

MINUTES OF THE SPECIAL MEETING OF THE WARDEN AND BOARD OF BURGESSES
THURSDAY, OCTOBER 27, 2022
4 NIBANG AVENUE and VIA ZOOM

A Special Meeting of the Warden and Board of Burgesses was held on Thursday, October 27, 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, Jonathan Gengras, Duby McDowell, Pam Christensen, General Manager Jeff Champion (GM), and Zoning Enforcement Officer/Land Use Administrator Marilyn Ozols (ZEO).

PRESENT via ZOOM: Art Wright, Ann Pulver, Bob Gay, Treasurer,

NOT PRESENT: None.

MEMBERS OF THE PUBLIC

Present: Mike Reynolds, Chuck Chadwick.

Present via Zoom: JD Rehm, Nancy Haviland, Kathy Rehm.

1. Call to Order

The Warden called the meeting to order at 4:02 p.m.

2. Approval of Meeting Minutes from September 29, 2022

The date was corrected to September 29.

A Motion was made by F. Keeney, seconded by P. Christensen, to approve the September 29, 2022 minutes as corrected.

PASSED UNANIMOUSLY.

3. Open Forum for Fenwick Residents to Speak

Nancy Haviland recommended that the Borough bring in a professional to develop a cohesive and natural landscape master plan that represents the Borough as the quaint seaside community that it is. She recommended creating a Landscape Committee, which would be different from the Park Commission, but would include a representative from that Commission. Discussion included the need to identify the areas that will be included, to take maintenance into consideration, and to coordinate with several different entities, especially the Park Commission, as well as with the General Manager and Park Superintendent. She was asked to work up a proposal for the next meeting that would include the goals and make up (superintendent, general manager, Park Commission member, FIF member, etc.).

JD Rehm reported that he has been working on developing information for undergrounding the wires along Sequassen Avenue from the Zubretsky mailbox through the fourth hole to the Savin property primarily for aesthetics but also with other benefits such as the wires being safer in a storm. He stated that the cost will probably be around \$500,000 to \$600,000, mostly privately funded, but Eversource will not draft a plan until they receive a 20% deposit. He stated that at this time his presentation is informational, but he will likely request some project support in the future and he would like the Burgesses to recognize this as a Borough project in order to establish an FIF restricted project fund. Burgesses discussed other areas of the Borough where undergrounding has been considered including Pettipaug Avenue and identified vulnerable spots within the Borough, and the fact that the benefit to the fourth tee or the inclusion of other locations would support meeting the FIF objective of benefitting all of the Borough.

N. Brainard requested that an updated Capital Projects list be presented at the next Burgess meeting.

4. General Manager's Report

J. Champion reviewed the items in his report:

Pier Update: The Harbor Engineering proposal was received just before the meeting. It includes Crab Creek Bridge, the fourth tee seawall, and pier assessment as well as a CT-DEEP maintenance application for the work identified in all three locations, and project meetings, coordination and support at a total cost of approximately \$28,000. The individual components were discussed and it was noted that all three projects require ongoing maintenance; the Borough has put money into all three in the past; and deferred maintenance could allow them to deteriorate to the point where repair becomes more expensive. The information will be distributed for action at the next Burgess meeting.

Golf Course: While it may not reach last year's level, October's golf course revenue should surpass the 3-year average.

EZGO Golf Carts: The Borough is evaluating golf cart rental options. The current rate is \$200 per month, all inclusive, but up \$50 from last year with no locked in price. The proposal from EZGO would lock in leases for new carts for \$161.57 per month for six years with a buyout option at the end, and would include bag covers, divot mix container, USB ports, roof, windshield, and logos. They will service the carts every 2 years and will store them over the winter. Burgesses requested a quote from Hawkes for next year for comparison, information on the location for servicing, and a specific proposal for action at the next meeting.

Bulletin Boards for golf course: Installation has started; some will need to be modified over the winter and then installed.

Beach/Pier/Tennis: The beach area is expected to be completely broken down during or before the first week of November. Tennis court nets will be taken down when the weather turns cold.

Beach/Pier Gate: The Borough is working with a couple of companies on design and spring/hydraulic automatic gate closing options with a lockable latch. The east/west location has been determined but north/south is still being considered (far away from the hedge row the posts are set). Estimated costs are between \$6.5k - \$8k.

Water Fountains: The water fountains at the beach, tennis courts, and Ryder course are all in need of major repairs. Proposals for rebuilding them are being obtained. Perhaps rebuilding is a capital project to approve and run through FIF. The fountains at #2 and #7 are stable at the moment.

Trash/Recycling: Trash and recycling on Mondays is working and will be continued. The new truck carries almost twice the capacity of the old truck.

Grove Entrance: Plans are being made to move the Grove entrance over the winter. Preliminary plans will be presented to LPLT and the Burgesses once they are completed. The grant given to the Borough for the Grove is being researched in order to ensure compliance. The shared lot with maintenance is taking up employee parking spaces and creating liabilities for the Borough.

Mugwort: Dan McGowan, the Borough's Environmental Staffer, is updating the invasive species report, and will include input from Andy Griswold in order to address the conflict between nesting birds and the most opportune time to treat invasives. Mugwort will be mowed in the next few weeks, before the frost, so that the seeds don't become viable.

Jr. Program: Fees are still outstanding from two renters. A big issue to be addressed before next year is the lack of a roster. This not only affected planning but also allowed children to participate without paying or signing the release of liability form.

Cyber Liability Insurance: The Borough is waiting for a meeting with the Old Saybrook IT Director and has also reached out to CIRMA.

Surveyor: New quotes for the project to get a Borough-wide map that shows proprietary underground utilities are being explored.

Road Paving: Jacobson Engineering was consulted and is doing a survey in order for a plan that also addresses drainage issues to be developed. Jacobson will also be providing specifications for the sidewalk in front of Van Itallie/Chadwick on Borough property. Sidewalks on private property can be addressed at the same time with the property owner responsible for the cost.

Water Leak: A leak between the water main and the maintenance building was discovered and the Borough is working with CT Water Company to address the situation. There is insurance to repair this break, but the Borough will need to bear the cost of the water and will need to budget for new water lines from the main, which is nearly 1,000 feet away on Park Avenue, to the maintenance barn. Flow meters will also be considered in order to alert the Borough sooner when this kind of incident occurs.

Tennis wall: Plans for an upgrade are in the works; the office is awaiting suggestions.

LoCIP: The \$8,188 should be approved this month.

Park Monitor: The Park Monitor will stay on in a limited capacity through October 31 and then will be available on an as needed basis.

Cleaning Services: The Borough is seeking a cleaning service and bids are coming in. Quotes are coming in around \$17k inclusive of all cleaning supplies, vacuums, etc.

5. Treasurer's Report

B. Gay reported that completed and planned projects have used up the contingency; necessary projects should be listed and approved as bona fide projects so as to be eligible for FIF funding.

6. Play Class – Discussion and Possible Vote

The draft Aquatic Director job description was discussed, noting that this is a safety issue and the position will oversee both programs and personnel and provide coordination between them. The Burgesses indicated agreement with doing something and coordinating the cost with Play Class. This item will be carried on the next agenda for a follow up presentation.

7. Memorial Policy – Discussion and Possible Vote

A. Pulver recommended a committee to be the liaison between donors and burgesses and to coordinate with a potential landscape committee. She agreed with having one designer in order to maintain a unified look and noted that donations with naming rights will need to include maintenance. She was asked to submit a written policy for the next meeting inclusive of the constitution of the committee as well as recommended names.

8. 2023 Golf and Recreation Fees – Discussion and Possible Vote

F. Keeney requested that this be tabled until the next meeting to allow time for the Park Commission to meet.

9. Resiliency Report

M. Ozols reported that

- LISFF/NFWF grant awards will be announced in early November. An application will be submitted for CT DEEP resiliency planning grant recently announced as back up. We've been asked to present the idea of a regional resiliency plan at the First Annual LIS Sustainable and Resilient Communities Bi-State Workshop sponsored by Long Island Sound Study and CT and NY Sea Grant.
- The Burgesses should appoint an individual or a committee to work with staff on the regional effort which is expected to start early in 2023.

10. 4 Nibang Committee Report

N. Brainard met with Attorney Campbell who clarified that the only restriction on the building is that it remain Borough property.

P. Christensen reported that the survey should be complete soon; the committee is seeking Borough input; and the intent is to develop three options: 1) make needed repairs; 2) address the immediate needs/wants of the Borough; 3) identify a wish list.

11. Nominating Committee Report

D. McDowall stated that the committee has been meeting; the next meeting will be November 1 at 3:30 p.m. In addition to seeking candidates, they are preparing job descriptions for all of the elected officials, which will be presented to the Burgesses for approval.

12. Board, Commission, and Committee Reports

- a. Park Commission: Frank Keeney – The Commission met on October 15, with the focus of the meeting on golf - slow play and pricing. They will also be discussing tennis.
- b. FIF: Art Wright – No meeting.
- c. P&Z: Art Wright – No meeting.
- d. ZBA: Ann Pulver – No meeting.
- e. HDC: Pam Christensen – The next meeting is November 5; election of officers and modifications to osprey platforms are on the agenda.
- f. Concerns Committee: Pam Christensen – No meeting.
- g. Harbor Management: Jonathan Gengras – The next meeting is at the end of November.
- h. LPLT: Pam Christensen – LPLT met on October 8. There is no update on the violations although the LPLT has indicated that there are seven.
- i. Commissions Coordinator: Doby McDowell – See Nominating Committee Report.

13. Warden's Report

N. Brainard reported that

- The Appellate Court will hear oral arguments for the short term rental appeal on November 10.
- Attorney Hudson has indicated that when the Borough does not take action on LPLT violations, the LPLT can take the violator to court; the Borough will not be the primary party in the lawsuit.

Compromises can be considered. He will attend the next LPLT meeting to discuss violations. C. Chadwick stated that he has recommended in the past that the Borough and the LPLT agree on certain blanket approvals so that they do not need to be addressed repeatedly on a case-by-case basis.

- Jacobson Engineering is providing general specifications for the sidewalk on the Borough property at Pattaquassett. According to Attorney Hudson, the Borough can choose to do work on the sidewalk but it not obligated to.
- Attorney Hudson has provided a written opinion on Sequassen Avenue relative to the Borough's obligations going forward; the Borough can choose to help but is not obliged to do so.

14. Other Business

None.

15. Burgess Comments

None.

16. Personnel Structure – Executive Session Anticipated.

This item was tabled and moved to a special meeting scheduled for Monday, November 14 at 4:00 p.m.

17. Next Meeting

Thursday, November 17, 2022 at 4 Nibang Ave and via Zoom.

18. Adjournment

On a motion by J. Gengras, seconded by D. McDowell, it was voted unanimously to adjourn at 6:29 p.m.

Respectively Submitted,
Marilyn Ozols, Acting Clerk