

**Point O'Woods Beach Association
Regular Board Meeting
November 16, 2007—7:00 P.M.
Phoebe Griffin Noyes Library
Old Lyme, CT 06371**

Meeting was called to order at 7:10 p.m. by President Laura Nalesnik.

Members Present: Laura Nalesnik, Beth Kelly, Kathy McKeough, Mark Peterson, Harry Ritson, Mark Stankiewicz, Brian O'Brien, Fred Callahan. Absent: Bill Lacy.

Laura Nalesnik reviewed the meeting agenda, requesting time to consider appointing a replacement for Karen Rubano as the Secretary for the POW Association. The proposed agenda was accepted as revised.

Citizen Speak: Mary Lennon of 48 Ridgewood Road asked if her property is included in the drainage plan. Mark Stankiewicz said that it is, as long as the DEP approves the plan.

Jack Gibson of 45 Connecticut Road expressed thanks to the Board for the survey that was sent. He hopes the WPCA will consider what the community says.

Richard Burlingham of 16 Walnut Road raised an issue about parking on POW property. He said that cars in the road are creating a problem for Jeff when he is trying to get through there. There was also some discussion about a fence that has re-appeared on Connecticut Road.

Eleanor Bonafonte of 10 Hough Road asked if Jeff could take care of the leaves in the Right-of-Ways. She said it's not good walking with all the leaves. The issue of leaf removal was discussed, as it is a new development that the Old Lyme dump turns away leaves carried by commercial vehicles.

Kathy Aldridge of 70 Seaview Road asked about the Right-of-Way over the boat basin, which seems to be in terrible shape. Mark Stankiewicz said they are looking at a TREX solution, and might close the ROW temporarily until the repairs are complete.

Mary Berry of 67 Connecticut Road asked for clarification about which ROW was being discussed. She also felt that signage there was clear, but that other ROWs are lost and should be marked clearly as ROWs.

Charlie Cipolla of 50 Connecticut Road asked if anybody could use the ROWs or just residents of POW. Laura said it was her understanding that the ROWs are open to all, without regard to resident status. She will check into this to be sure.

Susan Bookman of 12 Oak Road was concerned that the survey questions may have been too black-and-white, stating that many people felt it shouldn't be one way or the other. She hopes the WPCA will take POW's voice into consideration and that the comments, as well as the tabulated results, will be included in their review.

Marianne Fitch of 71 Hillcrest Road asked why there had not been an option that combined the methods. Laura explained that falls under the auspices of the WPCA itself – they are going to look at all possibilities and determine the best method (or combination of methods).

Kathy Aldridge of 70 Seaview Road commented about the survey and said that flow and usage are the same, and that the flat rate is implemented without regard to usage -- yet, in the assessment question of the survey, there is no mention of usage. Laura said the board decided to send out the surveys because the WPCA, at its October joint meeting with the BOG, said it didn't intend to hold a public hearing, the BOG wants to ensure that the POW community is given a voice, and hoped the WPCA would take the results into consideration. Counsel said we need three public hearings, not just one, but the WPCA doesn't agree. This issue is still not resolved.

There being no further questions or comments from the community, President Laura Nalesnik closed the session on Citizen Speak and moved to the next agenda item.

Women's Club: Tammy Ward was not present, so there was no report from the Women's Club, and the Board moved to the next agenda item.

Correspondence Update: There was a lot of response to the newsletter, including some helpful guidance regarding the Stanhope beach area. A letter was received expressing concerns about debris at 14 Seaview Road. Laura

Nalesnik had alerted Brian prior to the meeting, and had taken care of it. There was also an anonymous note about fences that are now visible because the leaves are down. Kathy McKeough received a request from the owner at 55 Hillcrest for a gate leading out to the landing area by the channel. Last but not least, POW received a letter of from Jim Matern, POW's attorney for almost three decades, stating that he had resigned from the WPCA and felt it was inappropriate for him to remain on as counsel for the Board. Laura sent a letter thanking him for his service, but has not spoken with him directly. For the record, Mark Peterson said that e-mails had been sent to Jim but no response had been received. Laura Nalesnik asked for a motion to accept Jim's resignation. Motion to accept resignation of Jim Matern, with regret, made by H. Ritson. Seconded by M. Peterson. Voted unanimously.

Next was the matter of tabulating the surveys that have been returned with an excellent rate of response. After approving a process suggested by the President Laura Nalesnik, Board members worked in teams with members of the community to count and verify the responses. The non-binding results of this tabulation were a total of 320 returns, which is roughly a 75% yield. To the three questions posed on the survey, the preliminary totals were as follows:

Question Yes No
#1 126 197
#2 196 137
#3 117 202

There were comments written on a lot of the surveys, including one taking issue with the wording of Question #3 in light of communication received from RFP Engineering saying the connection from the road to the grinder pump had already been decided by the WPCA to be included in the overall project. Laura said that all this information will be given to the WPCA, in hopes they will consider the community's voice in their deliberations.

Nomination: On the matter of replacing legal counsel, Laura Nalesnik summarized the credentials of Attorney Thomas McGarry and also reviewed his extensive experience as counsel for Rogers Lake and the towns of Waterford, Groton, and New London. It was decided he should be hired to replace Jim Matern on an interim basis, at least until the end of the fiscal year in June. Motion to hire Tom McGarry as interim counsel for POW through June made by M. Peterson. Seconded by M. Stankiewicz. Voted unanimously.

On the matter of a Secretary appointment, Laura Nalesnik presented information concerning her two top candidates. Following discussion, a motion to hire Mary Ann Ruud was made by F. Callahan and seconded by B. Kelly. Voted unanimously.

Secretary's Report: There was some revision to the minutes of the October 19th meeting, which were then approved as revised. Motion to accept the minutes as revised made by H. Ritson, seconded by B. Kelly. Voted unanimously.

Treasurer's Report: Mark Peterson reviewed the status of POW accounts at Merrill Lynch and Bank of America and invited feedback and suggestions. One member wanted to be sure that maintenance projects would not be deferred, and all agreed that the time spent developing and finalizing POW's new line-item budget will maximize the Board's stewardship and oversight. Motion to approve the Treasurer's Report as given made by H. Ritson. Seconded by B. Kelly. Approved unanimously.

Commissioners Reports:

Communications: Laura Nalesnik reported that there have been so many recent difficulties with the POW website, she is considering switching companies. As for the WPCA, she says POW is making progress and improving communications, but there are still some differences. Three issues with the WPCA are: (1) the matter of public hearings – whether or not they are required; (2) the lack of background information provided to the board, which is not yet comprehensive or complete; and (3) the issue of improper processing of state transfer payments by the WPCA. The suggestion by the WPCA to have the BOG authorize the President to have Kathy Aldridge act as her agent with signing authority for state transfers could not be resolved because the BOG, and its new counsel, needs more information. It will be put on the Dec. 7 agenda.

Boat Basin: Harry Ritson says that the cut-off date for applications was yesterday (11/15/07) by which time, 33 had applied, but 15 had not re-applied. Harry expects these 15 to come to the Board at some point regarding the

deadline they have missed. He expects the season will end up with 38 on the list (33 re-applying and 5 new applications). He has collected \$7,000 to date and estimates the total income will be \$42,000 as it has been in the past. Harry also pointed out the difficulties of designing a better system – that most other plans they have considered result in fewer slips.

Grounds/Maintenance: Brian O'Brien discussed the fact that the Old Lyme dump is turning away commercial vehicles carrying leaves. Two loads have been taken to Middletown, which is untenable in cost and time. Mark Stankiewicz will see Michael Needling on this. There were some questions regarding the Right-of-Way on Seaview Road. Brian explained the challenges of addressing the safety issues caused by steep pitch and, at the same time, keeping costs within reason. Mark Stankiewicz would follow up on looking into the pitch of the stairs.

Ordinance: Kathy McKeough received a couple of letters – one from Maria Tyler of 27 Seaview Road requesting patience from the Board with pumping because her construction plans are still pending; another was from Bill Thompson regarding tests that have been completed on his cesspool. A letter will be coming to the Board from the State-licensed firm that did the testing, stating that everything is working fine, and that there is no problem. Beth Kelly inquired if he had pumped his septic, because that's what the ordinance requires. Kathy responded that she didn't know what the letter said yet but she would give a report at the next meeting. On the effort to collect parking fines, Kathy mentioned the need for a better system, possibly including sticker holders' information in an improved POW data base. Kathy also brought a written recommendation on the fence ordinance, which she distributed for review and discussion at the next meeting.

Recreation: Beth Kelly said she had nothing to report.

Roads: Mark Stankiewicz said everything is in the works.

Security: Bill Lacy was not present, so there was no report.

Federation Report: Fred Callahan had nothing to report.

WPCA: Kathy McKeough gave the dates of the next WPCA meetings as November 30 and December 14. At both, the topic of discussion will be appraisals. There was extensive discussion regarding the statutes affecting this process, including the need to consider alternative options if POW cannot reach an agreement with East Lyme for pumping into their treatment plant. Kathy will soon have a full report from the WPCA meeting.

Long-Range Planning: Mark Peterson said there is nothing to report, except to let everyone know that they need another member. Beth Kelly volunteered immediately to fill that spot and was welcomed gladly.

Unfinished Business: Laura mentioned receiving complaints of difficulties with the WPCA website link – including the need for a password to link into the POW website. Kathy Aldridge said that feature is in the process of being removed, as are other features that seem unhelpful.

There was some discussion of Boat Basin eligibility requirements, with some members suggesting term limits as a way to ensure fairness in obtaining slips. Harry Ritson is exploring how this issue might be handled and will bring whatever information he finds back to the Board.

New Business: There being no further business, the meeting was adjourned at 11:10 p.m.

Respectfully submitted,
Whitney Moore, Secretary