

**Lake Williams Beach Association (LWBA)
Board of Directors Meeting
Lebanon Fire Safety Complex
23 Goshen Hill Road, Lebanon, CT
5:30 PM, November 12, 2024**

BOD in attendance: Jon Vigurs, President
David Gendreau, Vice President
Kimberly Meanix Miller, Secretary
Joe Jankowski, Christy Kelly (arrived late), Jim Russo
(arrived late) and David Theroux, Directors

BOD excused: Claudette Soboleski, Treasurer
Marty Varhue, Tax Clerk

Non-BOD Association Members Present: Dawn Jacques of 239 Lake Shore, Andrew LaTour of 105 Lake Williams, Christine Northcutt of 29 Lake Shore, Emily Swiatek of 105 Lake Williams and Linda York of 249 Lake Shore

A CALL TO ORDER *President Vigurs called the meeting to order at 5:30pm.*

President Vigurs noted he had to leave early for the airport and suggested we address new business first which was done without objection. He said that they needed to decide how to inform the membership of the cost increase for the Beach 1 improvements and ensure the membership has the benefit of the minutes to make an informed vote at a future general membership or “special” meeting. He continued saying that he had also corresponded with an attorney at Halloran & Sage concerning the encroachment at 232 Lake Shore Drive. He emphasized that it was always the Board’s intention to have an attorney representing the association review any potential agreement. He said he sent the attorney the charter and by-laws and a word document where he had gathered all the questions that had been posed.

Director Kelly arrived at the meeting at 5:32pm.

F NEW BUSINESS

- A. Discuss Planning of Association Special Meeting for:**
 - a. Detailed Quotes and plans for Beach 1**

Director Jankowski explained that after the vote at the annual meeting, they have discovered two things. He continued saying that the first is that after a board meeting where member feedback was provided, the layout of the project has been modified beyond the terracing originally planned to include replacement of the timbers and a walkway with handrail more easily managed by someone with physical challenges. He said that the second is that when they approached the town regarding the project, they learned that they would need a detailed plan and survey on the topography, the proposed displacement of soil and how the drainage is impacted. He said that the estimate for the survey and engineering is from \$5000-\$7000. He emphasized that this is above the quote presented at the annual meeting for \$7100, which was just for the work to do two terraces and repair the riprap.

Director Kelly questioned if they had put a number on it or simply that they would do what they could for an annual tax of \$150 per property. She asked how long the engineering work would be good for and Director Jankowski said it would be good for years. Director Kelly noted that they don't want to pursue the engineering work without confirming the support of the membership for the project as a whole, as the cost of the engineering could be wasted. Director Jankowski said the additional improvements that came up after the annual meeting were the handrail and walkway with a cost estimate of \$2000-\$5000, and replacing the timbers at a cost up to \$1000.

Director Kelly asked if the budget included sand and new picnic tables. Director Jankowski confirmed the sand but said he was unsure if picnic tables were addressed elsewhere. Director Kelly asked if the picnic table was ever repaired but Director Theroux said it never was. President Vigurs said the table was in bad shape. Director Theroux agreed saying that the legs are rotted and it should be replaced. Director Kelly suggested they consider industrial picnic tables to get more life out of them. Vice President Gendreau said that they may have money in the beach and maintenance budget that can be used. Director Kelly asked if the clean-up was done yet. Director Theroux replied saying no.

President Vigurs asked Director Jankowski if he was managing the beach maintenance budget. Director Jankowski said he wasn't, but he could. Christine Northcutt stated that members did the clean-up last year. President Vigurs asked for an assessment on what was spent this year and what is remaining in the beach maintenance budget. Vice President Gendreau said he would reach out to the Treasurer and get that information. Secretary Miller asked about timing. Director Jankowski said that it would likely be four months for planning and engineering, a month to get quotes for the work and two months to arrange for the work to be done.

Jim Russo arrived at the meeting at 5:47pm.

Secretary Miller asked what they wanted the question to be, and a discussion ensued with a consensus reached on the following:

Do you support the LWBA authorizing the expenditure of the funds currently budgeted for Beach 1 improvements, to the engineering and detailed site plan for Beach 1, with the understanding that in the future, the membership will need to support additional funds estimated to range from \$8,000 to \$13,000 to fully complete beach one improvements.

A YES vote supports the Beach 1 improvement project as currently anticipated, (detailed site plan and engineering required by the town, two terraces, a walkway with handrail, riprap and drainage improvements, timber replacement and new sand) and authorizes the Board to use the funds available in this year's budget for the engineering and detailed plan to start the project, with the understanding that additional funding will need to be allocated in the future to complete the project.

A NO vote does NOT support the Beach 1 improvement project as currently planned and the Board will use currently budgeted funds for capital project priorities which may also include maintenance of current conditions only at Beach 1.

b. Permission Letter for 223 Lake Shore

President Vigurs reviewed the preliminary response from the attorney which indicated that further review of the foundational documents would be required to answer some of the questions that were posed such as whether or not the Association has the authority to enter into such an agreement, whether it's advisable, have the risks identified and the issues regarding the conflict with the deed restrictions (eg. setback and type of structure). He also conveyed that should these obstacles be overcome, another option to entertain was a license agreement with all the conditions and caveats such as maintenance of insurance, restriction of use, a disclaimer for adverse possession and that it is revokable. He noted that a preliminary estimate for the work was provided at \$3,000 to \$3,500.

President Vigurs left the meeting at 6:05p, and Vice President Gendreau assumed the chair.

A discussion ensued about the amount that was pledged by the property owner to cover the legal costs needed to facilitate resolution. Director Kelly stated that she believed that the property owner's intent was to use his own attorney and that the Board should verify his commitment prior to moving forward. Secretary Miller stated she was uncomfortable with the property owner's attorney being the only one involved as the LWBA should have an attorney representing its best interest versus that which would represent the property owner's best interest but that the property owner should still cover all legal expenses. She also said that they should focus on the legality first as it would limit the legal expenses for the property owner if it were determined it can't or shouldn't be done before spending time and his money working on the agreement. Director Kelly felt strongly, and a consensus was reached, that they should get clarity from the property owner.

Director Kelly left the meeting at 6:09pm.

Vice President Gendreau noted that there were many restrictions discussed as well and suggested that the Board draft a letter for the property owner to sign, which would outline the direction the Board is willing to take to work toward resolution and secure his interest in pursuit, pledge to cover all legal costs as well as payment for the estimated legal fees up front. A discussion ensued. Vice President Gendreau indicated that the Board shouldn't take it any further without ensuring it's on the same page with the property owner and the property owner is willing to commit in writing, and financially, to move forward with the effort toward resolution. He said he'd work with Jon on a letter and bring it back to the next Board meeting for review, comment and approval.

Motion **By:** *Director Russo* **Seconded:** *Director Jankowski*
MOVE LWBA hereby approves the plan to draft a letter to the property owner at 223 Lake Shore, subject to the encroachment, to outline the Board's plan to work toward resolution and all the caveats discussed to date, as well as to secure written agreement and the financial commitment from said property owner to cover all associated legal fees incurred by the Board in this effort.

Result: Motion passes unanimously (5-0-0)

B APPROVAL OF MINUTES

a. September 10, 2024

Motion **By:** *Director Jankowski* **Seconded:** *Director Theroux*
MOVE LWBA hereby approves the minutes as presented, for the meeting held September 10, 2024.

Result: Motion passes unanimously (5-0-0)

C REPORTS

1. Finance Committee

i. Tax Collector Update

Vice President Gendreau noted that the Treasurer and Tax Collector were excused but reiterated that he would reach out to the Treasurer to gather the information about expenditures to date on beach maintenance.

2. Beach & Properties

i. Quote Status and Recommended Next Steps

Vice President Gendreau noted that this was covered in New Business at the start of the meeting.

3. Annual Picnic

Vice President Gendreau said the review of the annual picnic was done at a previous meeting.

4. By-Law Committee

Secretary Miller said that the By-Law Committee has continued to meet. She explained that they've completed the review of the deed and have encountered some different interpretations within the group, on matters such as, "...for private use only..." and "...for residential purposes..." with regard to the trend of some property owners to use their association properties for short-term rentals, and what is meant by the prohibition against erecting "...signs for advertising purposes...". She said that clearly intent is an important consideration but also how they should navigate the prohibitions in the present. She said that the committee intends to keep a running list of their questions of interpretation to bring back to the board for consideration for it to seek a legal opinion on all or any subset of the list as it deems appropriate. She noted that they did not get any negative feedback from the mission statement as presented but are still open should there be any remaining feedback. She also said they will be meeting the following week to continue their effort.

4. LWBA WEBSITE & EMAIL

1. Correspondence & Updates

Secretary Miller said that she has received inquiries about the investigation into the vandalism of the sign at The Acre and about its restoration. Vice President Gendreau stated that President Vigurs had the information on the investigation. He said he understood the intent to replace the sign holder and questioned if the language on the sign was offensive in some way. Director Russo questioned where the idea came from that the language was offensive saying it could have just been bored kids. A discussion ensued where multiple non-board members spoke at once suggesting that it was not kids but adults. Vice President Gendreau said he'd talk to Jon about getting the sign put back up.

Secretary Miller said she had gotten emails from Leslie Vonderkall representing a contingent of property owners at Red Cedar Lake that are petitioning the TPZ for some relief on the zoning regulations that are stricter for those properties in the lake districts. Secretary Miller said that she has not reviewed the proposal in much detail and doesn't feel the Board should take a stance. She continued saying that she also is aware that, generally speaking, the purpose of stricter zoning regulations around the lakes is to protect the lakes that support our property values and quality of life and thus at first blush, she has concerns about removing those protections. She continued saying that a review of regulations is always positive, however, and perhaps there's room for relief

that doesn't harm the character of the neighborhood or the lake. She stated that raising this at the meeting is meant to simply make our property owners aware so any with interest can investigate the initiative on their own and advocate for or against as each sees fit. Dawn Jacques added that Leslie is putting together a steering committee and looking for members. Secretary Miller indicated she would reach out to participate.

5 OLD BUSINESS

a. Review Draft Permission Letter for 223 Lake Shore

Vice President Gendreau indicated this was covered under New Business.

G. OPEN DISCUSSION

Director Russo asked about when they should take the dock out at Beach 2. Vice President Gendreau said he could help. Director Jankowski also said he could help and said that he figured they'd do it after Thanksgiving before the winter holidays.

Christine Northcutt asked about the new signs. Vice President Gendreau said there was no news, the bulletin boards are in rough shape, and he'd have to follow-up again.

8 NEXT MEETING DATE/CLOSING COMMENTS

Vice President Gendreau said he'd leave the setting of the next meeting to the President upon his return, especially given the coming holidays.

I ADJOURN

Without objection, Vice President Gendreau adjourned the meeting at 6:25pm.

Respectfully submitted,

Kimberly Meanix Miller

Kimberly Meanix Miller

Secretary