

**MINUTES OF STONY CREEK ASSOCIATION EXECUTIVE BOARD
REGULAR MEETING – TUESDAY, OCTOBER 4, 2016**

Call to Order: A regular meeting of the Stony Creek Association Executive Board was called to order at 7:30pm on Tuesday, October 4, 2016, at Willoughby Wallace Library by Dan Bullard, President.

Executive Board: Present: Dan Bullard, President Greg Ames, Treasurer
Bob Babcock, Vice President Jake Greenvall
Christine Chiocchio Jim Walker
Mark Richter Sandy Fischer
Ted Ells Sam Kirby
Laura Barr Pete DaRos
Nick Fischer, Tax Collector

Absent:

Public: 13

Minutes:

September 6, 2016 Minutes:

- Correction: Mark Richter was absent.
- Legal and Zoning: **Long** Point Road
- Dog Lease law: there is no law in Branford but there is a lease ordinance in Stony Creek.
- Motion made by Sandy Fischer, seconded by Mark Richter that the minutes of September 6, 2016 be approved. All approved.

Legacy Theater:

- Committee (Jake Greenvall, Sam Kirby and Greg Ames) met with Tim Lee, Caleb Hamel (neighbors) and Jim Strub (Legacy) met at Tim Lee's office two weeks ago. Caleb was going to talk to his clients and draft a Memorandum of Understanding. He is currently on vacation and there has been no proposal to the Stony Creek Association Board committee at this time.
- Jim Walker brought up a hypothetical parking for resident's scenario at the RTM Rules and Ordinance Committee meeting and it was universally opposed. Town attorney Bill Aniscovich and the Board of Police Commissioners did not think it would be a good idea either.
- Ted Ells asked the individual plaintiffs what their position was. The plaintiffs stated that their attorney, Caleb Hamel, could answer those questions but is away.
- Dan Bullard was asked to have all the lawyers join us for this meeting although with Caleb away, it did not make much sense.
- Motion by Ted Ells, seconded by Bob Babcock to go into Executive Session.
- Public Comment:
 - Unk DaRos stated that this has gone on for 2 years. He questioned why the Board is negotiating with Legacy when we are appealing the town's decision.
 - Janet Weithas (See attached letter). Sam Kirby answered her questions: there was no cancellation by the Judge in August, and Bill Aniscovich, town attorney, has been at most mediation sessions. Mark Richter also added that the Board did draft a Memorandum of Understanding in June and it was publicized.
 - Linda Reed commented that Mark Brance also attended the September 19th meeting. She also commented that Bill Aniscovich has not attended all mediation sessions. There was a mediation session scheduled on September 5th but it was discontinued by mutual agreement of all parties. She questioned why resident parking was discussed at the RTM meeting without authorization from the Board.

- Ed Gagliardi commented that this could go on forever and the attorney fees keep adding up. When will there be a solution?
- Board comments:
 - Dan Bullard reminded everyone that we appealed the towns decision to approve the Tenet Fit Up application.
 - Greg Ames commented that a public hearing is not yet appropriate for where they are in discussions. Individual plaintiffs are still addressing their concerns with the Theater and we are on the threshold of providing a good solution for the entire community.
 - Ted Ells stated there has been \$30k spent on legal fees, \$25k of which was spent on this issue with the Theater and FOI, \$9k of which was donated from the public. We need to take some action.
 - Sam Kirby commented that there is no one person holding up the process.
 - Laura Barr commented that the neighbors and the plaintiffs are not the same. The real issues of this problem for all the neighbors are not being addressed by the Stony Creek Association.
- Ted Ells withdrew his motion to go into Executive Session.
- See attached letter from Ed Vescovi and Bill Donoruma.
- Public Comment:
 - Linda Reed questioned if it is permissible for the School House to offer parking based on zoning. She also commented that serving on the board should be for public service for the health, safety and public welfare of the entire community, not individual special interests.
 - Jim Fiora commented that there are a number of neighbors who will be impacted by this theater and who have joined together to do something about development in Stony Creek. Neighbors need the support of the Stony Creek Association Board and their concerns need to be addressed, not just those of the plaintiffs.
- Motion by Ted Ells, seconded by Christine Chiochio that unless we have an acceptable agreement from all parties by all parties, that we withdraw from this appeal at our next meeting November 1. 2 approved (Ted Ells and Christine Chiochio), 8 opposed.
- Public Comment:
 - Susan Torre questioned Jim Walker and why he brought a discussion about parking to the RTM without board approval.
 - Eleanor (plaintiff) commented that it was not right that her lawyer, Caleb Hamel, and Jim Strub, Legacy lawyer, were invited into Executive Session at the September 6th meeting and she was not.
- Bob Babcock asked Sam Kirby, Greg Ames and Jake Greenvall if a deadline of November 1 was realistic. They all commented that it was too soon and not appropriate to have a drop dead date at this time. We are very close to having a Memorandum of Understanding from Caleb.
- Mark Ritcher moved the question. Seconded by Jim Walker. 7 approved, 3 opposed.

Treasurer’s Report:

- Greg Ames presented the monthly report that has been approved by the auditors. Motion by Sandy Fischer and seconded by Bob Babcock to approve the Treasurer’s report for audit. All approved.

September 1, 2016

General Fund – Checking

Cash on Hand General Fund (Checking)	9/1/16	\$3,942.54
PLUS		
LESS		
Bills approved for payment	8/26/16	<u>(\$2,167.92)</u>
Cash on Hand- Checking	10/1/16	\$1,774.62

Money Market Account

Cash on Hand	9/1/16	\$34,565.84
PLUS		
Interest received July 31		\$9.32
Interest received Aug 31 (Int. Rate 0.30%)		\$8.79
LESS		
Cash on Hand – Money Market Account	10/1/16	<u>\$34,583.95</u>
Total Assets October 1, 2016		\$36,358.57

- Greg Ames presented bills to be paid, totaling \$1,650.27. Motion by Sandy Fischer and seconded by Mark Richter to pay the bills presented. All approved.
 - To: Meagan DeJesus For: Services During Aug & Sept. \$300.00
 - To: Dan Bullard For: SCA Cell Phone \$61.45
 - To: Fasano, Ippolito, Lee & Florentine For: Legal services thru Sept 20 \$687.50
 - To: Wayne Jacobson For: Maintenance Sept 3 weeks \$300.00
 - To: Greg Ames, Treasurer For: Reimbursement for postage \$28.20
 - To: CIRMA For: Treasurer’s bond \$104.00
 - To: Shore Publishing For: Election Notice \$26.00
 - To: 21st Century Media For: Tax Notices \$143.12
 - TOTAL \$1,650.27

- Fasano, Ippolito, Lee & Florentine bill includes:
 - 8/9/16: Meet with Sam, Jake, Greg, Atty Hamel and the individual plaintiffs re: settlement negotiations \$550.00
 - 8/15/16: Phone Conversation with Atty Hamel re: results of meeting with neighbors. \$55.00
 - 8/24/16: Review correspondence from Sam. Draft email to Attys Hamel and Strub. \$82.50

Tax Collector:

- Sandy Fischer delivered the following report from Nick Fischer, Tax Collector: As of October 4, 2016 we have collected \$12,994.09, 65%, of the total tax amount due.

Legal & Zoning:

- Planning & Zoning Agenda: 4 Long Point Road exception, October 6th hearing.
- Zoning Board of Appeals Agenda: nothing to report in Stony Creek.

Police & Traffic:

- Peter Hugret reported that there were two outstanding requests on Sachem Road that were handled.
- Laura Barr, committee, will attend the meeting regarding an ordinance for no parking on Bohay Hill Rd. on October 11th at 5pm.
- 3 Halls Point Rd.: need lines for no parking in front of mailbox. Suggested to call Tom Brennan.
- Public Comment:
 - Linda Reed commented the crosswalk signs were taken down too soon. Sandy Fischer commented they needed to be repaired.

Maintenance:

- Sandy Fischer, committee chair, reported that she spoke with Diana Ross, tree warden, and we will be getting a new tree at the beach. We may have to fund the planting.
- Sandy Fischer requested Christine Chiocchio ask Sgt. Watrous come to a Board meeting to discuss concerns.

Administration:

- Mark Richter, committee chair, will post for the bidding of the snow removal contract.

New Business:

- Toilet: No update.
- Motion made by Sandy Fischer, seconded by Laura Barr to replace the dog poop bag container on lower Thimble Island Rd.
- Concern from the public about stop sign on telephone pole.
- Mark Richter raised concern about skunks in the area.
- Concern raised about garbage trucks making a lot of noise in the middle of the night. Appealed to the solid waste commission.

Motion made by Jim Walker, seconded by Sam Kirby and approved to adjourn the meeting at 9:07pm.

**Reminder that if you would like to contact Dan Bullard,
President, or Meagan DeJesus, Secretary, or anyone regarding
the Stony Creek Association, please use (203) 494-0467 or email:
sca06405@gmail.com.**

Respectfully Submitted,
Meagan M. DeJesus, Secretary

The next meeting of the Stony Creek Association Executive Board will be held on Tuesday, November 1, 2016 at 7:30pm at the Willoughby Wallace Memorial Library.

NOTE: MINUTES ARE POSTED AT SCA-CT.ORG, STONY CREEK MARKET, AND THIMBLEBERRY'S
Stony Creek Association email address: sca06405@gmail.com
Or Stony Creek Association, PO Box 3145, Stony Creek, CT 06405