

MINUTES OF THE SPECIAL MEETING OF THE WARDEN AND BOARD OF BURGESSES

THURSDAY, March 24, 2022

4 NIBANG AVENUE and VIA ZOOM

A Special Meeting of the Warden and Board of Burgesses was held on Thursday, March 24, 2022. Notice of the meeting was posted in a timely manner on the Fenwick kiosk and on the website.

PRESENT: Warden Newt Brainard, Frank Keeney, General Manager Jeff Champion (GM), and Zoning Enforcement Officer/Land Use Administrator Marilyn Ozols (ZEO).

PRESENT via ZOOM: Art Wright, Duby McDowell, Jonathan Gengras (joined at 4:25 pm), Treasurer Bob Gay.

ABSENT: Ann Pulver, Pam Christensen.

MEMBERS OF THE PUBLIC:

Present: None.

Present via Zoom: Maggie Stokes.

1. Call to Order

The Warden called the meeting to order at 4:09 p.m.

2. Approval of Burgess Meeting Minutes from February 17, 2022

A Motion was made by F. Keeney, seconded by D. McDowell, to approve the February 17, 2022 minutes as corrected.

PASSED UNANIMOUSLY.

3. Open Forum for Fenwick Residents to Speak

Bob Gay. B. Gay expressed concern with the entrance plan, stating that he believes it is overstated and looks too much like a park; the maintenance will be untenable; and it is over cost, even without including maintenance.

N. Brainard noted that it was approved at the last Burgess meeting and installation will begin shortly.

Maggie Stokes. M. Stokes stated that she had sent an email to all Burgesses with her ideas about affordable housing, adding that the Borough could consider donating a parcel to an entity for the development of a small number of affordable units.

N. Brainard expressed appreciation for her thoughts, reviewed some aspects of affordable housing, and indicated that this can be discussed as an agenda item at a future Burgess meeting.

4. General Manager's Report

- a. Appointment of Sinnamon & Associates as Borough Auditor – discussion and possible action.

J. Champion stated that the current auditor, Sandra Welwood, is dissolving her business; the proposal from Sinnamon and Associates had been sent to the Burgesses; Sinnamon handles other small municipalities and is a good fit; they have reviewed the prior audit and are comfortable with the way the Borough operates; they will be hiring a former employee of Welwood who has worked on the Borough audit so will have familiarity; the cost is \$1,000 less per year than Welwood; Sinnamon is proposing a three year contract in order to even out the up front costs for a new client; and the Borough needs to report the name of the auditor to the state by May 1.

After discussion, **a motion was made by F. Keeney to appoint Sinnamon & Associates as Borough Auditor and sign a three year contract at \$8,000 per year. J. Gengras seconded the motion.**

PASSED UNANIMOUSLY.

J. Champion reviewed the items in his report:

- Maintenance Equipment: Orders have been placed but delivery is uncertain; the capital plan will be updated once current delivery dates are known.
- Quote on Road Repaving: Dibble quote is \$27k and includes 175 ft of paving plus regrading and turning Pettipaug Avenue up to and including Pattaquasset Avenue into gravel roads; the work is scheduled for the fall; the quote will have to be updated for petroleum costs prior to start.
- Pier Update: Charles Brown, GNCB, remains unresponsive; the current intent is to go out to bid this year with work to be done in the spring of 2023. There has been some erosion at the Crab Creek bridge; the engineer for that project will be contacted and will also be asked about the pier work.
- Golf Course: Greens fees are running ahead of the projected amount in the budget. In order to budget for next year and to request FIF funds, projects will need to be identified. This will be carried on the next agenda.
- Surveyor: Quotes are still being sought to locate all the proprietary underground utilities in the Borough and develop an overlay on google maps that will include GPS coordinate points; an appropriation will be requested at the next meeting.
- Widen Sidewalk at Pier Entrance: Alternatives, including centering the gate or widening the sidewalk, are being investigated to avoid the muddy ruts that come about every year.
- Starter Shack Renovation: The project is going well and almost completed.
- Seasonal Help: Lifeguards, Beach Monitors, Golf Course, and Starter/Rangers are being recruited and interviewed.

5. Treasurer's Report

Treasurer Gay indicated that he anticipates an operating surplus this year because of increased revenues and it appears that the Borough will be in good shape for funding anticipated larger projects. He added that there will be replanting at the dune project in April but this is covered in the contract and there is no additional Borough expense.

Warden Brainard, Treasurer Gay, and GM Champion will meet in April prior to the next meeting to discuss the budget; an update will be sent prior to the next meeting so that the full budget can be discussed in preparation for May adoption.

6. Hold Harmless garage/home entry for trash pickup – discussion and possible action

Burgesses received an amended document prior to the meeting. The intent of the amendments is to make the document more specific to staff entry into buildings or structures to pick up trash. The language has been reviewed by counsel. If approved, the document will need to be distributed to, and executed by, residents whose buildings are being entered.

After discussion, **a motion was made by J. Gengras to adopt the Hold Harmless requirement for garage/home entry for trash pickup as presented. D. McDowell seconded the motion.**

PASSED UNANIMOUSLY.

7. Approval to Opt Out of Statutory Accessory Apartment Zoning Regulation – discussion and possible action

M. Ozols explained that at its meeting on March 9, 2022, the Planning and Zoning Commission voted unanimously to enact Section 4.2.6 of the Zoning Regulations to opt out of the provisions of Section 6 of Public Act 21-29. The Board of Warden and Burgesses must also vote to opt out in order for the opt out to become effective. If the Borough opts out, the existing Zoning Regulation regarding accessory apartments will remain in effect. If the Borough does not opt out, P&Z will need to amend the current regulation to include all of the provisions of Section 6 of the Public Act.

After discussion, a motion was made by F. Keeney to opt out of the provisions of Section 6 of PA21-29 regarding accessory apartments. A. Wright seconded the motion.

PASSED UNANIMOUSLY.

8. Board, Commission, and Committee Reports

- a. HDC: The Commission met on March 5 and approved work on the starter shack and for Andrea Jones and Frank Sciamé.
- b. LPLT: Pam Christensen – No report.
- c. Concerns Committee: Pam Christensen – No report.
- d. Commissions Coordinator: DUBY McDowell – No update.
- e. Harbor Management: Jonathan Gengras – The Commission is still waiting for information from Geoff Steadman in order to continue work on the Shoreline Planning Units.
- f. ZBA: Bob Gay – No meeting.
- g. Park Commission: Frank Keeney – No update.
- h. FIF: Art Wright – No report.
- i. P&Z: Art Wright – The Commission met on March 9 and approved amendments to the regulations to comply with state statutes, including the opt out for accessory apartments, elimination of the minimum first floor area requirement, and provision for uses included in state statutes but not in the Fenwick regulations. They also approved an Affordable Housing Plan which is required by state statute, and site plans for Andrea Jones and Frank Sciamé.

9. Warden's Report

Resiliency Planning. N. Brainard reported that he and Frank Keeney had met with Old Saybrook First Selectman Carl Fortuna and RiverCOG Executive Director Sam Gold to discuss a coordinated effort with the expectation that collectively we will be more successful at accessing funds. He added that the initial step will be to identify, prioritize, and design the most important projects. F. Keeney added that this might go beyond immediate shoreline projects and include projects like burying overhead wires.

M. Ozols reported that she had attended a meeting of the newly formed Old Saybrook Coastal Resilience Committee in February where the need for a coordinated effort was again discussed. Additionally, the National Fish and Wildlife Foundation (NFWF) and NOAA have just circulated information on the 2022 National Coastal Resilience Fund which will include grants for Community Capacity Building and Planning. Old Saybrook, Westbrook, and Fenwick will be coordinating on this with other abutting municipalities invited to join.

10. Other Business

None.

11. Next Meeting

The next meeting was set for Thursday, April 28 at 4:00 p.m. It will be a hybrid meeting.

12. Burgess Comments

F. Keeney inquired about the short term rental appeal. We are currently waiting for court administrative work to be completed in order to move to the next step.

13. Adjournment

There being no further business, a motion was made by F. Keeney, seconded by J. Gengras, to adjourn the meeting at 5:27 pm.

PASSED UNANIMOUSLY.

Respectively Submitted,

Marilyn Ozols, Acting Clerk