

HLA Board of Governors Meeting Minutes

Monday, October 6, 2022
(Continued) from September 26, 2022

September 26, 2022 meeting called to order 6:39 pm

Board Members in Attendance

Jay Cassella Bob Kiehm Anthony Grandazzo Sheri Berger Heather Edelson

Members in Attendance

13 members in attendance

Approval of previous meeting minutes

A **motion to dispense with the reading of the minutes** was made by Bob Kiehm, and seconded by Heather Edelson; motion passed unanimously.
Bob Kiehm made a **motion to accept the minutes as written**,
Motion seconded by Heather Edelson. Motion passes unanimously.

General discussion

The general discussion was dominated by a few members and consisted of a series of critical comments and questions regarding recent actions of the Board. This quickly devolved into statements that seemed to question the overall competency of the Board. Jay Cassella adjourned* the meeting at approximately 6:55pm, and verbally resigned as President.

***Note: this meeting was not adjourned appropriately*

HLA Board of Governors Meeting Minutes

October 6, 2022 (continued from September 26, 2022)
Meeting called to order at 6:37 pm

Board Members in Attendance

Bob Kiehm Sheri Berger Cindy Porriello Heather Edelson
Llyod Person

Board Members absent

Anthony Grandazzo Laurel Hoynoski

Member in attendance

14 Association Members in attendance

Approval of previous meeting minutes

- A motion was made to **wave the reading of the minutes** for July 2022 Motion to approve by Bob Kiehm seconded by Anthony Grandazzo. Motion passed (unanimous)
- A motion was made to **approve the July 2022 minutes** as written by Sheri Berger seconded by Anthony Grandazzo. Motion Passed (unanimous)

General Discussion -

- President Jay Cassella expressed his deepest **apologies to Joe Muraca** for not allowing him the floor at the July meeting. Mr. Muraca is not a member of the Hidden Lake Association therefore; President Jay was under the wrong impression only members could speak at an HLA meeting.
- President Jay Cassella addressed the Association and Board members present for his **“Heat of the Moment” resignation** as President at the July September meeting. He announced his rescinding of that resignation and apologizes to the members
- President Jay Cassella addresses the Board and the Association Members present in the hopes of **clearing the air regarding the accusations** of wrong doings amongst the board members. President Jay continues to communicate the many rules and regulations the board follow to conduct business. (See Attached)
- Frank Nunes has offered to be considered for the Recording Secretary position.
- Association member Alan Stokke addressed the board with requests.
Address group with name and address
All public welcomed to any meetings and to all documents
Request to adopt Robert Rules (structure at meetings)
Vacancy of secretary
Chairman recognized who has the floor – no interrupting – no debate
Upset for board leaving
- BJ Chotiner – Request for explanation regarding the insurnace
- President Jay explains (see attached)
- President Jay describes many aspects of the board’s duties and responsibilities along with the state statutes followed to assure proper management. (See attached statement)

Treasurers Report- Bob Kiehm

See attached

- Motion to approve made by Cindy Porriello and seconded by Llyod Pearson.
Motion passed. (unanimous)

Tax Collectors Report- Sheri Berger

- 2021 Current Tax: \$60,602.65
Total Current Tax Collected: \$56,750.38
Back Taxes/Interest/Fees Collected: \$560.99
Total Collected: \$57,311.37

September deposits: \$1,288.69
To date 10 properties have not paid.

Septic Report- Anthony Grandazzo

- No report

Road Report- Jay Cassella

- No Report

Lake Report- David Chalifoux

- **See attached report**

Wildlife Management Committee /Beautification Committee - Keha Esposito

- No report – Newsletters available for review

Beautification/events committee – Sandy Kiehm

- See attached report

Bylaw committee - Bob Kiehm

- No report due to lack of majority for committee meeting to conduct business
Alan Howell and Bob Kiehm conducted a workshop instead

Audit committee – Alan Howell

- Developing a process to better understand and undertake the required audit for
The Hidden Lake Association.

Website / Facebook - Jay Cassella / Mary Shea

- All appears to be up to date

Old Business Jay Cassella

- A motion to table the inquiry from **Ray Deluca** to purchase or protect the road in front 32 Meadow Road until the board can gather more information. Motion to tabled by Bob Kiehm and seconded by Heather Edelson. Motion approved. (Unanimous)

New Business Jay Cassella

- The lake committee recommends a **fall draw-down** to all for the cleaning and maintenance of lakefront properties starting October 24th and closing the valve November 20th. The board discussed the time frame and conditions that may disrupt work to be done by members if there is a lengthy rainfall during that time or if the level of drawdown is sufficient. Victoria Nicholson read an email from the Pond & Lake Connection expressing their recommendations for the draw-down. It was suggested that the process should be reviewed at the November 7th meeting to determine whether or not the closing date would need to be extended. Motion was made to accept the draw-down dates and the November 7th review by the board. Motion made by Bob Kiehm 2nd by Sheri Berger. Motion passed (Unanimous)
- The process of reclaiming the sand should coincide with the draw-down. It is recommended to rent a backhoe for this process. Allocating \$1000.00 for backhoe rental to be taken for the budget line item "Beach Maintenance". Motion made by Heather Edelson and seconded by Bob Kiehm. Motion passed (Unanimous)
- A request from the member at 2 Shore drive for an easement to allow for removable rubber mat to be placed on HLA to make a smoother transition to a handicap ramp. The board did not think there was an issue to be discussed

General Discussion

- BJ Chotiner snow removal asked if we are good with snow plowing contract this season? President Jay stated yes but we are still seeking new bids. BJ also asked if there were issues with Cahill Septic and if is the board looking for bids? The answer is yes.
- Victoria Nicholson recommends calling Higganum Septic for a bid
- Alan Stokke recommends the board to look into finding a contractor to reclaim the beach sand instead of using volunteers due to insurance concerns. Alan Stokke advises the board to reach out to our new insurance agent for insurance that may insure our volunteers.
- A request for the board to address the many grievances received. The board is seeking Legal advice before addressing.

Motion to adjourn

- Motion to adjourn made by Lloyd Pearson and seconded by Heather Edelson
Motion approved. Meeting adjourned at 7:55 pm

Budget Report

Hidden Lake Association

Fiscal Year Ending June 30, 2023
For the Month Ending Sept 30, 2022

Funds Source	2022 - 2023	Current Month	Year to Date	Over +
	Current Budget			Under -
	3.4 mils			
Tax Collection	\$59,000.00	\$2,328.69	\$58,351.37	-\$648.63
Interest/Misc.		\$5.23	\$1,051.47	\$1,051.47
Total:	\$59,000.00	\$2,333.92	\$59,402.84	\$402.84

Expenditures:

Admin. Supplies & Expenses	\$6,500.00	\$166.95	\$2,001.20	-\$4,498.80
Beach Maintenance	\$1,500.00		\$0.00	-\$1,500.00
Beautification	\$1,000.00	\$60.00	\$60.00	-\$940.00
Benevolence	\$200.00		\$0.00	-\$200.00
Dam Maintenance	\$2,000.00		\$0.00	-\$2,000.00
Electricity	\$1,000.00	\$82.38	\$240.71	-\$759.29
Insurance & Bonding	\$9,500.00	\$6,726.08	\$6,726.08	-\$2,773.92
Lake Testing	\$1,000.00	\$49.00	\$602.00	-\$398.00
Lake Weed/Debris Removal	\$8,000.00	\$3,800.00	\$3,800.00	-\$4,200.00
Legal	\$1,000.00	\$220.00	\$450.00	-\$550.00
Misc. Expense	\$500.00		\$0.00	-\$500.00
Property Maintenance	\$8,300.00	\$800.00	\$2,770.00	-\$5,530.00
Road Drainage Maint./Improv.	\$4,000.00		\$1,798.48	-\$2,201.52
Road Maint. & Repairs	\$2,000.00		\$0.00	-\$2,000.00
Septic Tank Pumping	\$7,500.00	\$5,040.00	\$5,040.00	-\$2,460.00
Snow Removal and Sanding	\$5,000.00		\$0.00	-\$5,000.00
Total Expenditures:	\$59,000.00	\$16,944.41	\$23,488.47	- \$35,511.53

Bank Balances:

Checking	\$2,038.57	
Savings	\$43,570.03	
Money Market	\$112,305.68	
Total	\$157,914.28	

General Reserved Budget FY 22/23

Funds Source

General Reserve - Money Market Account	\$112,305.68
(as of Sept 25, 2022)	
General Reserve reduction by committed Funds	\$70,000.00
Total Remaining Funds in Reserve:	\$42,305.68

2022 - 2023

Committed
Funds

Current Budget Year to Date

Expenditures:

Dam Repair (Reserve)		\$10,000.00		
Lake Preservation Fund (Reserve)		\$20,000.00		\$40,000.00
Lake Weed/Debris Removal (Reserve)		\$5,000.00		
Miscellaneous BOG (Reserve)		\$5,000.00		
Property Maintenance Additional (Reserve)		\$5,000.00		
Road Chip Seal Fund (Reserve)		\$10,000.00		\$30,000.00
Road Drainage Projects (Reserve)		\$2,000.00		
Total Expenditures:		\$57,000.00	\$0.00	\$70,000.00

Hidden Lake Association Treasurer's Report

TO: Board of Governors – Hidden Lake Association
FROM: Bob Kiehm
SUBJECT: Treasurer’s Report for September 2022
DATE: 09/26/2022

Income for the month of September – \$ 2333.92

Tax Collections – \$1288.69

Other Income (event) – \$1040.00

Interest Income - \$5.23 (Aug Interest)

Expenditures for the month of September were \$16,944.41

\$166.95 under **Admin. Supplies & Expenses** – to Staples for ink

\$60.00 under **Beautification** – to Shoreline Tents and Events for the chair rental for WOW.

\$82.38 under **Electricity** for streetlights.

\$6726.08 under **Insurance** to Marcus Insurance for General Liability Insurance for 22/23 year.

\$49.00 under **Lake Testing** - Eastern Analytical testing of West Cove - E.coli

\$3800 under **Lake Weed/Debris Removal** – to Lake and Pond Connection – lake inspection – no treatment needed - \$2500 for fall treatment of Phragmites. \$220 under **Legal** – to Pullman & Comley - for consultation on “Home Rule” legislation and short-term leasing.

\$800 under **Property Maintenance** – to Northern Remodeling & Property Maintenance – for August mowing.

\$5040 – under **Septic Tank Pumping** – to Cahill Septic Service for pumping 16 properties (\$315 per site).

Banking Balances: Total - \$ 157,914.28

Checking: \$ 2,038.57

Savings: \$ 43,570.03

Money Market \$ 112,305.68

Insurance – to be read during “New Business”

It is the responsibility of the President each year to renew the insurance policies that are in place. This year’s process was met with many challenges. These challenges led to the need to find a new insurance agent as well as a new insurance carrier and with the help of the other board members, these challenges were met.

Prior to the application process, the HLA received of “notice of non-renewal” from the insurance carrier. Apparently, unaware of this notice until August 26th our insurance agent, proceeded to start the process of renewal only to find it necessary to market the policy to other carriers.

The “Notice of non-renewal” of the liability coverage also had an extended expiration date of October 5, 2022. Our liability policy typically expires September 10, 2022.

We finally received a new proposal on August 29th in the amount of \$21,551.84. Our liability insurance premium has never been over \$7,000.00. In an effort to understand the astronomical increase, I started questioning Therese and to conveying my refusal of this new insurance proposal.

At this point, with many conversations between the agent and myself and between Bob and the agent, displayed a lack confidence regarding any information being relayed to us by the agent.

During our conversations, it was discovered that this past year’s coverage only included one beach, not 3 beaches as I indicated on the application. This was a huge mistake on the agency part. The agent could not even tell me the location of the beach that was insured. All of the above information prompted the precautionary response by the Board to close the beaches.

Following the announcement of the beach closures, A past board member who still had the contact information of our previous insurance agent took it upon himself to contact the agency. He was then given unreliable information from Therese Parsons. This led to the believe there was a lapse in our insurance when indeed he was not aware of the “notice of nonrenewal” stating the extended coverage date of October 5th. With that said, I am going to ask that if any member has any question regarding HLA business, allow the Board to reply before taking matters into your own hands.

Once all the information was updated and all three beaches were added, I received a new proposal in the amount of \$40,052.40. This was once again unacceptable; therefore, it was time to move onto a different agency.

With much help from many of the other board members we were able to reach out to Mitch Marcus of the Marcus Agency who were able to find the proper liability insurance coverage for the HLA. The cost of this new policy is slightly higher than our 2021 policy by approx. \$ 130.00 but with a 4-million-dollar policy instead of the previous 3-million-dollar policy. The new policy went into effect on September 22, 2022 which led to no lapse in coverage.

Clearing the air – response to grievances

Over the past few months there have been a handful of association members who feel the Board is not following the rules that govern our community. There has also been talk of the board not being transparent. There has been comments regarding me lying being deceitful to members. Hopefully some of the following explanations will clear the air and create less of a transparency between the board and the association members.

Lack of transparency - to be read during the ending General Discussion after public airing

Accusation regarding the lack of transparency on the part of the Board of Governors have been expressed by three association members. One example of this is the fact that I did not share the sudden resignation of Jim Kearney the Board Secretary. This resignation came immediately following the July meeting. The outburst of a handful of members along with the defensive remarks from board members caused this resignation.

According to the CT state charter: Section 6. Any vacancy occurring in the membership of said board of governors between annual meetings of the association shall be filled by a majority of the remaining members of the board of governors, until the next annual meeting.

Being that the Board is responsible for filling the vacancy and this interim position is not the responsibility of the association members, I did inform the board members immediately. This began the search by board members for an association member to fill the vacancy.

To date, no one has stepped forward to except the position. The board continues to search for a member willing to take the responsibilities of Recording Secretary. Anyone willing be considered for this position can contact me at hlapresident1@gmail.com.

Board quorum - to be read during the ending General Discussion after public airing

In response to an inquiry from an association member regarding the board requirements and a quorum at a board meeting. The HLA is required to have 9 members (not 7 as suggested) that make up the Board of Governors. Section 37 of the HLA by-laws states:

Quorum of the Board shall consist of five members at any of its meetings to transact and put into effect such of its powers as prescribed in the association charter and these bylaws.

My decision to abruptly leave the September meeting left only 4 board members which does not constitute a quorum; therefore, the Board could not conduct business at that particular meeting.

Attorney conversation - to be read during the ending General Discussion after public airing

Another matter in which I would like to clarify with the association members is the concern some have with respect to the Board not following certain procedures. In an effort to clarify these concerns, I would like to share my recent conversation with Adam Cohen, our Attorney. The email conversation I had with Attorney Cohen on September 28th is as follows:

From: Jay Cassella <hlapresident1@gmail.com>

Sent: Wednesday, September 28, 2022 11:53 AM

To: Cohen, Adam J. <ajcohen@pullcom.com>

Cc: Bob Kiehm <cop085@aol.com>; Anthony Grandazzo <a2grand@comcast.net> Subject: State Statutes

Good Day Atty Adam Cohen,

Over the last few months, The Hidden Lake Association Board of Governors has been challenged by a handful of Association members who feel the BOG is not abiding by the CT state statutes that are to be followed for governing our community. These issues are being brought to the attention of the BOG at our monthly meetings which has created a toxic atmosphere and interrupting the productivity of the business at hand.

As a rule, I typically refer to Chapter 99 of the CT state statutes and to the CT FOIA for rules on public information. One of these challengers is referencing the rules that condominium associations follow. One in particular is the Common Interest Ownership Act which I believe you were instrumental in creating along with the "Community Associations Institute".

Can you please elaborate a bit on the actual rules and regulations we should be following so I may share this with our community.

My definition of the HLA has always been a "Special taxing District". I know in the past, you have labeled us as a "state-chartered municipal district". Will you please define our category according to the State of Connecticut.

Jay Cassella / President

Hidden Lake Association

(860) 388-7521

Response from Attorney Cohen

Hi Jay. Hidden Lake Association is a “special taxing district” which was created by a special act of the state legislature. It is governed by most of Chapter 105 of the Connecticut General Statutes except as that chapter conflicts with your special act as it’s been amended, in which case the special act controls.

Because it’s a district, it is also governed by *some* parts of Chapter 99 (only the sections that include taxing districts in their definitions), as well as most sections of FOIA and a number of other laws which govern municipal entities as long as they include districts in their definition’s sections (Except as your special act supersedes them).

Absolutely *no* part of the Common Interest Ownership Act applies to Hidden Lake Association; that law is only for private associations, not municipal entities like districts.

If you tell me the specific laws being brought up to you, I can tell you whether they apply to HLA or not.

Adam

Adam J. Cohen, Esq.

Pullman & Comley LLC

T 203 330 2230 • ajcohen@pullcom.com

Common Interest Ownership Act - Chapter 828

At the September 26th meeting, Karin Bullock and Mary Arnold recited from Ct State Statutes, Chapter 828 which is the “Common Interest Ownership Act”. As stated by our attorney Adam Cohen, we are governed by Chapter 105, Chapter 99 and the Ct Freedom of Information Act. If any member would like to reference certain concerns regarding the manner in which this board governs, please refer to only the statutes and rules that are relevant to the Hidden Lake Association.

9/19/2022

HLA Lake Committee Meeting

Meeting Called 6:35 PM

Members present are in bold:

Sheri Berger, Jay Cassella, Anthony Grandazzo, Victoria Nicholson, James Nicholson, David Chalifoux

Discussion highlights:

Weed Control:

- One new nuisance plant was discovered by the Pond and Lake Connection (PLC)
- North Cove subsurface weeds are very dense
- PLC sprayed for Phragmites (no cattails)
- Contact PLC regarding the subsurface weeds, to be addressed in the spring weed control application Action: David and Jay

Draw Down:

- Lake Committee initial recommendation:
 - Open valve: October 24th
 - Close valve: November 20th
- Depth to lower the water level to will be determined by the PLC, as well as comment on the dates selected above, Action David, Jay
- Beach Maintenance plan is in work (general clean up and drainage clearing)
- Action Jay to email all lakeside property owners for input on maintenance

General:

- Beach signs have been received, installation is TBD
- Fall notice drafted by Jay was reviewed and accepted as is
- Aquatic Ecosystem Research (AER) final report delivery to be status, Action Jay
- Lake Conservation recommendation first draft in work, Action David
- Septic Pumping: determine the cost increase for a 3 year pump out schedule, Action Anthony

Meeting Closed 8:05 PM

Report for Wine on the Water

9/16/2022

Our event held on September 16th was a huge success! We had 50 people in attendance, and many were new neighbors from around the lake. The weather was perfect and so was the evening. We had an array of wonderful new wines to try along with a description of each taught by wine educator and expert Kerry Brash. The food was chosen to pair with the wines and was delicious.

Special thanks go to Heather Edelson and Rich Petruziello our hosts for the evening! Thank you for sharing your beautiful home with us and for donating the tent and all the flowers! We are truly grateful for all that you did to make our event so successful!

Special thanks also go out to our committee who worked for over a month putting together the event.

Sandra Kiehm, Chair

Barbara Delicata

Heather Edelson

Sharon Howel

Laurel Hoynoski

Eleanor Porreillo

Merv Woods

After expenses for the food, wine, soft drinks, chair rentals, and supplies we **netted \$1,107.47!!!!** Thank you all that helped us with our second fund raiser of the year!