

Southwinds Association, Inc.
Meeting Minutes
December 8, 2020

I. Call to Order and Roll Call:

The 2020 Annual Meeting of the Southwinds Association, Inc. was called to order at 7:03pm via Zoom. Present, or represented by proxy, were Anderson, Bell, Bonanno, Brochu, Caulfield, D'Amico, Decker, DeCrescentis, Farley, Fisher, Hammen, Kenney, Levene, MacMillian, McCaffrey, McDonald, Middendorf, Monaco, Morico, Needleman, Porcaro, Saitta, Salbinski, Severance, Sexton, Shepherd, Tweed, Wolff. The total of twenty needed for a quorum was exceeded.

Stu Fisher reviewed Zoom tips and etiquette. (See under *Association Documents* at www.southwindsessex.org.)

II. Review and approval of 2018 Annual Meeting Minutes.

There was no discussion. The minutes were approved by unanimous consent.

III. President's Report

Fred reminded everyone of his report, which summarized 2020 efforts on behalf of the Association. The report was sent to all homeowners. It is appended to these minutes.

IV. Treasurer's Report

The 2021 budget was approved.

\$1000 from the checking account will be rolled into a CD.

Peter Bonanno was authorized to use the \$1200 set aside for a bench near the pond.

The annual dues will be reduced from \$267 this year to \$250 in 2021.

The treasurer's report is posted on the website (as above)

V. Committee Reports

Landscape Committee: (Judy Jendrucek)

Cerase will again provide landscaping maintenance. The estimated 2021 budget, provides for:

Spring cleanup	\$ 150
13 mowings \$95/each	\$1235*
Mulching	\$ 575

Fall cleanup	\$ 550
3 roadside string trimmings \$205/each	\$ 615
Total estimate:	\$3125

*updated estimate from meeting report

Cerase will no longer do on-going weeding during the summer months. Judy needs help in this effort, although she hopes a formal committee will not be necessary.

Pond Committee: (Jack Kearns)

The pond required only one treatment this year. Two had been planned.

A tree along the northwest portion of the open space was removed. This was paid for from money reserved for, but not needed for, a second pond treatment.

A large tree behind the Middlesex Hospital facility, on the east bank of the pond, collapsed, was removed and was paid for by Middlesex Hospital.

Silt continues to accumulate in the pond where the brooks enter the pond. This is being investigated.

Open Space Committee: (Peter Bonanno)

This year brought the spirit of volunteerism back to South Winds. After a summer hurricane brought down many trees and limbs, a group of residents got together with chain saws and loppers and cleared everything away from the open space. This was done in a day, saving the association a significant expense. After the cleanup, Pete remarked the trail with orange painted arrows.

During the season, Fred and Pete walked the trail to clear debris and cut back encroaching branches. Additionally, some tree work was handled professionally, and three area college students were hired to do additional clearing and brushwork.

The dock is holding up well and enjoyed increased use.

VI. Old Business

Insurance Coverage Update

The directors and officers insurance with Nationwide will not change. Liability insurance with Thomas Peck will also remain the same.

Nomination and Approval of Secretary

A motion to approve Suzanne Tweed as secretary was unanimously approved. She begins a 3-year term effective Dec. 9.

VII: New Business

Restricted access to Birch Mill Pond Trail

Motorized vehicles have been seen on the Birch Mill Pond trail, which is both dangerous and noisy, and has resulted in a request for a Pedestrian-Only sign at the trail head. After discussion, and recognition that we should review the Developer's restrictions, it was agreed that we should have a sign that restricts usage of Birch Mill Pond trail to pedestrians. Work will proceed to confirm the Developer's Covenants and create a sign.

Lenard Engineering Inc. Spill Way recommendations

The Pond Committee, Fred DeCrescentis, and spillway owners Bruce and Jerri MacMillian walked the area of concern regarding deterioration of the spillway walls as referenced in the 2017 Lenard Engineering report. Since there was no noticeable change, nothing will be done until the next inspection, which is scheduled for 2024.

Board Volunteer Recruitment:

Fred reviewed the difficulty of finding members to assume board positions, and what it would mean to Southwinds Association, Inc. if we did not have a board. One option discussed would be to hire a management company to assume board responsibilities at an additional cost to each homeowner. Another option would be to function without a board. Fred identified four implications if this were to happen: (1) an inability to maintain open space and entrances; (2) an inability to maintain Birch Mill Pond; (3) exposed liability of homeowners since no homeowner has authority to sign and pay for liability insurance coverage; (5) a likely negative impact on property values.

Stu Fisher suggested job descriptions for the three board positions, including time requirements, be posted on the website.

VIII: Comments, concerns and recommendations

1. Stu announced that the Residents' Directory of the Southwinds website is now safe and available for access. He reminded everyone to give him email address changes as they occur.
2. Fred briefly described a Zoning & Inland Wetlands Commission issue at 32 South Winds Drive. A current summary is attached.
3. Fred recognized Linda Levene for her term as secretary and thanked Peg for assuming full responsibility for the treasurer position, which brought our annual dues back to \$250. He also welcomed Suzanne Tweed as the new secretary. Members recognized Fred for his hard work.

The meeting was adjourned at 8:03pm.

Respectfully submitted,

Linda Levene, Secretary

Addendum

Southwinds Association, Inc. President's Report

A. Status of 2020 Board Priorities:

1. Evaluate cause of silt buildup in Birch Mill Pond and identify solutions with corresponding costs.

Status: On October 21, 2020, Joe Budrow, Zoning and Inland Wetlands Enforcement Agent met with Jack Kearns (Pond Committee Chairperson) Peter Bonnano (Open Space Committee Chairperson) and Fred DeCrescentis to review silt and sand build up from two feeder streams that flow under Mares Hill/Southwinds Drive and Birch Mill Trail roads into Birch Mill Pond. As of this writing, Mr. Budrow is exploring with Bob Doane, town engineer, ways to prevent silt and sand build up. The cost and installation of filters, if identified as feasible, would be the responsibility of the town.

2. Electronic traffic speed monitoring of Birch Mill Trail and Mares Hill Road, with subsequent reports sent Southwinds Association, Inc. property owners.

Status: An electronic speed monitoring system was set up on Mares Hill Road (12/27/2019 to 1/16/2020) by State Trooper Mark Roberts. A summary of findings was sent out to all members on January 20, 2020. An electronic speed monitoring system was set up on Birch Mill Trail in October, 2020. I will forward a summary of findings when it becomes available.

3. Clarify responsibilities of the Department of Public Works with respect to dangerously overhanging tree branches along South Winds Drive, Birch Mill Trail and Mares Hill Road.

Status: Based upon a phone conversation with Mr. August Pampel, Essex Tree Warden, the Town is responsible for a 20-foot easement along Mares Hill Road. Likewise, it is responsible for a 10-foot easement along Birch Mill Trail and South Winds Drive. The easement is measured from the edge of the pavement (e.g. Mares Hill Road) straight back 20-feet. Any tree or branch that falls within the easement is the responsibility of the Town. Anything beyond the easement is the responsibility of the homeowner, or if on open space, Southwinds Association, Inc.

4. Monitor the installation of a new dry well, catch basin, including a six-inch overflow pipe, and new pavement on Birch Mill Trail near the entrance off Mares Hill Road.

Status: The work was to have been done this past spring, but was delayed. In a phone conversation with Mr. Ryan Welch, Director of Public Works, installation is now scheduled for November, 2020.

B. Other Issues Addressed during 2020:

1. Retained a Southwinds Association, Inc. member and his college friends (Shoreline Odd Jobs) to clear weeds near the trail leading to the floating dock in July, at a cost of \$300. The board wants to thank James DiLuca and his team for a difficult job well done;
2. After an August storm, six residents volunteered to clear the path from South Winds Drive to the floating dock area and picnic area. This included cutting down leaning trees, and cutting up felled trees and large branches. A note thanking all those who volunteered (Mike Bonacorsa, his stepson Griffin, Peter Bonanno, Steve Farley, Stu Fisher and Joel Severance) was sent to all homeowners;
3. An unclaimed, deteriorating canoe, near the floating dock, was removed by Just Dump It, LLC in October, 2020 at a cost of \$125.00; and
4. On at least two separate occasions in October, Southwinds residents received harassing phone calls from an individual who had breached our online membership listing. The Connecticut State Highway Patrol and Essex Town Police were notified. The Connecticut State Patrol's Dispatch phone number was given to all residents in case of further harassment.

Status of Zoning & Inland Wetlands Commission Action 32 South Winds Dr.

1. October 21, 2020: Joe Budrow, Zoning & Inland Wetlands Enforcement Agent, issued a Cease-and-Desist order to the homeowners of 32 Birch Mill Trail because of violations related to:
 - a. Structures (terrace, patio & steps) constructed within the 100' protected wetlands area;
 - b. Developing structures without a wetlands permit and dredging of Birch Mill Pond along the shoreline;
 - c. Probable permits required from sanitarian and building official; and
 - d. Zoning violation related to location of the structures.

2. December 7, 2020 phone conversation with Joe Budrow:
 - a. How likely will IWWC and DEEP and Army Corps of Engineers get involved?

Response: DEEP will likely be informed whereas the Army Corps of Engineers may or may not be notified;

 - b. If either is involved, what are the implications for Southwinds Association, Inc.?

Response: The primary concern will be between Southwinds Association, Inc. and the property owner; and if the site plan reveals that there is encroachment on open space owned by Southwinds Association, Inc.; and

 - c. How can the board obtain a copy of the site plan?

Response: The board is to submit a letter to Mr. Budrow requesting that Southwinds Association, Inc. be informed of all homeowners coming before all boards and commissions. A list of homeowner addresses is to be attached to the letter.

 - d. How can the Southwinds Association, Inc. board be informed of its' homeowners petitioning the town of Essex boards and commissions?

Response: The board is to submit a letter to Mr. Budrow requesting that Southwinds Association, Inc. be informed of all homeowners coming before all boards and commissions. A list of homeowner addresses is to be attached to the letter.

3. The board notified our insurance representative, Ms. Stacia Libby who had three primary questions:

- a. Was the board informed of the construction project (terrace, steps and dredging)?

Response: No

- b. Does the board have a policy or procedure that requires homeowners to notify the board of home and property improvements?

Response: Yes. "Board Responsibilities Regarding the Approval of Planned Additions and Alterations to the Exterior of Homes and Property". The protocol was adopted by the board on June 27, 2019

- c. How did the board inform the homeowners of this requirement?

Response: The board sent the protocol to all homeowners on June 28, 2019. The protocol was also posted on the Southwinds Association, Inc's website.