

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

THURSDAY, SEPTEMBER 28, 2023

4 NIBANG AVENUE and VIA ZOOM

A Special Meeting of the Warden and Board of Burgesses was held on Thursday, September 28, 2023. 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 (via Zoom until item 6), Margaret Wade, Treasurer Rick Neely, General Manager Jeff Champion (GM), and Zoning Enforcement Officer/Land Use Administrator Marilyn Ozols (ZEO).

PRESENT via ZOOM: Jonathan Gengras, Chris Millard.

NOT PRESENT: Pam Christensen.

MEMBERS OF THE PUBLIC

Present: Bruce Baird

Present via Zoom: Max Gigue, Connie

1. Call to Order

The Warden called the meeting to order at 3:31 p.m.

2. Moment of Silence: Charles E. Brainard, Jr., Kenneth Kilpatrick Field, Carolyn Means

A Moment of Silence was observed in memory of Charles E. Brainard, Jr., Kenneth Kilpatrick Field, and Carolyn Means.

3. Approval of Burgess Meeting Minutes – August 24, 2023

A Motion was made by F. Keeney, seconded by C. Millard, to approve the August 24, 2023 minutes as submitted.

Clarification was requested relative to the maintenance of Moore Meadow in perpetuity. R. Neely stated that FIF funding for maintenance will be limited to contributions made for that purpose. F. Keeney stated that D. Savin made a commitment at the meeting for a future contribution if deemed necessary, but maintenance in perpetuity will depend on funds contributed for that purpose.

PASSED UNANIMOUSLY.

4. Open Forum for Fenwick Residents to Speak

None.

J. Gengras joined the meeting at this time.

5. General Manager's Report

Golf Course: Golf revenue continues at a record level. Aeration was completed last week and took two days.

Jr. Program: Staff is awaiting a meeting with play class volunteers which is essential to the future of the program.

Golf Cart Flags: New flags are being ordered for next season. P. Christensen is working on this.

Property Taxes: All taxes and late fees have been collected including the Autorino property which was several years behind.

Water Fountains: A new contractor has been found, Michael Cameron, and will be starting the fountains shortly.

Seawall Sidewalk Repair: Sidewalk repair is awaiting a start date and some final details.

Road Repair Pettipaug: Work on Pettipaug and Pattaquasset Avenues is scheduled to start after Columbus Day.

Harbor Engineering: Harbor Engineering is working on permits from DEEP for Crab Creek bridge and the 4th tee box. Divers (Atlantic Marine) for pier inspection should be scheduled for October. Diver costs were included in the original contract. The 4th tee box work will require updated surveys.

Defibrillators: As per the last Burgess meeting, new defibrillators have been ordered.

Camera issues: There continue to be issues with the cameras which are being addressed.

Moore Meadow: Anderson Irrigation and Dibble will be connecting to city water shortly; Moore Meadow and the Yacht Club will have their own supplies of water on their own meters.

6.a. Tee Box Project – Discussion and Possible Vote

F. Keeney reviewed the cost estimates (39,377.40 for #8 red, white, and blue, and \$22,571 for #4 white), the funding approved in the current budget (\$25,000), the funding available from FIF (\$25,000 plus \$6,000 remaining from the previous project), and the need for an additional \$6,000 appropriation.

A Motion was made by F. Keeney, seconded by D. McDowell, to approve a \$31,000 expenditure from FIF plus an additional \$6,000 expenditure from the Borough of Fenwick budget to complete this year's tee leveling projects - #8 red, white, and blue, and #4 white.

These numbers do not include landscaping, but D. Aresco has had conversations with the Landscape Committee. N. Brainard indicated that the Committee should continue to have communication with D. Aresco as part of the project in order to ensure coordination. P. Christensen is the liaison to the Landscape Committee and will provide reports to the Burgesses.

PASSED UNANIMOUSLY

C. Millard asked what work remains on the golf course. F. Keeney replied that #5 blue and white and #4 blue remain; #4 is more expensive and will require DEEP permits; next will be the greens and bunkers.

D. McDowell attended in person at this time.

6. Treasurer's Report

R. Neely reviewed the current financials and indicated that the Borough is well funded; funds should be transferred to the new state STIF account by next Monday; Essex Savings Bank financial controls have been improved.

In response to a question, he indicated that the RBC accounts are unencumbered funds except for the amounts that have been specifically reserved for approved capital projects.

7. Treasurer's Investment Policy – Discussion & Possible Vote

The draft Investment Policy was presented and discussed at the last meeting. No additional comments have been received.

A motion was made by F. Keeney, seconded by M. Wade, and voted unanimously to approve the investment policy as presented by Treasurer R. Neely.

Approved unanimously.

BOROUGH of FENWICK
Investment Policy

Goal

The investment of Borough funds shall be done with preservation of capital and insuring liquidity as the primary objectives with the earning of income as the secondary objective.

Authority

The state of Connecticut authorizes municipal treasurers in CT general statute 7-400 to manage the investment program after approval by “budget making authority”. Statute 7-400 further outlines the eligible investment instruments and institutions that municipal treasurers may utilize.

The creation of and amendments to the Investment Policy shall be approved by the Borough of Fenwick Warden and Board of Burgesses.

In the absence of the Treasurer, the Warden and/or the Borough General Manager may assume the duties of the Treasurer as outlined in the Statute. Each of the above is authorized to be a signer on bank and investments accounts with the Treasurer.

Authorized Investments (and as further limited by state law where applicable)

U S Treasury obligations which carry the full faith and credit of the United States government.

The State Treasurer’s Short Term Investment Fund (STIF) established pursuant to CGS 3-27a.

Certificates of Deposit at Qualified Public Depositories (as defined in CGS 36a-330) in an amount which may not exceed the maximum FDIC insurance limit.

Sweep accounts on checking accounts maintained at Qualified Public Depositories.

Money market mutual funds that have been approved in writing by the Warden and Burgesses and are regulated by the Securities and Exchange Commission, and whose shares are maintained at a constant value of one dollar, and whose portfolios consist of instruments that are the direct obligations of, or guaranteed by, the US Government.

No equities are eligible investments.

No corporate bonds are eligible instruments.

Term

The Treasurer shall not invest in any instrument with a term longer than three years.

Risk Management

The Treasurer shall annually review the financial condition of all financial institutions used for Borough deposits and investments—such review shall include reports by national rating agencies on the applicable institutions as well as ratings of the money market mutual funds.

Reporting

The Treasurer shall report to the Warden and the Burgesses no less than quarterly on the amount, type of instrument, and earnings rate and amounts earned on all investments. The Treasurer shall report annually on the results of the annual Risk Management

8. Frelinghuysen and Banc Jones Properties - Discussion

N. Brainard stated that both properties have conservation easements on them and will need agreements similar to the Savin agreement; B. Jones will be arranging for a survey and appraisal of the triangle property; and both V. Frelinghuysen and B. Jones will have their attorneys consult with Attorney Hudson relative to the legal documents. It is anticipated that all information will be forwarded to the Burgesses for consideration by spring.

9. Resiliency Report

M. Ozols reminded people to go to the website at www.4ShoreResilienc.com to learn more or submit comments. Additionally, there will be a popup tent in front of The Kate from noon to 4:00 on Saturday in coordination with the Arts and Crafts Fair if people would like to learn more or talk to the consultants and there will be a Community Workshop on October 10 at 6:30 at the Old Saybrook Middle School.

10. Board and Commission Appointments

a. ZBA alternate, term to expire 2025

Tabled until the next Burgess meeting.

b. HDC alternate, term to expire 2024

On a motion by D. McDowell, seconded by M. Wade, it was voted unanimously to appoint Kim Gilhool as an HDC Alternate, term to expire June 30, 2024.

11. Board, Commission, and Committee Reports:

- **Park Commission** – Frank Keeney. There will be a meeting on Saturday.
- **FIF** – Margaret Wade. M. Wade stated that FIF approved \$25,000 for the golf course as indicated in item 6a and discussed burying wires. A restricted fund to explore the cost was created in order to allow contributions to cover the 10% deposit required by Eversource. She noted that the FIF discussion was in the context of work on public land and suggested that the Burgesses consider the larger project of burying all wires, not just those on the portion of Sequassen Avenue identified. N. Brainard stated that this is one of the items on the capital list that is currently unfunded but that will be endorsed by the Burgesses if someone comes forward to fund it; moving forward with Sequassen Avenue may provide a path for the future burying of all wires.
- **P&Z** – Margaret Wade. M. Ozols reported that Site Plans were approved for 19 Neponset and 10 Pettipaug.
- **ZBA** – Chris Millard. ZBA met on September 12 and approved variances for 19 Neponset and 10 Pettipaug; election of officers was postponed.
- **HDC** – Pam Christensen. No report
- **Harbor Management** – Jonathan Gengras. No meeting.
- **LPLT** – No report.
- **Concerns Committee** – Pam Christensen. No report.
- **Commissions Coordinator** – DUBY McDowell. See item 10.
- **Landscape Committee** – Pam Christensen. No report.
- **4 Nibang Committee** – Pam Christensen. No report.
- **Memorial Committee** – Pam Christensen. No report.

12. Warden's Report

Nothing additional.

13. Other Business

None.

14. Next Meeting Thursday, October 26, 2023 (4 Nibang and via Zoom)

15. Burgess Comments

None.

16. Lighthouse Acquisition Proposal – Executive Session Anticipated

On a motion by F. Keeney, seconded by M. Wade, it was voted unanimously to go into executive session at 4:15 p.m. for the purpose of discussion of the strategy for Acquisition of the Lynde Point Lighthouse and to invite M. Ozols, J. Champion, and R. Neely to attend.

PASSED UNANIMOUSLY.

On a motion by F. Keeney, seconded by D. McDowell, it was voted unanimously to come out of executive session at 5:13 p.m.

PASSED UNANIMOUSLY.

No votes were taken during the executive session.

17. Adjournment

On a motion by F. Keeney, seconded by M. Wade, it was voted unanimously to adjourn at 5:13 p.m.

Respectively Submitted,

Marilyn Ozols, Acting Clerk