

January 11, 2011

TO THE EXECUTIVE COMMITTEE OF THE PINE ORCHARD ASSOCIATION

AT THE CALL OF THE PRESIDENT, there will be a meeting of the Board on Monday, **January 17, 2011**, at **7:30 P.M.** in the Board Room of the Association Building, 180 Pine Orchard Road.

AGENDA

- I Approval of Minutes of the November 15, 2010 meeting
 - a. Review of July 12, 2010 Annual Meeting Minutes
- II Zoning Report (Joe Canavan)
 - a. Ariyan Appeals
- III Security Report (Jennifer)
- IV Treasurer's Report (Stacy)
- V Planning Committee Report
 - a. 175 Pine Orchard Road
- VI Roads/Public Works Report (James)
 - a. Website Report
 - b. Pine Orchard Museum
- VII Tax Collection Report (Debra)
- VIII Waterfront & Building Report (Vining)
- IX Old Business
- X New Business
- XI Any other business that may properly come before the meeting.

Attest: John Donegan, President

March 7, 2011

TO THE EXECUTIVE COMMITTEE OF THE PINE ORCHARD ASSOCIATION

AT THE CALL OF THE PRESIDENT, there will be a meeting of the Board on Monday, **March 14, 2011**, at **7:30 P.M.** in the Board Room of the Association Building, 180 Pine Orchard Road.

AGENDA

- I Approval of Minutes of the November 15, 2010 meeting (No meeting held in January, 2011)
- II Zoning Report (Joe Canavan)
 - a. Ariyan Appeals
- III Security Report (Jennifer)
- IV Treasurer's Report (Stacy)
 - a. Authorization to expend money from Mirror Lake Fund for chemicals to treat Mirror Lake, Summer, 2011
- V Planning Committee Report
 - a. 175 Pine Orchard Road
- VI Roads/Public Works Report (James)
 - a. Website Report
 - b. Pine Orchard Museum
- VII Tax Collection Report (Debra)
- VIII Waterfront & Building Report (Vining)
- IX Old Business
- X New Business
- XI Any other business that may properly come before the meeting.

Attest: John Donegan, President

May 10, 2011

TO THE EXECUTIVE COMMITTEE OF THE PINE ORCHARD ASSOCIATION

AT THE CALL OF THE PRESIDENT, there will be a meeting of the Board on Monday, **May 16, 2011**, at **7:30 P.M.** in the Board Room of the Association Building, 180 Pine Orchard Road.

AGENDA

- I Approval of Minutes of the March 14, 2011 meeting
- II Zoning Report (Joe Canavan)
 - a. Follow up on Ariyan Appeals
 - b. Consider revision to Application Fees
- III Security Report (Jennifer)
- IV Treasurer's Report (Stacy)
- V Planning Committee Report
 - a. 175 Pine Orchard Road
- VI Roads/Public Works Report (James)
 - a. Website Report
 - b. Pine Orchard Museum
- VII Tax Collection Report (Debra)
- VIII Waterfront & Building Report (Vining)
- IX Old Business
- X Annual Meeting July 11, 2011, 8:00 P.M.
 - a. Special Budget Meeting Monday, June 6, 2011, 7:30 P.M.
- XI New Business
- XII Any other business that may properly come before the meeting.

Attest: John Donegan, President

Minutes of The Pine Orchard Association Executive Meeting
May 16, 2011

The meeting was called to order with a quorum present at 7:35 P.M. in the Board Room of The Association Building at 180 Pine Orchard Road, Branford, Connecticut. In attendance were the following Board members: John Donegan, Vining Bigelow, James Kaiser, Donald Patenaude, Kenneth Graham, Eric Hanson, Jennifer Aniskovich, Charlie Shelton and Debra Lintern.

I Minutes

The Minutes of the March 14, 2011 meeting were not ready to be presented for acceptance; therefore, no action was taken on the approval of the Minutes of the March 14, 2011 meeting.

II Zoning Report

In Joe Canavan's absence, the President did make the following remarks.

The President said that as far as the Ariyan appeals, all of the appeals were unsuccessful and the structures that had been erected by Dr. Ariyan had been removed. There was some Board discussion on whether the Association should proceed against the appellants on these appeals with reference to expenses and costs incurred over the course of these appeals. Bud Beccia, the POA Zoning Enforcement Officer, has prepared a summary of those costs and charges at least related to the time expended by him on these Ariyan appeals. The Board decided to postpone any consideration of this issue until the next scheduled meeting of the Board on June 6, 2011.

There was also some discussion of the Board with reference to the amount of our application fees for various items that come before the Zoning Board of Appeals, Planning Commission or the Zoning Authority of The Pine Orchard Association. Bud Beccia has put together a summary of fees for similar applications in the surrounding communities for the consideration of the Board. The Board also agreed to postpone further consideration of this action until the June 6, 2011 meeting.

The Board also discussed an issue that has arisen relative to the same house on Yowago Avenue, a recent subject of discussion by this Board relative to excessive noise of barking dogs several months ago. It was recently learned that the owners of the house are currently residing in California and the house is now listed on a website for rentals, which rentals include the suggestion as set forth on the website of either annual, semi-annual, monthly, weekly or weekend rentals. The Board generally discussed the use of Pine Orchard properties for short-term rental. The Board agreed to postpone the discussion on the June 6, 2011 meeting. The

President said that he would speak with counsel for the Board and our Zoning Enforcement Officer concerning this issue.

III Security Report

There was no Security Report.

IV Treasurer's Report

In Stacy Ruwe's absence, the President received from her and distributed among members of the Board a copy of the budget to date for our fiscal year. It appeared that zoning fees were tracking projections for the year. There was some brief discussion concerning mooring fees. Ken Graham mentioned that the Mirror Lake chemicals had not yet been invoiced but arrangements have been made for the Town to pay those invoices and for The Pine Orchard Association to take funds from its Mirror Lake account to satisfy those invoices.

V Planning Committee Report

Charlie Shelton reported that there was nothing to report or any new developments on 175 Pine Orchard Road.

VI Roads and Public Works

James Kaiser indicated that he had nothing to report that was new on the website but that he would have a website volume report at our June 6, 2011 meeting.

With reference to the Pine Orchard Museum, James Kaiser stated that he had forwarded some sample sites to Board members for their review and consideration. There were also some photos that were scanned into the proposed website for viewing and James indicated that he thought that some of them ought to be changed to sites in the Pine Orchard area. He also brought to the meeting various maps and documents that had been given to him relative to the Museum. A question was brought up as to where these documents should be stored and how they should be stored to preserve their value.

James also said that he had been contacted by Ed Kelleher with a request that a Potato Post at the end of Halstead Lane be repaired by The Pine Orchard Association. There was also a structure at the end of Halstead Lane that went into the water that needed some repair. There was a general discussion among the Board whether or not The Pine Orchard Association was

responsible for the repair of these structures. The consensus of the Board was that The Pine Orchard Association was not responsible for the repair of these structures.

VII Tax Collection Report

Debra Lintern reported that all Pine Orchard taxes have been collected with the exception of one individual and that a lien will be filed on the Branford Land Records to preserve the secured position of The Pine Orchard Association concerning those delinquent taxes.

VIII Waterfront & Building Report

Vining Bigelow reported that the breakwater sidewalk at the end of Island View Avenue will need some repairs and he is speaking with some contractors to get estimates and arrange for the repair work to be done.

He also asked whether the Board wanted to consider the planting of some bushes on the side of the Association building and there was general discussion without any decision concerning that request.

The President also reported that the garage in the Association building was currently empty and was available for rental.

IX Old Business

Ken Graham reported on the erosion procedures, or the lack thereof, on the Greenway Trail behind The Pine Orchard Association building. Ken mentioned that in his opinion the Greenway Trail is not very organized and they do not seem to be in a hurry to fix the problem behind our building. The Board discussed various actions to get the Trail group moving on a solution and asked Ken Graham to continue to monitor the situation behind our building and do whatever he could to bring the situation to a conclusion either by way of action by the Inland Wetlands Commission or, alternatively, a decision by the Greenway Trail Committee to undertake corrective work.

X Annual Meeting

The President reported that the Annual Meeting is scheduled for July 11, 2011, at 8:00 P.M., at The Pine Orchard Union Chapel.

The President also reminded all present that there was a Zoning Authority Meeting scheduled on the Hally application for Tuesday, May 31, 2011, at 7:30 P.M.

The President also reported that there is a Special Budget Meeting scheduled for Monday, June 6, 2011, at 7:30 P.M., so that the Board can consider and adopt a budget for fiscal year 2011-2012.

There being no further business to come before the meeting, the meeting was adjourned at 8:50 P.M.

Respectfully Submitted,

Eric C. Hanson
Clerk

June 1, 2011

TO THE EXECUTIVE COMMITTEE OF THE PINE ORCHARD ASSOCIATION

AT THE CALL OF THE PRESIDENT, there will be a meeting of the Board on **Monday, June 6, 2011, at 7:30 P.M.** in the Board Room of the Association Building, 180 Pine Orchard Road.

AGENDA

- I Approval of Minutes of the March 14, 2011 meeting and May 16, 2011 meeting
- II Zoning Report (Joe Canavan)
 - a. Follow up on Ariyan Appeals – consideration of levy of fine or costs
 - b. Consider revision to Application Fees
- III Treasurer's Report (Stacy)
 - a. Adoption of Budget for Fiscal Year 2011-2012
 - b. Review of Tax List
- IV Roads/Public Works Report (James)
 - a. Website Report
 - b. Pine Orchard Museum
- V Waterfront & Building Report (Vining)
 - a. Work to be done
- VI Annual Meeting July 11, 2011, 8:00 P.M.
 - a. Slate of Proposed Candidates
- VII New Business
 - a. Recognition of Elaine's Service
- VIII Any other business that may properly come before the meeting.

Attest: John Donegan, President

108th Annual Pine Orchard Annual-July 11, 2011

Meeting Minutes:

The 108th Annual Pine Orchard Association Meeting was called to order with a quorum determined to be present at 8:05 pm. Board members present: John Donegan, Jennifer Aniskovich, Stacy Ruwe, James Kaiser, Vining Bigelow, Charles Shelton, Joe Canavan, Eric Hanson and Debbie Lintern

At the commencement of the meeting the Board formally recognized the twenty seven years of excellent service to the Pine Orchard Association of Elaine Littlehales. The Board presented Elaine with a plaque to be displayed at the Pine Orchard Association building. A round of applause was given to Elaine by all attending.

I. Board Member Election: the first item of business was election of Board members to three year terms

Standing for re-election were nominees: Joe Canavan, Eric Hanson, and John Donegan. Peggy Crowley was up for re-election but declined to run. Greg Stak was nominated to run for Peggy's vacant seat. There were no floor nominations. Charlie Shelton proposed a Motion that the Clerk cast one ballot for the presented slate of nominees. John Donegan seconded the Motion and all present voted for the proposed nominees.

Committee reports:

Waterfront

Vining Bigelow, for information purposes, explained his responsibilities for the Pine Orchard Building, shorefront access and breakwater and some steps. He discussed the current projects ongoing: \$1500 for some waterside steps and the Selden & breakwater cementing approximately \$5000.

Dr Ariyan asked if the Association had any major damage insurance coverage. The Board answered that there was enough insurance for the Association's access points.

Security: Joe Canavan reported that the security company would be driving around in a different car. He has been reviewing the daily reports and mentioned that they are available at the Association building for review.

Jennifer Aniskovich mentioned that the security company was employing a flexible schedule based on the season.

Resident Rodgers (17 Chapel) asked about the cost of the security and why it was not an off-duty Branford Police Officer. Joe Canavan mentioned the increased cost due to the new union contract and Jennifer Aniskovich mentioned the changing rules for picking up the security shifts which would be over time. She mentioned the past vote about keeping security and that at this time the police coverage would be considerably more expensive than the private company.

Joe Canavan mentioned that he is in close contact with the neighborhood police liaison and will review calls with them.

Tiffany Ariyan asked about installing a One-Way sign at the Stop sign entering Chapel. She asked about how to do it. Joe Canavan mentioned that he would speak to the Branford Police Department. James Kaiser mentioned maybe better signage and Jennifer Aniskovich noted that if residents talk to the police about it, there is action.

Resident Rogers asked about installing speed bumps. How is it done?

John Donegan said that it needs to be cleared with the town and usually there will be a cost to the neighbors.

Roads & Public Works and Website:

James Kaiser announced that the virtual museum would be launched as part of the website based on the donation of material from George Noyes.

Any resident will be able to submit pictures.

Pine Orchard Association by-laws and history will also be available on the site.

Planning & Zoning

Joe Canavan reported that the Zoning Committee has been busy for the last three years and that the Association hired Bud Beccia to assist in the impartial interpretation and enforcement of the zoning regulations. The Zoning Board of Appeals is chaired by Arthur Knowlton. The Zoning regulations are being updated.

Resident Bob Buckholz asked about the “new” lighting fixtures regulations. John Donegan said that they were on the website. Joe Canavan also mentioned that Bud Beccia is has an open communication policy with all residents.

Charlie Shelton had no items to report for the Planning committee. He is watching the “development on the corner of 175 Pine Orchard Road. He said that nothing has been submitted to the ZBA for the fifth lot. John Donegan explained that the fifth lot must meet all POA regulations.

Budget:

Stacy Ruwe mailed out the budget in a letter to all residents.

She reported that the Association was on budget due to:

- The lack of large maintenance items
- Taxes have been all collected and are now more automated
- Additional revenue from permits

Debbie Lintern said that all of the current tax bills were mailed and there was only one delinquent tax bill from last year.

June, 2011

TO ALL PROPERTY OWNERS QUALIFIED TO VOTE AT THE ANNUAL MEETING OF THE PINE ORCHARD ASSOCIATION "Every member of the Association of the age of EIGHTEEN YEARS or over so long as he or she continues to own real estate within the limits of said Association"...See section 4 of By-Laws.

The Annual Meeting of The Pine Orchard Association will be held at The Pine Orchard Union Chapel, Pine Orchard, Connecticut, on Monday, July 11, 2011 at 8:00 PM promptly for the following purposes:

1. To elect by ballot four persons to serve on the Executive Board for a term of three years from the date of their election. The Executive Board and its Nominating Committee propose the following for three-year terms:
M. Joseph Canavan, John Donegan, Eric Hanson, and Gregory Stak.
Other nominations will be accepted from the floor. However, such nominees should have expressed their willingness to serve.
2. Brief committee reports on activities of the past year.
3. To transact any other business within the power of the meeting which may be brought before it.

Attest: John Donegan, President
Eric Hanson, Clerk

as of June 18, 2011

	Budget 2010/2011	Activity 2010/2011	Budget 2011/2012
RECEIPTS			
Tax Collections	\$70,099	\$69,883	\$70,099
Rent	2,600	2,800	2,600
Building and Permit Fees	2,500	3,741	3,000
Other (Interest, mooring)	1,000	439	750
Total	76,199	76,863	76,449
DISBURSEMENTS			
Security	42,081	37,816	43,300
Shorefront Maintenance	5,000	5,750	5,000
Building			
Maintenance and Utilities	7,200	7,420	7,500
Improvements	500	0	500
Office/General	6,400	4,192	5,000
Insurance	6,345	5,986	6,250
Legal	5,000	1,155	5,000
Zoning	3,000	3,430	3,500
Pine Orchard Museum/Web	2,500	0	1,200
Audit/Annual Review	1,850	1,850	1,900
TOTAL	79,876	67,600	79,150
NET INCOME/(LOSS)	(\$3,677)	\$9,263	(\$2,701)

The Pine Orchard Association

180 Pine Orchard Road, Branford, CT 06405

June 22, 2011

Property Owner Mailing Address:

HANSON ERIC C
1 TOTOKET RD
BRANFORD, CT 06405

1 TOTOKET RD
BRANFORD, CT 06405

Dear Association Members:

After a rather brutal winter and a spring that seemed to last about twenty-four (24) hours, I believe that summer has finally arrived! Hopefully, we can now all look forward to enjoy being in our beautiful Pine Orchard.

During the last year, the Board has dealt with some zoning issues, increased our zoning application fees to a more reasonable level and has continued to apply and enforce, on a uniform basis, our zoning regulations. The existence of our zoning regulations is a significant reason why Pine Orchard continues to be the best area in Branford to live.

The Board has adopted a budget for the next fiscal year that continues the mill rate at the same level it has been for the last several years. I am grateful to all our Board members and other members of our Association who have been helpful throughout the year in allowing the Association to continue to provide and maintain its services to all members of the Association at the same expense to its members.

All members are encouraged to visit our website at www.pineorchardassociation.com to view new developments. If you have any thoughts or comments concerning our website, please contact James Kaiser who has taken the lead on our Board in developing and improving our website. James has also been instrumental in initiating a virtual Pine Orchard Museum with the cooperation and generosity of George Noyes and the Noyes family.

All residents are again reminded that it is illegal to allow dogs to roam unleashed on property of others and the dogs are not permitted on the beach, leashed or unleashed. Each of us respecting the property rights of others will ensure that Pine Orchard remains the civil, friendly and cordial neighborhood it has always been.

Enclosed please find an envelope addressed to the Pine Orchard Chapel. The Chapel has been located and of service to Pine Orchard residents for many years and it depends on donations to maintain its building and grounds as well as other administrative expenses. If you are able to help out the Chapel with a donation, I am sure it would be greatly appreciated.

Have a great summer!

Very truly yours,

John E. Donegan
President

The mill rate will be the same as last year and the budget will most likely be balanced with no increase in security cost and the lack of any large maintenance expenditures.

Stacy Ruwe brought forward the idea to have internet access at the Pine Orchard Association for the new Office Manager, Deb Greene. Office Hours will not change.

The meeting was then opened for questions from the audience:

John Donegan received a letter from a resident and read in into the record. It asked about a noise ordinance for early morning contractors. John Donegan had Bud Beccia review the current ordinances. Bud Beccia mentioned two issues with noise ordinances in general; they are hard to enforce and costly to institute. He also said that Branford already had one in existence.

Stacy Ruwe also presented the opportunity to rent out the Association garage to any interested resident.

Bernadette Stak asked about reinstating a Pine Orchard Picnic. She mentioned that she was willing to form a committee and create an action plan. The Board will support a plan. Jennifer Aniskovich reminded the residents about the Pine Orchard Association books available.

The Meeting was adjourned at 8:40 pm

Immediately following the Annual meeting, the Board convened a meeting to elect the new officers.

The following slate was presented for consideration of the Board: John Donegan as President, Jennifer Aniskovich as Vice-President, Stacy Ruwe as Treasurer, and Eric Hanson as Clerk. Debbie Lintern made a Motion to accept the slate as presented and Joe Canavan seconded the Motion. The Board voted unanimously for the slate of officers presented. The meeting was then adjourned.

Respectfully presented,

Eric Hanson, Clerk

The Pine Orchard Association
180 Pine Orchard Road
Branford, CT 06405

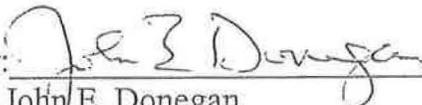
TO ALL MEMBERS OF THE PINE ORCHARD ASSOCIATION:

At the call of the undersigned, there shall be a Special Meeting of the members of The Pine Orchard Association held at The Pine Orchard Union Chapel, Pine Orchard, Connecticut, on Wednesday, September 14, 2011, at 7:30 P.M. for the following purposes:

1. To discuss issues that have arisen as a result of recent storm damage to property located at 1 Selden Avenue, Branford, and the access way across said parcel of land to Long Island Sound.
2. Such other business as may properly come before the meeting.

Dated at Branford, Connecticut, this 7th day of September, 2011.

The Pine Orchard Association

By: 
John E. Donegan
President

Special Meeting of the Pine Orchard Association

Pine Orchard Chapel

September 14th, 2011

The Board of the Pine Orchard Association called a Special Meeting of the Association to discuss concerns that were raised after the Tropical Storm Irene on the 28th of September.

Association board member in attendance were : John Donegan, Jennifer Aniskovich, Debbie Lintern, Stacy Ruwe, Greg Stak, Vining Bigelow, James Kaiser, Charlie Shelton.

No attendance was taken of many residents who had gathered in the Chapel.

The meeting began at 7:30 pm.

President of the Pine Orchard Association, John Donegan, began the meeting with stating the Board does not resolve property disputes deeded or prescriptive.

The initial discussion began with the Selden Avenue "passway"

Bill Aniskovich began comments by asserting that the steps beyond the seawall and at mean high tide have been maintained and repaired by the Association. He questioned if the Association may have constructed the steps.

Hap Storer motioned "1. To investigate itself (via its attorney) what ownership interest the Association has in the steps constructed at the end of the Passway; and

2. If the Association determines that it has a legal interest in those steps (arising either from construction or maintenance or both), to take all necessary steps (legal and otherwise) to assure that the Canavan's restore those steps to the pre-tropical storm condition (if the steps are in any way altered as part of the Canavan's work at the site."

Richard Greenalch asked and Vining confirmed that the Pine Orchard Association (POA) has for ten years maintained the beach access points including Seldon at an average cost of \$5-\$10,000 per year . Vining recalled the Association working on a gate and the steps in the past several years.

Dick Greenalch mentioned the access points : Break water

Island View-Waterside

Island View- Chapel

Spring Rock

Crescent Bluff

Selden Ave

Dick continued stating that to save his house, Joe Canavan built a road to get machinery to the beach (over the past access point). The steps remain but need repair.

Theresa Storer said that no maps indicate who put in the walkway, historically this was the beach access for Blackstone Acres which included many PO streets was established as 15 feet of right of way in 1907, by the AM Young company which became the Pine Orchard Association.

Alison Brown asked about tacit consent and prescriptive rights.

Vincent Giordano mentioned that he has had access to the beach through Selden for 61 years and wants to know if access will be restored.

Didi Hamilton asked about DEP's involvement.

Hap Storer made a motion to investigate ownership of the Selden passway and legal interest.

Steve Ariyan asked if John Donegan had a conflict on this matter.

Vincent Giordano motioned for the Board to ask Joe Canavan if he intends to cut off access.

Ralph DeVito said that he was told by Joe Canavan that he does intend to cut off access.

Tom Jacobs stated his disappointment in the above.

Jeanie Hughes stated that there is strength in numbers and suggests writing a letter to ask for access to be restored.

Debbie Hesse, Isn't an easement a legal right referring to those property owners who access outlined in their deeds.

Linda Giordano wondered, in the current access condition, how do members access the steps to the beach?

Jeanie Miles stated that "there was a sidewalk."

Pat Kaplan, reiterated Jeanie Hughes point that the Association should right a letter asking for access to be restored.

Jim Killalea wants access to the stairs.

Niall Ferguson asked directly to John Donegan if he had a conflict of interest since he represents Joe Canavan in another matter. John said he did not represent Joe on this matter.

Jennifer Aniskovich stated her understanding of what constitutes a potential conflict is a financial interest or potential financial interest on the part of the individual or his/her immediate family member.

The board has used a process for recusing members or for notifying the board of any conflicts in the past.

Judith Liebman wants the character of the fine PO community to be restored when neighbors helped neighbors.

Spring Rock

Members commented that the stairs are stable and maintained by the POA. The Scherr's have posted Private property signs, placed rocks to prevent access, yelled at people using access, let their dogs out and threatened to remove stairs. It is a public road (continuation of Spring Rock) .

Theresa Storer commented the POA is not doing their duty and threatened that the Board would be removed from their volunteer positions if they did not act in accordance with the views of the membership.

Jeanie Hughes asks that people keep using the access regardless of their ownership or right to do so.

Mallie Paul Carr? asked who placed the Shell Fish signs on the access point? To which the response was that Bob Wheeler it is the shellfish commission.

Brian Coffey asked about access pathway surveys done by the Association to which John said that the Association surveyed the Island View access points and did a legal review on Halstead and Spring Rock.

Karl Liebman would like the minutes of this meeting sent to all members.

Jennifer Aniskovich wondered if the 19 Sept meeting should be moved to a larger venue than the Association building.

Crescent Bluff access

The street is owned by Barbara Sagesse but allows access on a 6am to 9pm basis. A chain link fence has been erected at the end of the road. A court case involving the residents and Mrs. Sagesse regarding access has been ongoing since 2002.

Leslie Schwab asked why we do not build steps in PO damaged as a result of the storm instead of spending our taxes on Security.

Mike Schiavone- Pine Orchard and Pine Orchard Association members only can use his access *by the breakwater*

George Cahill stated that he is coordinating the rebuilding of 200ft of seawall in front of his property and others with 25ft being the responsibility of the POA. He will be restoring his portion and thanked the Association for restoring their portion.

Susan Katz suggested that some beach cleanup help may be needed or at least clarification from FEMA or DEP on whose responsibility it is to remove seawall and step debris in the water.

On Spring rock, Pat Kaplan called captain of the police to write a letter to say that they would not be responding to property disputes.

-Dick Greenalch supports spending money to repair and restore access to beaches in PO.

Brian Coffey supports stopping the security service.

Miles asked why people who want to stop access were not present at this meeting

Theresa Storer claimed that every access way taken away will decrease property values overall in PO

End of Meeting: 9:00 pm.

September 8, 2011

TO THE EXECUTIVE COMMITTEE OF THE PINE ORCHARD ASSOCIATION

AT THE CALL OF THE PRESIDENT, there will be a meeting of the Board on **Monday, September 19, 2011, at 7:30 P.M.** in the Board Room of the Association Building, 180 Pine Orchard Road.

AGENDA

- I Approval of Minutes of the March 14, 2011 meeting and June 6, 2011 meeting
- II Zoning Report (Joe Canavan)
 - a. Report of Zoning Enforcement Officer
 - b. Implementation of New Fee Schedule
 - c. Consideration of Enacting Rental Prohibitions Within Pine Orchard Association District
 - d. Consideration of Noise Ordinance for Pine Orchard Association District (Annual Meeting)
- III Treasurer's Report (Stacy)
- IV Security (Jennifer)
 - a. Security Contract Renewal
- V Roads/Public Works Report (James)
 - a. Website Report
 - b. Pine Orchard Museum Status
 - c. Public Works Projects
- VI Waterfront & Building Report (Vining)
 - a. Work done and to be done
 - b. Island View Sea Wall Repair
- VII New Business
 - a. Discussion of Special Meeting September 14, 2011
 - b. Reappointment of ZBA members-Hallgren and Hughes
- VIII Any other business that may properly come before the meeting.

Attest: John Donegan, President

**Minutes of The Pine Orchard Association
Executive Board Meeting
September 19, 2011**

The meeting was called to order with a quorum present at 7:30 P.M. in the Ballroom of the Pine Orchard Club, Two Club Parkway. In attendance were the following Board members: Vining Bigelow, James Kaiser, Donald Patenaude, Kenneth Graham, Eric Hanson, Jennifer Aniskovich, Charlie Shelton, Greg Stak, Stacy Ruwe and Debra Lintern. Pine Orchard Association counsel, Peter Berdon. Absent were: John Donegan, Joe Canavan

I. Minutes

The Minutes of the past meeting were not available. Therefore, no action was taken on the approval of the Minutes of the June 6, 2011 Regular Meeting or September 14, 2011 Special Meeting.

II. Zoning Report

Joe Canavan was absent, so no report was given.

III. Treasurer's Report

Stacy Ruwe presented a copy of the budget to actual comparison to date for our fiscal year. She reported that late notices had been sent to the 16 people whose taxes had not been paid. Stacy also reported that the Zoning Officer has billed and received approximately \$4,500 in zoning fees for work dating back to February 2011. There is currently a reserve fund of \$55,000 in a CD with Merrill Lynch. The security bill was slightly above contracted amount due to seasonal increased summer hours. Charlie Shelton noted that the Mirror Lake fund should not drop below \$10,000. A motion was made by Ken Graham and seconded by Greg Stak to accept the budget report as presented. Board voted unanimously to accept.

IV. Security Report

Jennifer Aniskovich presented the security report. The current contract with the security company expired September 1st and we are currently operating on a month-to-month contract under the same rate as last year. The company has requested a \$3/hr increase from \$16.25/hr to \$19.25/hr. They have been at the current rate of \$16.25/hr for several years. A suggestion was made to renegotiate the contract to reduce costs and create a reserve to deal with storm loss costs. Jen Aniskovich was authorized to negotiate with the security company to accomplish this

task, with a goal of achieving a 50% reduction in costs. She was authorized to negotiate an increase in the hourly rate as part of this change.

V. Roads and Public Works

James Kaiser reported that there had been few reports about hedge heights and there were no complaints about the roads. He reported that the PO Association website went live in early September. The Association paid the development costs upfront and we are paying hosting costs of \$10 per month. James also mentioned that all of the PO zoning regulations and forms are available online. The Association will pay for any major changes or updates to create the virtual PO website, while the hosting company will absorb minor editing changes.

James reported that the exact scope of the PO Museum (virtual or actual) is still to be determined. Any input from the residents in the form of interviews, testimonials, photos are all welcome. Ideas such as oral histories, videos and Utube searches were also mentioned. James brought various maps and documents that had been given to him relative to the Museum to the meeting.

VI. Waterfront & Building Report

Vining Bigelow reported on some trees being trimmed around the Association building and property. He then reported on damage caused by Tropical Storm Irene. The breakwater owned by the Club survived with little damage. The Island View/Waterside access point, owned and maintained by the Association, was damaged and Vining and homeowners with affected properties have requested quotes for repairing the seawall. The temporary fix that shored up the area will cost the Association \$13,000 to \$15,000. James Kaiser and others were concerned that the proper contractors were employed for this type of work and was the cost does not seem commensurate with the job. He was also concerned about the permitting process, was it through DEP or the Army Corp of Engineers? Peter Berdon added that DEP approval is only needed during the emergency order if there is a design change. No approval is needed for emergency repairs to restore a structure to its pre-storm condition. Vining mentioned that the DEP Emergency order for repairs was in effect until December 31st.

Stacy Ruwe asked about the Association's responsibility and liability for the cost and whether an insurance claim needs to be filed. Vining and Stacy agreed to contact VF McNeil to follow up. Stacy also asked about wall and storm debris, including who was responsible and who would pay for removal. Vining was not sure who was responsible. Peter Berdon said he would check on State and Town responsibility. Debbie Lintern was concerned that the debris is a safety issue. Greg Stak asked about the Association's financial responsibility for debris clean-

up and various wall repairs. Vining was asked whether the area is safe and whether a sign should be posted.

Vining continued his shoreline assessment with a report on the Chapel Drive access point. He reported that the stairs needed to be rebuilt and there was considerable storm debris on the beach. There was discussion about the Spring Rock access point and past maintenance performed by the Association. There was further discussion about the Selden Avenue access point and the fact that, in the past, the Association performed repairs on the stairs and railings for safety issues.

James Kaiser mentioned that the bottom section of the stairs at the Halstead access point were destroyed. Jennifer Aniskovich asked if it was bad enough to post a safety sign. James agreed to look into it.

VII. New Business

The Association reappointed Sig Halgren and Jeanne Hughes to the Zoning Board for another term (2011-2014), A motion to reappoint was made by Stacy Ruwe and seconded by Greg Stak. The board approved the reappointment unanimously.

Shoreline Access Discussion:

Jennifer Aniskovich began the discussion by referencing the Special Meeting of September 14, 2011. She indicated that the purpose of this evening's discussion was for the Association Board to consider the comments and motions made at the Special Meeting. She clarified the fact that the votes taken at the Special Meeting were for the Board to consider certain items and were not binding on the Board. She emphasized that the board represents all residents and has a duty to both the majority and the minority.

There was a general discussion of the question of ownership of various access ways in Pine Orchard. Seven years ago, research was started on the existing access points. It took three years of working with town officials and others and the task was never officially finished. Certain access ways were researched, others were surveyed and others were not completed. Stacy suggested that the task should be finished in order to know what the Association is responsible for maintaining and insuring. Further, the Association should be able to share with its members the information it has regarding ownership of access ways. The access ways in question were Selden Avenue, Spring Rock Road, Halstead Avenue and Crescent Bluff.

Discussion of previous research ensued. The question was raised of whether the Association should get involved in private property disputes as was advocated at the Special Meeting. Peter Berdon counseled the Board to be careful about taking a position that may be difficult to retract on one side or the other of neighbor conflicts, as doing so could entangle the Association in an expensive, lengthy court case. The Board reiterated its desire to represent all taxpayers fairly, and to not take sides. The Board agreed that its research should be limited to determining its own interests in or responsibility for the various access points.

There was a discussion about whether the Board should communicate a position regarding the restoration of access points to their pre-storm condition. It was agreed that a letter should be drafted and sent to all taxpayers in Pine Orchard. The letter should be drafted by a subcommittee and should contain the following elements: (1) the Association exists to support its members (2) Pine Orchard is a shoreline community and has a culture of beach access that should be maintained (3) members should strive to maintain the same level of access after Irene that existed before the storm in order to preserve our community culture. The committee (Vining Bigelow, Ken Graham, Greg Stak, Don Patenaude, John Donegan and Peter Berdon) agreed to draft and send such a letter.

Stacy suggested that a plan be developed to research and determine ownership of beach access points. After discussion, the board agreed unanimously that this was a good idea and asked Peter Berdon if he would help formulate a plan for how to proceed with such a project. Jennifer asked Vining to look into surveyors who might help out on the access research project.

Peter asked if the POA-owned access points were being taxed by the town of Branford. The consensus was probably "no ." This was confirmed with the Town subsequent to the meeting. It was suggested that we file surveys of the Island View access points with the Town. Stacy agreed to look into this.

There was a discussion of how information would be communicated to the membership. James reminded people that the website could be a useful tool for communicating. Jennifer asked that residents interested in being on an e-mail distribution list, please give their information to the board.

There being no further business to come before the meeting, the meeting was adjourned at 8:50 P.M.

Respectfully Submitted,
Eric C. Hanson
Clerk

Minutes of The Pine Orchard Association Executive Meeting

November 21, 2011

The meeting was called to order with a quorum present at 7:30 P.M. at the Pine Orchard Association Building on 180 Pine Orchard Road, Branford, CT. In attendance were the following Board members: Vining Bigelow, Kenneth Graham, Jennifer Aniskovich, Charles Shelton, Greg Stack, John Donegan, Joseph Canavan, Donald F. Patenaude and Pine Orchard Association counsel, Peter Berdon.

Ms. Aniskovich requested that we table the acceptance of the minutes of our last meeting dated September 19, 2011 due to omissions and corrections needed. A draft of the revised minutes will be submitted to the Board members for review and approval before the next meeting scheduled on January 17, 2012.

The Treasurer's Report was reviewed by the Board members present and a motion was made by Mr. Patenaude to accept the Treasurer's Report as presented. The motion was seconded by Greg Stack and approved.

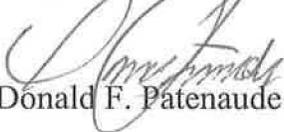
Ms. Aniskovich advised the Board members that the Security Service Agreement between G.F. Mazzacane & Associates, LLC, a licensed security service located at 4 Riverside Court, Guilford, Connecticut, and the Pine Orchard Association was executed on November 1, 2011 outlining the duties and responsibilities of Mazzacane Security, billing and payment for their services to be rendered, insurance coverage and reduction of Services for Off Season schedule and Memorial Day through Labor Day at a regular hourly rate of \$20.00 per hour and holiday hourly rate of \$30.00 per hour. The estimated savings that will be realized from the reduction of hours of service will help to defray the cost of seawall repairs caused by the tropical storm Irene.

Mr. Bigelow presented an updated Island View Sea Wall Plan Report prepared by Fedus Engineering, LLC Civil Engineers, providing detailed specifications for repairs needed for properties located at 33, 37, 41, 41-47, and Parcel B Island View Avenue, Branford, Connecticut, which specifications were sent to four contractors for bid. Once bids have been received and reviewed, a special Board meeting by the Pine Orchard Association Executive Board will be held to discuss the various bills and to consider authorization for funds to pay for the Pine Orchard Association portion of the cost. If one is accepted by the property owners and the Pine Orchard Association, we would be able to estimate the cost of repairs for each property owner based on its front footage of ownership for the repair of the seawall.

During the meeting of September 19, 2011, it was suggested to have POA counsel, Peter Berdon, research and determine ownership of beach access points in Pine Orchard and for the Board to form a Committee to review the information received and to craft a letter to the residents. After considerable discussion on this matter, the Committee will be charged with the responsibility to assemble existing data regarding ownership of access ways to Long Island Sound in Pine Orchard. To determine what data is missing/needed in order to come to conclusion regarding ownership of such access ways. To present findings to the Board for consideration, prioritization and further action.

There being no further business to come before the meeting, the meeting was adjourned at 8:45 P.M.

Respectfully Submitted,



Donald F. Patenaude