

**POINT O'WOODS
BOARD OF GOVERNORS MEETING
July 28, 2015 6:30-9:00 PM
Old Lyme Library**

Type of Meeting: Regular

Secretary: Jean M. Smith

Attendees: Carl Filios, Wayne Buchanan, Jennifer Reyes, Pete Roberge, Faith Weiss, Beth Kelly, Mike D'Aquila, Fred Callahan, Bud Phelps, Roy Johnson

Guest: Attorney Londegren

Carl Filios called the meeting to order at 6:31 PM.

Citizen Speak:

Carl Filios reiterated the ground rules – 3 minutes per speaker and if a topic already addressed just state agreement with previous speaker.

Randy McHugh, 32 Seaview Rd, described a dead tree problem and water run-off problem at his property. He is uncertain if the tree is on his property or Point O'Woods property. Water on the street does not run to the catch basin but down into his yard. Mike D'Aquila will look at both situations and recommend action to the board. Mr. D'Aquila will also

Richard Burlingham, 16 Walnut Rd, pointed out that the seaweed in Anderson Park from last year was still in the park. Bud Phelps commented that the maintenance people had started to clean up the park but were delayed by other activities that needed more immediate attention. The seaweed would be addressed soon.

Ken Robert, 5 Stanhope Rd, read a statement describing stones in the parking lot that make using it for events and foot traffic troublesome. He suggested the board look into a different, permeable surface that would improve and even increase the use of the area.

Shelagh Smith, 12 Champion Rd, read a statement regarding a letter of concern she had sent to the board and would like the board to address. She requested the board address unregistered motor scooters and stress that they are subject to the same rules, ordinances and fines as motor vehicles. She also described golf carts often driven by teenagers ignoring the ordinances. She asked the board if Point O'Woods has an employee code of conduct and if employees are expected to adhere to it. Fred Callahan replied that the State of CT doesn't register moped scooters and Association discontinued stickers since they weren't readily visible. He didn't believe there was an employee code of conduct.

Tammy Ward, 35 Massachusetts Rd, expressed concern that teenagers are being hounded at the pavilion after the lights go off and at the beach by security. She asked that lights be on until 11:00 PM.

Kristen Adieri, 30 Massachusetts Rd, asked the board to consider the use of Anderson Park for storage of boats, trailers, cars, etc. She also distributed documents from CT Boating Regulations and USCG defining a vessel. Her interpretation is that a paddleboard is not a vessel and feels they should be allowed in the swim area. On another topic, she stated that 80 spots were allotted for boat

storage on the beach, she recently counted 55. She suggested allowing free storage to as many as wanted and if it became excessive, re-establish constraints.

Approve Agenda: Carl Filios asked to add a topics: Decorum when addressing security, board members and others; Johnson's appeal of the gate removal request; and Access to the beach on Seaview. Wayne Buchanan requested additions of Pavilion and boardwalk lights and Anderson Park Storage. Bud Phelps stated that a survey a few years ago about use of Anderson Park did not produce anything meaningful. The secretary read from the minutes of 5-26-15 that the use of the park for storage was too burdensome for maintenance. Beth Kelly requested Correspondence be on this and all future agendas and Attorney presence at meetings. Agenda approved as amended.

Secretary's Report: Mike D'Aquila motioned to approve the minutes, Beth Kelly seconded the motion, motioned carried.

Treasurer's Report: Roy Johnson distributed preliminary 2014-2015 year end financial reports with the final expected in August and the audit to start in September. All Commissioners managed their budgets well and are under. For the year we come in about \$86,000 under plan, with about \$500,000 in the bank of which \$140,810 is designated as capital budget for future capital expenses. Beth Kelly motioned to accept the Treasurers report, Bud Phelps seconded, motion carried. The Old Lyme stipend will go down to \$13,500. Fred Callahan will follow up with the town finance department to ensure we get this.

GUEST DISCUSSION

Representatives from the Hatchett's Beach association addressed the board regarding escalating problems of litter, underage drinking, fires, vandalism, loud parties, camping, etc. on their beach association property adjacent to Point O'Woods. The few are ruining it for all. They described their association as being similar to Point O'Woods, as private property with rules very much like ours. They said they wanted to be good neighbors and allow use of the property for reasonable and respectful activities. They are working with the CT state police on ways to correct the situation. They requested that Point O'Woods inform our property owners of their concerns and request cooperation. Carl Filios stated that we have several communications vehicles like the website, WAVE, President's Corner and mailings where we can inform our residents.

DECORUM

Carl Filios informed the board that some residents, when addressing security guards, board members and others have been rude, disrespectful and needs to change.

REVIEW OF OPEN BUSINESS

Gates along the walkway: Letters were sent to the Johnsons and Arons to remove gates along the walkway aside the Three Mile River. One gate has been removed and the Johnsons have appealed. Faith Weiss will put together an appeal committee to review it and report back to the board

Rights of Way: In response to an email about the small beach next to the Seaview right-of-way, Faith Weiss circulated a map of the property, which showed that a portion of the beach belongs to the property owner. From his research at the town hall, Carl Filios presented 3 maps from Old Lyme town records dating back to 1911 and demonstrating the property ownership progression and rights-

of-way on Hillcrest around the point and the Three Mile River. He concluded that Point O'Woods doesn't own the walkway along the river in front of the Shesler, Johnson, Aron properties. The deeds say the walkway must be open and accessible to the property owners so that any blockage is not a Point O'Woods Association issue. Wayne Buchanan asked if a fire lane could be established. Faith Weiss reported that the Fire Marshall stated that fire lanes are established by Point O'Woods for public safety but it is unclear if The Association can establish a fire lane on private property. Attorney Londregan will research this.

Tree Removal: Wayne Buchanan, reported that the subject tree at 76 Hillcrest Rd, is on Point O'Woods property and needs to be scheduled for removal after Labor Day. Bud Phelps will ask Rick Frascarelli to get 3 bids. Beth Kelly reported that Eversource will take down a tree on Hough Rd. Carl Filios reported that had heard that Eversource has requested that the Association trim a lot of trees this fall. Bud Phelps confirmed that Eversource says that Point O'Woods is responsible for tree trimming and removal to accommodate the power lines.

Ice Cream Truck: Beth Kelly reported that the Italian Ice vendor would be here on weekends for short periods of time. Both vendors have paid their fees.

NEW BUSINESS

Database Demonstration: Postponed in the interest of time.

Attorney Presence at BOG Meetings: Beth Kelly moved that an attorney from J. Londregan, Conway, Londregan, Sheehan & Monaco be present at BOG meetings May-September when the most legal issues arise. Faith Weiss seconded and the motion carried.

Pavilion and Boardwalk Use: In response to a resident's request for a place for the kids to gather at night, Beth Kelly reported that in the past the basketball and tennis court lights have gone off at 10:00 PM. Pavilion lights are not on a timer. Bud Phelps suggested the tennis court lights go off earlier than basketball court since it is rarely used that late and they are brighter. Beth Kelly made a motion to leave the tennis and basketball lights on until 10:30 PM Friday and Saturday night and pavilion lights on until 11:00 all nights, Wayne Buchanan seconded. After discussion about the timing, using timers and sensors the motion was amended to: The tennis and Basketball court lights be on until 10:30 PM Friday and Saturday night and pavilion lights on until midnight all nights. Vote taken, passed unanimously.

Anderson Park: Bud Phelps will follow up on Anderson Park cleanup and report in August and review use of the park then.

Correspondence: Correspondence will be on all future agendas as a standard item

DEEP Regulations at Beach: Fred Callahan reported that it has been difficult for security to enforce the paddleboard regulation from the shore. Carl Filios reported that he met with environmental authorities and found that there are USCG and CT state regulations. He was told that if standing on paddleboard it is a vessel, you must have a life jacket on board and can't be operated in a swim area. Carl Filios identified 2 areas to look into: 1) Does a paddleboard fit the definition of something that doesn't belong in a swim area, and 2) If it does how should we handle it. Carl Filios will clarify the

regulations with the Old Lyme police to learn how they are treating the situation so we may better determine what can be enforced.

Delinquent Property Tax: Roy Johnson reported that there are 4 properties in delinquency for a total of \$5,000. Two of these properties are for sale. Fred Callahan motioned that a lien be placed on the property nearing 2 years in delinquency, Bud Phelps seconded, vote taken and the motion carried. Fred Callahan moved that we place liens on delinquent properties when they are delinquent for 10 months, Pete Roberge seconded. Discussion ensued about the best time to file liens. Atty. Londregan said that the lien process would cost about \$150 and liens are good for 15 years. He will process the lien on the property that is 2 years delinquent by 7/31/15. Fred Callahan amended the motion to: placing liens on delinquencies at 15 months, Faith Weiss seconded, vote taken and the motion carried.

Fishing Channel Ordinance Nuisance: Faith Weiss met with the committee assigned to this topic, the nuisance ordinance Section 10 did not pass at the annual meeting. She reported that we do not have an enforceable ordinance in place. Attorney Londregan will write a letter to Donna Johnson, the resident who brought this to the board's attention, stating that on advice of council we will cannot enforce the existing ordinance. Faith Weiss recommended we install a ladder at the concrete platform on the Three Mile River.

Parking on Hillcrest: Carl Filios stated that residents near the point on Hillcrest Rd have been given permission to park on the road along their property. A resident reported a boat being parked there. Fred Callahan stated that there was no specific definition of what could be parked. Concerns for safe passage of emergency vehicles was discussed.

WPCA Board: Bud Phelps motioned that Bill Griffin and Willie Czystakow be appointed to the Point O'Woods WPCA for 3-year terms ending June 2018, Fred Callahan seconded, vote taken and motion carried.

Commissioner Reports: Fred Callahan reported that a citizen sent an email expressing concern about guards stopping cars at the gate. He felt it was not happening as expected. Mr Callahan checked the guard records for July and over 2,000 cars had been stopped and destination recorded. He said that as guards get familiar with residents, they don't stop them. He reported that guards were on duty at the gate until 11:00 PM Sunday through Wednesday and until midnight Thursday through Saturday.

Fred Callahan stated that due to the reduced population the last 2 weeks of August, he is considering releasing the guards weekdays but keeping them weekends. Carl Filios advised Fred Callahan to use his best judgment and do what he thought best.

Wayne Buchanan reported that he has submitted a plan for the Board Secretary: 30 hours for the Annual Call, 12 hours a month when there are meetings and 5 hours a month when no meeting.

At 9:57 PM Mike D'Aquila motioned to adjourn, Beth Kelly seconded and motion carried.

Respectfully submitted, Jean M. Smith