

**MINUTES OF THE SPECIAL MEETING OF THE WARDEN AND
BURGESSES ON THURSDAY, SEPTEMBER 27, 2018 AT 5 PM AT 4
NIBANG AVE, FENWICK, CT**

PRESENT: Warden Newt Brainard, Arthur Wright, Pam Christensen, Frank Keeney, David Savin, Jonathan Gengras, General Manager Jeff Champion, ZEO Marilyn Ozols (left 5:40 PM)

NOT PRESENT: Peter Brainard Jr., Robert Gay

MEMBERS OF THE PUBLIC: Mimi Brainard, Chuck Chadwick (arrived at 6 PM)

The Warden opened the Meeting at 5:04 PM.

Approval of the Minutes

**A Motion was made by Frank Keeney seconded by Pam Christensen to approve the August 30, 2018 Minutes as presented.
PASSED UNANIMOUSLY**

Open Forum for Residents to Speak

No Members of the Public spoke.

General Manager's Report

General Manager Jeff Champion provided his Report to the Burgesses prior to the Meeting and highlighted the following items:

-Park Monitor: Cart is in operation with only the application of lettering and decals to complete. The Uniform shirts will be ordered for next summer. Jeff will send the receipt for cart to Pam Christensen to follow up with Peter Duncan who graciously offered to donate half the cost of the refurbished Cart to the Borough.

-Play Class: The Program is in transition. The July participants were way down and the trend will continue for the time being. Jeff has been analyzing both the trend and the financials with the goal to create a cost neutral program. The Program had a deficit this past summer and the volunteers in charge of the Program are willing to find ways to continue the Program without a loss to the Borough. The cost structure of both the lifeguards and the Instructors will be under review. The Warden also introduced the concept of a Beach Monitor model in comparison to Lifeguards. Many municipal communities are looking into this model given the liability issues surrounding lifeguards. Research will be done this winter to evaluate whether this could be an option for the Borough. The Warden and the Burgesses reiterated that the Borough will not be subsidizing Play Class.

-Member Guest: The Tournament ran a deficit and discussions are taking place on making up the difference to the Borough.

Liberty Bank Accounts

A Motion was made by Jonathan Gengras seconded by David Savin to have General Manager Jeff Champion to become an authorized signer for all Liberty Bank Accounts including the FGA (Fenwick Golf Association) account. PASSED UNANIMOUSLY.

-Donation: Frank Keeney brought up the idea to create a Plaque to be placed near the Starter Shack for donations to the Golf Course in memory of someone. Jeff had received a request from the Saybrook Ladies Golf League to honor a member who was also a Starter who has passed away. Frank also thought this would also be an idea for individuals in the community who would like to donate to a tree fund for the Borough. Frank will work with Jeff to design the Plaques and will bring the design to the Burgesses for approval.

-EZ Links: Jeff discussed the benefits of the Point of Sale system for the Borough. It will prevent double bookings, allow communication with Residents and Season ticket holders, post delays on the website, all with no out of pocket expenses for the Borough. The commitment is for three years with the buy out option after two years. The cost is to allow them to sell two tee times a day on their website which are chosen by the Borough. The Burgesses gave verbal support to authorize Jeff to finalize the contract with EZ Links for a barter agreement for three years with a buyout option after two years. The Contract will be provided to the Burgesses for their review before the next Burgess Meeting.

Playground: The Playground has exceeded its useful life however it has been deemed safe for the next season.

Labor Schedule: Jeff Champion is reviewing the Labor costs of the employees with the goal to create a schedule similar to the Equipment Schedule. Additional ways to compensate employees will be investigated such as: educational programs or bonuses based on performance.

Trash/Recycling: Discussion surrounded whether to increase recyclable pickup during the summer season to two times a week. The issue is that it takes an employee away from other responsibilities for the day which would require the need to hire another person to fill in the gap. The issue will be further discussed during the upcoming Budget discussion.

Board, Commission and Committee Reports

Short Term Rental Recommendation

A Motion was made by Frank Keeney seconded by David Savin to move the proposed regulation on Short Term Rentals as rewritten by Mike Zizka to Planning and Zoning for action at their next meeting. PASSED UNANIMOUSLY.

Concerns and Safety Committee

Pam Christensen provided a summary of the Committee's findings concerning the concerns and safety issues facing the Community. They have met four times in person with one phone conference. The Primary Concerns are: Safety, Control over the Roads, Beach concerns and Wilson Avenue. They met with Attorney Mike Zizka who reviewed with the Committee potential options to investigate further.

Borough Traffic Authority: If the Borough becomes its own traffic authority it would be able to pass and enforce its own traffic regulations and could also potentially close roads. An individual would be hired with police training (ex: retired state trooper) and the position could be part time.

Lease Beaches to a Private Entity: Mr. Zizka did not think this would be a good option however he introduced the idea of a CIOC (Common Interest Ownership Community). It would own the Borough owned Roads, beaches and other property (not the golf course) and would require the majority vote of the Board of Warden and Burgesses, not landowners.

Close Wilson Avenue by placing a gate and restricting public access. As long as the Borough allows public access somewhere it may close Wilson Avenue.

In conclusion, Pam read a formal report into the Record (Attachment #1) which reviews the work and conclusions from the Committee with the following requests:

1. We request that the Board of Warden and Burgesses take the action agreed upon years ago to close off access to Wilson Avenue Path, other than by residents, their guests and emergency vehicles.
2. We request that the Board of Warden and Burgesses immediately act to create a Traffic Authority or a Constable in a manner consistent with Section 14-297 of the Connecticut General Statutes so that the Borough is able to properly maintain traffic flow, safety and security on our roads.
3. We request that the Board of Warden and Burgesses authorize funding for the Concerns Committee to take additional steps to explore the formation of a Common Interest Ownership Community (CIOC) or a Home Owners Association (HOA) that may, in order to relieve the Borough of costs and burdens, take over ownership of (some or all of the) Fenwick roads, beaches and tennis courts.

The Burgesses discussed at length the Report and suggestions of the Committee. It was determined that the Committee should come back to the Burgesses with a Budget to fund a proposal from Mike Zizka that will include the scope of work he will deliver to the Burgesses.

Wardens Report:

The Warden read into the record the resignation of Peter Brainard Jr. as a Burgess.

To the Warden and Board of Burgesses of the Borough of Fenwick:

I regretfully resign my elected position of Burgess in Fenwick as I will be unable to regularly attend meetings in person.

This should be effective September 27, 2018,

Sincerely,

Peter Brainard, Jr.

A Motion was made by Frank Keeney seconded by Pam Christensen to appoint Ann Pulver as Burgess to fill out the remainder of Peter Brainard, Jr.'s term. PASSED UNANIMOUSLY.

Season Ticket Prices: Frank Keeney informed the Burgesses that there would be an increase in Season ticket Prices as the prices have been flat for the last two years. It would be a seven or eight percent increase and result in an additional \$10,000 of golf revenue.

A Motion was made by Jonathan Gengras seconded by Frank Keeney to confirm the members of the Road Committee: Fran Adams, Ethel Davis, Julie LeBlanc, Dick Berluti, Chuck Chadwick, Bob Gay, Jennifer McCann and Bill Webster. PASSED UNANIMOUSLY.

Maintenance Lot: The Warden reported that LPLT has contacted Campbell Hudson concerning their determination that they hold the reversionary rights to the property. The LPLT lawyer and Campbell have a meeting scheduled to discuss.

Four Nibang: The Title Insurance Company is investigating the status of this property.

NEXT MEETING: Thursday, October 25, 2018 at 5 PM.

Being no further business, A Motion was made by Jonathan Gengras seconded by David Savin to close the Meeting at 7:25 PM. PASSED UNANIMOUSLY.

Respectfully Submitted,

Julie G. LeBlanc, Clerk

REPORT FROM THE CONCERN & SAFETY COMMITTEE
September 27, 2018

WHEREAS, the residents of Fenwick are concerned about road safety, appropriate control of private property, beach access, traffic control and overcrowding,

WHEREAS, in recent years, multiple property owners have experienced daytime and nighttime trespass by fishermen and other non-Fenwick residents,

WHEREAS, buses and vans illegally drop multiple visitors and fisherman in the borough with the intention that they will cross individual homeowners' property,

WHEREAS, Fenwick has experienced increased incidence of non-Fenwick residents and non-fee payers using the beach,

WHEREAS, Fenwick has traditionally been a very open community, but in recent years residents have felt an increasing vulnerability and loss of privacy due to among other things, theft of boat engines and items from the Yacht Club,

WHEREAS, children have been approached by unknown adults, trucks have removed driftwood from the Fenwick beach, non-residents have parked at the tennis courts (where the parking area is Borough property) and walked to access other borough property including the beach,

WHEREAS, Property owners, renters and other residents increasingly feel a loss of control and security as more and more of these occurrences take place,

WHEREAS, the Board of Warden and Burgesses has appointed this Concerns Committee to "identify and explore options that would allow greater control over Borough property,"

WHEREAS, this Committee has determined that certain actions must be taken to preserve the beauty, safety, security and community life of the borough, and

Attorney Michael Zizka has advised that the Borough has the legal right and authority to take those actions

This Committee therefore resolves as follows:

1. We request that the Board of Warden and Burgesses take the action agreed upon years ago to close off access to Wilson Avenue path, other than by residents, their guests, and emergency vehicles.
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