

Draft minutes subject to approval.
Edits and approvals can be found
in succeeding minutes

Candlewood Shores Tax District Board Meeting Minutes - October 18, 2023

Call to Order at 7:30pm

Elizabeth made a motion to call the meeting to order at 7:30pm. Kelly seconded. All in favor, motion carried.

<u>Roll Call:</u>	<u>Present</u>
Elizabeth Longworth- President	Yes
Alan Owen- Vice President	Yes
Jonathan Lepler- Director	Yes
Kelly Lane- Director	Yes
Timothy Cicchese- Director	Yes
Larry Cohen- Director	Absent
David Samuels- Director	Yes
Norman Edelson- Treasurer	Yes
Robert Yamuder- Secretary	Yes

Travis Hyatt, Regional Manager- Scalzo	Yes
Brandon Hyde, CSTD Office Manager	Yes

Pledge of Allegiance lead by Alan Owen.

Public Hearings- None.

Guests- None.

Approval of Minutes-

Elizabeth made a motion to approve minutes dated September 20, 2023. Kelly seconded, all in favor, motion carried.

Public Comment (first)- None.

Treasurer Report-

Norman presented a Treasurer Report on Investment Strategy for CSTD Excess Funds, copy attached, and thanked the past CSTD Board, Newtown Savings Bank, residents, Elizabeth and former Treasurer Ken for their valued input. Norman explained CSTD's two current accounts could earn more interest if transferred from sweep accounts to a CD ladder option brokered through a Newtown Savings Bank affiliate as depicted in the subject report. Norman made a motion, copy attached- Attachment #1, which was seconded by David to further explore the CD ladder option to invest CSTD's available cash and allows Norman to do more research. The motion was unanimously approved and a follow-up motion will be made at the next Board meeting containing more information on our cash needs and current interest rates.

Questions were fielded as follows:

Q1- Sandy S. from 13 Skyline Drive (remotely)- Private firms such as Intra-Fi partners with Newtown Savings Bank may earn a profit verses a broker which would incur fees such as a percentage of current rates. Norman's recommendation is based achieving higher interest earnings with more flexibility. He explained this report does not reflect current CD interest rates which will be more current after the CSTD Board approves the CD rates when ready to do so.

Q2- Director Kelly Lane, 23 Skyline Drive, asked if the funds are FDIC insured and Norman responded yes. Norman will check the fund balance with Scalzo to obtain the latest balances and will request Scalzo provide a list of

anticipated expenses. Angelo Aldana reported that penalties can be avoided if brokers are involved, however, 2 to 4 weeks of interest may be at risk if unusual circumstances require early use of funds above those anticipated.

Q3- Mike, 24 Longview Drive- Inquired about linking accounts and the effect on rates. Norman replied he is looking to achieve higher interest earnings. Ken reported that CD interest rates were lower a few years ago and are better now.

Q4- Mark, Valley Drive- Inquired about investing the available cash in securities. Kelly replied Connecticut law requires FDIC insurance and Elizabeth advised investing in securities is not allowed and is too risky. Travis added that banks require actual dollar amounts to begin paperwork which needs to be approved at a future Board meeting.

The CSTD bank account balances as of 9/30/23 are:

CSTD Operating (OP) account balance	\$ 242,284.20
CSTD Insured Cash Sweep (ICS) account balance	\$1,638,234.68
CSTD Other	\$ 408.99
Total CSTD Bank Balance	\$1,880,927.87
CS Water Department Operating (OP) account balance	\$ 78,806.33
CS Water Department Insured Cash Sweep (ICS) account balance	\$ 135,863.20
Total CS Water Department Bank Balance	\$ 214,669.53

Management Report-

Travis read through the status of the updated Action List provided on page 4 of 16 of his handout. Travis reported work on repaving of the boat is underway, he has obtained decoy coyotes to scare the geese and the new generator at the Berkshire pump station was furnished and installed.

There were no permits requested for review. There were no new work orders.

Committee Reports-

1. Beautification- None.
2. Recreation- Jonathan Lepler reported the Fall Festival was a success this year despite cold temperatures. Children's Halloween Party set for this weekend and emails going out to advertise the event. Food drive is being planned. Holidays ideas include fire truck, neighborhood caroling door-to-door, and Kids Christmas party. Elizabeth requested recreation meeting minutes, list of members, more advanced notices and commended recreation for doing a good job.
3. Safety (Owen)/Security (Larry)- Larry was away for this meeting. Adam did not forward notes/updates. Elizabeth reported that leaf and branch pick up is coming and does not include grass clippings.
4. Ordinance- Dave Samuels handed out ordinance copies with comments and made motions including: **1)** Ordinance 1991-1 Road Drainage Access Ordinance to add in Section 5-Bonding to "Increase bond amount to \$2,500 and to adding to Section 6- Violations and Penalties to add "increase fine amount to \$500" more in line with Town fees. Seconded by Elizabeth and all in favor, motion passed; **2)** Parking Ordinance 2019 Section 5- Beach Parking change "parking sticker" to "Hang tag". Jonathan seconded and all in favor, motion passed; **3)** Parking Ordinance 2019 Section 6- No Parking/No Standing Zones add exceptions- Oil, delivery. Remove "Landscapers" as this is not enforced as they are temporarily parked. Alan seconded, all in favor, motion passed; **4)** Parking Ordinance 2019 Section 7- Parking During Storms, motion on hold as Chris Renke of Bayview raised safety concerns and not intending to penalize residents and proposed more signs and emails to be sent ahead of storms; **5)** Parking Ordinance 2019 Section 10- Identification Requirements to add CSTD definition "Authorized Agent" to include security, office manager, management company, or members of Board of Directors. Kelly seconded, all in favor, motion passed; **6)** Parking Ordinance 2019 Section 12- Towing Policies under paragraph A to remove "after first warning" and to add in paragraph B- Authorized tow company information must be listed on CSTD no parking signs and available on website. Elizabeth seconded, all in favor, motion passed; **7)** Ordinance 1987-2 Water Ordinance, add to paragraph 7d Materials to include materials allowed by Town Building Department. Seconded by Alan, all in favor, motion passed.
5. Landscaping Report- None.

6. Sewer Committee Report- Tim Cicchese reported WPCA is scheduling a public meeting which should be advertised for residents to attend. Angelo Aldana reported WPCA's engineering firm CDM reported that the lake water quality is in decent condition and there is no pressing issue and they could explore other options other than septic systems. WPCA has no existing holding tank to send the additional sewerage to. The estimated cost of a gravity fed sewer system is \$95m and a pressurized grinder pump system could cost \$60m with large costs to residents who have to maintain the pumps. A new tank was estimated to cost \$35m and still has no location identified. Danbury is not an option and Danbury's recent upgrades costed over \$100M alone. A 20% grant has not been secured if even available. WPCA's meeting is scheduled for November 13, 2023. Tim reported their estimates were inadequate and must be revised and did not include fully paved streets. Elizabeth suggested an email blast to all residents to keep them informed. Tim provided a statement, copy attached- **Attachment #2**.
7. Harbor Master- Harbor Master Ronnie Shepherd requested that all kayaks be removed by November 15th and he will resend notices.

Administration- No update to report.

New Business-

Water Treatment Discussion- Recent water quality reports indicate high levels of nitrates. Elizabeth met with Town officials, Tom Tomasack, Travis and Connecticut DOH rep Vicky Carrier to discuss current water quality concerns and remedial action options. Being that well #1 has the highest level of nitrates, it was recommended that this pump well be shut down which it was. DOH representative suggested water quality levels could be a result of increase in fertilizer usage, well site conditions, failing septic systems and/or natural ground soil chemistry over the course of many years. Site visits were made to each of the 7 active wells. It was further recommended that an email be sent to all residents advising of the status of the water quality and actions being taken and a notice was sent out. Water quality tests were taken again and resulted in a lower level of nitrates. Elizabeth requested York's water report be posted on the portal.

Elizabeth is to meet with a USEPA representative on October 19, 2023. USEPA can offer a free asset management analysis, offer suggestion to remediate the water quality concerns, assist with future grants, and will work with state officials. Houses located near water wells are suspected of malfunctioning which may be a factor resulting in high nitrate level at wells closest to the houses in question. It was suggested existing wells be inspected for cracks in their casing and other well concerns. Estimates for well inspections will be gathered as well as estimates for costs related to drilling new wells. Elizabeth suggested any new well locations be placed further away from septic systems.

Robert Yamuder provided a statement and made a motion to form a water committee (copy attached, **Attachment #3**) to work together to gather all relevant information and submit to the Board an analysis and comparison of our options. Elizabeth seconded the motion and the motion was approved. Dave agreed all options should be explored. Elizabeth reported Aquarion was last contacted 4 years ago and the Board at that time decided not to meet with them. Tim would like to contact them again and reported Aquarion's water rates are regulated by the utility service commission. Tim further suggested that our water rates are low and the actual cost to run the water system is higher. Elizabeth agreed and reported the state DOH representative opined that our rates appear to be too low. Jonathan suggested a carefully constructed analysis of our water rates be undertaken and Travis agreed we consider raising water rates at our next budget hearing on water rates or sooner. Norman agreed to start working on establishing new water rates and reported water rates entail varying water consumption levels.

Elizabeth made a motion to replace the old chlorine meter which regularly requires maintenance to keep functioning. The motion included a cost for removal, furnishing and the labor to install a new meter for a cost not to exceed \$15,000. Alan seconded and the motion carried.

Kelly made a motion to install internet connection at the Skyline Drive pump station including data-only rate of \$109 per month and distributed the estimate for public IP service. Alan seconded the motion and the motion passed.

Old Business-

1. Pump House Update- Discussed above. Jon and Alan suggested adding specs to bid documents to repair pump houses and to include drawings and dimensions.

2. Speed Hump Update- Dave suggested the speed humps to uniformly installed as per specifications. Travis reported he has the specifications documents which were designed to be the same specs as the speed hump (speed table) installed at the basketball court and the speed humps recently installed will be compared to the specifications.
3. AirBNB Discussion- Dave reported he is exploring options including following town regulations. Dave met with Tara Carr among others and is reviewing town blight ordinances. He contacted Diedre Corey, a local lawyer, who offers to help explore options including possible augmentation of town ordinances. Dave made a motion, copy attached- **Attachment #4**, to explore options including spending up to \$4,000, motion reduced to up to \$2,000 with Board approval. Tim seconded, Alan abstained, the motion carried.
4. Boat Ramp Roadway Update- It is a 4 week paving project with completion expected in mid-November.
5. Blight Issue on Mountainview- Owner reportedly hired an architect after receiving a \$130,000 fine from the town and up to \$40,000 fine from CSTD. Dave reported he is looking into 2 additional blighted sites.
6. Irrigation Proposal- Proposals for irrigation at the entry island were received and were deemed to be too expensive. Additional proposals should be explored and Elizabeth suggested the irrigation work may be done in-house.
7. Staircase- Proposals were received and Elizabeth made a motion to accept the lowest qualified proposal received from RRG at a cost not to exceed \$8,100, with no tax and includes permit fees. Alan seconded and the motion carried.

Elizabeth reported that pickle ball court project is moving forward.

Elizabeth suggested insurance be increased to better cover the Board members. Travis will contact the insurance brokers to discuss additional coverage.

Dave thanked the audio/visual team for getting the system up and running. Dave made a motion, copy attached- **Attachment #5**, to have Brandon set up the audio/visual equipment ahead of each board meeting and stay during the board meeting to monitor the A/V system. Tim seconded the motion and opined this would be an inexpensive alternative. This motion yielded a split decision with 4 board members (Rob, Norm, Tim, Dave) voting yes and 4 board members (Elizabeth, Jon, Kelly, Alan) voting no, Larry was not in attendance. Dave made a revised motion to at least have Brandon set up the system and stay for the next meeting. Jon seconded and the motion carried with 5 board members (Rob, Norm, Tim, Dave, Jon) voting yes and 3 (Elizabeth, Kelly, Alan) voting no.

Second Public Comment-

Mark Bruno, 48 Skyline Drive, inquired about water hardness issues. Alan responded that this is a town-wide issue and our water system does have backwash facilities to add water softeners to the system. A comment was also made about noise is being generated from pickle ball court. Another comment raised was about regulating Air BnB's in accordance with town ordinances.

Angelo Aldana commented that water issues need community support. Mike from 24 Longview and 51 S. Lake Shore Drive agreed.

A comment was received about removal of a tree at 53 N. Lake Shore Drive is leaning at a 45 degree angle near utility wires and is worried about the tree falling. Eversource will be removing the tree.

Chris Remke- Lifeguards are needed for next year's beach season. Elizabeth reported life guards are covered by our insurance.

Adjournment- Norman made a motion at 10:27pm to adjourn the meeting. Seconded by Elizabeth. All in favor, motion carried.

Attachments- Motions and Statements

Attachment 1- Statement and Motion for Investment Options by Norman: I (Norman) met with our bank, Newtown Savings Bank, and their brokerage affiliate, to explore options to invest CSTD's funds, and I came up with one alternative to our current situation that should increase the amount we earn. The details of this option, which involves investment in a CD Ladder, are explained in the handout. Generally we will invest in the amounts and maturities set out in the handout (that is, from 3 month to 1 year CD's) and amounts will generally roll over automatically. However, the actual amounts and maturities will change depending on my (Norman) determination of our cash needs and interest rates, and the Board will get regular reports from the bank providing all details. I (Norman) would like to make a motion that:

"The Board agrees to invest CSTD's available cash in accordance with the CD Ladder option described in the attached handout. The CD Ladder will be implemented through Newtown Savings Bank's brokerage affiliate, and the Bd authorizes me, as Treasurer, to open up such accounts and to execute the such documentation as may be needed, and to direct the investment of CSTD funds in CD Ladders, in such amounts and such maturities as I deem reasonable and otherwise generally as described in the handout."

Attachment 2- Sewer Committee Report Statement made by Tim: The Board authorizes me (Tim) and the Sewer Committee, in order to stop the WPCA's Sewer Project, to prepare presentations, letters and materials and to submit them to our residents, the WPCA, Brookfield officials, the press and others. I (Tim) will try to get Board approval before sending out any materials, unless there is a time sensitive issue that in my judgement makes it necessary to send out before the next Board meeting, in which case I (Tim) will give the Board a copy at least 2 days before sending out.

Attachment 3- Statement and Motion for Water Committee by Rob: As a result of recent drinking water tests, I (Rob) was appointed by the President to explore what actions we should take to improve the quality of drinking water. There are several possible options, such as drilling new wells, putting in filters and getting new water supply, all of which will necessitate spending large amounts of money. Before the Board can properly decide which option to take, we first need to examine the costs and benefits of each option. This will take some time and requires resources, so I (Rob) would like to form a small committee to work together to gather all relevant information and submit to the Board an analysis and comparison of our options. Therefore, I (Rob) made a Motion that:

"The Board form a Water Committee that will be charged with exploring all options for improving our drinking water quality, especially to reduce the level of Nitrates and Forever Chemicals (PFAS). This will include gathering information and meeting with public officials, vendors, professionals, etc. The goal will be for the Committee to deliver to the Board a report that sets out costs and benefits of our options.

I (Rob) will serve as Chairman of the Water Committee, and I (Rob) would like to ask Kelly Lane and Tim Cicchese to also work with me on the Committee. I (Rob) will also be authorized to add volunteers to the Committee as needed to assist us. The Water Committee will have access to all of CSTD's resources as needed, including Scalzo, Brandon (to the extent he has availability), and CSTD's lawyer as well as any other lawyer or professional, provided that before we incur cash expenses exceeding \$5,000, I (Rob) will ask for Board approval."

Attachment 4- Motion for Air BnB Ordinance Revisions by Dave that: "The Board authorizes me (Dave) to explore all options to address how to control or eliminate short stay rentals, including coming up with proposed ordinances. In so doing, I'll (Dave) also be authorized to meet with public officials, work with other residents and incur expenses and will have access to all of CSTD's resources, including Scalzo, Brandon (to the extent he has availability), and CSTD's lawyer as well as any other lawyer as I may need, provided that before I (Dave) incur cash expenses exceeding \$2,000, I (Dave) will ask for Board approval."

Attachment 5- Statement and Motion for Remote Access Statement made by Dave: In order to encourage more community participation on our Board and in our meetings, to be more transparent and to enable our residents to be better informed, we are going to give our residents and directors better access to our public meetings by enabling remote participation. In order to do that we purchased the necessary equipment and all we need now is to have a process for logistics, setting up the equipment, storing equipment, etc. Brandon is a key employee of the Shores and

since part of his job is to attend Board meetings, and he also happens to be an electrician, he is the right person to do this, and I (Dave) would like to make a motion that:

“The Board authorizes me (Dave) to work with Brandon, and to designate Brandon to be in charge of the electronic equipment used for remote meetings, and the logistics of setting up and arranging for remote participation. In addition, Scalzo and/or several resident volunteers will be trained so they can assist and back up Brandon when he is not available.”