

Minutes of Pine Orchard Executive Board Meeting

September 9, 2019

Agenda Item 1: The meeting was called to order by President Robin Sandler at 7:05 p.m.

Board members present: Rick Ross, Joseph Thomas, Peggy Haering, Robin Sandler, Dick Greenalch, Carol Redden, Linda Sachs, Len Farber, Robert Dahill, and Seth Chaucer

Board members absent: Bruce Caldarone , Jon Schlesinger

The President departed from the regular order to address Agenda Item 8(1) to allow Carmine Montoriel from VF McNeil Insurance to present a quote for officers and directors insurance coverage. Carmine offered the board a policy with \$1 million coverage for an annual premium of \$665. He indicated that the coverage was for day-to-day operations rather than liability for property damage. He likened the POA board to a non-profit corporation. The policy presented did not have any retention; however, coverage would be for future claims only. Rick Ross asked about the difference between coverage for the POA as a municipal entity rather than a non-profit board. Carmine felt there was very little difference between the two for purposes of coverage. Mike Wolfe asked what “no retention” meant and Carmine responded that there was no spending requirement on the part of the board (for example on legal fees) before coverage began.

Dick Greenalch said that he was in favor of getting \$1 million coverage immediately. Peggy Hearing asked whether \$1 million in coverage was sufficient. Carmine said that he would look into getting a quote for \$2 million. Bob Dahill asked about coverage for prior acts. Carmine said that there was no retroactive coverage on the policy quoted, but that he would look into obtaining a quote for that. Upon motion and second the board voted to proceed with obtaining coverage under the policy quoted and that Carmine would provide quotes for insurance with retroactive coverage and for a higher policy amount.

Agenda Item 2: Communications—None.

Agenda Item 3: Approval of minutes from Executive Board Meeting on July 9, 2019. Upon motion and second the minutes were approved.

Agenda Item 4: Treasurer’s Report Linda Sachs reported that taxes for the Association are all paid. She reviewed sources of revenue and disbursements since the beginning of the fiscal year. Upon motion and second, the minutes were approved.

Agenda Item 5: Committee Reports.

(a) By-Laws: Len Farber stated that he had nothing to report; (b) Nominating: Joe Thomas had nothing to report; (c) Planning & Zoning, Dick Greenalch has nothing to report; (d) Communications: nothing to report; (e) Shoreline Maintenance, Carol Redden reported that cement used for repair work on the beach access point on Island View Avenue was somewhat crumbling. She is looking at applying bottom paint on the steps near the breakwater of Island View Ave. They are getting slimy and bottom paint might help with that. (f) Building Maintenance: Seth Chaucer reported a damaged tree was removed from the grounds of the Headquarters Building and holes were filled in. The driveway condition was discussed. The office manager is obtaining quotes for resealing vs.

repaving the driveway. It was recommended that we wait until spring to make a decision about the driveway. He is also getting quotes for outdoor lighting at the headquarters building. There is a concern that installing poles would create a problem for neighbors; (g) Municipal Interface: Bruce was absent. The President introduced RTM Representative Tom Brockett. Tom reported that the library is almost done and that the Senior Center is almost ready to open. An RTM meeting was scheduled for 9/10/2019. He said that the town engineer is aware of the flooding issue on Totoket/Pleasant Point and is waiting for dates to meet with homeowners. (h) Tax collection: Rick Ross reported that there are approximately 20 delinquent accounts owing \$3200 in total; (i) Short Term Rentals a cease and desist notice was issued for the short term rental on Crescent Bluff Ave. Mike Hopkins said that there would be two more violations since the rental that he complained about. A question was asked about the fines for violation and whether or not they would be cumulative and how long the fines would continue. Mike Hopkins said that the owner was operating a business next door to him. Rick Colbert of Halsted Lane wanted to know why the board members didn't go to the property and ask about occupants whether they were short term renters about (j) Beautification: Bob Dahill reported that the committee is going to place an additional bench near Young's Pond and that the committee may work with the Branford Land Trust to clean up the entrance near Bob's Woods. (k) Sidewalks Peter Hugret was not present; however, Robin reported that there is the Dept. of Transportation employee now assigned to the sidewalk project has discussed requirements that would make the project far more expensive to carry out. The committee will have further meetings this month. The state has specific guidelines that are applicable to sidewalks on state roads.

Agenda Item 6: President's Report—Robin reported that he attended a hearing addressed to a Freedom of Information request and that the Association's legal bills were provided in response to that request. He next addressed the status of the Crescent Bluff eminent domain issue. He said that he had no information from the town on that. Bob Wheeler of Crescent Bluff Avenue said that in the case of Wheeler v. Cosgrove, the parties were directed to exchange lists of disinterested persons to be on the Committee appointed by the Court and that the Committee's is scheduled for December 10, 2019. Bob Dahill asked whether the eminent domain process included the road and the grassy area. Robin said that it was unknown what was under discussion. Tom Brockett said that the RTM had tabled discussion of eminent domain. He said that if the matter does not get resolved by the end of the term it would have to be brought up again. Negotiations between Ms. Saggese and the Town may continue during the court case. Barbara Saggese of Crescent Bluff Ave. said that the town is not interested in taking anything but the road. Rich Colbert asked why the Association is an intervenor in the Wheeler litigation and said that he fails to see how this is in the best interests of the association. The President said this was not the time to engage in discussions about the litigation. Jeff Sonnenfeld of Blackstone Ave. wanted to know what the point of the meeting was if community members can't air grievances.

Agenda Item 7. Old Business: (a) Summer concerts. The Whiffenpoofs performed on Sept. 8th. Next Sunday will be a performance of Jovial Crew, known for sea shanties. One more concert is scheduled after that. (b) Totoket flooding was addressed earlier. Nothing additional to report. (c) Mooring Procedures. We will require proof of boating registration and proof of insurance for future moorings.

Agenda Item 8. New Business: (a)(Lighting) and (b) (Sealing driveway) were previously discussed; (c) New Mailbox for the headquarters building is needed; (d) Bank of America account, Linda Sachs is to be added as authorized signatory; (e) Insurance coverage was addressed above. (f) The question was raised about presence of lawn signs and placement of for sale signs by realtors at end of streets. It was pointed out that Juniper Point bans all lawn signs. (g) Newsletter. The Association will revive the

newsletter, to be circulated semi-annually, to inform its members about goings-on in the community. Susan Dahill and Peter Robinson will collaborate on this effort. (h) 21 Anchorage Road—discussions of a dog rescue facility as an accessory use. A potential buyer of this property wanted to know the board's position on whether use of a barn to care for up to 13 rescue dogs while they are restored to health and held for adoption would be permitted. Remy Zimmerman of 6 Anchorage Rd. said there would be opposition to that use. Sara Reinwald of 241 Pine Orchard Rd. was also opposed to the proposed use.

Barbara Saggese advised the Board that she had a potential claim against the Pine Orchard Association's Board, which should be disclosed to the insurance agent in connection with the quote for directors' and officers' coverage.

Agenda Item 9: Office Manager's Report Peter Robinson was absent.

Agenda Item 10: Other Business. There have been numerous instances where children have been seen to drive golf carts within the streets of Pine Orchard. Seth Chaucer had a proposal to create a golf cart safety program for Pine Orchard children over the age of 10. However, it was pointed out that it is illegal for unlicensed children to be driving golf carts at all and that the Branford Police may revoke the permission of everyone to drive golf carts on the streets of Pine Orchard if children continue to drive golf carts on the streets.

Upon motion and second, the Board voted to go into executive session to discuss a personnel matter.

The Board came out of executive session at 9:00 p.m. Upon motion and second the Board voted to approve a raise for the Office Manager.

Agenda Item 11. Adjournment. Upon motion and second the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Margaret Haering, Clerk

Documents received:

Treasurer's Report

VF McNeil—Insurance Proposal

Court Order dated 9/06/2019, Wheeler v. Cosgrove

Future meetings:

Monday, Nov. 4, 2019

Monday, Jan. 6, 2020

Monday, Mar. 2, 2020

Monday, May 4, 2020

To be held at 180 Pine Orchard Rd. at 7:00 p.m.