

(Draft minutes subject to Board approval. Edits and approvals can be made and found in succeeding minutes.)

Candlewood Shores Tax District Regular Board Meeting Minutes - October 10, 2024 *Draft*

Location: Clubhouse

Call to Order at 7:30pm

Roll Call:

<u>Roll Call:</u>	<u>Attendance</u>
Angelo Aldana- President	Present
Joseph Rizkallah- Vice President	Present
Norman Edelson- Treasurer	Present
Jonathan Lepler- Director	Present
Timothy Cicchese- Director	Present
David Samuels- Director	Present-On line
Douglas Jenks- Director	Absent
Michael Walsh- Director	Present
Robert Yamuder- Secretary	Absent

Travis Hyatt, Regional Manager- Scalzo Present

Brandon Hyde, CSTD Office Manager Present

Pledge of Allegiance lead by Angelo Aldana.

Public Hearings- None.

Guests- None.

Approval of Minutes- Jonathan made a correction, his comment was to repaint the Clubhouse door and not the garage door. Michael made motion to approve based on the change from Jon. Tim second. All in favor, motion carried

First Public Comment Period

Public Comment #1- Anthony Popucci, 87 Clearview Drive, raised concerns regarding tree damage. He stated that the address and name in the minutes were not correct. He also had concerns about the Board policy stated in the minutes. He is also concerned that the District put the cost of removal of the tree on him, and that he will consult with his counsel. Angelo said that the Board was not trying to put any costs on Mr Popucci. The Board was only trying to accommodate Mr Popucci who says the tree is a nuisance to him by allowing him to cut down the tree, as it is the District's policy not to use community funds to cut down healthy trees, unless they posed a danger, and the arborist who reviewed this tree said the tree was healthy.

Public Comment #2- Linda Q., 26 Clearview Drive, discussed the Clubhouse charges and the possible increase. In the past, the Board didn't want rental of Clubhouse to be money making.

Public Comment #3- Elizabeth Cohen-Longworth, 1 South Lakeshore Drive, was asking why the minutes are not on the website for safety or ordinance committees.

Treasurer’s Report- Norman Edelson, Treasurer

Norman read his report into the record including the status of CD investments and the following CSTD bank account balances as of 09/30/24:

Total CSTD Bank Balance	\$2,270,502.47
Total CSW Water Department CD Bank Balance	\$ 187,131.96

Management Report-

1. Action List- SPM provided a report based on the previous month’s action list.
2. Permit Requests/Compliance Discussion-

71 Clearview Drive – Angelo said that Doug Jenks, was unable to be at the meeting, so he would report on Doug’s behalf. The Board spent a lot of time carefully reviewing the facts, documents, consulting with counsel, and all directors have visited the site multiple times. Angelo explained that:

Normally, a driveway permit is straightforward – an owner wants to build a driveway on their property to connect to the road. In those cases there aren’t significant issues from the Tax District’s or community’s perspective. Here, however, the Owner, Mr Feola, in addition to requesting permission to build a driveway on his property, also asked in essence to build an access road over the unfinished portion of Clearview Drive and part of the public Park Area in order to reach his driveway.

Consequently, the Board has to consider not only Mr Feola’s request and rights as a property owner, but also the rights and interests of the Tax District and the community.

One of the issues raised by counsel that is of serious concern to the Board was that the road Mr. Feola would need to build in order to access his driveway would not meet the minimum pavement and widths requirements in CSTD and Brookfield’s road Ordinances. The minimum road requirements are important—they’re there to make sure all vehicles, especially fire and other emergency vehicles, as well as snow plows, have safe access. In addition the proposed shoulder and steep slopes could pose serious safety issues for vehicles and pedestrians.

Apart from these concerns, counsel advised that because the road being proposed encroaches onto the unpaved portion of Clearview Drive and the Park Area, the Owner would need re-subdivision approval from the Brookfield Planning Commission. The Map that was approved in 2021 did not show the extension of the road and encroachment onto the Park area.

In any event, Angelo said that whether or not the Planning Commission would approve, counsel advised that the Owner’s request to build an access road over the right of way exceeds the scope of his easement to use the right of way. In order for the Owner to do what he requests, he would need another easement or transfer of property rights from the Tax District, something that would require compensation and approval by the District’s voters.

Having considered all factors, and weighed the rights and interests of the Owner and the community and based on counsel’s advice, the Board recommendation is not to approve the permit.

Angelo asked if any director had any comments, questions, etc. Tim Cicchese said he agreed, and that a driveway permit is not intended for building a road, especially a road encroaching on the public

park area. After discussion finished, motion made by Tim to deny the driveway permit; seconded by Michael, approved unanimously.

94 North Lakeshore- Was asking for the catch basin to be changed to a flat top as they are planning to change their parking areas. Jon agreed with Brandon and stated that if the apron is high enough, it will not be an issue with drainage. Jon stated that if the owner wanted to replace the catch basin the cost of doing that would be the responsibility of owner, not the District. The owner would have to replace the catch basin in accordance with the specifications of the District. A driveway permit/bond with scope of work would be required and approved before any work is done.

Committee Reports-

1. Beautification – the mums have been installed and the boxes will be removed prior to the first storm.
2. Recreation – The fall festival was a success. There were over 100 orders for CSTD apparel. There were not enough orders for hats so this was not moved forward. Kid’s Halloween Party and Doggie Parade will be on October 20th. November food drive TBD. Kid’s Christmas Party will be on December 15th. Other dates for December and January are TBD.
3. Safety/Security – No security issues have been reported in the community.
4. Ordinance – There was a good meeting and roughly 7 people attended. They will be providing some ideas to the Board in the future.
5. Landscaping Report – No report.
6. Harbor Master – No report.
7. Blight Panel – They had their first meeting and had good discussion, and they agreed on certain procedures for moving forward.

Administration:

New Business-

1. Road Maintenance – The Board is awaiting for a summary report which was received early this week. Tim and Jon will be reviewing the summary and will work on exact numbers.
2. Clubhouse Fee Increase Discussion – Angelo said that the fee is not intended to be and will not be an income generator for the District. Rather, the increase is intended only to cover increased costs of cleaning. Jon made motion to include cleaning and misc. items to raise rental fee to \$100. Michael seconded. All in favor, motion carried.
3. Absentee Voting – Angelo read a request from Doug asking to consult an attorney to discuss the feasibility of absentee voting (up to \$2,500 in legal fees). Angelo made the motion, David seconded. All in favor, motion carried.
4. Erosion Control – This permit discussed is currently with the ordinance committee.

Old Business-

1. Clubhouse Garage Update- Awaiting proposals from multiple vendors.
2. Water Treatment Update- Water Treatment and Asset Management Discussion –

- a. Angelo said the initial Lead service inventory required by October 16 was completed and provided to all directors. Based on review of records and some physical inspections, conclusion was there is no lead in water system.

The final inventory, due 2027, will require inspection of every home or a photo by each homeowner.

Angelo made a motion to approve the inventory, and to authorize Travis and Scalzo to submit to the federal and state authorities on behalf of CSTD by October 16. Motion seconded---- approved unanimously.

- b. Board Action Plan. Angelo spoke to CT State engineer and confirmed CSTD is eligible for a \$2.35mil loan, with 1,067,500 principal forgiveness or subsidy. The loan has a number of conditions, main ones being completion of engineers report and a Financial Assistance application. Mike Hage is working on the Asset Management Plan, which is needed to complete the application and to qualify for the grant. The Asset Management plan will list all our water department assets, useful lives of all equipment and amount of reserves needed.
- c. Because this meeting is being held one week earlier, the test results for October have not been received yet.
- d. The engineering firm prepared draft plans for building the treatment plant and they are getting vendor estimates. One issue that has come up involves treatment for Nitrates. Treating Nitrates results in a concentrated waste brine that has to be disposed of and the only way to dispose would be to store it in underground tanks and ship it out on a monthly basis. Costs of such disposal are looking to be very high. We will get final figures when engineers finish the project.
- e. As to Aquarion- they are working on a preliminary proposal. They are evaluating the condition of our water mains, their concern being the potential costs to them to repair or replace them. This is the same concern the Bd has if CSTD continues to operate the water system, and will be addressed in the Asset Management Plan.

Second Public Comment-

Public Comment #1- Maria Edelson – 166 North Lakeshore Drive – She wanted to confirm that the Board was not surprised that the District has to treat nitrates. Angelo stated that this was the case. Angelo said the Board was fully aware that nitrate treatment was needed, as that, in addition to PFAS treatment, was what the engineers were retained to study. The cost of the disposal was what surprised the District. Angelo also clarified that the underground tanks that store the brine from nitrate treatment also have to store brine from water that has to be softened prior to nitrate treatment. All the brine has to be pumped and removed monthly. The second item from Maria is a request for an update on the ordinance outcome from the meeting. It was stated that the minutes are currently on the website.

Public Comment #2- Linda Q., 26 Clearview - Suggested that the Board state when motions are passed or denied as people online have a hard time listening.

Public Comment #3- Elizabeth Cohen-Longworth ,1 South Lakeshore Drive– She had a question about the scope of work for line painting which the speed humps are being done by the maintenance staff. Elizabeth

also asked for clarification on the compliance procedure and if it would be different than what the blight panel would be doing. The blight panel is developing a more comprehensive plan for compliance. The last item she stated that the absentee ballot discussion has been brought up in the past, and that the rules for tax district are different.

The next regular CSTD Board meeting is scheduled for Wednesday November 20, 2024, 7:30pm in the Clubhouse.

Executive Session- At 8:42pm, **Angelo made a Motion to enter into Executive Session to discuss an employee matter and real estate matters which was seconded by Jonathan. The Motion was unanimously approved by the Board .**

At 9:12pm, a Motion was made by Jonathan to exit Executive Session which was seconded by Angelo. The Board unanimously approved the Motion.

Adjournment- Jonathan made a Motion to adjourn the Regular Board meeting at 9:12pm which was Seconded by Angelo. All in favor, motion carried, meeting adjourned.