

**APPROVED**

**Minutes of the Meeting of  
Quonochontaug Central Beach Fire District  
Board of Governors  
held on Saturday, July 20, 2019  
at the Charlestown Police Station Community Room  
4901 Old Post Road, Charlestown RI 02813**

**Members in Attendance:** Al Bartosic, Brewster Blackall, Tom Frost, Julie Low, Julia Mathews, Roberta Peet, Vinny Reppucci, Randy Thornton and Tom Wildman

**Members Absent:** Tom Farrell

Also in attendance were DeDe Consoli, Manager of Merchandise Sales; Peter Rettig, Manager of Beach and Dunes; Susan Wales, Manager of Tennis; Kate Thornton, Email Blast Coordinator; Elaine Heilemann, Co-Manager of Special Events; Sally Devin, Assistant Clerk; and members of the public.

**1. Call to Order/Moderator's Remarks**

The Moderator, Randy Thornton, called the meeting to order at approximately 9:00 a.m. He reported that the Nominating Committee (Diane McEnroe (Chair), Kate Thornton, and Mark Alperin) has informed him that it is actively working and expects to have its nominations and recommendations ready in advance of the time required for inclusion in the annual mailing to voters.

**2. Approval of Minutes/ Clerk's Report**

A **motion** was made to approve the draft minutes of the June 22, 2019 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).

Tom reminded those present that, in accordance with our Charter, our Annual Meeting will be on September 14 this year, and to comply with our By-laws, the Annual Meeting packets need to be mailed at the end of August. This means that all materials to be included in the packets, including the reports of committee Chairs and Managers, need to be ready early in the week of August 25. Tom added that in order to ensure a quorum for the Annual Meeting, at least 30% of the lots in the District must be represented in person or by proxy so it is important that owners who cannot attend in person designate proxies. He then submitted the form of proxy proposed for use this year, noting that it is substantially the same as used in recent prior years. A **motion** to approve the form was then made, seconded and **passed**, with all members of the Board of Gover-

nors 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).

### **3. Treasurer's Report**

The Treasurer, Roberta Peet, reported that a total of just under \$7,000 had been given to the family of Ed Palmer from contributions by residents.

Roberta informed the Board that the Charlestown property tax list was not likely to be available until mid-August this year and this could result in a delay in the mailing of our own invoices and property tax collection.

### **4. Managers' Reports**

a. The Manager of Beach and Dunes, Peter Rettig, stated that the installation of a new railing for the boardwalk and placement of signs designating handicap parking spots in the beach parking lot have been completed. Peter also reported that we have retained a new contractor to rake the beach because the prior contractor has had equipment problems.

It was noted that the new railing is very attractive and that Peter did most of the work on the railing himself. The Board expressed its appreciation to Peter for his great contributions to the community.

b. The Manager of Merchandise Sales, DeDe Consoli, indicated that sales were going well and receipts were ahead of those at the same point in the season last year.

c. The Manager of the Marina, Brewster Blackall, reviewed the status of various improvements to the boating facilities that are in process or are contemplated. Differing views were expressed about the desirability of attaching a ladder to the dock.

d. The Police Liaison & Manager of Beach Gate Monitors, Julie Low, reported that the hours during which monitors are on duty at the beach parking lot have been extended to coincide with the times that the lot is open because we have had some problems with outsiders arriving before guards are on duty and then remaining for much of the day. Julie stated that we have also had some problems with people parking at the tennis courts or along the side of District roads and then walking to the beach. Vinny remarked that in cases where unauthorized persons have parked in violation of clearly posted rules, the Charlestown police might, if called, assist in dealing with the violators.

e. The Manager of Tennis, Susan Wales, reported that use of the courts was going smoothly.

f. One of the Co-Managers of Special Events, Elaine Heilemann, reported that there has been a good response to the social events that have already taken place this summer and that the activities are continuing.

## **5. Committee Chairs' Reports**

a. The Chair of the Community Property Committee, Julia Mathews, reported that there has been some clearing of brush on community properties that was encroaching on the roadways and/or obstructing vision. She also reported that she has begun soliciting bids for trash and recycling pickup after this year. As part of the process, she is exploring alternatives that might enhance service while reducing costs, such as contracting for year-round service at a total cost lower than that for partial year service calculated by application of the higher seasonal rate.

b. The Chair of the Finance and Budget Committee, Al Bartosic, reviewed a preliminary 2020 budget with the Board. This budget included a 23% increase in total expenses over 2019 budgeted amounts. The substantial increase is primarily attributable to projected increases in the cost of trash and recycling pickups. The increased expenses would be covered by a 9.4% increase in tax revenues and a reduction in budgeted surplus available to fund reserves. Al said that the Finance Committee will further review individual expense items with Managers and committee chairs before finalizing a proposed budget for consideration by the Board and presentation to the residents at our Annual Meeting.

Al also reported that the 2018 tax collection procedures had been reviewed in accordance with the review procedures established by the Committee and no problems were found.

c. The Chair of the Public Works Committee, Vinny Reppucci, reported that the Committee recommended contracting with Northeast Water Solutions, Inc. to continue as manager of our water system for another 3 years. The proposed extension includes a 7.5% increase in base charges, off-set in part by a 5% reduction in the hourly rate for work done on an hourly basis. After discussion, a **motion** was made to authorize entering into the proposed contract with NWSI. 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).

Vinny next reported that the chip sealing of all QCbfd roads, other than a few less-traveled stretches, has been completed and that the work appears to have been well done; however, there is a possible disagreement with the contractor about whether the required work exceeded the work on the basis of which the contractor's bid had been made. Vinny indicated that he is discussing with the contractor ways to resolve the issue in a fair and mutually satisfactory manner. He is also continuing to address areas where the addition of French drains or taking other measures could alleviate significant pooling problems and also places where it would be appropriate to add additional speed bumps/humps or adjust existing ones.

Vinny then turned to two other topics that come up from time to time: (1) residents' landscaping (including the placement of large rocks or other barriers) in the unpaved portion of the District roadway abutting their property and (2) the failure of some to honor the provisions in the deeds for many of the lots in the District that prohibit trees and bushes that impair the water views of

others. Vinny indicated that the Committee might develop proposed statements on either or both of these topics for consideration at a future Board meeting.

Vinny ended his report by indicating that he has requested quotes for the cost of switching District street lights to LED lights either all at once or on an individual basis and said that he will report further at a future meeting.

## **6. Possible Resolution of Potential Litigation**

Randy noted that the Board at its May 25, 2019 meeting had reviewed the history of QCBFD supplying District water to a house located outside the District at 29 Dowd Drive and had authorized the negotiation of a possible forbearance agreement with the current owner of the house, the Thomsen Family Limited Partnership (“Thomsen”). Under the terms of this proposed agreement, we will not take any action to terminate water service to the house in question (“Barnacle”) so long as Thomsen pays to QCBFD: (i) the property taxes it has routinely paid on the “sliver lot” connecting water to the house, and (ii) a fee equal to the additional QCBFD taxes Thomsen would be required to pay if the house were actually within the District less the taxes Thomsen pays Dunn’s Corner Fire District (“DCFD”) for fire protection. Randy reported that with the assistance of the Clerk and Tom Frost, a proposed 10-year Forbearance Agreement along the lines contemplated, with one additional provision, has been negotiated. The one additional provision commits both the District and Thomsen to take all reasonable steps, at Thomsen’s expense, to bring the property into the District; however, this additional provision only becomes effective if approved by the voters at our Annual Meeting in September.

Randy, Tom and Tom reviewed the terms of the proposed contract with the Board and answered various questions. After discussion, the following two **motions** were made, seconded and **passed**, one at a time, with all members of the Board of Governors in attendance voting in favor of each motion (other than the Moderator, who under the District’s By-Laws only votes in the case of a tie):

Motion that the Forbearance Agreement between the District and the Thomsen Family Limited Partnership (“Thomsen”) relating to the property known as 29 Dowd Drive, Charlestown RI (the “Property”), in the form presented to and reviewed by the Board of Governors at this meeting, be hereby approved and that the Moderator be hereby authorized to execute and deliver the same.

Motion that in order for the provisions of Section 3 of the aforesaid Forbearance Agreement to become effective in accordance with their terms, the Board of Governors hereby recommends to the voters at the 2019 Annual Meeting of the District, whether in person or by proxy, that such provisions, reading as follows, be accepted and approved: ‘... Thomsen and QCBFD agree to take all the steps that are reasonably necessary for the Property to become part of QCBFD. So Thomsen shall immediately petition the DCFD to agree to convey its jurisdiction over the Property to the QCBFD and Thomsen shall take all reasonable steps

necessary to make that conveyance happen, at Thomsen's expense. Thomsen agrees to pay for a Rhode Island licensed surveyor to describe the legal perimeter of the Property and also agrees to pay for a Rhode Island attorney to draft the legislation necessary to effect this change. Similarly, QCBFD shall take all the steps reasonably necessary to acquire the Property, contingent on the DCFD conveyance of the Property to QCBFD. Both parties agree to work together with their fire districts, the Town of Charlestown (and their local representatives), and their representatives to the State of Rhode Island. Both parties shall make every reasonable effort to effect this transfer by the end of Rhode Island's 2020 Legislative Session. Should the transfer not take place in 2020, Thomsen and QCBFD agree to make every reasonable effort to achieve this goal in each year of this Agreement. The parties shall always make a reasonable effort to make this conveyance happen and that shall be the standard that each party shall be held to.”

**7. Adjournment.**

A **Motion** was made to adjourn the meeting at approximately 10:45 a.m. The motion was seconded and **passed** unanimously.

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