

District of Chapman Beach
Board of Directors Summer Quarterly Meeting
Monday July 15,2019
Mulvey Center Multimedia Room

Call to Order 6:00

Present- Andy Calderoni, Marlana Whaley, Eloise Kumnick, Damian Ranelli, Diane Fuller, Pete Potter, Dave Osella, Patrice Horan. **Absent -** Nick Breault

Clerk's Report - Minutes from January, April BOD and Budget meeting and Special meeting of May 11, 2019 presented. Motion to accept made by David, Pete second. Motion passes unanimously.

Treasurer's Report - Diane reported that the 4th quarter financial report was distributed to the Board members by email prior to the meeting. The district spent approximately \$3,700 less in the 4th quarter than was expected at the time of the April budget meeting. This is primarily a result of reduced spending on Common Area Improvements and the lack of a beach guard. Delinquent taxes continue to be low at approximately \$2,200. Diane also asked the Board to approve the following resolution to add Andy back as a signer to the District checking and saving accounts at Essex Savings Bank:

RESOLVED: That a checking and a savings account in the name of this partnership association be continued with Essex Savings Bank and that checks, drafts, notes and all orders for payment of money, drawn to the order of any person, firm or corporation whatsoever, except except as this right may be limited below, from said account or drawn on another account to be deposited in said account, shall be signed or endorsed, as the case may be, by the following (One signature required/No Limitations): Andrew M. Calderoni, (President), Diane D. Fuller (Treasurer) and Kathleen H Keleman (Authorized Signer).

The resolution passed unanimously.

Motion to enter Public Session made by Andy seconded by Patrice and passed unanimously.

Presentation by Atty. Yamin and discussion of 7 Hogan Road easement

Current conditions - There is a failed septic system on the beach side and a cesspool on opposite side of property. The District previously granted an easement to place electrical wires under Hogan Road. JEV Investments LLC ("Mr. Vitali") and his representatives met with Westbrook town planners to identify a place for a new septic plan. In connection with the new septic system Mr. Vitali requested an easement to place water lines under Hogan Road and agreed to repair and repave Hogan Road if the easement was granted. The existing water line runs across the property at 13 Marvin Drive. If the District grants the water easement the homeowner plans to move home up 4 feet closer to the beach in order to provide space for the new septic system on the side of the house next to 13 Hogan Road. The new house plan has three bedrooms, as opposed to the five bedrooms in the homeowner's original design; it is a year round residence.

Overhead electrical easement was changed by DOCB granting easement along Hogan Road. Water line is currently across 13 Marvin Dr. By DOCB granting water easement alongside water easement the homeowner will move home up 4 feet and create a bigger distance between it and 13 Hogan Road. Home will be three bedrooms as opposed to five and be a year round residence.

- Patricia Pandolfe, 4 Marvin Dr asked about the height of property and number of bathrooms.
- Janet O'Donnell, 79 Chapman Beach Rd, CB Road asked for clarification of the request.
- Mike Zubretsky, 65 Chapman Beach Road, asked whether they would consider reducing the size of the house in order to avoid moving the house closer to the beach as an incentive for the District to grant the requested easement.
- Mr. Yamin indicated that they plan to build even if they do not get the easement.
- Andy asked whether reducing the size and not moving the house toward the beach was a possibility.
- Mr. Vitali noted that he would be allowed to put the septic system in front of the house which he believed would be worse for the district.
- Peter Potter asked if moving forward gives a bigger house.
- Ed Gales, 34 First Ave, spoke in support of the easement being granted.
- Marlina asked if a consideration would be made to not move the house forward. Additionally, would the Hogan Road right of way be used during construction.
- Mike Zubretsky asked if bond would be posted if the easement were to be granted.
- Andy asked when construction will begin and end. Home owner stated that it would not begin before Labor Day.

Council of Beaches - Ed Gales reported that the 6/3/2019 meeting which included representatives of the Town of Westbrook Traffic Commission and Energy Commission. Issues discussed included planned repairs to Town owned jetties, the new LED streetlights, pricing of additional radar signs, and tagging of buoys. Andy provided additional information on the Harbor Commissions initiative to register buoys in the interest of boating safety. Damian asked for the name of the engineer working on the planning for the jetties.

Sand Committee - Mike Zubretsky reported that there has been no negative news and that the beaches have plenty of sand. Going forward a new report will be forthcoming.

- Peter Lovely, 3 Second Avenue, noted that there had been dogs on the beach as well as several people with glass bottles both on the beach and in the water.
- Janet O'Donnell, 70 Chapman Beach Road, asked about a beach guard and reported on people coming down from Rt 1 using our beaches.
- Michael Zubretsky stated it is awkward for Board members to have to enforce the rules.

Other matters

- Ed Gales questioned whether the minutes are made available in a timely manner. The Annual Meeting minutes go on the website as unapproved and will be approved at the next Annual meeting. The minutes of quarterly and special meetings of the Board are posted to the website as soon as they are approved by the Board.
- Andy Calderoni provided stickers from Harbor Master and advised that every watercraft must have them affixed to their watercraft. Pam Demaris is handling watercraft registration should anyone be in need.
- Ed Gales questioned the use of beach bands going forward.
- Mike Zubretsky asked about the new post in concrete by the bulletin board. Andy indicated that he had placed it there on his own initiative to hold a Little Library he was building. Ed Gales repeated the comments he had made at a previous meeting regarding the benefits of Little Libraries. Since the Board had previously considered Ed's suggestion to install a Little Library and had twice voted against it, it was agreed that Andy would remove the post. Mike thanked Andy for his well-intentioned efforts.
- Brian Gooley, 13 Cherry Street, agreed with Mike Zubretsky that strategies to endorse District rules warranted additional discussion.
- Lee Archer, 6 Fox Street, expressed concerns about parking on Fox Street.

Motion to end public session made by Andy with Pete second. Unanimous passing of motion.

First Order of Business -

President's Report (Correspondence)- Andy indicated that he had received a number of letters and verbal comments in opposition to Mr. Vitali's planned construction and one email in favor of granting the easement.

Discussion and resolution of any issues/requests from the public session - Pete made motion for the Board of Directors to reject Mr. Vitali's request for a water easement. Damian second. The motion passes with Andy, Diane, Pete, Nick, David, Eloise, Patrice, and Damian voted in favor and Marlena opposing the motion.

Discussion of By-Laws, Board responsibilities, conduct, and practices going forward -

Andy distributed copies of the By-Laws because he wanted to address his concerns about the process for selecting officers that had taken place at the Annual meeting in May. When two individuals expressed an interest in serving as President, the Board members took a vote and presented a single candidate to the members. Andy believes that both candidates should have been presented to the members for their votes. The By-Laws provide that Board members and officers serve until their successors are elected at the Annual meeting. In order to eliminate any confusion in the event that there is more than one candidate for an officer position. Andy stated that all candidates for both Board and officer positions will be presented for a member vote at future Annual Meetings. This interpretation is consistent with the existing By-Law provision.

Old Business

Parking Discussion - Mike Zubretsky spoke on behalf of the Parking Committee which was formed to address road safety. Pete, Mike, and Damian serve on the committee. The committee met on the previous Sunday to begin organizing their thoughts for a presentation to the Board. They plan to set up a meeting with the Westbrook First Selectmen, Noel Bishop. Initial goals may include no parking on Chapman Beach Road and parking on only one side of Waldron Drive. Andy indicated that parking and road safety was a hot topic for all of the beaches in the Council of Beaches. Marlena asked what had happened to the No Parking sign on Fox Street. Pete stated that the intent was to put it back up. Eloise asked what the rules are for private roads.

Major Projects - Pete plans to contact the homeowner at 30 2nd Avenue in connection with scheduling the planned sealing of 2nd Avenue. The committee is still investigating possible fencing at the 2nd and 3rd Avenue right of ways. Damian plans to speak to Sid Holbrook about the Town of Westbrook planned jetty repairs.

1935 Boston Post Rd - Mike Zubretsky reported that project is going forward. Attorney Cassella (counsel for developer) advised they would like to do cleanup of streams in August which is the dry season. Permission from adjoining property owners will be obtained prior to the work starting. The Town of Westbrook will provide the dumpsters and the developer will provide the labor for this project.

Land Management Committee - All going well with Anthony. The hedges have been trimmed. Marlena reported that we do not yet have a guard but that she had received a communication from Tom Riggio Offering to supply guards at \$25 an hour. Damian made a motion for the Land Management Committee to follow up with Tom Riggion with a view toward hiring a security guard for the summer weekends. Pete seconded. The motion passed unanimously.

Recreation - Yoga was well attended and will continue for three more weeks on Saturdays from 8 to 9. A hot dog roast and steel drum concert is planned for this coming Saturday. A sunfish regatta and kayak drag race is planned for August 10th.

Marlena asked how this was going to be paid for. Thus far these events will be over budget by approximately \$200.00. Damian made motion to approve additional funds to cover the excess costs for recreation. Marlena seconded. The motion passed unanimously. Patrice made a motion to approve the small library as constructed by Andy. Pete provided second. Patrice and Pete approved; Damian, Eloise, Diane, David, and Marlena opposed. The motion was defeated.

Motion to Adjourn made by Andy with Marlena second. Motion passes unanimously.

Fall Member's Meeting to be held at Mulvey Municipal Center on August 31, 2019

