

**GIANTS NECK BEACH ASSOCIATION
SPECIAL MEETING OF THE BOARD OF GOVERNORS
JULY 23, 2014**

BOG members present: Page Heslin John Wohler
 Brook Mallory Christine Paul
 Nazz Paciotti

1. CALL TO ORDER.

President Heslin called the July 23, 2014 Giants Neck Beach Association Special Meeting of the Board of Governors to order at 8:00 p. m. This is the second of two informational meetings to provide an opportunity for Association members to ask questions and express their views about the proposed language for Charter and By-laws revisions. Six Association members were present, some of whom were also at the first meeting.

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

President Heslin invited questions and comments about the proposed changes.

Louise Wilcox asked for clarification as to how the current assessments would differ from the current Grand List methodology. The Board explained that the current tax system based on the Town Grand List would continue to be the methodology for the regular annual budget. The proposal to add mechanisms for special assessments is just to provide explicit flexibility in the Charter for alternative approaches if they would seem more appropriate than the Grand List for a particular situation. Examples could include equal assessments for all properties, or assessments based on frontage, or something else. In each case it would need to be presented to the Association for approval or rejection.

Phyllis Berger asked who gets to make the decision about whether a special assessment is imposed. She does not believe there is any case in which it is right to have equal assessments across all properties; houses with higher Grand List values should pay a larger share regardless of type of project. The Board repeated that in every single case the Association would need to approve the application of a special assessment; the Board itself cannot impose a special assessment without Association approval.

Jim Beaulieu said he believes we already have the right to enact special assessments. In fact an equal assessment across all properties was made in the past to address damage following a hurricane. He is also opposed to absentee ballots, as he believes it will be very expensive to implement.

Phyllis Berger said the best proposal is the change to one vote per property. Jim Beaulieu does not believe that someone that owns two properties should get two votes. He would prefer to see one vote per property, but also no more than one vote per person. The Board pointed out that under the proposal the vote attaches to the property not the owner, so someone owning multiple properties would get a vote for each property.

Louise Wilcox asked about the purpose of eliminating the fine amount from the Charter. The Board explained that the charter caps the allowable fine amount at \$20.00, which although perhaps meaningful at the time no longer provides either an incentive for compliance or a worthwhile basis to pursue enforcement. She asked how fines would be decided upon if it is removed. The Board replied that they will be set in the ordinances, which can be updated more easily than the charter so they can remain relevant over time.

Marcia Brynwood asked about the language stating that if there is a dispute among co-owners as to who gets to vote for the property the BOG does not have to accept the vote of either of them. The Board explained that this is to make clear that the Board/Association are not responsible for resolving disputes in this area. CO-owners will need to work it out among themselves.

Mr. Beaulieu stated that the vote in August must be done under the current rules. We should use paper ballots. We must work from a list of people eligible to vote. We cannot allow corporations and trust to vote. If we do not do it correctly he will call the State of Connecticut to complain. The Board agreed that the vote is to be conducted based on current, not proposed, language. They pointed out, however, that corporations are “persons” under Connecticut law. They have not decided on exact procedures but will conduct vote in an appropriate way. There was discussion of fact that it might be advisable to send an email blast before the vote providing information on intended procedures so that no one is taken by surprise.

Ms. Heslin stated that under the new proposed procedures, trusts and corporations will be allowed to designate a representative to vote.

A question was asked about absentee votes versus proxy votes. Ms. Heslin explained that an absentee vote is when you send in your own vote by written ballot. A proxy vote is when you allow someone else to vote for you. The proposed changes will allow for absentee voting, but not proxy votes.

Phyllis Berger stated she does not agree with the idea of special assessments. Mr. Paciotti stated again that in every case this would only be a recommendation/proposal from the Board. It is the Association that has the right to approve or reject the application of a special assessment to a particular situation.

Ms. Heslin stated it has recently been suggested that we add restrictions on weekend and holiday construction in the summer months, and asked for feedback from the members present. Current ordinances state only that construction may take place between 8 a.m. and 6 p.m. There is no distinction for weekends or holidays. Ms. Beaulieu does not wish to

suspend construction for the summer months altogether but is in favor of suspending construction on weekends and holidays.

Jim Beaulieu said we should be very careful about making any changes to the Charter. He does not feel like they are necessary.

Phyllis Berger asked if the proposals would be voted on individually or as a package. The Board responded that this had not yet been decided. Many of them are related and do not make sense independently, or would not by themselves warrant going through the process of Charter revision. They will give this further consideration.

A resident thanked the Board for holding to separate two separate meetings on this matter to give greater opportunities for people to attend.

**MOTION (1): MR. PACIOTTI MOVED TO ADJOURN THE
JULY 23, 2014 GIANTS NECK BEACH
ASSOCIATION SPECIAL MEETING
OF THE BOARD OF GOVERNORS AT
9 P.M. SECONDED BY MS. MALLORY.
(5-0) UNANIMOUS**

Respectfully submitted,

**Frances Gheri
Recording Secretary**