

**MIAMI BEACH ASSOCIATION
ANNUAL MEMBER MEETING MINUTES - 2023**

Saturday June 24, 2023 10:00 am – 12:00 pm
Old Lyme Middle School, Lyme Street, Old Lyme CT

Agenda - Mark
Moment of Silence for deceased and ill members.
Call to order at 10:11 am
Officer/Director Roll Call

Name	Position	Present (Y/N)
Mark Mongillo	President	Y
Dan Montano	Vice President	Y
Michelle Deitchman	Secretary	Y
Terri DeVito	Treasurer	Y
Scott Boulanger	Director	Y
Gary Fox	Director	Y
Mike Girard	Director	Y
Gino DiMauro	Director	Y
Linda Guzzo	Director	Y

Welcome - Introduction

Secretary's Report 2022 Annual Meeting Minutes (Vote) Michelle Deitchman

Motion by Gary Schmidt, seconded by Charity Folk. One vote per property, all in favor, no abstained or opposed, so moved

Treasurer's Financial Report as of 5/31/23 (Vote) Terri DeVito

Discussion regarding format and desire to see more detail. Questions regarding some expenditures. Treasurer answered questions and welcomed everyone to see her after the meeting regarding any detail. Books are open to the members if any questions or concerns. Treasure will look at format change for next year based on feedback.

Motion by Charity Folk, seconded by Greg Kitchens. One vote per property, all in favor, no abstained or opposed, so moved

PRESIDENT'S REPORT (State of the MBA) Mark Mongillo

Pressing forward with sewer project and addressing flooding issues. Applying pressure on the town. Trying to control flooding as best as possible but will always be an issue.

Keeping members updated weekly, monthly through email. Working with an attorney on making Pond Rd private — decades in the making.

Pending:

Gates – move to electronic gates. Ability/not to enforce ordinances. New signage – members frustrated with “no fun”...but we have to enforce ordinances. We have a deed to the beach, it's private property. We have to allow the public on the beach and the public has to abide by our rules. Beach parking lot/gate, totally private, public can't go on that area. Please remember to keep the gate closed. Lot B-11 was supposed to be – deeded owners only. Have to pass a private road to get there, which is trespassing. We aren't preventing public from getting on the beach.

We need to get Pond Road closed to the public. President wants the board to act assertively to get access to Hawk's Nest Miami members, including an electric gate / key card entrance and to work as a

cohesive unit, in service to members of MBA. Prioritize what's most important to members, not our personal desires/individual wishes. 450 members, 262 houses.

Will receive meeting notice for Bylaws/Ordinances committee update/vote. Linda is leading committee.

As president for 12 years, members select who they want on the Board versus Board selected/endorsed slate. This year, no contested candidates/ uncontested election. Need more members to get involved, be on the Board, run for office. Necessary if we want to prosper/grow. Giving MBA to town isn't the answer. Board's responsibility is to serve the members of Miami Beach.

How the Board works: The President doesn't have voting power. 6 directors have voting power. President can break a tie. Other than that, directors make decisions on behalf of MBA. Officers work on behalf of members. The Board meets every month Sept-March and summer every 2 weeks. Board work doesn't end when season is over. 20% of our member are year-round residents. Anyone on the Board understands this is a big commitment. Previously, the Board met 4 times a year. If you want change, encourage people to run for office and get involved.

Close Pond Rd. to the public. Mark has been working on this since 2013 – getting this private for members. We are locking out 11 properties based on current gate location (due to 1997 agreement). The 1997 agreement was reviewed, met with lawyer. Maria/Grace provided background information. Dan/Tom pulled documents. Lawyer eventually shared that we may have something to stand on. The 1997 President didn't have the authority to sign the document; not approved by the Board in an official manner. It had to be approved by the Board in the form of a Corporate Resolution. No such document was ever signed. On June 7, Gino, Scott, Mark met with Old Lyme officials and handed an opinion letter from Lawyer stating 1997 document was / is null and void. Tim Griswold is now aware that the document is null/void. Document was altered at some point over time. Hartford/Pond Rd – put up a gate if the town doesn't respond. Asking to put a road in parallel to Pond Road. We own the property within the stakes now on Pond Road. Town hasn't yet to respond to us.

Allowing public on the beach. We have a few options. This involves getting lobbyist to change the ruling on the fee. No fence will go back up. We have to pay/control/maintain the beach and have to be able to charge a fee. Possible to do this if we can get a declaratory ruling by the judge to charge a fee. Need more information and Board needs to further explore/discuss.

This will be the last year that Mark will be running for President; he will not run for President in the 2024 MBA election.

COMMITTEE REPORTS

WPCA Scott

No grants – project still sitting on the shelf. Have been working with Town of Old Lyme, Legislators, met with DEEP in March and shared we may have to stop project. Have to make it more palatable for members or we are done. Without funding, looking at roads/sewer - \$3,400/EDU/year over 20 years that's what it would cost without more money. Not including storm drains. Trying to get the state of CT to offer loan/grant (25%). That would drop our EDU to \$2,250/ EDU/year over 20 years. Mark, Devon Carny (through state legislator), etc. are involved. Working on % versus \$. Scott on weekly meetings along with Mark as available. Working across associations. We were able to pay Fuss & O'Neil. MBA water taken over by CT Water – a lot of road work on Flagler. Lines/connections/fire hydrants. Connected to their system and filtering through their system/processed at Cross Lane. Financial burden is significant – members should continue to voice their concerns. CT Water will be back after the season.

Member comments:

Suggestion to reassess financials/get professional cost estimate – 10% is low. If we obtain a grant, we will refresh bid numbers for contingency.

Email Scott with questions/comments

Security - Terri

\$6,400 cost – Projected \$41K for season, \$9k under budget.
No complaints from members to date.

Roads & Association Improvements - Gino

Water: Decision to do Flagler first. Then the rest of the tie-ins in the Fall. Fenced off area is their property. Any concerns, bring to Gino. Our new contact at CT Water has been helpful. No road maintenance unless emergency repair – don't want to redo road repair. They will provide us funds to patch areas they affected and we'll add to that so we fully repave.

Member Comments:

Move pipes/fence so you can see oncoming cars. Hazard. Gino will follow-up with CT Water.

Bylaws & Ordinances - Linda

Thanked members who provided feedback and the by-laws committee. Now making editorial changes – with Board for review. 98% of changes incorporated. Will be a special meeting called so members can review.

Entertainment & Activities - Mark

No chair, but some people volunteered to chair events. Still open events. Mark will provide an update to members and will call a meeting sharing information on events. Trivia night? Linda Calli (Bingo Queen) offered to coordinate.

OLD BUSINESS

Beach encroachments: wanted to bring before the members. When hurricane Sandy hit, we surveyed and found where property lines were. Letters prepared, sent to property owners and filed with Town of Old Lyme. If house wasn't destroyed, then the owners could keep the deck as is. When Manafort families rebuilt, they built back to property lines and others did as well. However, 2 properties, built over the line. After several years, the Board voted, letter to move back to property lines or we will pursue legal action. Mark uncomfortable with suing members and would like to find other options but it is a Board decision. Question is: 1) Should we move forward with moving them back to their property line or 2) Should we lease/license the land to the owners for some fee. Board is researching if we can recover expenses if we sue them..

Two properties knowingly/willfully built over the property line after Association said to stop. In 2013/2014 we put documents in their deed folders at Town Hall that if renovations made they have to build back to their property line. Town issued building permits but they don't get involved with private property. Town stated nothing they can do since it's on private/MBA property.

Member Comments:

- Charity Folk proposed voting on a vote of confidence with Board's suggestion to sue. Barbara disagreed, suggested we discuss/vote at the by-laws/ordinance meeting. New members are present, would be helpful to get additional detail.
- Corey Mahjoubian – if we have the opportunity to make money, we should pursue leasing the land.
- Members asking for addresses of the properties. Only 2 chose to rebuild. Corner house on Hartford Ave, then concrete patio (not rebuilt).
- Charity – motion to vote of confidence in the Board's decision to sue. Grace Bonola seconded. Take a vote. 20 favor, 15 opposed; passed.

Goal not to take legal action but rather send a letter with something behind it.

NEW BUSINESS

1. Sign above Pond Road sign, on Portland. Will take up with the town.
2. Have we looked at professional management company for the Association? Turn over to management company. This is possible, if members don't contribute.

3. 2023 Proposed Budget (Vote).

Motion to accept new budget – Charity Folk made the motion, Sandy Elnisky seconded. Discussion followed. Question on snow removal. Question on stipend from Town. Question on security gate versus guards – save money. Question – we pay for cleaning, security, entertainment but public allowed on our beach. We don't pay for rangers/police on the beach. Last year Town had budget meeting to approve budget to rangers/police for MBA. Should we get more money for the town? Town follows a calculation. Unfair that we have to clean. Members would not like if we didn't clean.

Vote taken. All in favor. 0 Abstained. 0 Opposed, so moved.

4. Recognitions by President

- Tom DeVito - Rob Nicoletti helps a lot – applause.
- Mike Girard – helped for years – roads, etc. Go-to person. Past president; Mike president, Mark VP. Mike's not running and retiring from the Board. President presented Mike with an appreciation award

5. Election of Officers & Directors

- a. Introduction of Nominating Committee. Dan Montano and Linda Guzzo
- b. Introduction of New Nominees (and elected by ballot)
 - i. Barbara Fox-Secretary
 - ii. Gary Schmidt-Director
 - iii. Nancy Michalski-Director (to complete vacancy left by resignation of Dave Harris)
 - iv. Gino DiMauro-Director (Incumbent)
- c. 4 Officer positions (and elected by ballot)
 - i. Mark Mongillo-President (Incumbent)
 - ii. Dan Montano-Vice President (Incumbent)
 - iii. Terri DeVito-Treasurer (Incumbent)

6. Member Comment/Discussion

Grace Bonola commented about the Miami Beach Water, that it was always tested and always passed the required tests. She stated this because of comments she heard that CT Water was saying about the quality of Miami Beach Water and comments concerning the Miami Beach Water Company.

ADJOURNMENT

President called for Adjournment. Greg Kitchen made a motion to adjourn, Corey Mahjoubian seconded. One vote per property, all in favor, no abstained or opposed, so moved. Meeting adjourned at 12:09 pm

Respectfully submitted

Michelle Deitchman, Secretary