

Minutes
POINT O'WOODS
BOARD OF GOVERNORS MEETING
June 18, 2010– 7:00-10:00PM
Phoebe Griffin Noyes Library
Old Lyme, CT 06371

Type of Meeting: Regular – Association business
Secretary: Mary Ann Ruud
Attendees: Sue Bookman, Fred Callahan, Beth Kelly, Kathy McKeough, Mark Peterson, Bud Phelps, Harry Ritson, Ken Russell and David Tousignant

Citizen Speak:

Marilyn Stitham, 49 Ridgewood Road, asked that she be considered for a hammer law exemption due to delays in construction and their septic tank failing which will now require them hooking into the sewer earlier than they had planned. Kathy McKeough reported that it would be added to the agenda for consideration.

Richard Burlingham, 16 Walnut Rd, requested the Board to address the issue of fire pits in the community, as the safety of them seems less than adequate.

Barbara Roy, 23 Walnut Rd., requested the Carrington Rd. extension be paved because currently the amount of dirt and dust generated from this road is horrible. Kathy McKeough reported that it would be added to the agenda by David Tousignant.

Kathleen Deroehn, 8-1 North Rd., read a prepared letter expressing displeasure of a board member's rumored accusation of the Deroehn's were less than honest, then detailed the process her family had gone through the past year dealing with the enrollment of their children in the schools. She continued that the rules they had been given regarding the construction ordinance were vague and the guidelines were not laid out for them.

Robert Deroehn, 8-1 North Rd., read a prepared letter, which he submitted to the secretary. He read the letter, of which the major points of were: a concerted harassment of one family against his own, they were not given the ordinances, the ordinance was being applied as it was never meant, their rights were being violated and with all of this in mind he requested the fines be waived.

Sharon Dufresne, 3 Hubbard Rd., requested assistance in determining where her trash cans could be placed. Dave Tousignant will follow up with Ms. Dufresne to determine a solution.

Nancy Roser, 19 Stanhope Rd., inquired whether a class-action lawsuit would be filed pursuing year around classification of POW cottages. Kathy McKoeugh reported that option had not been planned. The community would have to agree to that and it would have to be budgeted. Mrs. Roser explained that the cottage had a history of year around use, which Kathy McKeough reported that may allow her to be grandfathered in for year around use.

Mary Lennon, 48 Ridgewood Rd, reported that she spoke to a town representative who had indicated the town was being forced to do this by the state.

Barbara Roy, 23 Walnut Rd., inquired where a copy of the suit that was filled that awarded year around use could be obtained. It was reported that the attorney that filed the case against the town would probably provide that.

Agenda: Harry Ritson motioned to approve the agenda. Beth Kelly seconded the motion. David Tousignant requested curbing, parking lot schedule, and the Carrington Rd extension be added to the agenda. Fred Callahan requested a Federation of Beaches update be added under reports. Harry Ritson requested Frascarelli's be added to Boat Basin reports, and kayaks be added. Bath Kelly asked that recreation be added under discussion. Kathy McKeough added multiple correspondences regarding topic in the night's agenda and will be presented as each topic arises. David Tousignant motion to approve the agenda as amended. Ken Russell seconded the motion. So voted, the motion carried.

Secretary's Report: Mark Peterson motioned to approve the May 21, 2010 minutes. Ken Russell seconded the motion. So voted, the minutes were approved as presented.

Appointments:

WPCA: Kathy McKeough reported two positions on the WPCA Board were up for appointment. The two current members, Jack Harney and Sue Bookman had expressed a desire to continue in these positions. After a discussion Fred Callahan motioned to nominate Jack Harney to a three year term on the WPCA through June 30, 2013. David Tousignant seconded the motion. So voted, the motion carried unanimously.

Fred Callahan motioned to nominate Susan Bookman as the Board of Governors representative on the WPCA for a three year term ending June 30, 2013. David Tousignant seconded the motion. So voted, the motion carried unanimously.

Nominating Committee: Kathy McKeough reported that Dick Sagan wished to still participate on the Nominating Committee but felt he should get off as he currently was not out and about in the community and Mary Lennon's term was up. Mary Lennon was thanked for her service on the committee. Dick Sagan's position on the committee was tabled until this could be discussed further with Mr. Sagan. Mark Peterson motioned to nominate Val Newhouse to a three year term on the nominating committee through June 30, 2013. Susan Bookman seconded the motion. So voted, the motioned carried unanimously.

Decisions:

Hammer Law Fines:

Kathy McKeough read a letter from her to the residents at 8-1North Rd, the Deroehn's, which was in response to a request for a waiver for the fines they had incurred in the summer of 2009 for hammer law violations. In summary the letter explained the reasons for the fines and that their request for a waiver would be considered at the regular June meeting. Kathy McKeough then read correspondence about this request from residents.

Jim Scully, of 15 Shore Acres Rd., requested that the waiver be denied because he felt the Deroehn's flagrantly disregarded the ordinance.

Jim & Nancy Bannon, 11 Shore Acres Rd., in an email requested the waiver be denied because they continued work despite repeated requests to stop the work on the residence

Sally Scully, 15 Shore Acres Rd., in an email objected to a waiver of the Deroehn's fines.

The Board discussed this case at length. Harry Ritson motioned to sustain the fines. Ken Russell seconded the motion. The Board discussed the case further. A vote was taken: Mark Peterson, Ken Russell, Harry Ritson, Bud Phelps and Dave Toussignant voted to sustain the fines, Beth Kelly and Fred Callahan voting against, Sue Bookman abstained. The motion carried.

Robert Deroehn, 8-1 North Rd., inquired how he was to proceed. Kathy McKeough reported that he could pay the fines and if he did not the residence would not be issued any POW permits.

Hammer Law Exemption: Ken Russell presented three requests for exemptions to the hammer law. The Lamoins on 79 Hillcrest requested a waiver to replace steps after the driveway is laid because otherwise they would not have access to a second storey deck. The Board's consensus was that because it was restoration work due the sewer project no exemption was needed. This type of work must still be presented to the Ordinance Commissioner to determine whether the work at hand is restorative or not. After this discussion it was determined the seconded request of William Lacourciere fell under this category and therefore did not require an exemption. Marilyn Stitham, 49 Ridgewood Road, requested a one day extension to finish foundation work that became delayed due to septic failure. As a result of the failure the residence now must be hooked into the sewer earlier than they had planned. The Board discussed the case. David Tousignant motioned to grant Marilyn Stitham, 49 Ridgewood Road, a one day extension of the construction ordinance. Fred Callahan seconded the motion. So voted, the motion carried.

Discussion:

Boat Basin: Kathy McKeough read a correspondence from Sally Scully, Shore Acres Rd, requesting the Board reconsider the boat/kayak placement because it was occupying valuable beach space, which is limited. The Board discussed this and the consensus was that the current set up would remain to see how it played out this summer and then decide how to proceed with the placement of the boats. It was decided that the swim lines had drifted and would be checked. The boat/kayak lines will be marked to make them more visible to people walking.

Harry Ritson reported that Mr. Frascarelli Sr. had signed the agreement for the boat basin, therefore acknowledging that their slip could not be transferred. The POW attorney will still be providing legal analysis on the matter.

Harry Ritson proposed a new fee structure to be considered by the Board for the boat basin. After a straw vote, the conclusion reached was that a 50% price relative to the local market would be considered and how and when to phase that change. Harry Ritson will present a detailed proposal at the July meeting that will include the proposed new fees, what other marinas charge and how, when and if to phase in these changes.

Security: Fred Callahan reported on security, detailing the schedules of the guards and the parking lot attendants. It was requested that guards with more presence be placed at the gate. The new guards are taking plate information on those without permits. Fred Callahan will arrange for two more guards for the July 4th weekend. Mark Peterson will be acting Security Commissioner for the next two weeks from June 25, 2010 through July 9th.

Right of Way: Dave Tousignant made the recommendation to rename the King Right of Way or in some other way to recognize William Lacourciere for all of his work on the sewer project. This was tabled as many individuals contributed time, work and effort into this project. The Board will continue to reflect on a way to recognize those involved.

Bridge at Champion: Dave Tousignant presented a proposed bridge to cover pipes along the railing. The proposed cover will allow the wind to pass through and will hide what could be an attractive nuisance. The cost of the project is not yet known and there is a hope that it could be in the WPCA budget or possibly ask the state to add it to the project since it is a safety precaution.

Curbing: Dave Tousignant reported the price for the curbing had been negotiated and with approximately 2600 feet of curbing needed; the cost is likely to be around \$10,000. This will project will address nearly all the areas the community had expressed a concern.

Carrington Rd extension: David Tousignant will get a quote to pave this area and present it to the WPCA at the next meeting.

Dave Tousignant distributed a parking lot time table.

Open Space: Beth Kelly reported she is still exploring how and who to reach about preserving and expanding open space within Point O' Woods.

Recreation: Beth Kelly reported she would like to install the poles for the volleyball court in the recreation field. The Board supported this action. Beth Kelly requested the Board consider whether the recreation department could hold a camp fire sign along on the beach. The Board discussed this. David Tousignant motioned to allow a fire pit on the beach, under the supervision of the recreation department, for one night in July. Ken Russell seconded the motion. So voted, the motion carried unanimously.

Reports:

Treasurer's Report: Mark Peterson distributed financial statements. Liability Insurance will be increased as authorized to do with the approval of the budget.

Commissioners Reports: Posted on web page

Correspondence/Communication Update: attached

New Business, Unfinished Business:

Federation of Beaches: Fred Callahan reported the Town of Old Lyme is making the septic system requirements more stringent.

Cell Tower: The Board discussed Carolyn Sirkin's request to rescind the letter to the Citing council concerning a proposed cell phone tower at Snow White Laundromat from the Board of Governors sent in the spring. The Board discussed the tower and its impact. Ken Russell motioned to rescind the letter. Susan Bookman seconded the motion. No one voted in favor of the motion. Sue Bookman, Beth Kelly, Mark Peterson, Bud Phelps, Harry Ritson, Ken Russell and David Tousignant voted against the motion. Fred Callahan abstained. The motion did not carry.

Citizen Speak: Mary Lennon, stated that once a bench had a placard placed on it with a person's name and it caused a big uproar in the community and eventually it was removed.

Richard Burlington, 12 Walnut Rd., reported at the last Town of Old Lyme meeting the town indicated they were dredging Four Mile River and he suggested POW Board members should go to these meetings.

Adjournment: Beth Kelly motion to adjourn. David Tousignant seconded the motion. So voted, the motion carried. The meeting adjourned at 10:26 PM.

Respectfully submitted,
Mary Ann Ruud