

**MIAMI BEACH ASSOCIATION**  
Board of Governors Meeting

Date: Tuesday February 28, 2023  
Location: Zoom Meeting  
Time: 7:00 pm – 8:30 pm

**Agenda**

1. Call to Order Mark

Called to order **7:09PM**

2. Rollcall of Officers and Directors Michelle

Position - Name	Present
President - Mark Mongillo	Yes
Vice President - Dan Montano	No – trouble logging in, logged in late
Secretary - Michelle Deitchman	Yes
Treasurer - Terri DeVito	Yes
Director - Scott Boulanger	Yes
Director - Dave Harris	No
Director - Gary Fox	Yes
Director - Mike Girard	Yes
Director - Gino DiMauro	Yes
Director - Linda Guzzo	Yes

3. Secretaries Report Michelle

**Mike** made a motion to approve the secretaries report; **Gino** seconded. Moved.

Position - Name	Vote
Director - Scott Boulanger	Yes
Director - Dave Harris	--
Director - Gary Fox	Yes
Director - Mike Girard	Yes
Director - Gino DiMauro	Yes
Director - Linda Guzzo	Yes

4. Treasurers Report Terri

**Scott** made a motion to approve the treasures report pending sending detail to; **Mike** seconded. Moved.

Position - Name	Vote
Director - Scott Boulanger	Yes
Director - Dave Harris	--
Director - Gary Fox	Yes
Director - Mike Girard	Yes
Director - Gino DiMauro	Yes
Director - Linda Guzzo	Yes

Update: \$2,899.49 in outstanding taxes. \$204,016 Taxes collected

Action: Terri to send details for Treasurer's report once recovered from eye survey  
Action: Board to email Terri with questions

5. Correspondence

Mark

- a) none

6. Committee Reports (**Highlighted** = **Reporting This Meeting**)

- a) WPCA - Scott Boulanger

**b) Roads and Association Improvements - Gino DiMauro and Mike Girard**

- Collapse of storm drain on Washington Ave cost \$1500 to jet rod; Repair of drain will cost \$2500 with additional cost of \$500 to fix the asphalt pavement to be done once the asphalt plants open.
- CT Water to install new water lines down Flagler, down Clifton through Corsino.
- Will start on/about March 1<sup>st</sup>, ending in a few months (likely before season starts)
- Planning to pave afterwards with reimbursement from CT Water if we choose to pave later.

**c) Bylaws and Ordinances - Linda Guzzo**

Update: any additional communication / comments ended today. Compiling all of the information. Questions came up from committee. What do we do about clean beach statements / lawsuit? More detailed description of what owner means – i.e. who has the right to vote if there's a trust or LLC

Action: Michelle to send Linda .pdfs for Collection and Enforcement documents send to Linda

Action: Linda to send questions via email to Mark

Draft Plan

- End of March / April – Draft for the Board to review
- June all-member meeting – Draft available to members to review

**d) Brook Committee - Dan Montano and Gary Fox**

Talking to Tim once a month, west pipe blown out a month ago but clogged again. Looks like it might be a growth / roots in the pipe. Selectman voted to camera it. Don't think there's a crack in the pipe because would see a sinkhole. Rebuilding crib, it's a slow process (an only work with the tide is low). Talking to Gallagher (engineer), they may try to block East pipe in order to force water through West pipe. In summary, crib being rebuilt, West pipe will be camera-ed to see why it's clogged again.

- e) Property Management - Tom DeVito

- f) Beach and Road Security - Tom DeVito

- g) Legal Rights Committee - Dave Harris

- h) Member Relationships and Communication - Michelle Deitchman

- i) Entertainment - TBD

7. Old Business (Action Items from Previous Meeting)

- a) Action: Mark to get information on pricing from New England Fence for electronic gates

Update: Mark just received the materials from New England Fence and will forward the information to Gino and Mike for review.

- b) Action: Mark to provide information from Lawyers regarding our beach encroachments

Update: Mark talked to Ken about beach encroachments

1. Send encroachers a letter from a lawyer, move the property line or face legal consequences. CT law, as such that we can't recoup all legal fees (~\$5,000) – sue/take to court

2. Talk to them first, give them a chance to move it themselves or leasing the land as a compromise (with a \$/sq ft figure and terms agreed upon by the Board (i.e. keeping lines where are now; if property sold the line goes back to the property line) and aligned with CT law). If refuse, no alternative than to take to court (#1)

8. New Business

a) Status on loan to pay F&O (Scott)

Update: We owe ~\$172K to F&O for work that was done. Mark/Terri went to Webster bank a year ago. Got a bond. Came back some time later said best can do \$80K. Scott was connected to several individuals – cost/benefit – a lot of back and forth.

M&T Bank– was trying to do a straight loan, still going through the underwriting process;

Chelsea Groton Bank – 3 weeks ago, got back to us, can refinance property and based on a good appraisal should be able to do it;

Dime – Bank approved a Bond. \$17K to close on a bond. 10 years @ 5%;

Essex Bank – Got a proposal and commitment letter. Approved. 20-year loan, \$300K (\$400k max) pending appraisal. \$130K is what we owe on building; \$172K goes to F&O. Scott will send a summary. We pay \$1,779/mos for 7+ years left on the note now (5%). Go up to \$2,137/mos. 5-year note (5.89%), rate changes after 5 years. If it goes up, will have to refinance a to a better rate. Have to sign by March 3<sup>rd</sup> since locked in rates will go up if we don't sign by March 3<sup>rd</sup>. Will cost ~\$12k in fees / closing costs: environmental, attorney, title search/insurance, commitment, prepayment penalty. WCPA budget item, pay more than required to the loan. No prepayment penalty for the loan after 5 years. Rent for the property is \$1,500; \$600/month difference.

Action: Gino to look at other options and send to Scott. If Gino can come up with something, will email tomorrow. Question came up - Could we use lot next to Ferguson's as collateral?. Terri responded...even though legally a lot, it isn't worth much as collateral to anyone but the MBA since its only access is via our parking lot (i.e., not sellable as a private lot and we would have to do away with our sidewalk since it is on that lot. Property taxes are only \$300 a year.

If **Gino's** option doesn't go through by Thursday, **Gary** made a motion to move forward with Essex Bank loan; **Gino** seconded. Moved.

Position - Name	Vote
Director - Scott Boulanger	Yes – abstain given involvement
Director - Dave Harris	--
Director - Gary Fox	Yes
Director - Mike Girard	Yes – with concerns
Director - Gino DiMauro	Yes
Director - Linda Guzzo	Yes

b) Status of OLS letter to remove themselves from the CSA (Scott)

Update: Old Lyme Shores (OLS) – new President elected. Letter stating that they want to pull out of cost sharing (CSA) / sewer agreement leaked to press. March 10<sup>th</sup>, meeting with DEEP and they will present their case and we will present our case.

Over the past few days, new information: State representative Carney and Senator Marx submitted application for \$26M for funding sewers. If the town was willing to assume some responsibility for upping bond, DEEP was willing to put in \$17M of a loan that would be forgiven if the project is completed.

c) Status of getting meeting with Town regarding Pond Rd (Mark)

Update: Tim called Mark yesterday. March 16<sup>th</sup> at Pond Road. Either 9am or 1pm – Tim to get back to Mark on the time. Anyone else that wants to join, can join. Mike/Gino to attend. Snow date is March 17<sup>th</sup>. Tim will bring map of the parking lot.

d) Status of Certificate to CT Supreme Court

Update: Refer to email sent prior to the BoG meeting. Cert was filed 2/27/23. Plaintiff has 10 days to respond with why the Supreme Court should not hear the case.

Supreme Court then has 4-6 weeks to make a decision on whether they will hear our case or not. If they are willing, they have up to a year to make a decision.

e) Voting, if any, on recommendations for (a) & (b) above and possible voting on beach encroachments depending on outcome of discussion (under old business).

Action: Mark and Mike to look at A2 survey to determine exact sq footage of the encroachment (~200 sq ft and ~400 sq ft). Board to develop questions, comments (lease amount and stipulations to include) and send to Mark.

9. Next Board Meeting: Zoom, March 28<sup>th</sup>, 7PM

Agenda topics (BoG to send additional topics):

- Budget
- Upcoming contracts for beach cleaning
- Talk about damaged fence repair
- Sand washed up against beach fronts

10. Adjourn - Meeting adjourned at **8:44PM**.