

## **BEACH STIPEND COMMITTEE MEETING MINUTES**

**AUG 21, 2014, 5:00 PM**

### **OL TOWN HALL MEETING HALL**

In attendance: BJ Bernblum ,Keith Coakley; Fred Callahan; Beth Cote; Rich Dakin; Wendy Gavin, and First Selectwoman Bonnie Reemsnyder.

1. Chairman Keith Coakley asked if there were any addition or changes to agenda. The answer was no.
2. Budgets presented by beach association spokespeople.

#### **Rogers Lake West Shore Association:** Dave Evers President

Mr. Evers stated that Rogers Lake was a specially chartered municipality not just an association. He stated they could have their own fire department and police department. He stated that Rogers Lake is different then other associations because they have many full time residents, 26 public roads and only 10 private. He said they have community center and it is the largest part of their budget. They allow non-profit organizations to use the community center at no charge. Narcotics Anonymous, Girl Scouts, Little League, Duck River Garden Club, Rogers Lake Authority and others use the center. Committees in town use it as a forum for information. He stated it is a big part of the community and they have offered assistance to use it for a respite center during emergencies. They have a generator hookup and they are trying to upgrade it. The stipend helps to upgrade community center. Mr. Evers went on to explain the budget: See budget attached. He also stated that he thought of the stipend as the idea that Rogers Lake is a town within a town and asking the town for money to improve things. When Old Lyme has a need they ask the state for money like when they repaired the Dam, Haines Park. He thinks it is tax money coming back to help town grow and do bigger things. There are 30 liens on property of people who have not paid their taxes to the association. Its tough out there, the stipend helps with that. Mr. Evers called Lake Hayward in Colchester. They get a stipend from the town. Not sure why.

Mr. Evers asked if there were questions and vice president Rich Dakin added that the community center was used 60 times per year. The stipend helped with costs associated with maintenance, insurance, plowing, etc.

BJ Bernblum asked: What is the basis for using the community center?

Mr. Evers answered that if it is a non- profit they do not charge. If it is a public affair they charge.

He said to see the budget and you would see that most of the expenses go to community center and plowing.

#### **Point O' Woods:** Carl Filios, president of Point o' Woods, Wayne Buchanan, Vice president and Roy Johnson, treasurer

Mr. Filios stated that the committee is a bit of a puzzle to him. He heard that the beach stipends are being used for security, so he does not see what the issue is. He asked if someone could please enlighten him as to what is going on here.

BJ Bernblum said that we have not determined that the stipends are for security. We have not determined what the stipend is for; what we should be paying for, and how that might be put into a formula.

Mr. Filios asked, "So basically you are saying that you are disregarding everything that has gone on in past?"

BJ Bernblum answered, "No we are trying to learn what has gone on in the past as best as we can, and why people have made the decision they have. There are no historical records that make that clear. There is no clear historical record, so we are gathering information."

Mr. Filios then stated that he was not formally notified of the meeting. Fred Callahan, a committee member forwarded him an email. There was no letter of notification sent. He thought that a formal committee should be some formal notification.

Bonnie stated that she sent emails talking about this, that it was on the town website that we were forming the committee, and in the Board of Selectmen meeting minutes.

Mr. Filios moved on and passed out what he said was not a budget but actuals for the past 4 years.

Roy Johnson, treasurer for Point O' Woods Association said everyone has a story and Point O' Woods story is that sewers were installed in 2010. He stated they have half the money they had 4 years ago. Major reasons self-imposed reduction of mill rate because of a 20,000 bill for sewers. They have a state loan and each member of the association pays \$611.00 twice a year plus an annual \$300.00 fee. He stated they did a good thing by cleaning up the Sound.

See actuals attached for the details of the losses. They also spent \$200,000.00 cleaning channel, and then hurricane Sandy filled it back in again, so they had to do it again. A question was asked if the town got FEMA money, why didn't Point O' Woods see any of that money?

First Selectwoman Bonnie Reemsnyder responded by saying that the town did not get FEMA money based on any of their expenses.

It was also stated that Point O' Woods gets one thing from this town: Garbage

It was said that the perception of the Point O' Woods people is that by and large that Old Lyme loves the golden goose they have. Over 90% of the residents live there for 6 months of the year. They pay full year taxes. There are maybe 10 kids that get on the school bus. Property owners pay anywhere from \$4,000 to \$20,000 a year in property taxes to the town that covers garbage collection.

BJ Bernblum asked if they also get fire and police protection.

It was stated that they have their own security in the summer.

Mr. Bernblum said he knew that but asked if they had their own police force and fire department.

The answer was no, but it was stated that they do not see the police very often in the summer.

It was stated that they understand they get the services, but you can see our security budget.

They showed us their security expenses because there was some talk of history of security reasons being at least part of the stipend thing. The numbers show the stipend is paying for 38% of Point O' Woods security budget. They were not sure whether that was relevant or not.

It was also stated that they do all of their own snowplowing.

It was stated that Point O' Woods is totally a self-contained community and they get garbage and police protection obviously. It was stated again that they do not see police cruise in the summer.

First Selectwoman Bonnie Reemsnyder reminded them that last summer there was some incidences with Mr. Brown and our town police were spending a lot of time at Point O' Woods.

Vice president Buchanan said when he was a child at Point O Woods beach there were Old Lyme uniform police officer patrolling the beach. He said they reimbursed for all of that. He said

some time between when he was a child and when he was a young adult the model was changed and they went to private security.

Mr. Bernblum stated that the board of finance and this committee appreciate that these local associations having security forces that save the taxpayers of Old Lyme a certain amount of money that might otherwise have to be spent to increase the police force. He went on to say that the committee struggling with this and trying to decide what is the rationale for all of the taxpayers of Old Lyme to give a stipend to a subset of the taxpayers of Old Lyme. He said that one rationale is they are incurring expenses that the taxpayers would otherwise have to incur. He also said he was reacting to the comment and admitted to reacting negatively to the comment of the thought that Point O' Woods does not enjoy any protection from the police department or the fire department of Old Lyme. He stated that if there is a need for police response or a fire in Point O' Woods you get that.

It was stated by a Point O' Woods member that nobody would doubt that, but the cops are not there in the summer.

Mr. Bernblum said that was great because that just means there is no crime there in the summer.

Point O' Woods member said, "No timeout, that means we are taking care of most of it ourselves."

Mr. Bernblum asked, "Do you take care of criminal activity?"

The answer was no. They do take care of parking violations, all violations. They put them out, and collect them.

It was stated by a Point O' Woods member that the stipend is \$20,600.00, which is 5% of their overall intake.

President Filios stated they that have had a new expense in seaweed removal. They used to be able to take it over to the landfill free of charge. Now we get charged every time we take it over. First Selectwoman Bonnie Reemsnyder asked if they understood why and they did not. She explained that previously when they brought it there was a landfill. It could go on top of the ground and it got rolled into the ground. They were not charged for the maintenance guys there because we were paying them anyway. They weren't charged for the equipment. They weren't charged for anything. They were just able to drop it. The landfill was capped, so we can't do that anymore. It has to be taken away so that means Old Lyme has to pay a charge for that. Old Lyme is not making any money off the beach debris coming in. The associations are just being charged exactly what the town is charged to take it out. The entire town is being charged for what they dump.

President Filios stated Going back to the public safety issue, I think it is important to note that we keep our roads in pretty good shape, we work hard to maintain those roads and those are the roads that the police and fire department use when they come in. Our roads are top quality. We invested additional money to upgrade the quality of the roads. One of you guys made a comment about the stipend for security and that seems to be what we are largely focused on because it seems to be common among all the beaches except Rogers Lake.

Richard Dakin asked if they could give us any kind of feel for what kind of police response they are saving the town?

Fred Callahan, committee member and in charge of security for Point O' Woods said last week they turned away 18 cars from their gate. Had they gotten into the gate our property owners would have called and said get them out of here because they were trespassing on our roads.

Mr. Callahan went on to say they have had two responses this summer that the Old Lyme police

have had to respond to. One was a drunken tenant that went to the wrong house and they took him out of there. There was another but it could not be recalled at the time. It was stated that most of the complaints come from loud noises, party next door, etc., and security takes care of all of that instead of calling police. If there is a roaming dog, security takes care of that. Security handles all the non criminal calls so to speak.

Also it was stated that they have recently installed security cameras at the gate that also provides additional pieces of intelligence to the police for criminal activity and police investigation. Mr. Filios stated that he heard something recently that if the Old Lyme police department had to pick up security for the beaches, they would have to hire two additional full time people. He didn't know where he got that but somebody told him that. He also said security people patrol during the winter too. Winter watchmen are a value to the police department because if they see activity they record it, strange cars, etc. and good information goes back to the police department.

President Filio said he wanted to speak to a statement that was made earlier and he believes there were additional things they get from the town of Old Lyme. He said they benefit from the town hall here with services and it is not like the only thing they get is garbage. He said the big thing as far as they are concerned is what they have to eat for the security budget. He said they are saving the town additional money by doing this themselves.

## **Miami Beach**

Mike Girard, President, Mark Mongillo, VP, Joe LaPenta, Old Lyme resident & Miami Beach Association Director, Scott Boulanger, Director

President: Stated that they were here representing 260 members of the Miami Beach Association. He also stated that all of his thoughts were in a letter he was submitting, but he wanted to review the highlights. He said they were in favor of continuing the stipend for the beach communities. He said we understand why you have to make budget cuts on your end, but our budget is a little tougher to deal with than maybe what you're dealing with because we have limited funds and limited resources. He stated that they needed a stipend especially because the need for security has increased. Without funding, a lot of the associations are going to have to reduce coverage, which is really not the right thing to do. We should be trying to provide the best possible security. He said that Miami Beach has a unique situation then the other beach communities. It is privately owned but according to the charter they must allow the public on their beach. This has been an issue for years. They cannot enforce the rules with volunteers. They need uniforms. He said the rangers have been a big help and thanked the town of Old Lyme for that. He said they just need a few more. He gave the example of the "Flash Mob" that occurred this year where the beach was taken over by the public. He stated that the beach is about 750 ft. long and 200 ft. deep and that there are three access points - two privately owned and one that abuts with Sound View. Sound View beach fills up. There are 300 parking spaces that are owned by the town and privately, plus the people who walk in. It was stated that on really busy days, both beaches fill up. Old Lyme residents would rather go to White Sands, but Miami Beach has to accept the general public coming from other places. Miami Beach members have been paying for the security, cleaning, signage, and insurance. It was stated that what attracts the public is the ample parking and public beach. Miami Beach has tried to deal with this. On busy weekends there is trash everywhere. The Miami Beach and Sound View residents

don't do that. It is the public coming in. Security is very important. It was stated that Miami Beach would like to ask for more funds. Furthermore, it was said that Miami Beach takes the brunt of the 7x more than what they can put on Sound View beach, so there is 7x the cost and 7x the headaches. It was said that there is a lot of payed parking out there and private residents that have a parking lot. Miami Beach believes they should be able to collect some of that money and use it to what it cost to run Miami Beach. They feel they should be compensated for the work they have to do. Mark Mongillo stated that they cannot put up fences to keep people out. They need more crowd control. Crowd control costs money. It was stated that it cost \$8,000 to keep the beach clean for the summer. They would like to keep a more pristine beach. They are not sifting every day because it would cost more money. It was also said that if the town shut down the bars on Hartford Ave, then Miami Beach would not need town money. They have to contend with the crowd that the bar brings down there. It was shared that Miami Beach members want a respectable neighborhood. They want to make sure the properties are nice. It was stated that they are not a white ghetto, that they are respectable, educated, individuals who live in this community. It was stated that Miami Beach started the ranger program, and that more rangers are needed. They could use four rangers every day, which was said would be an astronomical cost. Miami Beach member said, "We can't expect our residents to pay for something they did not create, but we have to live with it. Take away the parking lots, the private lots especially. We are having to clean up, but we don't benefit." It was stated that in 1997 there was an agreement with the town about signage to direct traffic to go up Hartford Ave. to the town parking lot that was never met.

It was stated that the town encourages people to come onto Miami Beach because the town beach only has 90 feet of beach and 300 parking spots and that many people will not fit on the beach. It was also said that if Miami beach did not have security to police the people coming onto the beach then the Old Lyme police department would be called, and that would become a burden. It was stated that there was a town ordinance agreed to in 1961, basically agreeing to help patrol the beach associations. There is a list of things they agreed to take care of and they don't do it. The ordinance was not specifically identified, but Miami Beach will try and let us know which ordinance they are referring to. It was stated that rangers do a great job but they don't take care of everything. They don't stop people from playing ball, and they have to be stopped because someone might get hit. Also, the rangers are not consistent with keeping dogs off the beach, so Miami Beach security must take care of these things. Miami Beach security takes care of nuisance and policing the area.

It was stated that security is crowd control and if the beach associations do not get the funds, the town is going to have a mess on their hands. It happened on Memorial Day weekend and that was a mess.

It was also stated that Miami Beach believes that Old Lyme would not be able to hire enough police officers to cover all the beaches.

It was also stated that Pond Rd. is Miami Beach property and part of the whole mess down at the beach. People use it to get to the public beach. The town should help maintain it. The letter was given to the stipend committee, and it was reviewed.

The third page is costs based on Miami Beach's budget. It was stated that the fact that they have the public on their beaches means they should be compensated by the town of Old Lyme. They would like to be compensated for 100% of their beach maintenance, which is \$8,000. This includes seaweed removal, sifting beach, etc. They would also like to be compensated for 30%

of their insurance, and Pond Rd. maintenance access \$3000. It was stated that \$16,000 for maintenance, garbage removal, insurance, and road maintenance on top of \$21,000 for security alone is \$37,000. This is what Miami Beach is requesting from the town.

Mr. Bernbloom questions the 100% maintenance being charged to the town stating that the Miami Beach residents also enjoy the beach. He asked if Miami Beach should be considering the extent to which the beach maintenance expenses are greater because of the public use versus no public access even. He stated that with no public access, you would still have beach maintenance expense.

Keith Coakley commented that it would seem that the town's people going on the beach does not create gravel on the beach. It creates garbage on the beach but not the gravel and therefore garbage would be a logical expense.

### **Federation of Beaches:** Scott Boulanger

There is \$9,000.00 given to the Federation of Beaches. It is a line item in the town's budget. The Federation purchased an ATV for the town of Old Lyme to patrol the beaches, OL painted to make it look like a police vehicle. Police officers use the ATV at night and the line item pays for the hourly rate of the police officers. Federation of Beaches' ATV is leased by the police department for \$1.00.

3. **Approval of Minutes of Aug 14, 2014 Meeting.** A motion was made by Fred Callahan to approve the minutes as submitted. Second by Beth Cote. **So voted.**

### 4. **Communication**

Selectwoman Mary Jo Nosal submitted a budget for the Chestnut Hill Homeowner Association for comparison. It is not a beach association but another association that has a budget. It consists of 40 homes and has private roads.

There is a meeting scheduled for next Wednesday, 8/27/14.

It was asked if there was any public comment. There were no comments.

Rich Dakin asked about the intention for the next meeting.

Should we discuss the agenda?

Fred Callahan said that we have met with all of the associations, and asked what we foresee from here.

Wendy Gavin asked for some clarification on the purpose of the committee. She stated that it seems that if the town gives private property owners that are beach associations stipends, then we need to see how the taxpayers benefit from this. In other words, why does the town of Old Lyme give these particular associations money and not others?

How does the town benefit from these private associations versus other associations?

What expenses do the associations incur that Old Lyme does not have to pay for?

Security keeps coming up. It seems like we need to hear from the police. We need to verify and get some information from the police.

First Selectwoman Bonnie Reemsnyder stated that for many years a stipend has been given to these associations. She said the purpose of this committee is to give some solid justification of what stipends should be based on, and how do we figure out a fair way of giving stipends if we

are going to continue it. She also stated that in response to conversation with the police, she had already asked Tommy Heinszen, who is in charge of police budget, to come to a meeting. She said it would be helpful to hear from the police. She also said there were statements made by the associations and the reasons they see why these stipends should continue. She said she would like to clarify the statements that were made because she thinks this is important. She believes that these things need to be answered with facts. Then she stated that we should decide what factual information we need to make some decisions. For example, total assessments; is that something that is helpful? Why are the beach associations getting money? Could any associations come ask for money. What is the rationale for giving stipends? Does that rationale apply to other associations? Security, for example, are the beach communities unique in needing more security? What if another association decides that they want to have security because that is the one thing they get stipends for and now they feel they would be safer if they had security? It is really a discussion that needs to be had. She stated that some taxpayers have asked the question, "Why should I pay for your security bill when it is to keep me out of your association and off your beaches?" Mr. Bernblum said that the answer is if Point O' Woods did not incur those costs, the town of Old Lyme would and taxes may go up, etc. It was agreed that we need to discuss these things at our next meeting. At our next meeting, we can hear from the police. Go through the notes so we can answer questions.

**5. Schedule future meetings:** Next meeting is scheduled for Aug. 27<sup>th</sup> at 5:00 PM.

Meeting was adjourned.