

**Point O'Woods Beach Association
Regular Board Meeting
June 15th, 2007—7:30 P.M.
Old Lyme Public Library
Old Lyme, CT 06371**

Meeting was called to order at 7:30 p.m. by President Laura Nalesnik.

Members Present: Laura Nalesnik, Michelle Daly, Beth Kelly, Brian O'Brien, Mark Stankiewicz, Mark Peterson, Harry Ritson

Laura inquired if anyone had anything they would like to change or add to the agenda. She had one addition and requested a motion to add the appointment of Counsel under unfinished business. **Motion** was made by **Mark Stankiewicz** and seconded by **Brian O'Brien**. So voted. Vote was unanimous. Agenda was approved as changed.

Citizen Speak: **Richard Burlingham** of Walnut Road addressed the issue that the Association was spending a great deal of money on the tennis courts. The courts are not yet finished and kids are in there playing baseball. He wondered if the courts should not be chained up. He also stated that the lights on the tennis court are on all night. **Beth Kelly** responded that at this point in the construction the children are not hurting the court. Locks were scheduled to be put up by Saturday. Beth said she is not responsible for the lights. The lights are on a timer and set to accommodate tennis playing at night. Once the courts are ready to go, people will be using them later at night and the lights will need to be on.

Jack Gibson of Connecticut Road wanted to know if there were going to be another layer of something put on the court. He has noticed that following a rain, there are puddles on the court. **Beth** replied that this is not really water but oil leaking through the sealer. Once the court has been re-sealed, graded to make the surface even and smooth, and painted, this will no longer happen. There had been a couple of small puddles which Beth had spoken with Sullivan Paving about and these areas have been addressed. Of course, when it rains the courts will get wet.

Women's Club: No report.

Correspondence: **Laura Nalesnik** reported that she had received information which she had passed onto **Mark Stankiewicz** about the drainage problem in the parking lot and some work that was done there.

Laura also received a letter from **Robert Cassidy** thanking the Board for all the work the members have done.

An early request has been received from **Pat DeVivo** of 92 Hillcrest Road. She is attempting to replace the steps going into her house. The contractor, Al Paladino, is unable to get the materials he needs before the hammer law goes into affect. Laura tried to call the contractor, to find out the complete story but was unable to get him. She will try to call him again. **Beth Kelly** inquired as to how much extra time would be required. Laura stated that without talking directly to the contractor, she did not know since the letter from Pat Devivo was very brief and lacking a telephone number.

Everyone on the Board has received a letter from **Sally Scully** of 11 Shore Acres Road. She had concerns about golf cart parking, volleyball playing on the beach, a beach rake, and the stairs on Champion Road. **Laura Nalesnik** said she had responded to Ms. Sculley's concerns saying that many of her issues had been addressed this spring and her remaining suggestions would be taken into consideration.

Secretary's Report: After a discussion of the May 18, 2007 minutes and corrections made, **amotion** was made by **Mark Stankiewicz** and seconded by **Beth Kelly** to accept the minutes as corrected. So voted. Vote was unanimous.

Treasurer's Report: **Mark Peterson** distributed copies of the year-to-date May statement. He apologized that they were not very meaningful because they do not compare to last year's budget. The surplus on hand for this year has been reduced by \$4,272. Mark had anticipated that it would go down by a lot more so this was good news. Part of the reason it did not go down more is that Mark had reversed part of the \$7,152 of Accounts Payable that had been recorded as an expense in the prior year. Without that, the loss would have been \$11,400.00. There will be several bills to be paid in the month of June so the surplus funds will decrease significantly. Mark also distributed statements showing the accounts for the month of May. In the future, Mark will distribute statements which will indicate details of everything transpiring in all of the accounts, keeping

everyone well informed. Mark reminded the Board members that the plan is that they authorize any expenditures in each commissioner's area. He reported that the cash balance had been at \$684,000. As of Friday, June 15th, 2007, the balance was at \$618,000. He expects that balance to go down to about \$578,000 which is higher than projected in the Call to the Annual Meeting. That is because of the \$20,000 which had been budgeted for the drainage and landscaping. This is scheduled to be done before next June.

Mark P. also distributed copies of reports categorizing the monthly expenses for the 2008 budget. He did this based upon historic records and upon what he had seen occur. He wants Board members to review the reports and see if they like the way he has spread the calendar expenses. If anyone has any concerns, please try to get back to him within the next week so that once we all agree he will sit down and lock the information in.

Mark P. reported that he and **Laura Nalesnik** had met with the **Bank of America** this morning and that he and Laura are now named on all the accounts we have so that in terms of implementing the resolution that was passed at the Annual Meeting, there will be two signatures on everything over \$2,000.

Mark P. has also spoken with the insurance agent regarding swimming lessons. He has not yet received confirmation that they are covered by our present insurance. He did say that although he has not received confirmation from the underwriter, in the agent's opinion, we are definitely covered for swimming lessons. He anticipates hearing from the underwriter Monday, June 18th, 2007. **Beth Kelly** questioned why confirmation was required this year. Mark P. responded that the agent, as well as the underwriter, claimed that they were not aware there were any swimming lessons at POW, however, they indicated there will be no problem with coverage.

Mark P. reported that tax bills will be sent out promptly following the town tax bills. There is a \$25 increase from the agency processing the bills. The bill should be received sometime after the beginning of July.

Beth Kelly asked Mark if he would be writing out the checks for the payroll. Once the present bookkeeper is through, Mark will write out the checks. He believes this will be the first or second week of July. Mark's plan is that if he gets the hours on Sunday, he will have the checks back no later than Wednesday or Thursday. He will bring the checks to Beth on Thursday. Beth also asked about getting checks for field trips or special events. Sometimes they don't know until a couple of days before the event, how many will attend. Mark said this would not be a problem. He will be able to write out a check for her to cover costs.

Communications: **Laura Nalesnik** reported that she is still working on some website updates and is looking to do some design change. She is hoping to get that done soon. Laura has sent thank you notes to each of the volunteers that worked at the Annual Meeting.

Beach: **Mark Stankiewicz** reported that he has turned over the files to **Mark Peterson** who will be handling this in the future. **Mr. Burlingham** had reported to Mark S. that the swim lines had not been installed properly. Apparently the company installing the lines had used a different procedure. Mark called the company that does this and they will be sending someone out on Monday to fix the situation. One of the things they did not do properly was secure the buoys that are on the swim lines so that they stay in place.

Mark S. also has been talking to Jeff about getting an appropriate size sign for the volleyball area stating volleyball after 6 p.m. only. Jeff will take care of it.

Mark S. and **Brian O'Brien** have worked out an arrangement with Jeff in regard to his salary. Mark S. has it broken down so that Jeff will work less hours in the off season, and more hours in the on season. A schedule of hours will be formalized. This will allow the beach to be cleaned 7 days a week. It also will allow for 40 hours 'flex' time during the course of the year. This program will work to both, Jeff's benefit, and the Association's benefit. Mark S. feels that Jeff has bought into the program and will do his part in making it work. **Beth Kelly** asked if there were specific jobs scheduled for Jeff to work on during the winter months. The schedule is not in sealed in cement and is subject to change. The important thing is that the beach will be cleaned 7 days a week. Mark S. feels Jeff is very receptive to suggestions and wants to do the right thing. Brian stated that quite often, a lot of time is lost if equipment is not maintained. Jeff could end up working overtime if he has to stay late to repair equipment.

Harry Ritson inquired if by paying Jeff a salary, we could get him set up for automatic deposit. Mark S. mentioned that they had not discussed this with him. Harry added that his getting paid had been an issue in the past. **Mark**

P. responded that he did not think this was an issue any longer, and that it would be difficult to set up one account for automatic deposit.

At this time, **Michelle Daly** interjected that she and Mark S. were supposed to put together a flyer for the jet skis and that they had not yet done this. Mark agreed they would get together concerning this matter.

Mark Stankiewicz. announced that **Mark Peterson** will be making the beach reports as Beach Commissioner in the future.

Michelle Daly mentioned that it had been pointed out to her that the rules for the beach on the side of the boardwalk that has the ramp are not posted. Because the rules are not posted, people feel they do not have to abide by the rules. A sign will be posted.

Boat Basin: **Harry Ritson** reported that the last two checks for the boat basin have been received. A total of \$43,300 has been collected for slip fees. About 20 poles had been replaced because of weather, etc. The poles were not put in exactly as they came out. Sometimes you run into something underwater, a stub from a previous pole or something else. Renters are being asked to shift their slips accordingly and this is almost completed. Slip 48 is out of commission because of the drainage issue. Harry is trying to get someone back in there. He wants to know how long it will take for the drainage problem to be completed. **Laura Nalesnik** informed him that we don't have a schedule but that there is no way it would be completed in time for this summer.

Michelle Daly informed Harry that people are coming for their boat stickers but sometimes the registration that he gave them doesn't match the list from Doris. He has spoken with Doris and this issue will be addressed.

Harry would like to get on the agenda for the next meeting to present a program for correcting the ownership issues in the book. There are a lot of errors that we can correct. We have several situations where one spouse owns the cottage and the other owns the boat. The spouse whose name is on the deed to the cottage must be the spouse whose name is on the registration for the boat.

Laura mentioned that Michelle had asked for an 'upgrade' waiting list. Harry said that at this time there is no waiting list. There is one person who is outstanding. Harry explained that in the past people would rent one of the two small slips and buy a small boat. They would then ask to be put on the list for a larger slip and would automatically be put at the top of the list. However, this year Harry has implemented a three-year-rule whereby these individuals would have to rent a slip for three years before being put on the list. This rule will be posted.

Grounds: **Brian O'Brien** reported that he has met with Jeff and he and Mark S. will meet with him tomorrow. He will discuss with Jeff different things that are routine such as grass cutting. There are things that need to be done around the tennis court and maintenance of the equipment.

Michelle Daly had a request that there be a barrel placed between Seaview and Hillcrest because there has been some speeding in that area.

Michelle also mentioned that she had an issue about a sign being put up at the creek about stating "No Crabbing." She believes there is a sign that has already been prepared but it has not been put up. Michelle had asked for it last year. There is a sign on the boat basin side but none by the wooden fence on the other side and there is an issue with children crabbing there. **Mark Peterson** acknowledged that children had been crabbing there for the past 50 years. Why is it an issue now? Michelle explained that this was a safety issue. There had been a sign there two years ago and it had been taken down. **Kathy Aldridge** stated that this issue had come before the Board previously. They had put up a sign and then had to take it down because this was private property. Michelle said that while walking by there, the owner had asked her to tell the children that there was no crabbing in that area. Kathy stated that the owner is responsible to put up her own sign.

Ordinance: **Laura Nalesnik** restated that she had received a request for an exception to the hammer law from **Pat DeVivo**. She has been receiving septic confirmations. She also reported that there is a fence issue on Connecticut Road that she is following up on. These individuals may have a boat slip so Laura has informed Doris not to issue them parking stickers or boat stickers.

Recreation: **Beth Kelly** wanted to thank Bruce, Mitchell and Jeff, even though they were not in attendance, for making it possible to show a movie over Memorial Day week-end.

Beth is looking for tennis racquets and requested if anyone had any they wanted to get rid of, to please send them her way. She is looking for helpers to collect on movie nights. She will also make this request at the Woman's Club. If anyone is interested in helping out, please let her know. The nights will be Tuesdays and Saturdays. About four people will be required on each night.

Beth reported that she had spoken with **Jan Kennedy** about the weeds around the tennis court. Beth, as well as some other women will address this situation. Anyone who would like to help pull weeds is welcome.

Beth has two concerts scheduled for the beach this summer. One will be the Old Lyme Town Band and the other will be Forty-One North which is a group of high school students. Beth had this band play for the teen dance. The group will play under the pavilion and they will play from 6:00 to 8:00 on the 19th and the Old Lyme Town Band will play from 7:00 to 8:00 on the 22nd. Forty One North will kick off the **Week-end Extravaganza** which starts the 19th. On the 20th there will be High Stakes Bingo, the 21st will be the Dinner Dance and on the 22nd the Craft Fair. There will be the regular bingo night and movie night and the Old Lyme Town Band will wrap it all up.

Beth asked the Board for permission to allow families to bring picnic baskets the nights the concerts are held. Although this was not usually allowed, she felt it would be a nice event for those two evenings. Grills, kegs, alcohol and glass would not be allowed, only prepared food. She would like this to be advertised so that if people want to do this they can. The concerts will be on the pavilion on the beach. Beth stated she will take the responsibility of informing people who may bring alcohol that it is not allowed. **Laura Nalesnik** suggested we do it on a trial basis this year. We could make it known that there is no alcohol or glass allowed and that people should pick up after themselves. **Mark S.** agreed stating that the worst that could happen would be having to clean up the beach in the event people did not pick up after themselves. **Harry Ritson** agreed feeling that most people would be responsible. This would be allowed for both concerts – but only for these special events. It would have to be made clear that this was a one time event and that the rule about picnics on the beach was in force for the rest of the season as in the past. After discussion, the Board gave their permission for families to bring prepared picnic baskets to the beach for the two concerts.

Roads: Mark Stankiewicz reported on the drainage project at the Frascarelli property. **Laura Nalesnik** had just informed Mark that **Gary Sharpe** has resubmitted the permit to the DEP. Laura will be in contact with them sometime this week. Hopefully, any problems will be solved and the project can get underway. **Beth Kelly** inquired if the Frascarellis were okay with this. **Michelle Daly** stated that since the blockage problem had been repaired and there was not a lake in their yard they are okay with this. Mark S. will try to talk to Frascarelli's this weekend and give them an update.

Mark Peterson stated that he had just paid Sharpe \$8,000. He wants to know if anyone has a handle on exactly what is going on. **Bruce Daigle** had been working on this project. Mark S. said he will get together with Gary on Monday and get an update on exactly what is going on and how Gary is billing. Beth asked that Mark S. get some kind of a timeframe from Gary and get an idea as to total costs and fees. Mark S. stated that to the best of his knowledge the original plan was to include the four parts of the project and now he is making it specific to the Frascarelli project and the drainage by the wall. Beth said there are three specific applications that Gary is supposed to submit.

Harry Ritson asked Mark S. if he were also in charge of the right-of-ways. Previously Harry had been working with Bruce Daigle on the right-of-ways and he would be willing to help Mark S. out. Harry said that at the annual meeting **Janice Thompson** had brought up an issue about the area along the channel where the property owners had put up a new retaining wall and a fence. Her question was if that was actually a right-of-way. Harry did not know the answer but the problem is at the end of the wall there is a gate that is kept closed. The property owners have dogs and the gate is closed when they are out. When the gate is closed, delivery people will not go in there. There is a question whether the gate is legal. Mark S. wanted to know how we determine whether or not the gate is acceptable. Harry felt that the first step is to find out whether or not this is in fact a right-of-way. **Laura Nalesnik** stated that her understanding was that the people that lived past there have deeded rights to get through there.

Mr. Burlingham, from the audience, stated that area was owned by the property owners – they own to the middle of the creek. The property owners had put the retaining wall in at their own expense. The reason the gate had been put in was due to a liability issue. They would be liable for anyone that walked on their property. The gate is

there strictly for the dogs. Usually it is kept open. They had agreed two years ago, when a woman got hurt, that anyone could use the bridge. Laura talked to them about the issue last year and they agreed that the gates would never be locked. **Harry Ritson** stated that at some point there must have been a ruling on this issue. Mr. Burlingham stated that **Al Chesler's** property really comes down and blocks that right-of-way. Laura suggested that she and Harry take a walk over there. **Bruce Daigle** had taken her over there and explained part of the situation to her at that time. Harry and Laura will attempt to get more clarification.

Security: **Michelle Daly** reported that there have been several pranks going on including individuals switching lawn ornaments around and some flower baskets have been moved to different properties. Also, there has been some vandalism such as writing on the play scape.

Ace Security has been on duty Friday nights, all day Saturday, and Sunday during the day. They will start full time July 1st. **Laura Nalesnik** inquired if the rental passes issued last year will be issued again this year. Michelle stated they would be. She had given Ace a sample pass and written void on it. When renters come in they will be told to see Doris about getting a card that they can put in their windshield.

Nominations: **Lorraine Gibson** reported that there had been three members on the committee but **Bill Lacy** had resigned because he was interested in Security and wanted to be considered as a candidate to the Board. Lorraine gave Laura a letter of resignation from Bill Lacy.

The committee started with those individuals who had been nominated at the Annual Meeting. The list included **Jim Kerley**, **Kathy McKeough**, and **Bill Thompson**. The committee had also contacted **Sue Bookman**, however, she was not interested at this time. Sue has been added to the list of people that could possibly help out on different projects. **Jim Clendennin**, **Mike Kiernan**, and **Bill Lacy** were added to the list. Since Bill Lacy was in attendance, he introduced himself and gave a brief background of himself and his history with POW. He stated that he was interested in the Security position. He felt his background fit the description of the position. Bill is a year round resident at POW. Lorraine distributed a packet with some background information on the candidates.

Laura Nalesnik stated that she had checked with **Attorney Mattern** on the proper procedure to appoint two members in one evening. He said each vacancy had to be treated as a separate nomination process. The Board is allowed to go into executive session if there are five members that wish to do so. They must then go back into open session for the election. Election will be by ballot. The Board must still ask for other nominations. A simple majority of four is required to elect a candidate. If no one gets four votes the first time, then the Board must continue to vote until there is a majority of four. The first slot must be filled and then we start over to vote for the second slot. If someone on the first ballot is not selected, they are eligible for the second slot. The Nominating Committee has done their job and has given the Board names of individuals they believe are qualified. These people should be considered by the Board.

Lorraine mentioned that **Bill Thompson** would rather serve on the **WPCA**. Laura informed Lorraine that the only position on the WPCA is not a Board position but a position as an alternate.

Beth Kelly made a motion to postpone appointment of two BOG members until the remainder of the current agenda is finished. The motion was seconded by **Mark Peterson**. So voted. Vote was unanimous.

Federation: **Mark Stankewicz** reported that there is a meeting scheduled for June 30th, 2007. Mark S. is taking over for **Dennis Bosio**. **Dick Sagan** is going to attend the meeting with Mark S. to introduce him to the present members. The meeting will be located at Sound View at 9:30. Beth mentioned that one of the things Mark S. would need to do is find out about attorneys they are using. Also, he should find out what they are doing about seaweed removal. Mark S. stated that he made a note of that because it would be an issue for us next year. Laura asked if **Tim Griffin** was still on the list. On the website Laura will list **Tim Griffin**, **Mark Stankewicz** and **Dick Sagan** as POW representatives to the Federation.

WPCA: **Mark Stankewicz** has no additional information since that given at the Annual Meeting. **Bill Lacourciere** informed the Board that there would be an open meeting June 23rd at the Middle School auditorium from 7:30 p.m. until 10:00 p.m. It was originally scheduled from 6:00 to 8:00 p.m. but conflicted with the Welcome Back Cocktail Party which had already been scheduled by the Woman's Club. The party is scheduled from 6:00 to 8:00 p.m. **Beth Kelly** asked if notice of the meeting had been sent out. Bill said that they had only

found out the day before that they had the school for that evening and notices will be going out as soon as possible.

Bill also informed the Board that there has been a change in the design which includes putting a pumping station down in the parking lot. The station will be below ground for the most part. This may eliminate 40 to 60 grinder pumps in the vicinity of Connecticut and Massachusetts Roads saving a couple of hundred thousand dollars. **Beth Kelly** asked if the DEP has approved the changes. Bill replied that the DEP has not approved anything at this time. Beth was concerned about putting the station in the parking lot. Already people are complaining about the limited space. Bill replied that the station will be below ground. Beth argued that there is no way it can be below ground because the parking lot is at sea level. Laura asked if he meant in the vicinity of the parking lot or in the parking lot. He stated he meant in the vicinity of the parking lot, up near the tennis courts. Laura asked if this station would be in addition to the one near the maintenance shed. Bill said we would now have two stations. **Michelle Daly** asked what will be discussed at the June 23rd meeting, design or benefit assessment. Bill replied that the topic will be benefit assessment. The project itself will be discussed at the July meeting. Bill said a pumping station had been planned on Route 156 in the vicinity of the Four Mile River.

Michelle Daly mentioned that at the joint meeting between the WPCA and the BOG Mark had asked Rob if the system would work in the winter time when there are only a few houses having water. The answer had been that they were still working on it. She wanted to know if they had an answer to that question yet. Bill replied that the system would work year round. The issue, according to Rob, is odor. Waste will remain in the containers for a longer period of time at a lower level. However, the level can be controlled which should eliminate any odor problem.

Bill also informed the Board that we might be getting money from the State for our drinking water. He said we were last on the list but a letter had been sent to the Dept. of Health, a hearing was held and because of the seriousness of the problem at POW, we have moved up a bit on the list.

Mark Peterson inquired if the WPCA had posted any legal notices regarding assessment. Bill said they had not yet reached that point but when required, there would be a legal notice posted.

Long Range Planning: **Michelle Daly** reported that she had lost two members due to resignations. Both **Mark Stankewicz** and **Mark Peterson** had offered to join Long Range Planning. Hopefully with the appointment of two other people to the Board, perhaps we can get a couple of others. Michelle intends to solicit the community to see what they would like to see at POW and invite them to join the committee as well. There is money available and she would like to see it go to good use. Items that need to be done require prioritizing. Some need to be done sooner rather than later. Mark S. asked if Michelle had set a date for them to get together. Michelle stated the three of them should meet as soon as possible.

Unfinished Business: **Mark Peterson** brought up the issue of Jeff's medical benefits. He stated that the Board had agreed to pay a portion of these benefits which would run in the vicinity of about \$1,800 or 50% of the policy. We have not done this yet. **Beth Kelly** wanted to know if we end up giving him cash, whether or not there is some way that we could arrange it so that he receives the \$1,800 after taxes. **Mark S.** said that he would talk to Jeff the following day to find out if he had a policy and the Board could go from there. **Harry Ritson** stated he felt it was the responsibility of the Board to see that Jeff is able to get some kind of a policy as part of his contract. **Beth** suggested someone call **Bruce Daigle** to get information regarding this issue since he had been the one who came forward with the plan and was to arrange for it.

Laura Nalesnik announced that another item under unfinished business was the appointment of Counsel. After not having an increase in 9 years, **Attorney Mattern** has asked for a 40% increase. Atty. Mattern had based this figure on a specific number of hours. Laura was able to discuss the fee with him and after going back and forth was able to get him to come down on his price by shaving off four hours. This amounts to about \$1,000. He will give the Board a quarterly accounting explaining what his time has been spent on and will be paid his retainer on July 1st. If the four hours are required, or more even, the maximum fee would be what his original fee was. He did not see any possibility of conflict of interest with WPCA, however, if an issue was raised where there might be, both parties would have to hire their own Counsel. Laura mentioned that Attorney Mattern has over 20 years of experience with POW.

Harry Ritson asked if he had a separate contract with the WPCA. Bill answered that he did. Laura added that our retainer is for counsel. The only time it becomes a separate issue is if litigation is involved. **Mark Stankewicz** inquired what the amount was. Laura replied it was originally \$9,500 but he agreed to an \$8,500 retainer with a cap of \$9,500. Harry stated that this was not unreasonable. **Beth Kelly** asked if this was a one-year contract and Laura replied that it was.

Harry Ritson had asked around as requested to get names of other attorneys. Everyone gave him the same name. Besides Attorney Mattern the only other attorney named was Attorney Ed O'Connell's firm out of New London. There are not many attorneys that specialize in municipal business.

Harry Ritson inquired about Attorney Mattern's health. Laura had discussed Attorney Mattern's health with him and didn't foresee any problems with his appointment.

Laura asked for a motion to appoint Attorney Mattern. **Motion** was made by **Brian O'Brien** to appoint **Attorney Mattern** as Counsel for the Association. Seconded by **Harry Ritson**. So voted. Vote was unanimous.

Laura announced that the next issue was the appointment of WPCA members. The WPCA wished to address the Board about membership. **Kathy Aldridge** wanted to know if her presentation to the Board could be held after selection of new Board members had been made. At that time, a **motion** was made by **Beth Kelly** to go into executive session to discuss the appointments of public officials. This was seconded by **Mark Stankewicz**. So voted. Vote was unanimous. The Board went into executive session at 9:20 and returned to regular session at 9:48.

When the Board returned to regular session **Laura Nalesnik** asked for nominations for the first position on the Board of Governors. **Mark Stankewicz** nominated **Kathy McKeough**. **Michelle Daly** nominated **Bill Lacy**. **Mark Stankewicz** then nominated **Jim Clendennin**. After nominations the Board voted. Laura reminded the Board that this vote was for one person to fill one slot and the nominees were Kathy McKeough, Bill Lacy and Jim Clendennin. On the first round of voting, no one received the required minimum. On the second vote, nominees were Bill Lacy and Kathy McKeough. This vote resulted in **Bill Lacy** being elected to the Board.

Nominations were made for the second position. **Harry Ritson** nominated **Kathy McKeough**. **Mark Stankewicz** nominated **Jim Clendennin**. There were no further nominations. The Board elected **Kathy McKeough** to the second open Board position.

Following the election, **Kathy Aldridge** asked to address the Board regarding appointments to the WPCA. Kathy wanted to know if appointments would be made tonight and Laura replied they would be discussed but she did not know if the actual appointments would be made tonight. Kathy had hoped that the new members would be in attendance. Laura responded that everybody but one member was in attendance. Kathy stated that this discussion was regarding specific individuals and should be handled in executive session rather than made public. Laura explained that the Board could go into executive session to discuss personnel issues or litigation. If Kathy wanted to discuss something with the Board, it could not go into executive session.

Kathy proceeded to discuss with the Board how important it was to have members on the Authority that supported the plan. She realized that difference of opinion was a good thing but it was not a good thing when these differences were discussed outside of meetings. When that happens there is a conflict. When individuals on the committee begin making statements, people think they have inside information. Kathy was concerned that if the project were stalled due to rumors, it could cost a great deal of money.

Beth Kelly asked Kathy who was presently on the committee besides herself and Bill and how they got appointed. **Marty Guyer**, **Mark Stankewicz** who had replaced **Dennis Bosio**, and **Fred Callahan**. Beth wanted to know how long members had been together. The Association had formed in 2002. **Harry Ritson** asked how terms ran. Terms are staggered. Kathy's term will be up in 2009. Bill's term is also up in 2009. Marty's is up in 2008 and Dennis' is up in 2008. Kathy stated that they had talked with **George Mrosek** regarding appointment of members and had come up with a plan whereby the Authority would be given a list of names and they could select whoever they thought was the best fit. Laura Nalesnik told her that George also informed them this was not a decision he could make because the Board of Governors makes the appointments to the WPCA, or at least they should have been doing this over the years.

Laura stated that **Marty Guyer** was apparently appointed at the organizational meeting in 2005 according to **Bruce Daigle** and **Dick Hrinak**. Kathy and Bill's terms were up last year and they should have been appointed by the BOG and that was not done. Attorney Mattern issued an opinion that states these individuals are acting in a defacto capacity. Last year the Board was told they needed to appoint two more people to the Authority and the Board voted them in. When the dates came out, they were for filling other individual's terms. The Board is responsible for appointing members to the Authority and has not been doing this properly. The Board has been asked to approve everyone on the slate once we know all of the people.

Mark Peterson stated that there is a liability issue in all this. He has spoken with the agent and found out that any commission/committee/authority that has been duly constituted by the POW Association, and the people that are serving on it that have been duly appointed to that position, are covered under the Association policy. He feels that the individuals serving need to be appointed or ratified in order to make everything legal concerning insurance.

Bill Lacourciere felt that individuals stepping outside of a meeting and discussing issues in a manner that is damaging to the work they are trying to accomplish is not appropriate. **Mark Stankewicz** stated that as a result of the actions Bill was speaking of, the community received more information concerning the project. **Laura Nalesnik** stated that there has been a great deal of positive feedback from the community because there is a Board member on the WPCA who has pushed for and provided information. One example of not providing enough information is the July 23rd meeting which is only one week away and there still is no information provided to the public. **Kathy Aldridge** disagreed stating that the meeting had been announced at the Annual Meeting. She stated that it was also announced that this would address benefit assessment. **Michele Daly** stated that Rob and the individual from DEP stated that this would be a workshop. There was no clarification as to what would be on the agenda. Laura stated that April 6th was the first meeting where benefit assessment was discussed and the understanding is that this needs to be very participatory under CT State Statutes. There has been no invitation to the community to be involved in any of it. There was another meeting on May 1st and a couple of meetings were cancelled but there was never an invitation to the community to help them understand the process. There are people who are thanking Board members for having someone who gave them information. Bill stated their meetings are always open to the public but there had been no specific invitations because they themselves were learning about the benefit process. Meetings have been scheduled throughout the summer.

At this point, Laura asked for a motion to move into executive session to discuss the appointments of public officials. **Motion** was made by **Beth Kelly**, and seconded by **Mark Stankewicz**. So voted. Vote was unanimous. Executive session began at 10:45 p.m. The Board returned to regular session at 11:00 p.m. When they returned, **Laura Nalesnik** asked if there were any nominations for appointments to the WPCA. **Harry Ritson** stated he would like to see **Mark Stankewicz** confirmed. **Beth Kelly** nominated **Mark Stankewicz** to the position on the WPCA. The nomination was seconded by **Mark Peterson**. So voted. Vote was unanimous. **Brian O'Brien** nominated **Kathy McKeough** to the second position on the WPCA. The nomination was seconded by **Beth Kelly**. So voted. Vote was unanimous. There being no further nominations, Laura stated that she did not think the Board was ready to appoint the alternate at this time. This may be done at the next meeting.

Motion was made by **Harry Ritson** and seconded by **Mark Stankewicz** to adjourn at 11:15 p.m.

Respectfully submitted,

Juliann R Davis
Secretary