

**POINT O'WOODS
BOARD OF GOVERNORS MEETING
June 24, 2011 7:00-10:00PM
Phoebe Griffin Noyes Library
Old Lyme, CT 06371**

Minutes

Type of Meeting: Regular Meeting
Secretary: Mary Ann Ruud
Treasurer: Mario Ciampi
Board Attendees: Fred Callahan, Beth Kelly, Kathy McKeough, Bud Phelps, Harry Ritson, Ken Russell,
David Tousignant and Bill Griffin
Absent: Greg McKenna

Kathy McKeough called the meeting to order at 7:03.

Agenda: Bud Phelps motioned to approve the agenda. Ken Russell seconded the motion. A list of exceptions to the construction ordinance were added. Also added were: fireworks, Sargent right of way, Dept. of Recreation sanctioned events and tree issue was added under new business. A vote was taken; the agenda was approved as amended.

Citizen Speak:

Paula Barakos, 47 Sea View Rd., reported that the roads were wider and as a result the area to park is narrowed. Ms. Barakos asked permission to continue to have the ability to park in this area when needed. Kathy McKeough reported a letter will be written exempting them to any parking restrictions in this area, granting them the same parking spaces they had prior to the sewer project.

Pam Spadaccini, 13 Connecticut Rd, reported they were converting their home to year around use and are finalizing construction that would make the property habitable. She requested an exemption of the hammer law of one week to finish this work. The Board asked the owners the nature of the work, inquired about the necessity of the work and the exact items that absolutely needed to be done.

Mary Berry, 67 Connecticut Rd., reported on behalf of her sister, her gratitude that the lawn had been cut at the Connecticut Rd. house that had burnt down. Ms. Berry inquired about whether a renter parking pass was still available, it was reported it was at \$20 a week. Ms. Berry expressed her opinion that people plan work carefully around the hammerlaw and turn down work because they know they can not complete the work before the start of the ordinance. To allow exceptions was unfair to those that comply with the ordinance.

Pam Spadaccini, 13 Connecticut Rd, inquired whether appliances being installed was considered construction. It was reported if it required drilling it was construction but delivering appliances that only needed to be plugged in was not construction. Ms. Spadaccini inquired whether contracted painting was considered construction, it was reported that owners could paint on their own property but not hired painters.

Bob Mango, 6 & 8 Hough Rd. reported the typography on his property was very vulnerable to erosion and requested an extension to the construction ordinance to: permit grading, build a wall and finish the shower area which will create barriers that will prevent erosion. The Board asked a variety of questions pertaining to the necessity of the work, alternatives to the work and materials being used.

Fern Beaudry, 76 Hillcrest Rd, reported the Board needed to look at the issue of stone fences more closely in the community and anyone could build a 6 foot wall. It was reported it was on the agenda and would be addressed.

Secretary's Report: Beth Kelly motioned to approve May 20, 2011 minutes. David Tousignant seconded the motion. Editorial corrections were made, a vote was taken. The minutes were passed as amended.

Decisions:

WPCA Appointments: Kathy McKeough tabled the reappointment of the current members of the WPCA until the July meeting. Fred Callahan motioned to nominate Ken Russell as the Board representative on the WPCA. David Tousignant seconded the motion. A vote was taken, the motion carried unanimously. Ken Russell motioned to nominate David Tousignant to the WPCA Board. Fred Callahan seconded the motion. So voted, the motion carried unanimously.

Construction Ordinance Exception Requests:

Fred Callahan motioned to reject Bassett, Truman W & Emiley 64 Sea View request for a waiver from the construction law. David Tousignant seconded the motion. So voted, the motion carried.

Ken Russell motioned to grant a single day waiver from the construction ordinance at 24 Ridgewood Rd to fix an electrical issue as order by CL&P. David Tousignant seconded the motion. So voted, the motion carried.

5 Stanhope Rd, withdrew their request as a permanent fix was completed prior to the start of the ordinance.

Fred Callahan motioned to grant a waiver from the construction ordinance for two days, but no later than June 30, 2011, to stabilize the property at 38 Hough Rd and therefore protecting POW new roads. David Tousignant seconded the motion. So voted, motion carried.

David Tousignant motioned to allow a one day to do an emergency repair to the roof at 46 Connecticut Rd, no later than June 30th. Bud Phelps seconded the motion. So voted, motion carried.

David Tousignant motioned to approve a two day extension to the construction ordinance to install two windows, a toilet, install electrical work and remove the dumpster by 6/30/11 at 13 Connecticut Rd. One day is to install windows once they are delivered and the other day to install one toilet, remove the dumpster and finish the electrical work. No work is to take place on the weekend. Bud Phelps seconded the motion. So voted on the motion as amended, the motion carried with Beth Kelly voting no, Fred Callahan, Bud Phelps, Harry Ritson, Ken Russell, David Tousignant and Bill Griffin voting in favor of the motion. The motion carried.

David Tousignant motioned to grant an exception to the construction ordinance at 16 Sea View for one day to install a railing to eliminate a safety issue. Beth Kelly seconded the motion. So voted, the motion carried. Harry Ritson motioned to approve one day to install storm windows in the 3rd week of July for safety reasons at 30 Walnut Road. David Tousignant seconded the motion. So voted, the motion carried.

70 Sea View withdrew their request.

Harry Ritson motioned to approve the finishing of the steps behind the tennis court on POW property for two days, work not continuing past 6/30/2011. David Tousignant seconded the motion. So voted, Ken Russell voted no. Beth Kelly, Fred Callahan, Bud Phelps, Harry Ritson, David Tousignant and Bill Griffin voted in favor of the motion. The motion carried.

The Board concurred that it should be communicated to the community a 30 day cushion should be built in with any contractor with the construction ordinance in mind. Also it should be communicated to residents that live far from POW they may want to have someone check on their property in early spring to inspect for damage which would allow for planning any necessary repairs.

Fence Ordinance Exemption Request: Ken Russell motioned to reject the request from the Pimentels on Connecticut Road to install a fence to mask trash containers. Beth Kelly seconded the motion. So voted, the motion carried with Bill Griffin voting no, Fred Callahan, Bud Phelps, Harry Ritson, Ken Russell, David Tousignant and Beth Kelly voting in favor of the motion. The motion carried.

Fences and Walls: Ken Russell reported the issue of whether walls were the same as fences in the community. Jeff Longregan was consulted on the matter he advised Mr. Russell that they were not the same and that POW did not have wall ordinances. Mr. Russell investigated other municipal ordinances and they do designate both walls and fences in their ordinances. The Board discussed the intent of the ordinance which was reportedly to stop stockade fences and to preserve open space. The Board discussed the options that could be pursued and whether a special meeting should be called to address the issue. It was reported that walls had recently been built on POW property, specifically the walls on Sea View. The walls are not big but are clearly on POW property. Municipalities do not ever lose property rights and can reclaim their property at any time. The Board discussed whether owners should be required to remove the walls or obtain easements from the owners. David Tousignant will inventory where there are walls built on POW property, Kathy McKeough will obtain a quote from a surveyor.

Ken Russell will be enforcing the fence ordinance at 26 Oak Rd. and the property on Connecticut Rd with the lattice barricade by sending a letter informing the owners they need to remove the fences two weeks after Labor Day weekend. Fences destroyed by the sewer project are permitted to be fixed.

Mosquito Spraying: The Board discussed whether or not to spray for mosquitoes. Fred Callahan motioned to request the Town of Old Lyme to spray for mosquitoes. David Tousignant seconded the motion. So voted, the motion carried.

Wedding on the beach: Harry Ritson motioned to approve the request from Frank Pinerello, 34 Hough to hold a wedding ceremony on 8/13 on the beach from 6-7pm, with parking for 15-20 cars at \$5 a car. David Tousignant seconded the motion. So voted, the motion carried.

Pavilion Request: The Capella's request for use of the pavilion could not be considered because the space is being used for the Dinner Dance that evening.

Discussion:

Point O'Woods Character: Kathy McKeough distributed a preliminary presentation submitted by Greg McKenna for the Board's review. Mr. McKenna will provide comment at the July meeting.

Mowing: The Board discussed mowing properties which create a nuisance in the community. Lawns are exceedingly long will be cut and the owners charged. The Connecticut Rd, 5 Massachusetts Rd and 29 Massachusetts will be cut as needed and billed as required. The Connecticut Rd home will be billed \$500 for the first season cutting due to the 10 man hours it took.

Painting: Painting is allowed by owners but not contractors are not permitted to paint during the construction ordinance period.

Fireworks: The Board discussed how to handle fireworks in POW. The Board's consensus was that the ordinance should be enforced and those setting off fireworks need to be told to stop.

Sargent right of way: The Board discussed the best footing for the right of way from Sargent to Hough. It was reported a tree at the bottom of the path would either have to be removed or request an easement of the property owner to swing the path around the tree. David Tousignant will report back with prices for gravel and chips at the July meeting.

David Tousignant reported 4 tree issues: 1) Anderson Park tree has dead branches, 2) 16 Ridgewood, owner as agreed to split expense to cut the tree down 3) WPCA 24 Walnut 4) 18 Hillcrest has three dead trees.

Recreation Sanctioned Events: Beth Kelly distributed a list of events, four band concerts will be held. The Board discussed whether picnics should be allowed and the issue of alcohol. The consensus reached was that it would be communicated clearly for each event what was allowed, whether picnics are allowed and under no circumstances would glass be permitted. Family events, those that take place in the early evening, posters

would read "light snacks and drinks, please no alcohol." At the Reggae concert picnics will be allowed, but no glass and what is carried in must be carried out.

Reports:

Treasurer's Report: Mario Ciampi distributed a balance sheet and a profit/loss sheet. Mr. Ciampi reported property taxes that are more than 4-5 year overdue will have liens placed on the property. A budget surplus is expected at the end of this fiscal year. Kathy McKeough requested Mr. Ciampi send her an email each time he is to be paid for her approval.

Commissioners Reports: posted to the POW web site.

Correspondence/Communication Update: A letter from Mr. Peterson was read by Kathy McKeough thanking the Board for the gift basket and the years of memories.

A letter from Tom Longregan made suggestions following the Annual Meeting. He indicated that if speeding is an issue, POW could request our insurance company conduct a safety study. The ZBA issue could be resolved by adding another step, like requiring a sign be posted.

A letter from Rita Sulick suggested the entrance walls needed power washing and suggested a cascading flower pots be added. She also suggested U.S. flags could be placed on alternating telephone poles.

An email from Bob Sirkin was received complaining the minutes from the Annual Meeting were not posted to the web site as required and he would be filing a complaint to FOI. Kathy McKeough reported the minutes had been posted but the web site link was incorrect. Tom Hennick, of FOI, indicated to Kathy McKeough that it was not longer a requirement that minutes be posted to web sites but be available upon request.

New Business: Unfinished Business

Citizen Speak: Mary Berry 46 Connecticut Rd., stated when speaking about walls and fences, it raised a question about decks vs. railings. Mr. Griffin reported a permit was needed to build a deck. Ms. Berry reminded the Board that renters and owners do drive commercial vehicles and should not be prohibited from entering POW, and that violators of the ordinance needed to be stopped at the homes.

Harry Ritson requested the Board review the commissioners' calendars and submit reports based on those calendars to him.

Executive Session: Harry Ritson motioned to enter executive session to discuss a personnel issue. David Tousignant seconded the motion. So voted, the motion carried. Executive session started at 10:50. No votes were taken in executive session.

Adjournment: Beth Kelly motioned to adjourn. David Tousignant seconded the motion. So voted, the motion carried. The meeting adjourned at 11:04 PM

Respectfully submitted,

Mary Ann Ruud