

**MINUTES OF THE ANNUAL MEETING OF THE BUTTONWOODS FIRE DISTRICT**  
**June 11, 2013**  
**Buttonwoods Casino**

The 88th Annual Meeting of the Buttonwoods Fire District was called to order at 7:00 p.m. Moderator, Mr. Mark McKenney presided.

Mr. Mark McKenney reminded the group of the ground rules of the Annual Meeting, and that we hold the meeting primarily to establish the budget, but that the discussion of other issues is welcome.

He noted that there were no new members and property owners of the community. He then asked for a moment of silence to remember the neighbors who had passed away in the past week - Ted Almon and Mary McKenney.

**Reading of the Minutes of the 2012 Annual Meeting:**

Mr. Mark McKenney called for a motion to accept the minutes of the previous meeting (2012) that had been available to all taxpayers of the Fire District in advance, and that the reading of the minutes be waived. The reading of the minutes was waived.

Motion to accept amended minutes passed.

**Reports of Buttonwood Fire District Officers**

Mr. Mark McKenney called for the reports of the Officers and Supervisors.

**Treasurer's Report:**

Dave Curry reported that the opening balance was \$150,193. A total of \$246,006 was collected and \$88,885 was disbursed, leaving an ending balance is \$157,121. The Casino Reserve is at \$22,937. The Roads Reserve is at \$26,000. The Landscaping Reserve is at \$4,844 and the Seawall Reserve is at \$57,500. The total unallocated reserve as of May 31, 2013 is \$45,840. Motion passed to accept report as is.

**Tax Assessor's Report:**

Mrs. Karen O'Sullivan noted the Tax Rate determined by the Board of Tax Assessors for 2012/2013 was \$1.14 per \$1,000.00 of real estate.

The Chapel, the Buttonwoods Fire District (BFD), and the Buttonwoods Beach Association (BBA) are exempt from taxation by the BFD. The BFD and the BBA are subject to Warwick City taxes whereas the Chapel is not. With no questions the report was accepted as submitted.

**Tax Collector's Report:**

Mrs. Karen O'Sullivan reported that the total taxes collected through June 10, 2013 were \$95,716. There were \$2,425 in uncollected taxes. With no questions the report was accepted as submitted.

**Auditor's Report:**

Mrs. Patricia McGreen read William Hanley's report. Mr. Hanley reported that he had reviewed the Fire District checking and savings account detail and records associated with these accounts. In his review he found that all expenditures were accounted for with proper documentation. In addition, all transfers between the checking account and the savings account were properly recorded. After no questions there was a motion to adopt the report. The motion was accepted.

**Supervisors' Report:**

Joe Jolls presented his report and highlighted the following:

During the 2012 / 2013 fiscal year the following was accomplished:

- The Casino windows were repaired to make them safe.
- Bowling lane railings were replaced.
- The bathroom renovations were completed.
- Additional storm cleanup of trees and limbs was required.
- The Cage floor support was improved.
- All alarms were inspected.
- Fences around the tennis courts were repaired / replaced.
- Tree upkeep was continued - specifically moth and insect treatments and tree replacement where necessary.
- Some streets were repaved.
- Signs were replaced and potholes were repaired.
- A Point Preservation Committee was established with Carl Baer as chair.
- The Supervisors conducted a review and narrowed down the list of contractors used by the Fire District.
- Work began on the Casino deck to repair loose boards. Painting will follow.
- Broken lights and street lights were replaced.

There remains a to do list:

- Paving, specifically Buttonwoods Avenue
- Drain and catch basin repairs
- Playground maintenance
- Railings on Andrew Comstock
- Speed bump painting

The last four items are included in the budget for the upcoming year.

Norma Jean Bassett asked for further detail on the playground maintenance. Joe noted that the roots are coming through the mulch and that more mulch will be added. Jonathon Platt noted that it will be playground safe.

Merry Sackett noted that the Cooper Avenue railing needed repair. Joe noted that it will be addressed at the end of the month.

The report was accepted as submitted.

## **Reports of BFD Committees**

### **Casino Committee:**

Kathy Falaguerra reported that Mr. Conti will be back as Steward.

Opening Day will be June 24th and the first week includes Art Camp with Katy McGee.

2013 adult activities include the Cocktail Classic, the traditional 4<sup>th</sup> of July parade and field games, Sunsets on the Sea Wall, Bowling and Beers, the Steak Fry and a Ladies Night out event. Two exercise groups have continued to meet on the Casino grounds. Children's activities will include bowling, tennis, and arts and crafts. The Casino has been booked for many summer parties - the contact is Jeanne Pass. Casino rental fees have been earmarked to purchase 100 more chairs and 4 round tables with storage units.

New members of the Casino Committee are welcome and volunteers are always needed for events.

The report of the Casino Committee was accepted.

### **Tennis Committee:**

Ken Steinkamp reported that the courts are open and active with an organized group on Saturday morning and round robin play on Sunday mornings. The hard courts are in tough shape and the committee is pursuing a solution. One court will be fixed using approximately \$1,000 of the \$2,054 in the bank account. The second court needs a lot of work. The committee endorsed the planned tennis camp.

### Point Protection Committee:

Carl Baer reported that the committee met with representatives from Save the Bay and Coastal Resources Management Council (CRMC). While the original charge of the committee was to investigate preservation of the Point there was also discussion concerning the Greenwich Bay shoreline.

Point Preservation / Preservation: The general opinion of Save the Bay and CRMC was that the Point erosion is natural and will continue, especially considering the future expected rise in sea level. The only way to preserve the Point would be to truck in material. This would require a plan subject to CRMC approval. It would also be very expensive but would be cheaper to truck in new material than to use dredged material. Beach grass does help to slow down erosion and should be protected. Removal of the remains of the wooden sea wall would probably lead to a sandy beach, at low tide, on the Greenwich Bay side of the Point.

Storage of boat on the Point, while it does damage local grass beneath the boats, is not a factor relating to erosion of the Point if they are stored well above the high tide line. CRMC would probably look favorably on the construction of a neighborhood dock or ramp for small boats (kayaks, dinghies, canoes, etc.) as it would benefit a large number of residents. Individual docks are more difficult to get approved.

Greenwich Bay Shoreline: The beach area near the corner of Cooper and Promenade, 231 Promenade was discussed. If, in the future, this beach was subject to significant erosion the trucking in of material would probably be allowed by the CRMC. Bulldozing of material onto the beach would definitely not be allowed. Hydraulic pumping of material may be allowed but would be very expensive. Planting more beach grass was not recommended.

The erosion behind certain areas of the sea wall was noted. Many of the more recent sea walls were constructed based on a plan approved by the CRMC, which requires a ratio of 1.5 / 1 width to height. Many of the sea walls were built with a lower ratio, presumably to save more lawn area. The lower ratio sea walls lead to greater erosion.

Save the Bay also recommended a buffer of switchgrass / golden rod, etc. (weeds) in a no mow zone at the top of seawalls to help with storm runoff. Save the Bay also prefers to see a buffer zone with a swale and area of crushed rock at the end of streets perpendicular to the shoreline, as opposed to storm drains.

Recommendation: The committee recommended that the BFD be more proactive in protecting the grassy areas of the Point, especially during times of heavy use. The July 4th bonfire should not be located where it could impact the grass and it should be ensured that no one walks or takes carts onto the grass. The BFD might consider a permanent "keep off the grass" sign and roping off the areas for July 4th.

Other possible recommendations: Investigate the status of the old fresh water line at the Point. Explore the funding of a boat rack, dock or ramp. Investigate the cost of trucking material onto the Point.

The report was accepted as submitted.

### Reports of Other Community Committees (non BFD)

#### Buttonwood Beach Association – Susan Martins Phipps:

Susan read the letter from the BBA Board that was delivered to all residents annually. Copies of the letter were available to all at the meeting. She reminded the group that the BBA is a corporation created by the founders of Buttonwoods in 1872. The purpose was to sell land, develop streets, and to maintain and preserve the community held land for the enjoyment of all residents. The BBA also owns all the streets as well as the undeveloped land throughout Buttonwoods.

In light of this responsibility the BBA has made known to the community its intent to see that such land is protected. In order to do so, the Association has been advised that it must preserve its rights as the owners of the property. Failing to do so could result in the loss of BBA land, now often used by many people, to individuals. Failure to act could jeopardize the private nature of Buttonwoods.

While anyone can understand a property owner taking steps to protect rights to their land, the BBA faces a more sensitive task. First, many people don't understand the BBA or its role. Second, Association property has often

been used by abutting land owners without any thought for the BBA's rights. Without a survey many don't know what land they own. Often, the lands is used and frequently landscaped and improved. There is no ill intent; however, it is not that person's land. Third, generally the adjoining landowners are not only neighbors but also friends. No one wants to confront a friend on such issues, even when it's the right thing to do.

The letter reminds residents that property owners are required to contact the Association and request permission to make improvements or otherwise alter BBA land. Specifically, the policy is that, whenever an abutting land owner wishes to use BBA land, the Association must be contacted for permission. These instances include construction or removal of structures or barriers, re-grading and water dispersion, landscape improvements, lawn maintenance, tree removal, or other usage. In these instances, the abutting landowner must acknowledge that:

- The use of the property does not constitute a change in ownership; the BBA continues to own the property
- The BBA retains its right to use the property in the future
- The abutting landowner may be required to remove any improvement and/or restore the property to its original condition
- The abutting land-owner may have to comply with municipal requirements such as requirements for sewer installation
- The abutting landowner will hold the BBA harmless from any liability, damages and legal fees related thereto, arising from any conditions involving the subject the property
- The abutting landowner will maintain insurance coverage on the property, naming the BBA as an additional insured.

The Association is taking the same steps as would any other land owner. It is perhaps even more important that the BBA do so, as it seeks to protect the private nature of the area, and to ensure the property that could be used by so many does not become the property of any one individual.

With no questions the report was accepted as presented.

### **Buttonwood Chapel Committee**

Claire Flaherty reminded the group that the Chapel is a community resource. Many events are religious in nature but the Chapel also hosts the Annual Egg Hunt and Christmas / Hanukah Service. One wedding is planned thus far for the 2013 season.

No tax dollars are received by the Chapel, which means it operates on residents donations. Insurance and maintenance are costly. Claire thanked the residents for their generosity last year and reminded the group that the committee will again conducted the annual appeal again this year.

**Reading of Communications:** - There were no communications in 2012 / 2013.

**Unfinished Business:** None

**New Business:**

### **Budget Presentation and Acceptance Resolution 2013 - 2014**

Mrs. Kathy Baer began by thanking Joe Jolls for his service as a supervisor over the last 3 years.

Kathy then presented the 2013 budget and resolution, which called for a total budget of \$103,510, up 6% versus the prior year. The majority of the proposed budgets were consistent with 2012-2013 levels with a couple of exceptions. Fire / Liability Insurance was increased. The former insurance carrier dropped the BFD following a change in their model. Three bids were reviewed and the middle one chosen. The Legal and Accounting budget was increased to cover anticipated legal expenses related to a property dispute. The budget of \$4,500 represented 50% of the estimate received from the BFD attorneys. If this figure is exceeded the supervisors will discuss the use of other resources. The Paving and Engineering budget was reduced assuming lower expenses if Buttonwoods Avenue is repaved.

The proposal to repave Buttonwoods Avenue from the neighborhood entrance to Cooper Avenue was discussed. Two estimates were reviewed. One estimate assumed chip sealing, which is the process used in the past as part of the BFD 7 year road maintenance plan. Few paving companies use this process but the cost of the chip sealing and repairs would total \$25,000 - \$30,000 for a 7 year fix. The second estimate, which assumes a total repaving, equates to \$50,000 to \$60,000 but would likely result in a 15 year life.

To pay for the paving the Supervisors assumed that the \$26,000 in Road Reserves would be used. The remainder of the money would come from Unallocated Reserves, which are close to \$46,000. As such, not all of the Unallocated Reserves would be spent.

The use of permanent and portable rubber speed bumps was discussed as some residents were concerned that improving the road quality might lead to additional speeding and potential drag racing as was done many years ago.

Doug Rademacher proposed waiting a couple of years to preserve financial resources. Jonathon Pratt noted that the cracking was severe and road inclines were inconsistent and that these issues would only increase following another winter.

Ron Phipps asked about the reliability of the \$56,000 estimate and also noted that he was in favor of the plan. Jonathon Pratt explained that the cost will exceed \$100,000 if we delay too long and have to tear up the entire stretch due to further decay. Ron Marsella noted a similar experience in Florida where repairs were delayed too long and the resulting project was very expensive.

Peter Dorsey disagreed, proposing that the Supervisors progress more slowly, but not to the point of detrimental deterioration. He expressed concern about the risk of unplanned hurricane expenses.

Karl Baer was in favor of the plan noting that freezing and thawing leads to rapid deterioration. Assuming a 15 year life the proposed plan amounts to a \$3,000 annual amortization. This amount will be higher if the plan is delayed.

Bill McGillivray was in favor noting that the roads are in better shape in other areas of the neighborhood where the roads were repaired following the sewer implementation.

Dave Falaguerra was not in favor. He would prefer to see the roads repaired but not repaved, which he believes would facilitate faster driving.

Ron Marsella commented that he doesn't view it as an issue about smooth roads but that it is prudent to invest to maintain the conditions. Delays result in further deterioration and much higher expenses. He noted that this would be an appropriate use of the reserves but did agree with Peter Dorsey that we need more reserves for unplanned tree and landscape issues.

There was additional discussion around puddles, absorption and drainage following the sewers and the resulting inadequate engineering. Joe Jolls noted that we will have to spend some money on catch basins and drainage at some point but that was not part of the proposed paving budget.

Mark McKenney noted that the Board was proposing the use of \$23,500 in Unallocated Reserves, \$26,000 in Road Reserves, and \$6,500 in the budget for a total of \$56,000 for the project. Adding a 10% contingency reserve (from Unallocated Reserves) would equate to a project total budget of \$60,000. The proposal was approved.

Returning to the original budget proposal of \$103,510, Mark McKenney asked if there was any further discussion. Kathy Baer noted that it's a best estimate of taxes and would be an increase of approximately 5%.

Kathy reminded the group that the attorney's estimate was between \$9,000 and \$9,500, which is higher than the proposed budget. If the fees are closer to the attorney's estimate the funds will be taken from other areas of the budget. Ron Marsella made a motion to increase the legal budget to \$9,000. The motion was approved.

The total budget, which was increased to \$108,010, was voted on, and accepted.

### Budget Acceptance and Resolution:

Three resolutions were read by Mrs. Karen O'Sullivan - Budget Appropriation Resolution for \$108,010, Tax Resolution and the Tax Anticipation Borrowing Resolution - not to exceed \$20,000 (authorization for Treasurer to borrow funds).

All three resolutions were approved.

### Report of the Nominating Committee – Dave Trembley:

The following names are hereby placed in nomination for the offices and terms stated:

For Supervisor, for a three year term, from this date to the BFD annual meeting in June, 2016 – Mr. JD Plummer.

For one year terms, from this date to the BFD annual meeting in 2014:

For Moderator – Mr. Mark McKenney

For Clerk – Mrs. Patricia Wegrzyn McGreen

For Treasurer – Mr. David Curry

For Tax Assessors – Ms. Feline Frink, Mrs. Deb Taylor, Mr. Steven Marcks

For Tax Collector – Ms. Feline Frink

For Auditor – Mr. William Henn

Motion to accept the proposed slate was made and accepted.

Mr. Joe Jolls will chair the Nominating Committee for 2014.

### Election of Officers and Supervisors: Mark McKenney

A motion to elect the slate, as presented, was made and seconded. The motion passed and the Clerk cast a single ballot for the slate.

Board of Supervisors for the coming year:

Mrs. Kathy Baer – Sr. Supervisor

Mr. Jonathon Pratt – Supervisor

Mr. JD Plummer - New Supervisor

### Ratification of Acts of Officers and Supervisors:

The ratification of the acts of the officers was passed.

### Miscellaneous New Business:

None

### Call for Adjournment

Motion to adjourn accepted. The meeting adjourned at 8:25pm.

Respectfully submitted,

Patricia Wegrzyn McGreen