

**GIANTS NECK BEACH ASSOCIATION  
SPECIAL MEETING OF THE BOARD OF GOVERNORS  
JULY 19, 2014**

BOG members present:      Page Heslin              Nazz Paciotti  
   Brook Mallory              Christine Paul  
   Betty Sheehan

**1. CALL TO ORDER.**

President Heslin called the meeting to order at 9:50 AM, immediately following the membership meeting.

**2. DISCUSSION OF POTENTIAL CHARTER AND BYLAWS REVISIONS, INCLUDING QUESTIONS AND COMMENTS FROM THE PUBLIC.**

President Heslin started the meeting by handing out draft proposed changes to the GNBA Charter and Bylaws. She then addressed each of the proposed changes in order, and asked for questions and comments.

**1) BOG Term Length and Limits**

Jim Horton stated he believes this is a good idea. Brief discussion followed, with no material concerns or requested changes.

**2) Special Assessments**

The Board explained the basis for the proposed change. Special assessments would only be made with full Association approval. The Board would have no authority to enact special assessments without approval of the Association.

Tom Fox asked what methods of assessment were discussed. Page Heslin said that a number of methods could be possible depending on the situation, including equal division among properties or allocation based on frontage or other criteria. The Grand List could be used as well.

Phyllis Berger asked whether there would be a minimum dollar amount for special assessments. The Board said there would not.

Gail Shea said the proposed language refers to “particular projects” and questioned whether it should instead be “capital projects.” She also asked why such projects couldn’t be incorporated into the regular budget? The Board explained that this is intended for capital projects, not operating budget issues. The idea is to give more flexibility, both in

terms of methodology and in terms of timing so that we are not limited to just the annual meeting each year if issues arise for instance during the winter. In each and every case the Association would need to approve the special assessment. It could never be done by the Board alone.

Tom Fox asked why need to make a change. We have always used the Grand List before. Page Heslin reiterated that the Grand List would remain the methodology for the operating budget and could also be used as the basis for special assessments. We are just trying to interject more flexibility and clarity. It would always require Association approval. Nazz Paciotti explained that it gives residents another avenue to support or not support a proposed project. The range of taxes is quite varied, and some at the high end may not support particular projects.

Jim Beaulieu stated he is opposed to the proposal.

Nazz Paciotti agreed with Gail Shea that we should think about the capital budget more when we pass the annual budget.

### 3) **Effect of Budget Failures**

President Heslin explained that this proposed change would make GNBA consistent with the Town of East Lyme with respect to what happens if the Association fails to pass a budget at an annual meeting.

Gail Shea said that she has no objections, but language should be “are not” instead of “is not.” Brief discussion followed, with no material concerns or other requested changes.

### 4) **Elimination of specific cap on fines in Charter**

President Heslin explained that this proposed change removes the \$20.00 cap on fines contained in Charter. It is more appropriate to have fine amounts set in ordinances so they can be adjusted periodically to remain meaningful.

Tom Fox said that enforcement of ordinances is an ongoing problem. General discussion followed about the continual problems with ordinance enforcement, especially with respect to parking/traffic issues. The Board stated it is investigating options, including signing up with an enforcement bureau and contracting with a private tow company.

Alan Pease noted that GNIC owns the roadways. He is concerned that installing signs bearing the phrase “per order of selectmen,” which the police require to issue tickets, could give them more power over our roads and jeopardize our private status.

## 5) Voting Eligibility

President Heslin explained that this proposed change would allow for one vote per GNBA property.

Phyllis Berger asked how would it work if someone owned more than one property. The Board responded they would get one vote per property.

Gail Shea doesn't believe that spouses of property owners should be allowed to serve on boards. It should only be the property owner.

Page Heslin expressed concern that we have enough trouble getting volunteers without further limiting the pool based on how people choose to hold legal title to their property. She noted that we could clarify that one must be a "resident" to serve on a board or committee.

Jim Beaulieu said the proposed change is problematic. If a bank owns multiple properties, it could change the rules and build a hotel in GNBA .

Gail Shea is opposed to the change. Everyone whose name is on the deed should be allowed to vote. If there are ten people on the deed there should be ten votes allowed.

Jim Horton and Tina Bettera are in favor of the proposed change.

Gail Shea believes the vote should be on an item by item basis, not as a package. THE Board said that issue had not yet been decided. Many of the proposals are related and would not make sense to do alone.

## 6) Absentee Ballots

Jim Malone asked what was meant by a "vote without a meeting."

Page Heslin stated that any vote would still have to be noticed; the concept is that everyone would vote by absentee ballot. This provision is intended to provide flexibility in the event of something like repairs to damage caused by a hurricane. GNBA attorney strongly suggested this language in connection with the absentee ballot proposal.

Gail Shea stated this would violate FOI. You can't do it.

General discussion followed on whether need live discussion before every vote, or whether it could ever be possible to distribute written information and seek vote. Page Heslin reiterated that this language was recommended by the lawyer, and that the goal is to provide greatest possible flexibility even if the provisions are never used.

Gail Shea said she has a problem with the “at its sole discretion” language. This gives the BOG too much power. There should be some specification on the types of issues. For example, is it just on budgetary matters?

Discussion followed on whether we could establish some parameters around type of issues appropriate for absentee ballots. Page Heslin noted the task force had considered categories such as significant capital expenditures and disposition of Association assets.

## **7) Telephonic Participation in Board Meetings**

Gail Shea said she is very opposed to this proposal, and has a lot of concerns. FOIA has problems with this as well.

Art House said he is in favor of this.

Jim Beaulieu said it should state the place where the actual meeting is taking place. Page Heslin responded that there will always be a physical meeting that members can attend. Gail Shea noted that the language refers to meetings with no Board members present. She has a real problem with that. The board will review the language. That was not the intent.

General discussion followed concerning equipment for conference calling, the possibility of having the public be able to call in, audio/visual concerns, etc.

## **8) Adjournment**

**MOTION (1): GAIL SHEA MOVED TO ADJOURN THE JULY 19, 2014 GIANTS NECK BEACH ASSOCIATION SPECIAL MEETING OF THE BOARD OF GOVERNORS AT 10:45 AM. SECONDED BY ART HOUSE. MOTION PASSED BY VOICE VOTE.**

Respectfully submitted,

Trip Hartigan

Acting Recording Secretary