

JULY 16, 2016 HEARING FOR DENNIS AND PAM LEY, K344, REGARDING CUT TREES BEHIND K BUILDING

Board members attended: Mark Deasaro, Marlene Rockwell, Clyde Dills, Carol Robinson, John Ferguson, Jorgene Barton, and Richard Mayeron

The hearing was brought to order by Mark Deasaro at 1:32pm. Carol Robinson took minutes.

Packages with all items regarding Holiday Beech Villas case was presented to all Board members and to Dennis and Pam Ley.

Renée Castiglione, Property Manager, presenting the case for Holiday Beech Villas. Mrs. Castiglione went through the packet saying the application for tree trimming was received from Dennis Ley on April 19, 2016. Written on the application by Mr. Ley was "if approved I will seek certified tree cutter and provide proper documentation of needed paperwork." On April 26, 2016 Mr. Ley was informed that his application was approved with the caveat of getting the appropriate information from the tree cutter to Mrs. Castiglione.

Mrs. Castiglione stated that another email was sent on May 19 to Mr. Ley asking where he was with the tree trimming. At that point no documentation was given to her until she received an email, with photos, on June 16, 2016 from a homeowner stating that three trees were cut down behind the K building.

Mrs. Castiglione stated that Mr. Ley violated the Tree Policy by not getting the tree cutter information—in which he stated he would—to her so that she would speak with said tree cutter and find out exactly what he would do with the trees. She said that had she gotten that information, she would then have contacted all owners in the K building to make them aware of what was planning to happen with the trees and would ask for the input.

The Board and Mr. Ley asked her numerous questions relating to her testimony.

Mr. Ley then stated that on May 19, he got in touch with Josh Shell, the tree cutter given to him by Mrs. Castiglione, to get an estimate to trim the trees at his unit. Mr. Ley stated he had his phone records which shows he contacted Mr. Shell 16 times to come give an estimate.

Mr. Ley stated that one of Mr. Shells employees, who works for the town, would come by and look at the trees and get an estimate to Mr. Shell. Mr. Ley stated that Mr. Shell stated on the phone he could trim the trees, from his deck, for \$50. Mr. Ley stated that they were still waiting for Mr. Shell to come by to give an estimate. At one time, Mr. Ley stated that Mr. Shell said he would do the job for free since it took so long.

Mr. Paul Maciog stated that they had asked Mr. Ley to have the tree trimmer he hired trim some branches on the tree by his unit.

Mr. Ley stated that on June 16, 2016, he was waiting in his unit for Mr. Shell, and he heard a chain saw, and before he knew it all three trees were cut down. Mr. Ley said at no time was it discussed to cut down the trees.

It was noted that Mr. Ley was fined by the Town for saying he was trimming the trees and not cutting them down.

The Board and Mrs. Castiglione asked Mr. Ley numerous questions relating to his testimony.

The Board adjourned to the Property Managers office at 2:30pm.

The Board reconvened at 3:00pm.

The Boards decision is to fine Mr. Ley \$1,000 for the replacement of three trees, plus \$631.50 for legal fees incurred for this incident. Fines are to be paid in 30 days. If fines are not paid in that timeframe, a claim of lien will be placed on the unit until fines are paid.

Respectfully Submitted,  
Carol Robinson