

**Minutes of the Meeting of
Quonochontaug Central Beach Fire District
Board of Governors
held on Sunday, August 16, 2015
at the Charlestown Police Station, Community Room
4901 Old Post Road
Charlestown RI 02813**

Members in Attendance: Brewster Blackall, Tom Frost, Joe DeMaio, Charlie Freedgood, Bill Heep, Wally Kelly, Julia Mathews, Nancy Matthews, Michele Pallai Reppucci, and Tom Wildman

Members Absent: None

Also in attendance were Beaches and Dunes Commissioner Shari Frost, Community Sales Commissioner Marianne McNee, Tennis Commissioner Susan Wales and members of the public.

I. Call to Order

The Moderator, Nancy Matthews, called the meeting to order at approximately 10:02 a.m..

Nancy began the meeting by recognizing, and expressing thanks and appreciation for, the hard work and contributions of two Commissioners who will be retiring from their positions this year: Beaches and Dunes Commissioner Shari Frost and Community Sales Commissioner Marianne McNee. Nancy also acknowledged and thanked Bill McNee and Patti Rueff for their special help with Community Sales.

II. Approval of Minutes

A **motion** was made to approve the draft minutes of the July 25, 2015 meeting of the Board of Governors. The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than the Moderator, who under the District's By-Laws only votes in the case of a tie).

III. Clerk's Report

The Clerk, Tom Wildman, reported that no questions or significant comments with respect to the draft amended and restated QCBFD by-laws have been received since the draft and explanatory materials were posted on the District website for comment (and an e-blast was sent advising recipients of the posting). In the absence of further questions or comments from the Board, Tom **moved** that the draft amended and restated by-laws of Quonochontaug Central Beach Fire District (marked Draft # 5) previously posted on the District's website for review and comment be recommended for adoption by the voters of the District at the 2015 Annual Meeting of the District by the adoption at such meeting of the following resolution:

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, effective immediately.

The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than the Moderator, who under the District's By-Laws only votes in the case of a tie).

IV. Treasurer's Report

The Treasurer, Julia Mathews, reported that 2015 tax bills were sent out and that approximately 25% have already been paid.

V. Committee Reports

A. Finance and Budget. Charlie Freedgood, Commissioner of Finance and Budget, reviewed proposed amendments to the District's 2015 budget, a proposed 2016 budget, the proposed tax assessment for 2016, and proposed resolutions for the allocation of any annual surpluses. Charlie responded to various comments and answered questions. He indicated that it was his objective to continue increasing reserve fund balances in future years and to try to reduce the need for amendments to our annual budgets to deal with unanticipated expenses. It was noted that a provision in the proposed amended and restated By-Laws that authorizes the Board to reallocate expenditures so long as actual total expenditures do not exceed total budgeted expenditures would help in this regard.

Following discussion, Charlie **moved** that the 2016 budget proposed by the Finance and Budget Committee be approved and that the Board of Governors recommend its adoption by the voters of the District at the 2015 Annual Meeting pursuant to the following resolution:

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.

The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than the Moderator, who under the District's By-Laws only votes in the case of a tie).

Charlie then **moved** that the 2015 budget be amended as set forth in the following four resolutions and that the Board of Governors recommend adoption of such resolutions by the voters of the District at the 2015 Annual Meeting:

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.

The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than the Moderator, who under the District's By-Laws only votes in the case of a tie).

Charlie next **moved** that the Board of Governors approve and recommend adoption by the voters of the District at the 2015 Annual Meeting of the following two resolutions regarding allocation of surplus:

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.

The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than the Moderator, who under the District's By-Laws only votes in the case of a tie).

Charlie concluded by making a **motion** that the Board of Governors approve and recommend adoption of the following tax resolution by the voters of the District at the 2015 Annual Meeting:

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.

The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than the Moderator, who under the District's By-Laws only votes in the case of a tie).

B. Civic Improvement: Bill Heep, Commissioner of Civic Improvement, recalled that the Board had previously promoted a "good neighbor" policy that asked property owners to take responsibility for maintaining in a safe condition the District road right-of-way abutting their property. This policy has generally been successful but has encountered occasional resistance. Bill stated that the Civic Improvement Committee has been advised by legal counsel that such policy could be made mandatory and the committee suggests that this be done. Following discussion, Bill made a **motion** that the Board of Governors approve and recommend adoption by the voters of the District at the 2015 Annual Meeting of the District of the following resolution:

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.

The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than Wally Kelly, who abstained, and the Moderator, who under the District's By-Laws only votes in the case of a tie).

C. Police Protection: Michele Pallai, Commissioner of Police Protection, reported that there have been a number of instances of beachgoers violating the District's rule against bringing food and beverages onto the beach. There have also been occasions when individuals have left cars in the beach parking lot past the 8:00 p.m. closing time and, in some cases, even prevented the monitor from locking the gate at the closing time. The Board discussed these problems and, without taking a vote, agreed by consensus that we should post

a sign at the parking lot indicating that the gate is locked at 8:00 p.m. A number of Board members also expressed the view that the monitors, as well as others, should be encouraged to remind beachgoers of the prohibition on food and beverages on the beach. Board members also expressed support for locking the beach parking lot gate at 8:00 p.m.; however, the monitors should not engage in a confrontation with anyone but should report the offender.

D. Long Range Planning: Joe DeMaio, Commissioner of long Range Planning, reported that the Long Range Planning Committee is recommending that the District require a security deposit in connection with certain construction activities in light of problems that have arisen in the recent past. After discussion, Joe made a **motion** that the Board of Governors approve and recommend adoption by the voters of the District at the 2015 Annual Meeting of the following resolution:

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.

The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than the Moderator, who under the District's By-Laws only votes in the case of a tie).

VI. **Nominating Committee**

Nancy reported that the Nominating Committee has submitted its nominations for officers and members of the Board of Governors for the next year as well as its recommendations for individuals to be appointed by the Board as Commissioners, Managers and/or Committee heads and members (depending on whether the proposed modifications to our by-laws are adopted). The nominations for election as officers and members of the Board of Governors will be submitted to the voters at the 2015 Annual Meeting.

VII. **New Business**

A. Proposal Regarding Lawn Work. The Board discussed a proposal by a resident that the District adopt a rule requiring all lawn work to be done on Wednesdays so that the other six days of each week are not disturbed by the noise of mowers and other lawn equipment. The appropriateness of such a rule was questioned and the practical difficulties of its implementation were cited. All members of the Board of Governors in attendance voted against recommending the proposal to the voters (other than the Moderator, who under the District's By-Laws only votes in the case of a tie). Nancy will advise the resident of the Board's decision so that the resident may submit the proposal on his or her own behalf if he or she so desires.

B. Ratification and Approval of Acts of Officers. A motion was made that the Board of Governors approve and recommend adoption by the voters of the District at the 2015 Annual Meeting of the following resolution:

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 the deeds of the Quonochontaug Central Beach Fire District.

The motion was seconded and **passed**, with all members of the Board of Governors in attendance voting in favor of the motion (other than the Moderator, who under the District's By-Laws only votes in the case of a tie).

VIII. Old Business

Nancy referred to 6 motions that had been submitted by a resident prior to the 2014 Annual Meeting and were tabled at that meeting and referred to the Board of Governors. Copies of these motions are attached to the minutes of the October 12, 2014 meeting of the Board of Governors, at which meeting the motions were referred to Finance and Budget Committee (Motion labeled No. 10), Long Range Planning Committee (Motions labeled No.1, No.2, No.3 and No.5) and the Clerk (Motion labeled No.4) for consideration. The Board discussed whether each of these motions should be recommended by the Board for adoption at the 2015 Annual Meeting.

All members of the Board of Governors in attendance (other than the Moderator, who under the District's By-Laws only votes in the case of a tie) voted against recommending any further action with respect to Motions 1 (entitled "Stop Signs and Road Safety") and 2 (entitled "Speed Bumps and Road Safety") after Joe DeMaio indicated that the substance of those two

motions remains under discussion by the Long Range Planning Committee and will be the subject of future recommendations to the Board.

All members of the Board of Governors in attendance, other than the Moderator, also voted against recommending any further action with respect to Motion 3 (entitled “Intersection Sight Lines, QCBFD Trees & Overhead Road Safety”) in light of the Board’s decision, described above, to recommend to the voters a resolution defining resident responsibilities with respect to such matters.

All members of the Board of Governors in attendance, other than the Moderator, also voted against recommending any further action with respect to Motion 4 (entitled “Annual Meeting Draft Minutes”) after Tom Wildman indicated that draft minutes of the 2014 Annual Meeting had been posted on the District’s website well in advance of the time that the motion would mandate and that he intended to make available draft minutes of future District meetings promptly after the meeting.

All members of the Board of Governors in attendance, other than the Moderator, also voted against recommending any further action with respect to Motion 5 (entitled “Rainwater Pooling Remediation”) in light of the adoption by the Board at its July 11, 2015 meeting of a policy with respect to “ponding” problems and the steps that are being taken to mitigate a problem on Surfside Avenue in accordance with such policy.

Finally, all members of the Board of Governors in attendance, other than the Moderator, voted against recommending any further action with respect to Motion 10 (entitled “West Pond Restoration Project Accounting”). During the discussion of this proposal those in attendance, including the proponent of the motion, were provided a list of expenses related to pond restoration, as determined by Charlie and Julia in their judgment. It was noted that the restoration project was currently on hold and that future expenses would have to covered by future budgets.

IX. Adjournment

A **motion** was made to adjourn the meeting at approximately 12:10 p.m.. The motion was seconded and **passed** unanimously.

Respectfully submitted,
Thomas R. Wildman, Clerk
Quonochontaug Central Beach Fire District