

Candlewood Shores Tax District
Board Meeting Minutes
Aprile 19, 2023

Call to Order:

Regular meeting of the Candlewood Shores Tax District Board of Directors called to order at 7:30 pm

Roll Call:

Directors Present:

Elizabeth Longworth-President
Jonathon Lepler-Director
Lisa Maguire-Director
Dionisio Fontana - Director
Kelly Lane-Director
Timothy Cicchese -Director
Kenneth Appley- Treasurer

Absent:

Alan Owen-Vice President

Staff:

Travis Hyatt – Community Manager
Ann Germinaro- Assistant Community Manager
Brandon Hyde – Site Manager

Guests: None

Hearings: None

Approval of minutes: Dan made a motion to approve and Liz 2nd all in favor - approved

1st Public Comment:

Deidre Cori 57 Skyline Drive– Written comment regarding having a vote of CSTD with a yes or no vote on wanting sewer in Candlewood Shores and looking for a WPCA representative by an attorney at all WPCA meetings. Request that all owners review the Sewer Committee video. Possible call for a special meeting to vote on this issue to take place before August.

Jim Minor – fact finding mission and created a video a minimum of 20%-24% of your home assessed value. WPCA has not given budget for this project. WPCA skipped a few steps in process and DEEP is holding up funds. 50, 25, 25 grant will be 20% bonds and grant and town money

Kelly Lane-

Gail Minor – Tara has received the short and long version of the video and CEM?? Nelson and Loretta got presentation and also sent to WPCA this video took our re Danbury

Paul Tonelli – Pine Island resident – how did you arrive at the number of the increase and would like to see if they

Discussion of Pickle Ball court and placement, Bocce court was just put in. A suggestion was made to send an email survey to see what homeowners want in that area.

Kelly Lane stepping down as Harbor Master Ron Sheppard is taking over effective immediately, he will notify the community when small vessel registration opens.

Treasurer's report – Travis

Tax District: \$1,701,090.76

Water District: \$256, 122. 36

Budget is in packet to review before it goes out to community. Elizabeth requested that we look at recreation committee should be closer to ½ the amount. Owners vote at annual meeting. We are saving for many items and the money in the reserves is set aside for these items. The mill rate stays the same, the water fees is not increasing.

Please contact Lizz at Scalzo with any questions.

Motion made aby Kelly to approve the mill rate stay the same at 3.7435 Elizabeth 2nd all in favor, motion approved

Elizabeth made a motion to approve the Water dept budget remaining same no increase Kelly 2nd all in favor no opposed.

Budget hearing will be May 3rd 7:30pm and the Annual meeting will be on May 20th

Management Report: Travis

Action List:

Travis reviewed Action List including

Sending reports to town

Working on Tow vendor

Solar lights

Insurance for special events – provided with # of events and waiting to hear back on cost

Work Orders:

Long term items- Boat docks,

Permit Requests:

Brandon has a approved a few

55 Longview has installed fence with a permit and it is in the right away, and they are asking for a variance. There are other people are in the right of way there was a wall there since 1945 and they rebuilt it and they don't have the ability to have a driveway and they may have approved encroachment on the right away and they want the same permission a fence is a structure. This is 10 feet on the property. The Board is going to obtain pictures and review before making a decision. Also asked homeowner to speak to the fence company to see if they can work around.

Committee Reports:

Beautification:

Planting have been placed at the entrance

Recreation Committee: Jonathon Lepler

Nothing new

Upcoming events:

Movie nights June 17th, July 29th, August 12th

Booked 4 bands – working to get a band in August.

Hazzard County July 29th

Junk – September 3rd

Picnic – TBD

Please check the calendar for upcoming events

Safety – Alan Owen- speeding is still an issue

One speed sign needed to be repaired, under warranty, and will be replaced.

New Speed bumps are going in when the weather changes.

Striping updated pricing was presented, and no motion was made to move forward at this time.

Ordinance – Chris Rink – no meeting Monday due to scheduling conflict. Chris will meet and seek feedback from Brandon on the Ordinance changes, then the Board reviews, then-Attorney, then approved and posted.

The next Ordinance Committee meeting is TBD. Notice will be sent out.

Landscaping: Adam

Ongoing project – sticks and leaves pick up – issue is that landscapers are mowing lawn and then dumping bags on curb and that can't be picked up as the place only accepts leaves. Complete clean out of garden and that doesn't go through chipper. With Brandon's assistance we are going to reach out to the owners

Repaint dock soon. Started mowing today. Monday is end of leaves and then they will sweep roads. Last year beach sand in early and north winds washed away, so holding off and do after the big dock is out. Dock out weekend before Memorial Day. Elizabeth requested to estimate depth of the water by the dock. Baseball fields will be mowed soon and bases out by weekend. Volleyball net will be installed.

Adam will inspect catch basins to see if they need to be cleaned out.

Adam addressed that he has hired people that have not lasted and now has temporary staff right now.

One paddle boat and kayaks need to be thrown out.

The problem with the gates is that they need more space and need to cut fence back and there is a lot of work involved to add a more substantial latch.

Sewer Committee:

Members attended the last meeting and will provide a report.

Administration:

Set up dates for Budget hearing and annual meeting.

New Business:

If we can't pave boat ramp, then at least patch the potholes.

Order Port a Potties

Old Business:

Gate discussion - CT Landscaping and Fence will meet with a vendor to see logistics of gates.

Electric Box – looking to put a floodlight near the electric box.

The tree that is proposed to come down – get in writing that the tree is dead and will cause damage if it falls. First Light isn't responding, and Elizabeth is going to file a permit for 22 trees (including the front tree) and a replacement. Also adding sand to the beach.

Elizabeth made a proposal to accept proposal from Hantsch Electric to change the existing post and put a lamp with timer and sensor for \$1375.65 Lisa 2nd all in favor, motion approved

The generator needs to be replaced and is on Backorder

2nd Public Comment:

Jessica and Dave Samuels and Cheryl – sewer discussion

Jim asked what is needed to have a community vote. The Board is requesting the numbers and where they came from to present to the Board. Please attend the WPCA meeting to get answers so that we can hold a vote with the knowledge to be able to give factual information to the community. The Board asked for a specific email

Jonathon made a motion to end the meeting and go into executive session at 9:46 pm, Elizabeth 2nd all in favor.

Jonathon made a motion to start the executive session Ken 2nd all in favor, went into executive session at 9:17 pm

Jonathon made a motion to end the executive session, and Ken 2nd all in favor ended at 9:30 pm

Deirdre Coury
57 Skyline Drive
Brookfield, CT 06804

April 19, 2023

Candlewood Shores Board of Directors:

Pres. Elizabeth Longworth – elizabeth.longworth.president@candlewoodshores.com

Vice Pres. Alan Owen – alan.owen.vp@candlewoodshores.com

Treasurer Kenneth Appley – kenneth.appley.treasurer@candlewoodshores.com

Director Jonathan Lepler – jonathan.lepler.director@candlewoodshores.com

Director Kelly Lane – kelly.lane.director@candlewoodshores.com

Director Lisa Maguire – lisa.maguire.director@candlewoodshores.com

Director Tim Cicchese – tim.cicchese.director@candlewoodshores.com

Director Daniel Fontana- danny.fontana.director@candlewoodshores.com

Harbormaster – Ronnie Sheppard – harbor.master@candlewoodshores.com

Candlewood Shores Attorney Thomas Beecher
Scalzo Property Management Inc., agent Travis Hyatt

VIA HAND DELIVERY to each Board member and others if present and listed above at tonight's Board Meeting of April 19, 2023, via read aloud public comment, via posting in the Shores office Bulletin Board, and via regular mail to Attorney Beecher, 148 Deer Hill Avenue, Danbury, Connecticut 06810

Re: Public Comment on Need for Shores Vote YAY or NAY on WPCA Proposed Sewer, Need for Shores Legal Representation at all relevant future meetings

Dear Candlewood Shores Neighbors, Candlewood Shores Board, Candlewood Shores Attorney, Scalzo Property Management (represented by Travis Hyatt), and other interested attendees to tonight's meeting,

My name is Deirdre Coury, and I own and reside at 57 Skyline Drive. Let me thank everyone for their volunteer and/or paid time, hard work and thoughtfulness on the sewer issue; and to everyone here, thank you very sincerely in advance for your

patience while I read aloud my public comment without interruption, which is being submitted to the Board tonight.

Here are my key takeaways from the Sewer Committee Meeting held on April 17, 2023:

The Brookfield WPCA will present their sewer proposal to the Brookfield Town Selectmen for a Selectmen vote on going forward with the WPCA sewer proposal, possibly as early as this August, 2023.

If the Selectmen vote yes at this likely August meeting, then a Townwide sewer bonding referendum vote will be set, possibly as early as the fall of 2023. I will talk more about possible costs and referendum later.

I think this potential cost question is actually moot for now, and should not further delay what our next steps need to be-- whether it costs me 10% or 20% or more of my assessed property value, to be liened against my house WITH INTEREST, whether it costs me additional ONGOING hookup, maintenance, repair, extra unforeseen charges etc. going forward, costs and hassle of torn up roads and construction, this is really not the question before us right now.

The biggest and most important initial question is, as I see it and as I think our Sewer Committee alluded to in their meeting 2 nights ago: **are our Shores septics causing the lake quality issues as is being reported by the WPCA as justification for putting sewers in the Shores? Watch the Sewer Committee's video extensively researched by a lake quality professional. The answer is NO**, sewers are not needed from an environmental standpoint, because Shores septics only have a very minimal impact on lake water quality. I will speak a bit more on that below.

So, ***with that very important point being made very well in the Sewer Committee video***, (which I encourage everyone here tonight to watch if you have not watched it already, and please share), we have more than enough information now to make a clear call, that, I repeat, sewers in the Shores are not needed from an environmental standpoint. And ***here is my biggest point for tonight's meeting and public comment:***

Myself, and I think many other Shores residents, are extremely concerned that a VOTE, YAY or NAY, on WPCA sewers coming into the Shores has not been taken, or even proposed by the Board yet.

Without a clear, official Shores vote, the Shores Board, the Shores attorney, and the Shores Sewer Committee cannot take a position on how to proceed next, as they are ethically bound to represent the wishes of the whole Shores community, and of course this is commendable.

NO OTHER TOWN to date is forcing residents to get sewer.

EVERY OTHER NEIGHBORHOOD, to my knowledge, bordering the lake in Brookfield has said NO to WPCA Sewers.

So, **the time for action from the rest of us in the Shores is NOW.**

The time for a clear majority position of Shores resident voters is NOW.

Not after the Selectmen vote to send our fate to a Townwide referendum vote to secure bonding money this coming fall, (where voters may or more likely may not know how

their vote affects our debt outlook versus theirs, or understand whether the sewer proposal will actually even benefit the Town or the Lake.)

Once we have a vote on the Shores' majority wishes YAY or NAY for WPCA sewer, our Shores attorney (or another co-counsel possibly acceptable to our attorney) should be present to represent the official wishes of the Shores at all future relevant meetings, to include: all future Shores Sewer Committee meetings, Shores Board meetings regarding sewer, WPCA meetings regarding sewer proposal, and relevant Town Selectmen meetings.

I am also requesting that our Shores attorney advise ALL of the Shores residents as to our legal rights to appeal any Town WPCA and/or Selectman decisions and referendums to assess our Shores properties for sewers. I think, and would like our attorney to confirm and clarify, that the time for creating a record for any appeal is NOW, not after the WPCA sewer assessment has been approved and laid. This means we need our own experts to submit their contrary environmental septic findings to the record at WPCA and/or joint WPCA Town meetings, and most definitely by the time the WPCA sets a formal public hearing on the sewers. The time to initiate, hire, prepare, and submit OUR experts' findings for the record in the event of appeal is NOW.

Yes, this will cost us attorney fees. We can also put the question of an attorney retainer for sewer representation to a Shores vote. A retainer of maybe \$10,000 to get proper legal representation starting NOW, (when, as just stated, the record for any appeal is actually being created RIGHT NOW without the Shores being represented) for an issue that could eventually cost us all twenties of thousands of dollars each seems well worth it to me.

As shown in the Shores Sewer Committee video, the answer to a cleaner lake is that EVERYONE, every Town, FirstLight Power company, every lake association, every resident, every marina, and every user of the lake has to do their part, not just the Shores. We are just a drop in the proverbial bucket.

Remember, the Shores can always say Yes to sewers later, if that's something that we as a majority see is a good idea sometime in the future; maybe for example after the rest of the property owners and Towns bordering the lake undertake adequate and comprehensive water protection measures, so water quality issues can be addressed in a way that's truly impactful and equitable.

Getting back to possible costs, I would like to add that at a Town referendum, every voter in the Town can vote on a bond that will officially force only Shores and other affected property owners into being financially responsible for the bulk of the WPCA sewer proposal indebtedness, now and in the future (including likely cost overruns), to fund the WPCA's sewer project.

If the WPCA puts sewers in the Shores, it means that we as Shores owners will have sewer assessment liens placed on our properties, and have these annual sewer assessment fees added to our taxed indebtedness to the WPCA. Please be aware, these sewer assessment liens are super priority liens that can be foreclosed on if not timely paid, similar to property taxes, with additional penalty interest and other fees attached (**Conn. Gen. Stat. § 7-258**). These sewer assessment liens, with interest, that we can NOT even negotiate or prepay, are only initial capital costs. Ongoing perpetual maintenance, hookup, etc. costs will ALSO be charged to us. The Sewer Committee is working on all these estimated potential cost projections now to share with us in about six weeks.

MY FINAL CALL to ACTION TONIGHT is this:

We as resident voters may need to call for a Special Meeting to get a majority Shores YAY or NAY vote on the WPCA sewer proposal if the Shores Board fails to do so, at tonight's meeting. This Shores Special Meeting for a majority sewer vote must take place sometime before August at the very latest.

See our CSTD Charter, Article II Voters and District Meetings, Section 3, which states in relevant part:

The voters shall hold a special meeting within 21 days after the Board of Directors receives an application to do so from either (a) ten percent of the District's voters, (b) twenty of the District's voters, ... (ellipses mine)... At such a meeting, the voters shall act only upon the business stated in the application. (AMENDED AND RESTATED CHARTER OF THE CANDLEWOOD SHORES TAX DISTRICT Approved July 20, 2016, accessed from the Candlewood Shores website on April 19, 2019).

In short, we need a Shores vote Yay or Nay on WPCA sewers as soon as possible. We need to then act immediately if the majority vote is NAY. We need our Shores attorney to expeditiously advise us as to the strongest course of action, and how we can set the best record for any appeal if that becomes necessary. We need to hire our own expert to prepare his or her own study, to counter the WPCA's study and be put forward to the WPCA and Town on record. Now, as soon as possible. Otherwise I sincerely fear we will be fighting an insurmountable uphill battle if we don't want sewer and we wait any longer to take these essential actions.

Respectfully,

Deirdre Coury

Deirdre Coury