would be willing to donate funds for the project. Robyn offered to be the liaison between these individuals/families and the Borough, as well as the FIF, which will be approached regarding its possible financial support of the project. The Warden asked what time of year is ideal for this project. Robyn stated the fall would be great, but if there doesn't seem to be a lot of traction on the project, perhaps wait until April 2020. She added that, while it's a relatively involved process, it would take "days" and not "weeks". Frank Keeney stated that it makes sense to vote to have this project put on the capital improvements list as an approved project and then approach FIF for funding. The Warden agreed and stated that once FIF commits to a certain amount, the Burgesses can figure out the Borough piece. Art Wright asked if the current playground was actually unsafe or merely old and unattractive. Robyn Gengras stated that, due to dune encroachment, the swings are unsafe. Superintendent Aresco added that the spiral slide is unsafe and the foundation is also coming loose. Art stated that the Burgesses should be prepared to pay for this project in the event FIF can't. The Warden stated that the Burgesses could do it on an iterative basis; i.e., they can approve the project without committing to its total funding, and pay the remainder of costs after any contribution from FIF. Robyn Gengras stated she hopes and believes the fundraising will be "fun and fast" as this is a "passion project" for many Borough residents.

Frank Keeney will see that the proposed project be placed on the Historic District agenda.

A Motion was made by Jonathan Gengras seconded by Pam Christensen that the Burgesses approve the proposed new playground as a Borough-approved capital project. There was brief discussion regarding maintenance costs of the new playground, which were estimated to be comparable to or less than current maintenance costs.
PASSED UNANIMOUSLY.

Frank Keeney stated that the Park Commission is working on the mowing and spraying calendar regarding invasive plants. Additionally, he had a conversation with Tom Ryder, who is interested in the Borough possibly expanding the Ryder Course to 9 holes, keeping it for use primarily by children. Tom stated he would make a "significant contribution" to the expansion

if it were approved and undertaken. The Warden asked ZEO Marilyn Ozols if the wetlands near the Ryder Course are mapped. She replied yes. The Warden asked the Park Commission to consider the idea over the next few months, including the available space, how the project is envisioned, and the operating side of the project. He suggested a sketch might be helpful. Frank Keeney stated the Park Commission would place it on the agenda for its next meeting.

Planning and Zoning: Art Wright reported the Planning and Zoning Commission met on 7/30/19. They considered an application by Joseph Zubretsky to revise his site plan based on ZBA variances granted. Art Wright stated it was a straightforward approval. Planning and Zoning also took action on the 3rd of 3 regulation amendments. They considered comments by Brooke Girty and others. The regulation change as modified was deemed by the Commission to be better than the originally proposed regulation, and was therefore approved.

FIF: Art Wright stated FIF will meet Friday, 8/23/19.

Lynde Point Land Trust: No report.

Concerns Committee: No report.

Harbor Management Commission: No report.

Zoning Board of Appeals: No report.

Historic District Commission: Marilyn Ozols reported that the Commission would be meeting in September.

Hepburn Family Preserve Update: Marilyn Ozols distributed the current plan for the preserve, which involves moving the creek slightly to the north. While the exact location has not been decided yet (they are still running the models), on the west side the creek will be on Borough property, so Burgess approval is required to move forward with the permit application. CT DEEP and the Army Corps of Engineers have no objections to the diversion of the creek.

**A Motion was made by Jonathan Gengras seconded by Frank Keeney that the Burgesses approve the use of Borough property for relocation of the creek as proposed.
PASSED UNANIMOUSLY.**

Marilyn Ozols reported that the Old Saybrook / Fenwick Hazard Mitigation Plan is in its final draft. She added that she would probably have a resolution ready to adopt the plan at the next Burgess meeting. She will send both the resolution and the plan to Burgesses prior to the meeting.

Request of Frank Gilhool Regarding 10 Sequin Avenue – adjacent road transfer of Bulkeley Avenue and Sequin Avenue: Marilyn Ozols reported that the former owners of the Gilhool property did not accept the half of each of Bulkeley Road and Sequin Avenue adjacent to the 10 Sequin Avenue property. She said the adjacent road portions are approximately 20-foot wide strips. While the transfer of these strips to the Gilhools would affect the current setbacks for the property, it would not create an additional building lot. Frank Keeney commented that these are the only two sections of Bulkeley Road and Sequin Avenue that the Borough has not transferred. Marilyn stated that the Burgesses are not acting on this matter today and that Attorney Campbell Hudson would be reviewing the potential transfer. The Gilhools are prepared to accept the requirement that the property owner is responsible for legal costs and for providing the easement.

Review of Hammer Law: The Warden stated the Burgesses would address this matter in the fall, setting it as a priority for discussion in September/October. He added a thank you to the Superintendent for recently notifying the power company, which was about to perform work in the Borough, of the current hammer law in effect.

Warden Report: The Warden reported that he and Frank Keeney met recently with two residents who stated they were dissatisfied with the short-term rental situation. Attorney Campbell Hudson was also present for the 1-hour meeting, during which the residents asked questions as to their options for changing the situation. They asked if they could put in an application to change the zoning regulation so that the minimum rental period would be one month rather than two weeks. Attorney Hudson stated that such an application is an option.

The Warden added that he received plans from Geoff Jacobson regarding the Borough entrance just prior to today's Burgess meeting. The plans do not include lighting or landscaping.

The Warden further reported that he and General Manager Champion put together a flier regarding Fenwick fishing regulations. There was brief discussion on where legal egress exists at Lynde Point. The Warden stated that he and Frank Keeney would meet with Chief Spera regarding the matter.

NEXT MEETING: Thursday, September 19, 2019 4:00PM-6:00PM.

A Motion was made at 6:06PM by Jonathan Gengras seconded by Frank Keeney to keep the Burgess meeting open and move into Executive Session invite Jeff Champion to attend.

There being no further business, A Motion was made by Jonathan Gengras seconded by Frank Keeney to adjourn the meeting at 6:31PM.

PASSED UNANIMOUSLY.

Respectfully Submitted,

Suzanne M. Stanners