

## Minutes for the February 29, 2024, Gerald Park Association Special Meeting Held at Coventry High School Lecture Hall

The meeting was called to order at 6:04pm. A quorum was established. Board of Directors members present were Lisa Catanese, Pam Cropley, Eric Miller, Teri Norman, Raymond Perugini, Darby Pollansky, Syd Seale, and Dave Sutherland. Absent was Kevin Ryan. Approximately 32 Association members were present. Also present was Attorney Walter Twachtman, who is representing the GPA on the Avery Shores turnover issue.

**Audience of Members:** Members were invited to comment on issues other than those related to the Avery Shores turnover, as comments on that topic would be heard under Old Business. No member asked to speak on other issues. Eric Miller then motioned to table the rest of the agenda and have Attorney Twachtman speak first, to give those present an update on the turnover issue. Seconded by John Petrovits, unanimously approved.

Attorney Twachtman gave a summary of the road turnover issue to date, as outlined in the letter sent to GPA members as part of the notice of the special meeting. He pointed out that all property values may increase if Avery Shores became a town road, including for those who live on other roads in the Association. He also said that having the case settled in court could cost \$35,000-\$50,000 and could take years.

Of the many requirements from the town to take over the road, he was able to negotiate so that only three remained: tree removal, parking at the east end, and a last easement to be signed.

Regarding the tree removal: This issue is settled. The GPA has the funds to remove the approximately 22 trees identified by the town as needing to be removed. Cost is estimated to be about \$12,000. The GPA currently has \$13,905 in its capital improvements budget.

Regarding parking at the east end of Avery Shores for #6 and #8: The two property owners, Barbara Washburn and Kim Cyr, said they will contribute \$16,000 to widen the road so they can continue to park perpendicular. A professional quote obtained for this work came in at about \$16,000. Because doing this work also would resolve some drainage issues, they are asking the GPA to pay any additional amount beyond the \$16,000, such as the cost of removing additional trees. Town officials have said the town would contribute materials and resources to help offset the cost.

Regarding the last easement to be signed: Three of the four required easements have been signed and filed. Mary Ann Hansen has signed her easement but will not file it with the town until her two requests are met. First, that wording is incorporated into the turnover deed to protect her garage, since the town survey puts part of it in the right-of-way for the road. And second, that the GPA commits to paving a 10' x 100' section of Chase Avenue, a paper road that extends off of Avery Shores, so she can use it as a driveway to get to a house she owns. The cost of this is estimated to be around \$6,800.

Attorney Twachtman said he is aware of hard feelings within the Association, since each member would be taxed to pay for paving for the benefit of one person. He understands that there otherwise would be no reason for the GPA to pave Chase Avenue. But he strongly advised GPA members to view the big picture and commit to the paving. If this issue is not resolved by the last court hearing date of March 27, 2024, we would then have to go to court. He said the GPA has a very strong case and is likely to win, but there is no guarantee. He also pointed out that the work involved in paving Chase Avenue could be done at the same time as the Avery Shores repaving, which the town has already bonded for this spring, so there could be a cost savings there.

The floor was then opened up to questions. Attorney Twachtman was asked about maintenance and liability. He said he would work with Mary Ann Hansen to include language in the paving agreement to have her assume responsibility for maintenance and liability.

Jerry Dallas asked what the cost would be to finalize the paperwork for Mary Ann Hansen's two requests. Attorney Twachtman estimated it be between \$2,500-\$4,000.

Scott Gallo tallied up the expected costs for everything as discussed. Tree work \$12,000, paving \$6,800, legal paperwork maybe \$3,000 or more, east end widening maybe \$2,000, for a total of \$23,800. It would mean another year of very high taxes for GPA members. He also asked if by doing the paving, are we setting a precedent. Attorney Twachtman said we were not, since the language in the agreement would specify that it was for the purposes of the road turnover only. With no other questions for him, the attorney left the meeting.

Sam Norman said years ago, when the town initially offered to take over Avery Shores but GPA members voted against it, he and his wife had offered to give up part of their property for the creation of a turnaround for snowplows and that they didn't ask for anything in return. He also pointed out that he and his wife, along with two other property owners, signed the easements currently required by the town without asking for anything in return. He said in the interests of the entire Association, and to be a kind and neighborly person, he would like to ask Mary Ann Hansen to withdraw her request. Mary Ann Hansen declined.

Barbara Washburn recounted a history of the parking issue at the east end. She said after much back-and-forth with the town and the GPA Board, she and Kim Cyr asked the GPA to pay for one-third of the cost. But when she didn't hear back in a timely fashion, they decided to pay the entire cost of up \$16,000, provided that wording is included in the road turnover deed to permanently protect their rights to park as they have been doing.

Kelly Sutherland asked where the GPA would get the \$25,000 or so this year to pay for everything. Jim and Pam Cropley said they would give the GPA a no-interest loan so there is no delay, and they would be reimbursed in the new tax season that starts July 1, 2024, as taxes are collected. GPA members applauded their generosity.

Dave Sutherland again asked Mary Ann Hansen if she would withdraw her request, or at least offer to pay for some of the cost of paving Chase Avenue. Mary Ann Hansen declined.

John Petrovits pointed out that the easement needed from Mary Ann Hansen is on property that was given to her at no cost by the GPA years ago, as part of the GPA's efforts to turn properties over to the abutting property owners in order to reduce the GPA's liabilities. As part of that, she granted the GPA an easement. Unfortunately, that easement cannot be transferred to the town. Eric Miller pointed out that the town is asking for the same easement rights that she gave to the GPA but is now declining to give to the town unless her requests are met.

Lisa Catanese pointed out the importance of every GPA member paying the taxes on their property. She said that based on the latest tax collectors report, currently there are 13 newly delinquent accounts and 6 habitually delinquent accounts, representing \$6,435 in delinquent taxes and fees.

Eric Miller then called for votes on the issues discussed.

- 1) Should the GPA proceed with widening the cul-de-sac at the east end of Avery Shores, accept the offer from Barbara Washburn and Kim Cyr to pay \$16,000 toward this work, pay for any additional costs beyond the \$16,000, and work with the town on the wording of the turnover deed to protect parking for #6 and #8 Avery Shores. Motion by Eric Miller, second by Jim Cropley. Vote was 26 yea and 0 nay. Motion passed unanimously.
- 2) Should the GPA pay \$6,800 to pave the 10' x 100' section of Chase Avenue, provided that (a) Mary Ann Hansen will file her easement with the Town of Coventry; (b) the GPA will work with the town to protect her garage and other garages within the right-of-way; (c) upon repaving, neither the landowner at 65 Avery Shores nor any other GPA member will request that the GPA maintain this paved portion of Chase

Avenue, including removing snow or other debris, and that this responsibility shall be assumed by the landowner at 65 Avery Shores, and that this repaving will be done solely for the purpose of enabling the Avery Shores road turnover to the Town of Coventry and is a one-time action. Motion by Eric Miller, second by Jim Cropley. Vote was 21 yea and 2 nay, with 3 abstentions. Motion passed.

- 3) Darby Pollansky made a motion that the GPA accept the loan offer from the Cropleys to help cover expenses in connection with the road turnover, to be reimbursed in the next budget season. Second by Teri Norman. Vote was 26 yes and 1 nay, with 1 abstention. Motion passed.

The date for the next GPA Board meeting will be established at a later date. The meeting was adjourned at 8:19pm.