

**MINUTES OF THE SPECIAL MEETING OF THE WARDEN AND BOARD OF BURGESSES ON  
THURSDAY, AUGUST 27, 2020  
VIRTUAL MEETING**

A Special Meeting of the Warden and Board of Burgesses was held using the Zoom meeting format on Thursday, August 27, 2020. Notice of the meeting was posted in a timely manner on the Fenwick kiosk and on the website.

**PRESENT:** Warden Newt Brainard, Frank Keeney, Julie LeBlanc, Pam Christensen, Ann Pulver, Art Wright, Jonathan Gengras, General Manager Jeff Champion, and Zoning Enforcement Officer/Land Use Administrator Marilyn Ozols.

**MEMBERS OF THE PUBLIC:** Several members of the public were in attendance.

The Warden called the Meeting to Order at 4:31PM.

**Approval of the Minutes**

**A Motion was made by Frank Keeney, seconded by Ann Pulver, to approve the July 23, 2020 Minutes as presented.**

**PASSED UNANIMOUSLY.**

**A Motion was made by Art Wright, seconded by Pam Christensen, to approve the August 6, 2020 Minutes as presented.**

**PASSED UNANIMOUSLY.**

**Floor Opened for Public Comment:** No comments.

**Public Hearing Regarding Hammer Law:** The Warden opened the Public Hearing regarding revisions to the Hammer Law at 4:33 p.m. Marilyn Ozols clarified what the changes are to the previous law. The Warden commented that the purpose of the changes to the law are to make it less vague and, in particular, to address the problem of commercial traffic and parking of commercial vehicles on Borough roads, as well as to cut down on noise and disturbances. He noted that Attorney Mike Zizka has approved the language in the proposed law.

Charlie Millard commented that the CT Special Act of 1899 incorporating the Borough of Fenwick gives the Warden and Burgesses, among other powers, the power to regulate noise and maintain peace and order. He stated that the proposed Hammer Law doesn't go far enough regarding noise and disturbances caused by landscaping power equipment, e.g. lawn mowers, hedge trimmers, leaf blowers etc. He asked the Burgesses to further restrict the days and/or hours that such equipment may be used.

J.D. Rehm noted that the current penalty for violating the Hammer Law is \$100/day. He stated it might be worth discussing increasing the penalty to avoid a situation where a resident might violate

the law and just accept the penalty as part of the cost of a project. The Warden acknowledged the difficulties of enforcement.

Valerie Bulkeley stated that 7:00 a.m. is too early to allow use of landscaping power equipment. She also recommended that the words "or business" be deleted from Section 1.E, as businesses are prohibited in the Borough. She added that the proposed revisions are a step in the right direction but need more refining.

Ann Pulver suggested adding more to the ordinance regarding the scope/time frame for projects.

Frank Keeney stated that residents have 10 months of the year to work on home repairs/improvements/alterations and that it is not too much to require refraining from such work for the remaining 2 months.

There was brief further discussion of the proposed revisions. The Warden closed the public hearing at 5:02 p.m. He stated that further revisions to the ordinance would be necessary before the Burgesses could vote. He added that he would provide his notes to Atty. Zizka and ask him to redraft the ordinance.

#### **General Manager's Report**

General Manager Jeff Champion (GM) provided his report to the Warden and Burgesses prior to the meeting.

**-4 Nibang Avenue – Phone/Internet Service:** The GM has been working with Founders Technology and proposed a system which would allow Zoom meetings with the visual aspects on a TV. The TV could also allow for other presentations to be shown (e.g. architectural plans, etc.). The device could also be used as a conference phone. The amount requested is \$5,105 plus up to \$100/month for maintenance fees.

**A Motion was made by Art Wright, seconded by Frank Keeney, to expend the non-budgeted amount of \$5,105 plus \$100/month for new telephone/video conferencing system for 4 Nibang Avenue as proposed.**

**PASSED UNANIMOUSLY.**

**-Club Prophet Systems (CPS):** Feedback has been very positive.

**-Park/Beach Monitor:** The beach monitors left earlier than expected. Would like to discuss expanding the budget for the Park Monitor. The Warden asked for a couple of sample expanded schedules for the Park Monitor as well as his availability to work more hours. The GM stated approximately \$7,000 would be needed to expand the Park Monitor's hours through September. Ann Pulver stated, and Pam Christensen agreed, that it would be money well spent.

**A Motion was made by Art Wright, seconded by Frank Keeney, to allocate an additional \$7,000 to the park monitor budget.  
PASSED UNANIMOUSLY.**

**-Storm Isaías:** The Borough has incurred \$3,500 in storm cleanup expenses. The budget for storm damage this year was \$50.

**-Pier:** Slow progress is being made with GNCB. Permits have been issued. The Warden commented that the project seems smaller in scope than expected and the GM agreed.

Pam Christensen commented that the Borough continues to have extremely poor cell phone service. The GM will consult with Founders Technology regarding any possible improvement.

**Treasurer's Report** – No report.

### **Board, Commission and Committee Reports**

**Policy and Vetting Process for Memorials:** Ann Pulver provided her report to the Burgesses prior to the meeting. She stated that she has received comments from some residents and Burgesses regarding memorials. Because of the sensitivity of the matter, it makes sense to formulate a "wish list" for memorial projects. Borough staff or a committee could draft and maintain the list. There should also be a way for people to make a monetary donation in memory of a resident. The committee could be made up of one member each from Fenwick Improvement Fund (FIF), Historic District Commission, and Burgesses. Pam Christensen agreed with the proposal. The Warden asked Ann Pulver to further refine today's document and include who might serve on such a committee.

**Harbor Management Commission Vacancies and Expirations:** Gordon Jones does not wish to become an elector at this time, so Jonathan Gengras will find a new member and a new alternate for the Commission.

**Nominating Committee:** Duby McDowell reported that the Nominating Committee has met three times. The Committee plans to present a slate of nominees by the end of September.

**Fenwick Improvement Fund:** Art Wright reported that the FIF is interested in obtaining a current list of capital projects. The Warden and the GM provided guidance which Art Wright will share with the committee.

**Planning & Zoning Commission:** Art Wright reported the next meeting is scheduled for 9/8/20.

**Zoning Board of Appeals (ZBA):** Ann Pulver stated the next meeting is 8/31/20.

**Park Commission:** Frank Keeney asked that Charlie Millard's recent email to the Burgesses regarding the Golf Course Strategic Plan be placed on the agenda for the next Burgess meeting.

Keeney expressed the Commission's gratitude to FIF for its support of tee leveling. He added that it's possible there may not be funds from FIF to continue the project next year. The Commission will completely review the golf rate structure for 2021. Potential improvements to the Ryder Course are being discussed with the architect.

Old Saybrook Police Chief Michael Spera recently discussed with Keeney an email to the OSPD from Old Saybrook residents who were asked not to walk on the golf course by the Park Monitor. Keeney explained to Spera that the public is welcome to use the golf course if they have paid the appropriate fee. Chief Spera understood and stated he would respond to the email accordingly.

Following complaints to the Borough from Fenwood property owners, Keeney and the Warden will investigate trees in the Grove which might need trimming and/or removal.

Keeney suggested investigating outsourcing garbage removal and asked the GM to report back.

**Concerns Committee:** Pam Christensen reported the Committee will advertise for the constable position after Labor Day.

**Historic District Commission (HDC):** Pam Christensen stated the next meeting would be 9/12/20.

**Lynde Point Land Trust:** Recently held its annual meeting. Discussion included the height of the proposed dune plantings. There were several good ideas for lower growing options.

**Warden Report: Borough Entrance.** The bid process will be similar to the bidding process used for Sequassen Avenue. The Borough will ask four (4) local contractors for bids. Geoff Jacobson will assist with the process.

**Next Meeting:** Thursday, October 8, 2020 at 4:30 p.m. Outdoor, socially distanced meeting at 4 Nibang Avenue weather permitting; otherwise, virtual meeting via Zoom.

**There being no further business, a Motion was made by Frank Keeney, seconded by Ann Pulver, to adjourn the meeting at 6:10 p.m.**

**PASSED UNANIMOUSLY.**

Respectfully submitted,  
Suzanne M. Stanners