

**SHELTER HARBOR FIRE DISTRICT
BOARD OF GOVERNORS MEETING MINUTES
June 19, 2021, 8:30 AM to 10:30 AM
Meeting via Zoom**

DRAFT MEETING MINUTES

Call to order: Tom Lloyd

Meeting was called to order at 8:35 AM: Tom Lloyd

Meeting will be conducted by Zoom, password functioned properly

Board member roll call: Tom Lloyd

Robert Palumbo - present
Marianne Nardone - present
Patrick Kinney – not present
Alex Platt - present
Jack Waters - present
Denise Williams - present

Officers present:

Richard Gregory
Glen Berwick
Bob Duff

Council present:

Peter Ruggiero

Approval of Minutes of December 5, 2020.

Motion to accept: Bob Palumbo, Marianne Nardone seconded, vote unanimous to accept the report.

Announcements:

Thanks to Susan Boyd and Bill Ziegler for donating the dock blocks to the community. The plan is to use the blocks at Grove Dock.

Correspondence:

1. Jack Waters email dated: June 9, 2021
2. Richard Ferris email dated: June 14, 2021 (unofficial)

Treasurer's Report:

1. Glen Berwick stated there is cash that he would like to reallocate to other line items of the budget.
2. A motion was made to reallocate the funds to other budget line items.

Motion to accept the report: Bob Palumbo, Alex Platt seconded, vote unanimous to accept the report.

Motion to reallocate funds per request: Marianne Nardone, Alex Platt seconded, Denise Williams asked if the budget numbers were properly covered, Glen answered yes, vote unanimous to reallocate funds per request.

Tax Collector's Report:

1. Richard Gregory stated that out of \$244,000 +/- tax payments \$1,148 has not been collected.

Motion to accept: Marianne Nardone, Bob Palumbo seconded, vote unanimous to accept the report.

Tom Lloyd reminded the Beach Agent that beach passes are not to be issued unless taxes have been paid.

Agent and Committee Chair Reports:

1. Jack Waters requested that the Ad Hoc Committee Report be added to the list of reports. Tom Lloyd indicated that the BOG has no authority to accept or reject the Ad Hoc Committee Report. Denise Williams echoed Tom Lloyd's statement. Jack Waters indicated that it is acceptable to review the report at a July meeting. Tom Lloyd indicated that it will be placed on a July meeting agenda.

Beach:

1. The Beach is open effective June 19.
2. The porta-potties have been delivered to the Beach.
3. The new lifeguard stand has been delivered and installed.
4. Viv Duff asked all neighbors to keep their children off the lifeguard stand. It is dangerous for children to play on the stand.
5. Jack Waters made a statement that his granddaughter Emily is a lifeguard this year.
6. Vivian Duff thanked Rick Wiatrowski and Lauri Sweeney for their work on the beach setup.
7. Tom Lloyd stated that Aaron Perkins is pleased with the lifeguard crew that have been hired for this year.
8. Viv Duff stated that there are about 12 sets of passes that have not been picked up.

Beanpot: no report

Bylaws: no report

Community Events:

1. Marianne Nardone stated that arrangements have been made to use St Clare church for the annual meeting if allowed by the state. In any event the annual meeting will be held in person at St Clare or via Zoom in accordance with state requirements.

Database: no report

Directory: no report

1. Liz Miller's directory report was emailed to the Clerk and erroneously left off the agenda.

Finance:

1. Bob Palumbo stated that the budget for next year will increase to reflect the beach bus cost and the porta-potties.
2. Reserves for capital fund and pond restoration have been adjusted downward.
3. The legal fund has been increased by \$5,000 and \$2,500 has been undesignated.
4. Bob Palumbo indicated the mil rate does not increase. The increase in assessments will cover the proposed budget .
5. Denise Williams asked about the dollars budgeted to Weekapaug for the beach: \$10,200 is included in the budget.
6. Bob Palumbo thanked the Finance Committee for all the hard work to develop the Budget.

Motion to accept: Denise Williams, Alex Platt seconded, vote unanimous to accept the report.

Harbor Master: no report

Small Boat Racks:

1. Rick Wiatrowski stated that repairs and improvements have been made to the racks.

Public Access Defibrillator:

1. Dr Leadbetter requested \$500 +/- for repair/replacement of existing unit battery packs. Tom Lloyd said there is a line item for the AEDs. Glen Berwick indicated there are sufficient funds to cover the expense. Peter Ruggiero indicated that a motion was not required for this item.
2. Tom Lloyd asked if there are lessons for use of the AEDs. Dr Leadbetter will speak with Aaron concerning lessons.

Roads:

1. Jack Waters stated that brush pickup is scheduled for June 21. Steve Sweeney has volunteered to take care of the pothole patching. Glen requested that contracting for the pothole repair be completed prior to June 30th. The contractor providing the pothole repair services is ill. Jack will speak with him to obtain the repair estimate. No major road repairs are required at this time.

Safety and Security: no report

Tennis:

1. The report was read.
2. Tom Lloyd spoke with Michael at the Inn regarding parking.

Website:

1. Susan Carter Morgan has offered her services to assist in managing the website. Bob Duff looks forward to working with Susan.

Old Business:

1. **Water Line installation:**
 - a. Tom Lloyd stated that Glenn Dixon still intends to move ahead with the project. At earliest move ahead next fall.
2. **Shelter Harbor Inn agreement:**
 - a. Tom Lloyd & Dr Flanagan will meet to discuss.
3. **Street lights in Shelter Harbor:**
 - a. Richard Gregory continues his work on his street lighting issue.
 - b. The plan is to temporarily remove lighting from Rosini Road and retain the lighting at the corners.
 - c. There will not be any cost associated with the test.
 - d. Town Manager Rooney is willing to assist in the need to solve the issue. The town will need indemnification. The initial response from our insurance carrier is that there will not be a problem with the indemnification. Patrick Kinney was not present to provide comment.
 - e. Richard Gregory has two motions
 - i. Accept the report of 4/29/2021 to request own to turn off the street lights at Handel and Wagner. Permit Shelter Harbor to talk with Prism, the Westerly lighting consultant.
 - ii. The BOG to ask the town of Westerly for a remedy.
 - f. Tom Lloyd elected to move the issue to the annual meeting for discussion and a vote.
4. **Public Access Defibrillator**
 - a. Allen Leadbetter stated that there are three AEDs located within the community. Weather enclosures have been installed.
5. **Speed bumps for Wagner Road,**
 - a. Tom Lloyd met with the town manager. The town is concerned about keeping the road from developing potholes due to freezing.
 - b. Alex Platt indicated concern about bicycle safety with the speed bumps.
 - c. Glen Berwick expressed a concern that all intersections on Wagner Road should have legal stop signs.
 - d. Alex Platt indicated that he would like to see additional speed limit signs and would like to see stop signs changed to reflective for nighttime visibility.
 - e. Glen Berwick suggested a main sign stating road regulations.
 - f. Tom Lloyd and Alex Platt will meet with the town and police concerning:
 - i. Stop signs
 - ii. Police patrols with radar
 - iii. Speed bumps
 - g. Tom Lloyd will also review the situation with Councilman Brian McCuin.

New Business:

1. **SHFD Fire Protection Contract:**
 - a. Tom Lloyd requested the authority to execute the contract extension with Dunn's Corner Fire Dept.

Motion to grant authority: Alex Platt, Bob Palumbo seconded, vote unanimous to grant permission.

- b. An address is required for the contract.
- c. The address to be used is 2944 PO Box, Westerly, RI 02891
- d. Tom Lloyd will ask Dunn's Corners to prepare the documents.

2. Security Cameras

- a. Tom Lloyd referred the issue to the annual meeting at which time Patrick Kinney can comment, discussions can be held and comments made.

3. Hire Outside Counsel for Opinion on Voting Practices:

- a. Tom Lloyd stated that neighbors have asked about outside counsel to review and provide opinion on the voting practices in Shelter Harbor.
- b. The engagement would not be meant to undermine the fruitful work of the SHFD Ad Hoc Voting Committee.
- c. Tom Lloyd indicated that the SHFD voting practice changes, if any, should be presented, reviewed, discussed and voted on before the full community at the annual meeting.
- d. Denise Williams requested that the case for outside counsel be placed on the agenda for the July meeting.
- e. Tom Lloyd proposed that the outside counsel would study the SHFD Bylaws and Charter with regard to voting practices.
- f. Tom Lloyd stated that the counsel will present, without alteration, the results of their findings. Tom Lloyd would like to make sure the neighbors feel comfortable about voting in the community elections and that the voting practices followed are legal.
- g. Tom Lloyd said that the small group of people have placed the BOG in a problematic position regarding voting.
- h. Tom Lloyd asked for a motion to have the Moderator and Vice Moderator to interview attorneys to investigate the voting has been legal for the past and present.
- i. The written opinion of counsel and presentation would be provided at the annual meeting.
- j. Bob Palumbo expressed, not considering the past, but looking to the future is the Ad Hoc Committee proposal legal? There is a need for a solid legal footing.
- k. Tom Lloyd reiterated that there is no need for the special counsel except for the small group's interference and allegations.
- l. Peter Ruggiero stated that SHFD is voting correctly.
- m. Tom Lloyd expressed that so many emails from the small group expressing pressure on the process that the report must be presented to the community for discussion and a vote at the annual meeting.
- n. Bob Palumbo noted that there were approximately 40 people of the Zoom meeting and there must be better representation of the total community to judge the Ad Hoc Committee report.
- o. Glen Berwick said that any information provided to the community is positive.
- p. Tom Lloyd called for a motion to approve engaging outside counsel to review the Shelter Harbor Community voting process past and present is legal.

Motion to grant authority: Marianne Nardone, Jack Waters seconded, vote unanimous to engage outside counsel to study and provide an opinion as to the legality of the Shelter Harbor voting process past and present.

Denise Williams later rescinded her yea vote and replaced it with an abstention.

4. Planning for SHFD Annual Meeting

- a. Key Dates:
 - i. The Clerk read the SHFD 2021 Annual Meeting Calendar & Schedule of Target Dates.
- b. Review Proposed Budget:
 - i. The proposed SHFD budget was reviewed.

5. Denise Williams requested that BOG meeting agenda be provided to the board members on the Monday prior to the meeting. Tom Lloyd indicated this can be accomplished.
6. A date was requested for the July meeting.
7. The clerk read the key dates and information to be transmitted for the annual meeting.
8. The clerk requested that reports be provided by Tuesday before the meeting.

Public Comment/SHFD BOG Response:

1. Dick Ferris referred to his August 4, 2019 email concerning the voter list cleanup.
2. Dick Ferris read a statement/narrative.
3. Gail Mallard expressed confusion about the time line and process for the requested special meeting. Tom Lloyd responded that he is proposing to move the Ad Hoc Committee presentation and vote to the top of the meeting agenda. There is no need for a special meeting.
4. Art Weiner stated that the vote will take place based on the old voting method. He then provided a narrative.
5. Phil Leffert asked why the budget amount for legal fee budget been surpassed? Glen Berwick indicated that the fees from Peter Ruggiero reflect time and effort spent on the voting issue.
6. Al Handel asked why the Ad Hoc Voting Committee meeting has been scheduled after the annual meeting? Tom Lloyd responded [REDACTED]. That is why Shelter Harbor needs to employ the outside counsel.
7. Denise Williams asked if there is a “clean” voter roll?
8. Vivian Duff commented that our community doesn’t like this division. She provided praise to board and moderator for their dealing with the voting issue.

Having no additional Public Comment a motion to adjourn was presented by Jack Waters, Robert Palumbo seconded. The vote to adjourn was unanimous.

Meeting was adjourned at: 11:30 AM