

**MINUTES
of the
86^h Annual Meeting
of
Quonochontaug Central Beach Fire District
held on
September 19, 2015
at the
Quonochontaug Grange on Route 1, in Charlestown, RI**

I. Call to Order and Opening Remarks

The Moderator, Nancy Matthews, called the 2015 Annual Meeting of Quonochontaug Central Beach Fire District (QCBFD) to order at approximately 10:03 a.m.. She then led the group in reciting the Pledge of Allegiance.

The Moderator asked the Clerk if a quorum was present under the QCBFD By-laws and whether notice of the meeting had been published and the required notice and materials had been delivered to the Eligible Voters in accordance with the By-Laws. The Clerk responded in the affirmative to all three questions.

A moment of silence was observed for the following residents who had passed away since the last annual meeting: Martha Cavanaugh, Eunice Gjede, Graham Griffith, Wally Hedman, and Norm Riquier.

The Moderator thanked the many volunteers who had worked for the benefit of the community during the previous twelve months. Among those specifically thanked were Shari Frost, retiring Commissioner of Beaches and Dunes, for her many years of dedicated service; Marianne McNee, retiring Commissioner of Merchandise Sales, for her many contributions, and Bill McNee for his assistance with Merchandise Sales; Kate Thornton for coordinating community e-mail blasts; Sue Birk, for serving as our webmaster; Wally Kelly, George Prior and Bill Meyer for representing the District at a series of meetings sponsored by the Town of Charlestown concerning water supply issues and potential problems; Anne Doyle and all the volunteers who assisted with the Spring clean-up effort; Sally Devin, Assistant Clerk, for helping with many administrative tasks; and members of Seaside Gardeners and the Quonnie Historical Society for their contributions to the community.

The Moderator also specially thanked Joy and Mike Millette for donating to the District the land next to the beach parking lot that is used for bicycle parking and funding all the legal and other costs of the transfer.

The Moderator recognized and thanked Steve Long and Vinnie Reppucci, past Moderators, and thanked them for their many contributions to the community. She then introduced the current members of the Board of Governors, currently-serving Commissioners and Peter Ruggiero, legal counsel to the District.

The Moderator concluded by noting that proposed legislation had been introduced in the RI legislature during the past year that would have imposed additional reporting and other burdensome requirements on small fire districts such as QCBCFD. She reported that such legislation had not passed and thanked those who had written or contacted their representatives in opposition to it.

New residents were invited to introduce themselves and Linda Simons, who with her husband, Harris, recently purchased the house at 63 Ninigret Avenue, was welcomed with a round of applause.

II. Approval of Minutes of 2014 Annual Meeting

A motion was made to approve the Minutes of the 2014 Annual Meeting of the Quonochontaug Central Beach Fire District. The motion was seconded and passed.

III. Committee Reports and Motions

Written reports of each of the Committees were distributed in advance of the meeting. The Moderator and the various committee chairs, or their designees, thanked the members of each of the committees, answered questions and, in some cases, elaborated on the reports and presented motions for action.

Ad Hoc Committee for Revision of By-Laws. The Moderator recalled that a resident has filed several complaints with the Rhode Island Attorney General alleging violations by the District of Rhode Island's Open Meetings Act (OMA) and Access to Public Records Act and that two of these complaints are still pending. She indicated that dealing with these complaints has cost the District a considerable amount in both legal fees and the time required to respond to them and that these complaints have adversely affected the willingness of some to participate in community activities.

She noted that OMA applies to fire district committees and that, while the Attorney General's office has indicated that not all committees are subject to the act, the determination of whether a particular committee is or is not subject to OMA may be

subject to challenge. Under these circumstances, an ad hoc committee was appointed approximately one year ago to consider possible modifications to our by-laws to reduce, where appropriate, the time and effort required for compliance with OMA and to propose such other modifications as the committee deemed appropriate. The ad hoc committee (consisting of Brewster Blackall, Linda Griffin, Roy Jacobsen, Julie Mathews, Nancy Matthews, Ceil McCulloch, Kate Thornton and Tom Wildman, chair) met throughout the winter and prepared the proposed Amended and Restated QCBFD By-Laws that, with minor modification, were recommended by the Board of Governors for adoption by the voters.

The Moderator then summarized some of the proposed changes, including the elimination of a number of standing committees and assigning to individuals responsibility for the activities that these committees previously oversaw. She and the Clerk responded to questions and comments about the proposed changes, including concerns expressed about the proposed elimination of absentee ballots (but not proxies) for District meetings. The Clerk noted that an affirmative vote of two-thirds of the Eligible Voters present or voting by proxy was necessary to adopt the proposed amended and restated by-laws. He then moved the following resolution, which was seconded and, following discussion, passed by the combined vote of more than two-thirds of those in attendance or voting by proxy:

Resolved, that the draft amended and restated by-laws of Quonochontaug Central Beach Fire District (marked DRAFT # 5) recommended for adoption by the Board of Governors of the District, and distributed to the voters of the District for review in advance of the District's 2015 Annual Meeting as part of the materials mailed with the notice of such meeting, are hereby adopted as the Amended and Restated By-Laws of the District, such adoption to be effective upon adjournment of such Annual Meeting.

Public Works. The Moderator and Wally Kelly, Commissioner of Public Works, explained that rising nitrate levels in our water supply might become a problem at some point in the future and that, for this reason, the Public Works Committee had recommended that we drill a deep test well in an effort to locate an additional source of water. This recommendation was endorsed by the Long Range Planning Committee and approved by the Board of Governors. Nancy and Wally responded to questions. Before concluding, Wally turned to a different problem and urged homeowners to shut off the water in their houses whenever they are going to be away overnight, especially during the winter when pipes are vulnerable to freezing.

Finance and Budget. Charlie Freedgood, Commissioner of Finance and Budget, explained proposed modifications to the 2015 budget and commented on the proposed 2016 budget as well as a proposal to broaden the authority of the Board of Governors to

determine the application of any future budgetary surpluses. Discussion included several questions about the proposed expenditure of up to \$30,000 on the proposed test well that Wally and Nancy had previously discussed and the proposed expenditure of up to \$10,000 for the remediation of a ponding problem on Surfside Avenue. In response to a question, Wally stated that there can be no guaranty that a deep test well will locate a significant alternative source of water; however the Public Works Committee believes the cost of the test well is justified given the likely cost of installing and operating a denitrification system if we are forced to take action because of rising nitrate levels in our water supply.

Charlie then moved one by one the following resolutions, each of which was seconded and, following discussion, passed by the combined vote of those in attendance or voting by absentee ballot or proxy:

Resolved, that the 2016 budget, including an approximate \$10,493 increase in Tax Revenue (3.9% above 2015), as approved by the Board of Governors, be adopted and approved.

Resolved, that the 2015 budget be amended to replace the respective reserve fund transfers with the following:

Contingency	\$2,500.00
Water System	\$1,500.00
Road	\$12,000.00
Asset Replacement	\$5,000.00
Mapping	\$2,616.50
Test Bore	\$30,000.00
Tennis Courts	\$0.00
Boat Launch	\$0.00
Compliance	\$0.00

Resolved, that the 2015 budget be further amended to include an expenditure of not greater than \$10,000 for the repair of ponding on Surfside Avenue as recommended by the Public Works Committee, provided that such amount may be rolled into 2016 if not otherwise used in 2015.

Resolved, that the 2015 budget be further amended to include an expenditure of not greater than \$30,000 for the drilling of a deep water well as recommended by the Public Works Committee, provided that such amount may be rolled into 2016 if not otherwise used in 2015.

Resolved, that the 2015 budget be further amended to include an expense of not greater than \$2,617 for digital mapping survey.

Resolved, that the Board of Governors be granted the authority to annually allocate any surplus to (1) reduce the then current balance on any outstanding debt obligation of the District, (2) roll such surplus into the following year's budget as miscellaneous income, (3) increase the balance of any reserve account or (4) allocate such surplus to any combination of the foregoing as the Board of Governors deems appropriate.

Resolved, further, that the foregoing resolution supersedes any prior resolution(s) of the voters of the District regarding the authority of the Board of Governors to allocate surplus.

Charlie concluded by moving the following tax resolution, which was seconded and passed by the combined vote of those in attendance or voting by absentee ballot or proxy:

Resolved, that the electors of the Quonochontaug Central Beach Fire District qualified to vote in the District Meeting legally assembled on September 19, 2015, hereby order the assessment and collection of a tax on ratable property of said District in the sum of no less than \$268,000 nor greater than \$272,000. Said tax is for ordinary expenses and charges for the interest and indebtedness in whole or part of said District and for the purposes authorized by law. The Assessor of Taxes shall assess and apportion said tax on the inhabitants and ratable property of said District as of the 30th day of June 2016 at 12:00 noon, according to the law, and shall on the completion of the said assessment date, certify and sign the same and deliver the same to the Collector of Taxes on or before the 1st day of August 2016. The Collector of Taxes, on receipt of said assessment, is hereby commanded to proceed and collect said tax on the persons and estates liable therefore. Said tax shall be due and payable on or before the 30th day after the date of certification by the Assessor of Taxes, and all remaining unpaid balances after such due date shall carry interest until collected at a penalty rate of 12% per annum upon such unpaid taxes.

Civic Improvement. Bill Heep, Commissioner of Civic Improvement, reviewed the "good neighbor" policy previously adopted by the Board of Governors which asks property owners to take responsibility for maintaining trees and shrubs in the portion of the QCBFD road right-of-way that abuts the owner's property. He indicated that this policy generally has been successful but occasionally encounters resistance. Bill then moved the following resolution which was seconded and passed by the combined vote of those in attendance or voting by absentee ballot or proxy:

Resolved, that property owners be required to maintain all trees, shrubbery and grasses and other improvements and/or fixtures within the unimproved section of the District's rights-of-way adjoining their property in a manner to prevent unsafe or dangerous conditions. This includes removal of any obstruction that impairs safe and free movement on District roads and maintenance of adequate sight lines at corners for safety. Further, all trees overhanging District roads are to be maintained, by the property owner, to a height of no less than 13.5 feet above District roads to provide access by Fire Department equipment.

Police Protection. Michele Pallai Reppucci, Commissioner of Police Protection, noted that there have been recent incidents of door-to-door solicitors in QCBFD from outside the area. She indicated that the Charlestown Police have asked that anyone who sees such individuals in the District notify the Police Department. Michele requested that she also be notified so that the community can be alerted. Michele also commented that illegal fireworks continue to be a problem and that residents aware of such activity should either notify the Police or alert her so that she can notify the Police.

Long Range Planning. Joe DeMaio, Commissioner of Long Range Planning, remarked that the Long Range Planning Committee often deals with issues that can be emotional because people may have strong, differing views about them. He indicated that formulating a policy about dealing with ponding problems, such as the one on Surfside Avenue, was one such issue. As a result of considering that situation, the Long Range Planning Committee concluded that the District should require a security deposit in connection with those construction projects that require payment of a Road Impact Fee under our current rules. Whereas the Road Impact Fee is nonrefundable and contributes to covering the increased general cost of maintaining our roads that results from heavy construction traffic, the security deposit would be refundable upon repair of any specific damage to District assets caused by a construction project. Joe then moved the following resolution which was seconded and, following discussion, passed by the combined vote those in attendance or voting by absentee ballot or proxy:

Resolved, that at the time a Road Impact Fee is collected, a security deposit of \$5,000 will also be collected by the District, to be held in a non interest bearing, segregated account, pending the inspection and approval by the Public Works Committee that the District right-of-way and the assets of the District within the right-of-way have been adequately repaired, restored and protected in accordance with the written guidance provided to the homeowner. Notwithstanding anything contained herein, the payment of this Security Deposit will in no way limit the amount due from a homeowner.

Boating. Brewster Blackall, Commissioner of Boating, reminded those in attendance that it is important that every boat left at the QCBFD boat landing have a QCBFD boat sticker on it. The stickers are free but their use both helps keep non-resident boats out of our limited storage area and enables identification of the owner if there is some problem with a boat. Brewster also asked that residents give him their opinion as to whether we should return to a policy of requiring the removal of all boats from the landing by year end. Finally, Brewster asked that people remember to not leave trash at the boat landing.

Tennis. Susan Wales, Commissioner of Tennis, asked that people please not leave trash on or next to the tennis courts and not use the courts for activities other than tennis.

Special Events. In the absence of Katherine Huntington, Commissioner of Special Events, Ellen Frost thanked the many volunteers who had helped this year and noted that there was always a need for volunteers to help with future activities.

Merchandise Sales. Marianne McNee, Commissioner of Merchandise Sales, reported that revenues from merchandise sales had covered the cost of the summer dance and other special events and also would cover a substantial portion of the deep test well previously discussed.

Other Committees. The Moderator indicated that Shari Frost, Commissioner of Beaches and Dunes, Tom Frost, Commissioner of Real Estate and Property, and Michael Flynn, Commissioner of Ballfield and Playground, were not present but that people could contact them if they had questions about the reports of their committees.

IV. Report of Nominating Committee and Election of Board of Governors and Officers

Roy Jacobsen, Chairman of the Nominating Committee, moved the following resolution which was seconded and passed by the combined vote of those in attendance or voting by absentee ballot or proxy;

Resolved: that the proposed slate of Officers and members of the Board of Governors for the 2015-2016 year as recommended by the Nominating Committee, be elected.

V. Legal Resolutions

The Clerk moved the following resolution which was seconded and passed by the combined vote of those in attendance or voting by absentee ballot or proxy:

Resolved, that each and all of the resolutions, acts and proceedings of the District Officers, as shown by the records of the respective officers in carrying out and promoting the purposes, objectives and interests of the Quonochontaug Central Beach Fire District, be and the same are approved, ratified and hereby made the acts and deeds of the Quonochontaug Central Beach Fire District.

VI. Old and New Business

The Moderator reminded those present that last year resident Donald MacDougall had submitted six motions for consideration at the 2014 Annual Meeting. These proposals were tabled at the meeting and referred to the Board of Governors for consideration, which in turn referred them to the Clerk and various committees for consideration. Mr. MacDougall has indicated that he is withdrawing four of his 2014 motions because of subsequent actions by the Board of Governors with respect to the subject matter of those proposals. Mr. MacDougall has, however, renewed two of his 2014 motions by submitting substantially similar motions, along with one new motion, for consideration this year. These proposals, along with Mr. MacDougall's supporting statements, were included in the packet of materials mailed to voters in advance of our 2015 annual meeting.

A motion was made to table Mr. MacDougall's proposals. The motion was seconded and passed.

VII. Adjournment

A motion was made to adjourn the meeting. The motion was seconded and passed.

The Moderator adjourned the meeting at approximately 12:23 p.m.

Respectfully submitted,

Thomas R. Wildman
Clerk, Quonochontaug Central Beach Fire District