

MINUTES OF THE SPECIAL MEETING OF THE WARDEN AND BOARD OF BURGESSES
THURSDAY, OCTOBER 21, 2021
4 NIBANG AVENUE and Via Zoom

A Special Meeting of the Warden and Board of Burgesses was held on Thursday, October 21, 2021. Notice of the meeting was posted in a timely manner on the Fenwick kiosk and on the website.

PRESENT: Warden Newt Brainard, Frank Keeney, Duby McDowell, Art Wright, Ann Pulver, Treasurer Bob Gay, General Manager Jeff Champion (GM), and Zoning Enforcement Officer/Land Use Administrator Marilyn Ozols (ZEO).

PRESENT via ZOOM: Pam Christensen, Jonathan Gengras.

ABSENT: None.

MEMBERS OF THE PUBLIC:

Present: Chuck Chadwick.

Present via Zoom: Sallie Boody, Jack Rehm, Kathy Rehm, JD Rehm, and others.

1. Call to Order

The Warden called the meeting to order at 4:00 p.m.

2. Moment of Silence (Susan Spencer)

A moment of silence in memory of Susan Spencer was observed.

3. Approval of Burgess Meeting Minutes from September 23, 2021

A Motion was made by F. Keeney, seconded by A. Wright, to approve the September 23, 2021 minutes as corrected.

PASSED UNANIMOUSLY.

4. Open Forum for Fenwick Residents to Speak

C. Chadwick stated that the Board should examine the Long Ball contest over the next year as a Borough sanctioned event. He stated that he had spent over \$600 in the last few years repairing damage from the event; damage was done by errant labelled balls that were never claimed and he assumed that people thought the Borough covered damage. He indicated that he had had discussions about this with Jeff Patterson who might be a good resource for the Board.

5. General Manager's Report

Golf Course Irrigation System.

The Borough is still dealing with the irrigation system that was compromised by the lightning strike. The cost for the main well pump, underground solenoids and components to the controllers, the wire through 8 Agawam, and the upgrade for the timers/clocks controllers totals \$22,000-\$23,000. The insurance company has been notified; the Borough's deductible is \$5k, and the claim is being filed. The repair will be integrated with a modernization of the system with offsite controls that will save on labor and overwatering, which increases electric and water expenses. A quote for the modernization has been requested.

Golf Course.

The new tee box on #4 (Red) and construction on #3 (complete tee box) are both in the works. Some selective roping is going on to diversify the driving patterns of golf carts that are showing wear on the course. Fenwick Golf Course won Best of Shoreline (Shoreline Times) and Best of the Shoreline (Harbor News) – Daryl’s team and their hard work should be applauded.

Pier Update.

Charles Brown, Engineer, has indicated that there are three options for the “map” cracking concern:

1. Leave it as is. This will lead to somewhat sooner deterioration and not address the visual aesthetics of the cracks.
2. Provide a surface sealer such as Sika 705L which will not change any appearance but will help to keep water from penetrating the surface into the cracks and will add some overall longevity. However, this will need to be repeated at least every other year.
3. Provide a thin surface coating which will provide a sacrificial wearing surface and give a cleaner appearance to the surface. This approach has been used in the past.

The cracking is typical, not poor workmanship. There is no structural damage. Sealing will improve longevity and aesthetics.

B. Gay stated that over the last 10 years, the Borough has averaged \$100,000 per year in pier maintenance costs. He suggested that the Borough should consider whether to continue this or to replace the pier with a design requiring less maintenance.

The middle pier the work is twofold:

1. Repair the broken sections at the rail posts.
2. Fill/inject voids in the stone walls of the pier.

C. Brown can provide specifications and general scope for this work in the form of drawings but will need to the end of December to finish.

It was suggested that the sealing be rolled into the contract for the middle pier when it goes forward.

Garbage & Recycling

Based on the recommendations at the last meeting, next summer there will be two full pickups (trash and recycling) each week from June 13th through September 15th. This cost will be about \$200 extra per week in labor, \$2,600 total.

An incident occurred where Borough employees tried to access a resident’s house to get their garbage and inadvertently locked the garage door. When the resident arrived home, they repeatedly tried to enter the house via electric garage door opener and damaged the door. The quote was \$4,100. A Borough employee with relevant experience will instead install a new door at just over half the cost.

Burgesses discussed whether Borough employees should continue to enter residential homes to pick up trash. This is seen as a service to residents for their taxes, but Burgesses concurred that going forward, those requesting this service should sign a release holding the Borough harmless. The Warden will contact Attorney Zizka for language for such a release. There might also be consideration that access should be limited to outside areas that do not also provide access to the house itself.

Quote on Road Repaving.

Dibble does not do chip sealing or oil/stone roadways. Other companies contacted are too busy right now and this will have to be picked up in the winter for springtime work.

J. Gengras reported that he had spoken with the residents on Pettipaug Avenue and they are overwhelmingly in favor of a dirt road matching the surface at the west end of the road. J. Champion stated that although this will be less expensive initially, there will be a significant increase in maintenance costs going forward. He was asked to provide a cost for returning the road to gravel (from Fenwick Avenue to Pattaquassett Avenue) as well as some information on the long-term maintenance costs.

It was noted that Pattaquassett is actually old pavement that appears to be a gravel road and this has proven satisfactory.

R. Gay reminded the Board that the Roads Committee had studied all of the roads. C. Chadwick stated that the Committee had information on distances, general character, and condition of all of the roads and he would provide it to the Board.

Audit.

The first round of information has been delivered to the auditor and the Borough will continue to work with the auditor.

Play Class and 3-Day Member Guest

The final payment for Member Guest has just been received. There are still outstanding payments for Play Class. A new website is being set up for next year that will require payment in order to complete a registration. The cost for the website will be paid from Play Class funds. The Warden and General Manager will meet with Play Class people prior to next season to clarify rolls.

Insurance & Email Security.

It is important for all fenwicknews.com emails to be converted to Multi-Factor Authentication (MFA) so that the Borough can meet the criteria for cyber liability insurance coverage and get a quote. The current carrier has stated that out of 40 municipal clients, it paid five claims in the last year that were over a million dollars, so this is a significant concern.

The Warden set a deadline of the next Burgess meeting for all conversions. Any email not converted by that date will be eliminated. Personal emails used for Borough business can be subject to FOI requests.

Zoom Conference Center.

The Borough is creating a user manual for the Zoom Conference Center at 4 Nibang. There have been requests from residents to use the conference center, but it is recommended that a Borough employee always be present to run the Zoom. The Burgesses agreed.

4 Nibang Handicap Ramp, A/C, engineered septic plan.

The Borough is preparing to address handicapped access, A/C, and a septic plan for 4 Nibang. Duncan Downie is inspecting the septic system to exactly locate the leaching field so that Tom Metcalf can provide engineered drawings and the Borough will be prepared if and when it needs to install a new system. A sketch of modifications for handicapped access is being sought in order to apply to HDC.

Entrance Lighting.

The lights have been delivered and are ready for installation. The deadline to get them installed before cold weather is passing and the electrician would like to winterize and cap all the conduit to keep pests out at a cost of \$1,500. All lights are dimmable and if all four are not installed, electrical work needs to take place, and there will be a cover (like the green covers over Frontier electronics) put over each concrete base not used. The Burgesses previously discussed installing only two lights, but did not vote on it. Some Burgesses indicated that all four should be put in. N. Brainard stated that he and P. Christensen would be meeting with Rick Worcester about the full landscape plan on Monday or Tuesday and he would like to review the number of lights in the context of the full plan.

Burgesses noted that the planting season for the landscaping is ending. N. Brainard stated that some bulbs, etc. could be planted in the fall, with the remainder of the planting done in the spring.

Parking Plan.

Because of the recent surge in requests for parking as well as damage by tent stakes, plans are being created to show where parking can take place and where septic is at 4 Nibang, as well as where water lines, drainage lines, and electrical runs are in the field next to the playground.

Labor Challenges.

The Borough has never been busier. An overabundance of special project, requests, and added duties has all staff working “in season” hours well after the summer season has ended in order to try to catch up and get ready for next season. Three new full-time staff have been hired.

6. Treasurer’s Report

R. Gay stated that the data is in the General Manager’s Financial Report. Based on the high golf and permit revenues, the Borough is well ahead of budgeted income; some of this money will be spent on the projects identified earlier in the meeting. There will also likely be some major project work.

7. Request from Tennis Chairs: Burgess Support for FIF Contribution of \$440 for Silver Placards for the Bases of the Three New Trophies – discussion and action

It was explained that the request was to forward a \$440 request to FIF to pay for plaques for the bases of four new tennis trophies. Burgesses expressed opinions that FIF funds capital requests; golf trophies had always been privately funded by soliciting participants; and this might not be a legitimate Borough or FIF expense. The request was withdrawn.

8. Use of Borough of Fenwick property for private events throughout the year, including July and August, Revised Policy & Application Form – discussion and possible action

Burgesses received draft changes to the policy and the application form prior to the meeting to review. The primary changes suggested for the policy were to increase the season and to make it clear that the Borough does not provide any event services (including trash pick up) or assets (e.g. tables, umbrellas, etc.) unless specifically requested and approved by the Burgesses. The Burgesses agreed to the clarification but felt that the restriction should remain limited to July 1 to Labor Day since this is a nice advantage to residents and doesn’t significantly impact others. The application form added clarity. Burgesses suggested that the pier and beach be specifically added as separate locations, that the applicant provide a sketch to locate anything intended to be outside the tent, and that the applicant must be present (either in person or via Zoom) at the meeting where the application is considered. Revised documents will be provided for the next Burgess meeting so that formal action can be taken.

9. Entrance Landscaping – discussion and possible action

As stated previously, the Warden and P. Christensen will meet with Rick Worcester on Monday or Tuesday. The preliminary plan received at that meeting will be circulated to the Burgesses for consensus.

10. Road Paving – discussion and possible action

Discussed under General Manager’s report.

11. Board, Commission, and Committee Reports

- a. HDC: Pam Christensen – The next meeting is November 6.
- b. LPLT: Pam Christensen – The LPLT met on September 25. There were two concerns – encroachment onto conservation easements and conservation land accessed by crossing private property. The Evaluation Subcommittee will work with the Warden on the encroachments. Only the Grove and the Golf Course are open to the public and all other easements are for conservation and not available to the public.

The LPLT will pursue grants for the Sequassen and dune project and is considering hiring a grant writer.

Officers were elected:

President – Brooke Girty
First Vice President – Charlie Renshaw
Second Vice President – Sue Webster
Treasurer – Bob Gay
Secretary – Babbie Conroy

New members were accepted: Anne Schmidt, Frank Conroy, and India Bulkeley

- c. Concerns Committee: Pam Christensen – No report.
- d. Commissions Coordinator: Duby McDowell – She will be working with the P&Z Chair on filling the vacancy.
- e. Harbor Management: Jonathan Gengras – A meeting is scheduled for October 25.
- f. ZBA: Ann Pulver – No meeting.
- g. Park Commission: Frank Keeney –

F. Keeney distributed information on the current rate structure and presented Park Commission recommendations for 2022.

Golf:

- Rate Structure. Eliminate the reduced shoulder season (May/June, September/October) and utilizing the “high season” rate from May 1 to October 31. A 5% rate increase for ticket holders is recommended.
- Weekend Resident Only Times. There have been requests to close the course to the public at 4:00 p.m. on Fridays in addition to the current Saturday and Sunday closure. The lost revenue would be about \$1600 per month; the average number of residents utilizing the course between 4:00 and 5:00 has been less than 10; many season ticket holders use the course between 4:00 and 6:00; a 5:00 rather than 4:00 closure could be a consideration. Friday use will be further monitored next year and reevaluated.
- Slow Play. The revenue impact from increasing the interval between tee times is significant; it could potentially exceed \$100,000. There is no clear data that this would address the problem; it may be an inherent problem in that the course is not hard, is beautiful, and is easily walked, so it draws a significant number of novice players. It is also not easily corrected by increasing course rangers, since the course appears to be moving. A couple of test weekends with increased intervals will be scheduled for next summer to determine if the change accomplishes the goal. Another option is to dramatically increase fees so that the number of players is reduced but the revenue remains the same.
- Trail Fee. The increased number of carts on the course has created significant wear and tear on the trails. A trail fee for outside golfers should be considered, perhaps \$100 for seasonal ticket holders and \$2 or \$3 per round for others, but any increase should be considered in context with other proposed increases.
- Starter Shack. The starter shack will be turned so that the starter has visibility of the first tee.

Recreation Fee.

A 5% increase will be recommended.

The consensus was that the lower shoulder season fee should be eliminated.

F. Keeney will provide a full fee and operational proposal for action at the next Burgess meeting.

- h. FIF: Art Wright – No meeting.
- i. P&Z: Art Wright – No meeting. No decision on the court case appeal.

12. Warden's Report

a. Borough Employees Additional Employment

It has been somewhat historical that Borough employees occasionally moonlight in the Borough. Since they are providing a service to Borough residents, the use of Borough equipment (e.g. weed whackers, leaf blowers), utility vehicles, or truck has not been restricted. This creates a liability for the Borough. Additionally, the cost of the wear and tear on the equipment and vehicles is not equitably distributed since it is borne by all taxpayers, not just those obtaining the service. After discussion, Burgesses had no problem with employees moonlighting on their own time, but agreed that they should be using their own equipment or that of the homeowner and they should inform the General Manager in order to ensure there is no overlap with work hours.

The consensus was that Borough employees are allowed to moonlight in the Borough, but it must be on their own time, they must inform the General Manager, and they cannot use Borough equipment.

13. Other Business

None.

14. Next Meeting

The next meeting was set for Tuesday, November 30 at 4:00 p.m. It will be a hybrid meeting.

15. Burgess Comments

None.

16. Adjournment

There being no further business, a motion was made by A. Wright, seconded by A. Pulver to adjourn the meeting at 6:16 pm.

PASSED UNANIMOUSLY.

Respectively Submitted,

Marilyn Ozols, Acting Clerk