

**TOWN OF OLD SAYBROOK  
North Cove Historic District  
Commission Meeting  
December 9, 2002**

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PUBLIC HEARING/REGULAR MEETING MINUTES

The Town of Old Saybrook North Cove Historic District Commission met on Monday, December 9, 2002, in the Pasheshauke Pavilion Street, Old Saybrook, Connecticut, to conduct it's regularly scheduled bi-annual meeting.

**In Attendance**

Janet Foisie, Chairman  
Kathy Dubuc, Vice Chairman  
Randi Bradbury  
Bob Welsh  
Pat Osborne (Seated Alternate)  
Louise Tietjen (Alternate)

**Absent**

Henri David (Alternate)  
Rich Morrison (Regular Member)

**The regularly scheduled meeting of the North Cove Historic District Commission was called to order by Chairman Janet Foisie at 7:00 PM.**

Chairman Foisie welcomed the new recording clerk, Robbie Marshall. She noted that 2 members' terms are up, Barbara Aubin and Donna DiBella. They are not seeking another term and Chairman Foisie thanked them for their diligence. She said Donna DiBella did an outstanding job as clerk and recognized her excellent attention to detail. The Selectmen appointed Alternate Louise Tietjen and Regular Member Rich Morrison to fill the vacancies.

**Reading of Legal Notice**

Kathy Dubuc read the legal notice that was placed in Pictorial Gazette on November 26, 2002 and in the Main Street News on December 5, 2002, announcing the meeting. The notice contained the agenda items: review of By-laws and election of officers.

**Reading and Approval of Minutes**

Kathy Dubuc read the minutes of the October 2, 2002 meeting. The following changes were made.

**Delete**

Page 2 Paragraph 1  
"public"

Page 2 Paragraph 2  
"private"

**Add**

Page 2 Paragraph 1  
"public hearing"

Page 2 Paragraph 2  
"regular"

There was a discussion about the guardrail fence at the close line boat launch discussed at the last meeting. It was understood that the Town would provide the face boards. Paul Dubuc said that Mr. Maslar would supply the rest. Larry Bonin of the Department of Public Works will speak to Mr. Maslar. Work would proceed after the startup of the Main Street School project.

**Motion** to accept the minutes of the October 2, 2002 meeting as amended made by Bob Welsh and seconded by Randi Bradbury. The motion carried unanimously.

### Correspondence

Chairman Foisie distributed copies of 3 letters that were received. The first was dated November 5, 2002. It was from Building Inspector Don Lucas written to James F. Norden (of Gibble Norden Champion & Brown) regarding the Tully House evaluation.

The second letter dated November 19, 2002 was to Don Lucas from Attorney William A. Childress. The letter was regarding 135 North Cove Road (the Tully House) and requested Mr. Lucas's revised report.

The third letter, dated November 25, 2002, was from Don Lucas to Attorney Childress regarding the Tully House, the report that was generated, what it would entail to restore it, and the feasibility of the project.

**A motion** was made by Randi Bradbury and seconded by Bob Welsh to table the review and acceptance of the three letters until the next meeting. The motion carried unanimously.

### Old Business

Chairman Foisie updated the Commission on the situation regarding 68 North Cove Road, the Aldi House. She said she spoke to Diane Aldi about the speakers on the west side of the house, which were not on the original plans that were approved. A certified letter was sent as well. Mr. Aldi said he needed one month to remove the speakers. Nothing has been done. On November 4, 2002 Chairman Foisie spoke to Diane Aldi and was told a contractor was hired to remove them. Three or four complaints were received. Diane Aldi advised that the speakers will be placed in the ground and disguised with landscaping.

### New Business

The Commission discussed the review of the By-laws. Chairman Foisie met with Attorney Cronin for 2 hours to revise the By-laws. However, the first draft of the entire revised By-laws was not received in time to be reviewed at the December meeting. Chairman Foisie did cite 3 By-laws she felt required correction. These were distributed.

The first was Article V Section 1. The month of October should be changed to December. The second was Article VI, Section 1. The month of October should be changed to December. The third was Article VII, Disqualification. The line "The Chairman should make the final decision," was deleted.

The Commission voted unanimously to accept changes to Articles V and VI. There was discussion on Article VII. Randi Bradbury felt that the by-law does not clarify who is responsible to disqualify. She introduced new text for Article VII, titled "Recusal."

Ms. Bradbury explained that no one should recuse someone else. Louise Tietjen asked if someone needed to suggest a recusal. The Commission replied that it is illegal, the chairman cannot choose someone. Mrs. Tietjen wanted to know what happens if they don't recuse themselves. Attorney

Childress advised that it becomes the applicant's responsibility. If they feel damaged in some way, they can pursue it. They can state on the record that they wish someone recused, if not, they have recourse for appeal. It was concluded that although there has never been an appeal, an applicant can take it to court.

Randi Bradbury said it is our personal responsibility to step down; otherwise we open up this board to a suit. It is important to avoid the appearance of a conflict of interest.

Kathy Dubuc said she would like Attorney Cronin to look at the new text first.

Chairman Foisie replied that she thought a meeting should be set up with Attorney Cronin so that the members could understand the by-laws and what is expected of them. This should be done before the next regular meeting in April.

Dick Tietjen discussed the conflict of interest dilemma. He brought up the Tully House and said it was difficult for anyone at the table to appear to be disinterested. He asked about conflict of interest specifics.

Randi Bradbury replied that Attorney Cronin distributed a conflict of interest description, citing personal and financial gain.

**A motion** was made by Pat Osborne to table the new text until Attorney Cronin reviews it. It was seconded by Bob Welsh and carried unanimously.

There was a discussion on who was able to vote for officers. Louise Tietjen advocated that there should be more participation from the floor. Chairman Foisie read Article V of the By-laws which holds that officers be elected by a majority vote of the members present. "Alternate members shall not participate in the vote."

Dick Tietjen noted that alternate members who are seated are entitled to vote. Louise Tietjen added that otherwise there is no point in coming.

Chairman Foisie replied that she calls alternates if a regular member is not available.

### **Election of Officers**

Chairman Foisie nominated Randi Bradbury for Chairman. It was seconded by Bob Welsh and carried unanimously.

Kathy Dubuc nominated Bob Welsh for Vice Chairman. It was seconded by Janet Foisie and carried unanimously.

Randi Bradbury nominated Janet Foisie for Clerk. It was seconded by Bob Welsh and carried unanimously.

### Meeting Dates

The Commission set the following dates for the 2003 meetings; Monday April 7, 2003 at 7:00PM, location to be determined, Monday, December 1, 2003 at 7:00PM, location to be determined. A meeting with Attorney Cronin and members and alternates to review the By-laws was set tentatively for February 17, 2003.

### Adjournment

**Motion** to adjourn made at 7:55PM by Bob Welsh and seconded by Randi Bradbury. Vote unanimous.

Respectfully submitted,



Robbie Marshall  
North Cove Historic District Commission Recorder