

Southwinds Association, Inc.
Zoom Annual Meeting Minutes
December 8,2021

1. Call to Order and Roll Call

The 2021 Annual Meeting of the Southwinds Association, Inc. was called to order at 7:01pm via Zoom. Present, or represented by proxy, were Bell, Bonacorsa, Bonanno, Brochu, Caulfield, DiCrescentis, Farley, Fisher, Gibson, Hammen, Kearns, Levene, McCaffrey, Middendorf, Morico, Perrotti, Polito, Quets, Saitta, Salbinski, Severance, Sexton, Shepherd, Tweed, Wolff. The total of twenty needed for a quorum was exceeded.

2. Review and approval of the 2020 Annual Meeting Minutes

A motion to approve was made by Bonanno and was seconded by Sexton. There was no discussion. The motion was approved by unanimous consent.

3. President's Report

Fred reminded everyone of his report, which summarized 2021 efforts on behalf of the Association. The report was sent to all homeowners. See attachment.

4. Treasurer's Report

Peg presented and explained the 2022 budget. A motion to approve the 2021 Financial Report and the 2022 Proposed Budget was made by Bonacorsa and seconded by Sexton. Following discussion, the motion was approved by unanimous consent. See attachment for an updated report.

5. Committee Reports:

Landscape Committee: (Judy Jendrucek)

Cerese will again provide landscaping maintenance.

6. Open Space Committee: (Pete Bonanno)

Pete is putting together a work group to clean up open space of debris from fallen trees, limbs, etc. on Saturday, December 18th from 11-2pm. Chain saws, loppers, rakes and buckets will be needed. Please respond to Pete at 860-227-9798 if you can help.

7. Pond Committee: (Jack Kearns)

Jack reported on a call made by Fred with the CT Division of Fisheries' biologist, to determine the effectiveness of Asian "Triploid" Carp to mitigate the growth of underwater grass in Birch Mill Pond. Fred was informed, that after completing an application, the biologist would then meet with representatives of Southwinds Association, Inc. and conduct a site survey of the pond to determine if the Triploid Carp would be effective. Because of the cost, approximating \$5,000 for the purchase, transporting and distribution of the fish in the pond, the board deferred on this expenditure in the 2022 proposed budget.

The carp would be in addition to, not instead of the current annual pond treatments.

Jack will also be looking into ridding the pond area of Loosestrife which is an invasive aquatic plant.

8. Old Business

Ed McCaffrey asked for an update on the lawsuit against 32 Birch Mill Trail. Bert Polito shared the following website to monitor the Town of Essex lawsuit: civilinquiry.jud.ct.gov Enter Doane (last name) Town of Essex Enforcement Officer, then Robert (first name) followed by location (LLX-Middletown JD). Click on “search button” and the status of the filing will appear.

Mike Bonacorsa asked that everyone please slow down while driving through our neighborhood, especially on the curve by his driveway.

9. New Business

President’s Tenure. Fred’s three year term will expire on December 31, 2021.

The board is asking for a homeowner to serve as President of Southwinds Association, Inc. If any homeowner is interested please reach out to the board. If there is no one willing to serve at this time, the board has proposed a second alternative by creating the position of Vice President to serve a term of one year. Fred has agreed to continue his responsibilities as President by being nominated for another three year term (January 1, 2022 until December 31, 2024) with the understanding the he will work closely with the Vice President for the first year. However, at the end of calendar year 2022, Fred will resign from the board.

Another option would be to hire a management company to assume some of the board responsibilities at an additional cost to each homeowner.

Job descriptions for each of the three board positions are posted on our website.

Fred was thanked for all his work during his presidency and the board was recognized by members.

A motion was made to approve Fred’s agreement to another three year term as President (with the proviso mentioned above) and also to approve nominating a Vice President for a one year term by Kearns and seconded by Fisher. Following discussion, the motion was approved unanimously.

Proxy Amendment

A motion was made to amend Article 1: General Section 2: to define the definition of proxy as “a spouse of the homeowner or significant other, who is an adult 21 years of age or older, and resides in the homeowners household”.

The motion to approve was made by Fisher and seconded by Sexton. Discussion followed. The Levene’s requested that their written position, submitted as an email request to Fred prior to the meeting, be read aloud as part of the discussion. The Levene’s did not feel the need to change the bylaws. Following discussion by all those participating in the meeting, the motion was approved 24 to 1.

The meeting was adjourned at 7:52pm.

Minutes submitted by Suzanne Tweed

Attachments

2021 President's Report

During this calendar year, the Southwinds Association, Inc. board has:

1. Added signage to the trailhead that leads to Birch Mill Pond, floating dock and picnic area at a cost of \$314.29. The sign was developed and installed by One Look Sign Company, Centerbrook. During review of Mares Hill Road/Birch Mill Trail and South Winds entrance signs, it was observed that the three signs were beginning to show deterioration. A quote was received to replace all three signs, including a fourth sign to be added to the Mares Hill Road/Birch Mill Trail entrance at a total cost of \$2,2021. Presently the Southwinds entrance has two signs; whereas Mares Hill Road/Birch Mill Trail has one;
2. Approved the use of electric motors on Birch Mill Pond;
3. Been monitoring the monthly meetings of the Inlands, Wetlands and Watercourses Commission. The IWWC, over several months of meetings and deliberation since November, 2020, retained counsel and filed a claim in Superior Court against Terry Lynn McDonald, et. al. homeowner of 32 Birch Mill Trail. The claim alleges violation of state law and local ordinances for building structures on her property, the wetlands and dredging Birch Mill Pond in front of her property without a permit. The structures built also encroached onto open space owned by Southwinds Association, Inc.
4. With the approval of Southwinds Association, Inc. homeowners, retained legal counsel (Mr. Greg Carnese) to respond to the June 30, 2021 written correspondence received from Mr. Peter J. Royer, representing Terry Lynn McDonald. Correspondence indicated that: "If we do not hear from you or Southwinds counsel by the close of business on July 9, 2021, we will proceed with litigation." The lawsuit to be filed in Superior Court, using adverse possession statutes of Connecticut law to claim open space adjacent to her property. The litigation threatened to be filed, named the board and each individual homeowner of Southwinds Association, Inc. as defendants. In a land survey completed in November 2020, which the board obtained, following the June 30, 2021 correspondence, learned that the property approximated $\frac{1}{4}$ acreage of open space.
5. Identified concerns, with the assistance of the Pond and Open Space chairpersons, about sediment build up in each of the two feeder streams flowing into Birch Mill Pond. The board shared the concerns with Mr. Ryan Welch, Director of Public Works. Mr. Welch cleared culverts on Mares Hill Road, Birch Mill Trail and South Winds Drive. Clearing of all culverts will now occur every other year that hopefully will mitigate sediment build up;
6. Retained the services of Mr. Ed Gardiner, arborist, to remove two large trees felled by strong winds this past summer, along Birch Mill Trail that presented safety concerns for Southwinds Association, Inc. homeowners, their families and guests; and

7. Met with representatives of the Essex, Land Trust to make recommendations to the board and Mr. Peter Bonanno, Chairman of the Open Space Committee, on how best to maintain, conserve and protect Southwinds Association, Inc. open space.