

Written Testimony of Page Heslin, President of the Board of Governors of Giants Neck Beach Association, in Support of S.B. No. 1048 (RAISED) AN ACT AMENDING THE CHARTER OF THE GIANTS NECK BEACH ASSOCIATION WITHIN THE TOWN OF EAST LYME

Planning and Development Committee Public Hearing  
Wednesday, March 11, 2015  
LOB, Room 2A

Good morning, Sen. Osten, Rep. Miller and members of the Planning and Development Committee. My name is Page Heslin; I am the President of the Giants Neck Beach Association and I thank you for the opportunity to submit this **testimony in support of S.B. No. 1048.**

**Statement in Support of the Bill:**

As the President of the Giants Neck Beach Association, I am testifying in **support** of Senate Bill No. 1048, which would provide some sorely needed amendments to our association's Charter. By way of background, Giants Neck Beach Association is a beach community in Niantic that was formed as a specially-chartered municipality in 1941. The Charter was amended by subsequent special acts in 1947, 1951, and 1959, but has remained unchanged for more than half a century. In 2012, the Board of Governors, in response to requests from members of the association, established a task force to review the Charter and consider possible amendments, both with respect to general updates and to address several widely recognized issues.

The task force met numerous times over the course of several years, ultimately recommending a number of potential amendments to the Board of Governors for presentation to the association membership. Based on membership feedback, the Board of Governors drafted specific language for the seven proposed amendments that form the basis for this bill and circulated it to the membership for consideration. In addition, the Board held multiple informational meetings concerning the proposed amendments before presenting them for a formal vote at a very well-attended, regularly-scheduled meeting of the full membership held on Saturday, August 16, 2014. The bill before you today is the result of this inclusive, thorough process.

Subject to the two technical corrections identified below, the seven amendments in the proposed bill were approved by the overwhelming majority of the members at the meeting. Indeed, two were unanimous and the narrowest margin of approval was still more than a two-thirds majority. The seven amendments approved and requested by the membership of the Giants Neck Beach Association though S.B. 1048 can be summarized as follows:

- 1. Change Board of Governors term length to two (2) years, and increase maximum number of consecutive terms to three (3);**
- 2. Allow for possibility of imposing special assessments for certain capital projects with approval of the association;**
- 3. Amend to mirror Town of East Lyme procedures if budget fails to pass in a given year;**
- 4. Eliminate the specific fine amounts contained in the Charter;**
- 5. Change voting eligibility to provide for one (1) vote per property and allow votes by authorized representative of trusts and corporations;**

6. **Allow for absentee ballots on certain votes; and**
7. **Allow Board of Governors members to participate in board meetings by telephone or other electronic means, so long as at least a quorum is physically present at the noticed meeting location.**

**Technical corrections needed to the proposed language:**

In your consideration of this proposal, we ask that two revisions be made to the language in the Raised Bill. First, in Section 1, we ask that you **delete** the last sentence of subsection (a) that runs from page 1, line 12 to page 2, line 18 that now reads: "All persons who are over twenty-one years of age who own or who may own any land within said limits, while they continue to be owners of such land, and the legal spouses of such persons, shall be members of the association and entitled to vote at any meeting of said association and shall be eligible to any office in said association." We request this change because this sentence used to be the sole provision in GNBA's Charter setting forth membership eligibility and voting rights. As explained above, the association's members voted to change the eligibility and voting rights within the association to a one-property/one-vote system. These changes are contained in subsections (b) and (c) of Section 1 of the bill. Keeping the sentence in subsection (a) would create an inconsistency between the three subsections, by giving the right to vote to all members of the association, rather than one vote to each property, and would not reflect the intent of the association's members.

The second change is more technical. In Section 5, on page 7, line 183, the reference to the special acts of 1951 is incorrect. It currently reads "... number 51 of the special acts of 1951 ...", but it should read "... number 471 of the special acts of 1951 ...". We assume this is a typographical error because in Section 4, page 4, line 108, it correctly identifies the 1951 special act as number 471.

Our attorney has discussed both of these changes with Richard Hanratty, Senior Legislative Attorney in the Legislative Commissioners' Office, and Mr. Hanratty had no objections to the revisions.

On behalf of the Giants Neck Beach Association's members, I would especially like to thank Sen. Paul Formica and Rep. Ed Jutila for their assistance in sponsoring this bill and thus helping the association effect the desired changes to its Charter. In conclusion, on behalf of the members of the Giants Neck Beach Association, who have determined that these changes to our Charter will greatly improve the governance and management of the association, I strongly urge you to support this bill.

Thank you very much for your consideration.

Page Heslin, President, Giants Neck Beach Association Board of Governors