

**Amston Lake Tax District
Regular Meeting Minutes
September 2nd, 2009
ALIA Clubhouse**

A. Roll Call of Officers and Directors – Present: Dave O'Brien, President, Mark Paul, Vice President, Ray DeCormier, Treasurer, John Connor, Laurel Hennebury, Dave Martin, Sherri-Ann Martin

B. Call to Order 7:03 pm

I. Receive Tax Collector's Report

Motion made by M. Paul to move Eileen Curtin to front of agenda to deliver Tax Report

L. Hennebury, second

Approved unanimously

See E.Curtin's handout attached

C. Recognition of Guests, Residents and Property Owners' Petitions

Kevin Connor, 20 Deepwood Drive, Lebanon

Northeast Cove; security taped and unusable now and beach was security taped on Lollipop on Fishing Derby Day; what is Board doing about repairing these issues? D.Martin provided an update on WPCA status in Lebanon regarding the sewer installation on Lebanon side of lake and 2012 tentative completion date; D. O'Brien provided information regarding his discussion with Pullman and Conley and DEP regarding the April 2nd Special Meeting Follow up; the funding plan draft from the Lebanon WPCA is with DEP, and is to go to public vote in Lebanon in May of 2010; Brett – who is going to be getting sewers? Lowland areas need to be included due to flooding; D O'Brien – we are cooperating with Town and DEP – not going to let this slide; D. Martin to have M. Smith place the map of homes to be sewerred on the Amston Lake website along with the Amston Lake Engineering Study; L. Hennebury suggested that residents write personal letters to the town of Lebanon and to share their opinions and copy the Board; D. Martin – DEP Cleanwater Fund will help pay for sewers, 250 seasonal and 100 year round will break up dollars.; K. Connor – time is of urgency and concerned about waiting until May for Town of Lebanon to vote – that is the town process – D. Martin suggested K. Connor attend the WPCA meetings which have open comment periods.

Reggie Miles/Lake Health Coordinator: security tapes were put up due to testing results for ecoli – and he is continuing testing; for further info, please contact him offline; K. Connor requested that the numbers be placed on line so information is transparent to residents; D O'Brien stated that communications need to be improved for resident notification of closed areas

Rich Mikowski, 9 Deepwood Drive, Lebanon

Seeps entering Northeast Cove; what is Board doing about it? Will cove be dredged, when and how? Against drag line being used. D.O: unknown where seeps are coming from – we are trying to determine their source(s) via dye tests, working with the DEP and the Lebanon Sanitarian. DEP has given permission to dredge – R. DeCormier placed RFP in Rivereast one week ago looking for input from vendors. We are allowed to remove up to 6000 cubic yards of materials and will do as much as the budget allows; RM: how do we know what boom is removing? What about sediments? Will dredging make the cove worse? D. O: Dr. Knocklein is involved and monitoring; RM: Shouldn't we consult the DEP? D. O: Board did consult with both the DEP and the two Towns

Joe Bruno, 49 Deepwood, Lebanon

What about the trailer in the yard across the street from Northeast Cove? Sewage may be seeping from there. D. O'Brien requested that R.Miles investigate and report back to the Board

Joe Berman, 30 Deepwood Drive, Lebanon

Is there a temporary solution for the Northeast Cove? D. O'Brien: Not yet. M. Paul again suggested writing letters to Town of Lebanon; M. Paul – residents are not getting information – we need to communicate in better ways; D. O'Brien has written to DEP, EPA, Attorney General and Town of

**Amston Lake Tax District
Regular Meeting Minutes
September 2nd, 2009
ALIA Clubhouse**

Lebanon; Town did not respond to his letters but all others did; D. O'Brien will bring resident concerns to the DEP as promised in the Special Meeting in April

Fred Crocker, 109 Deepwood Drive

Fourth of July Fiasco – police had handcuffed residents, people were finding tickets on their cars; said we should use our security instead of the police; D. O'Brien explained legal liability of nonresidents coming on the fourth of July; D.O'Brien has worked with the insurance company to identify what we need to do to police ourselves so we do not need to include state police in the future and it will be posted on the website; R. DeCormier – we needed professional help to stop the glut of people and now we will take care of it ourselves

D. Approval of Previous Meeting Minutes

July Minutes to be approved – (August meeting was cancelled)

Mark Paul apologized for not putting a note on the clubhouse door

S. Martin motioned to approve the July Minutes as submitted by JoAnn Wool, M. Paul second

D. Martin requested amendments as follows:

- Section H. Receive and Act on Treasurer's Report: Change reference from "Cave Martin" to "Dave Martin"
- Section J. Receive Standing and Special Committee's Reports, 3. Lebanon Wastewater Study: Delete "343 meeting" from this section; it does not make sense

J. Connor motioned to approve the July Minutes with D. Martin's amendments

M. Paul Second

Approved unanimously

D. O'Brien requested to add to the agenda: Nominate Sherri-Ann Martin to assume Clerk's position:

R. DeCormier motioned to nominate Sherri-Ann Martin to assume Clerk's position

M. Paul – second

Approved unanimously

E. Receive Clerk's Report

S. Martin: In studying Roberts' Rules, learned that the Treasurer Report should not be accepted and/or voted on; we are not auditors; we accept and vote on Treasurer's data when audited financials are received only

For next meeting:

- S. Martin will work on the changes to the annual meeting budget language in bylaws to remove mil rate reference
- S. Martin will work on the newspaper legal notice language in bylaws to assure that all publications being used are covered

F. Presentation of Correspondence and Communication

See Attached List

G. Receive President's Report

\$15,000 Brett's Bid - \$100 per road; not prepared to sign contract for \$12,000 since has not seen scope of work to bid on; bid was put in February; have offline conversation to settle; need to account for stone

H. Receive Treasurer's Report

Reserve Fund – D. Martin requested that Anita Connor review the Municipal Reserve Funds, Chapter 108 of the Tax law in Section 19 of the Board manual to make sure the reserve funds are being handled appropriately; R. DeCormier will coordinate with A. Connor and report back to the Board

**Amston Lake Tax District
Regular Meeting Minutes
September 2nd, 2009
ALIA Clubhouse**

J. Consider and Act Upon Standing and Special Committees' Reports

1. Dam –

Dave O'Brien – R. DeCormier placed RFP in Rivereast; met with the Matchnik Brothers this morning at 8 am; Matchnik has worked with Karl Acemovic on other projects; we only got approval to do incremental approach of budgeting and funding using sound engineering principles to reach a completed dam over time and budget years; included the dredging in the RFP too; DEP permit approvals include dredging the Southeast Cove and Northeast Coves

C. Wool – to get the lake down one foot, need two days per weir board to go down 2 inches so will take 24 days; do we know when to start lowering the lake? Not known yet. Concerned that will wait too long and will not be able to lower it fast enough to do dam repairs

2. Storm Drains

A. Stormwater Runoff Correspondence (with Mike O'Leary)

D. O'Brien: Reiterated that tax district wants to work with Hebron to fund vortex drain; M. O'Leary is looking for best area to install and will provide info on funding required; Baord will split the cost 50/50 with Town of Hebron and Hebron provides labor

3. Lebanon Wastewater Study

D. Martin – Town of Lebanon realizes that sewers need to be done; current sewer plan is the same one submitted by the consultants; will get study data to Mike Smith to post on web for general information; R. Decormier: Are storm drains included? D. Martin: No and requested copy of Hebron study to provide to Lebanon WPCA and Town Engineer; D. O'Brien to provide hard copy to D. Martin; low pressure system approved

4. Drinking Water – Carl Wool – CT Water installing new water pipes and not properly protecting the storm drains; they won't put in hay bales etc until there is a problem; they should be doing it proactively; Carl has gotten them to correct it and has documentation in pictures

5. Boats & Rafts – ON HOLD for new leader to be assigned; L. Hennebury volunteered if needed

6. Weeds – no update

7. Communications- no update.

8. Ordinances – Fertilizer Ordinance; wants to check with Adam Cohen regarding how to proceed to change or rescind the ordinance; M.Paul will contact A. Cohen to verify how to proceed; CIRMA Risk Management Consultant says we need to add that illegal fireworks are banned from district properties (if not already there)

9. Security – C. Wool: Boat stickers to be inspected after Labor Day; a lot of state police activity on the lake; arrest on Lollipop Beach last night. Possible drug sales occurring on Hebron side of lake

K. Receive Lake Management Reports

1. Caretakers' Report – camper on Spafford Road until 9/14/09 while home construction is being completed; L. Zimmerman found a pipe found near dam (with a metal detector) that belongs to CT Water but it is no longer connected; preparing to remove straw from lake and work on Ryan Terrace ROW

Lebanon Roads: \$12,000 BSA Snow Plowing to be awarded – D. O'Brien: standard contract still needs to be completed; we should put award date in quote/RFP requests

Repairs detailed in Carl Wool's Lebanon Road Summary (attached); Catherine, Wildwood and open

**Amston Lake Tax District
Regular Meeting Minutes
September 2nd, 2009
ALIA Clubhouse**

concrete drain box on corner of Andrew's and West Island Beach; put together statements of work for street repairs and bid them out ASAP; make sure the stone Brett has used is specified in the bid requests; need to solve ASAP – can't wait until October; can decide prior to next Board meeting; L. Hennebury suggested we put the RFPs on the website so residents see it too-all on Board agreed

2. Lake Health Coordinator – R. Miles is working with G. Knocklein; looking for phased in approach for repair of dam; see attached document titled "Lake Draw Down" for information on how long it takes to lower the lake by one inch or by one foot.

L. Act on Remaining Items of Agenda....Old Business

1. Guidelines & Procedures for Ordinance Enforcement

Mark Paul will write this up and share with Board for next meeting

2. Discuss & Act Upon Possible Change of Board Meeting Dates

First Wednesday of the month often falls on the 1st or 2nd of the month and financials cannot be completed in time for the Board Meeting; look at changing the dates in November at the monthly meeting; Ray DeCormier suggests the second Wednesday of the month

3. North East Cove Issue

Discussed in Recognition of Guests

4. North End.....Possible Lake Development

J. Connor – need a lake resident to be on Zoning Board to push back

Per Dave O'Brien, George Gottawalla – Hebron lake resident is alternate on Zoning Board; D. O'Brien will check in with him

M. New Business.....Discussion and Possible Action

1. Cove Road Right Of Way...Resident Complaint

Brush was cut down and person who lives next to it can see the boats and trailers stored on the ROW; per L. Foxwell, as Brett said earlier, there is no catch basin and Lebanon only filled in road with rip rap and dirt.

2. Fertilizer Ordinance – Retraction discussion

M. Paul to discuss with Adam Cohen

3. New member nominations:

M. Paul nominated Scott Fogue, J. Connor second – Scott accepted

R. DeCormier nominated David Moorcroft of 153 Deepwood Drive, Hebron, J.Connor second – David accepted

Both nominees were approved unanimously – Scott Fogue and David Moorcroft will begin immediately and will attend the October Regular Meeting

N. Prepare Agenda for Next Meeting

Add George Knocklein's proposal review to New Business to the November agenda per the request of D. Martin

O. Adjournment

M. Paul motioned to adjourn – 9:25 pm

L. Hennebury seconded

Approved unanimously

**Amston Lake Tax District
Regular Meeting Minutes
September 2nd, 2009
ALIA Clubhouse**

**Respectfully submitted by:
Sherri-Ann Martin, Clerk
Amston Lake Tax District**

Correspondence and Communication - July

- July 1-LR Enterprises Bid on Main Dam Repair
- July 3-JoAnn Wool, Clerk email to Norwich Bulletin Legal Notice for July 24 Special District Meeting
- July 4-Dam Update from Dave Arnold; 2009 Scope of Work Quote Doc from George Knocklein
- July 5-Fireworks and State Police Activity
- July 6-Northeast Cove pictures
- July 6-Boat Passes
- July 6-Dave Arnold Legal Notices re: Fertilizer Ordinance
- July 7-Downer email re: Fireworks and State Police, DeCormier email re: same
- July 7-Vortex Drain in Hebron FYI from L Zimmerman
- July -Zoning Board/Hebron 207 Deepwood Request to build shed
- July 7-DeCormier email with list of vendors and check payments
- July 7-Beach Pass discussion for ALIA
- July 8-JD Wilcox request to use Main Beach on 7/18 for family reunion
- July 9-JoAnn Wool correspondence with D O'Brien re: Lake Health Mgr Job Description
- July 9-Duck Pond Dam Update
- July 9-Mike Smith updates to website
- July 9-Legal Notices submitted to Glastonbury Citizen
- July 9-Legal Notices submitted to Lebanon Life
- July 9-Email from D O'Brien to K Acimovic requesting cost estimates for dam repairs
- July 10-Job Roles, Responsibilities and Compensation Structure email from D O'Brien to R. Miles
- July 10 - elevated E-coli counts at Lollipop Beach
- July 12- request for minutes from July Meeting from Ann Snell
- July 14-DEP to Review Dam Repair Situation
- July 13-Ray contacted TDBank North to start discussions about dam loan
- July 14-D. Obrien OK to C Wool to purchase Weed Whacker
- July 15-D. O'Brien email re: mil rates and annual meeting
- July 15-emails regarding testing of seep areas at 464 Deepwood in Lebanon
- July 15-emails re: Lebanon Road Fund amount and mil rate for Hebron
- July 18-eColi Testing at 464 Deepwood
- July 18- goose feces on main dam
- July 20-Dave Arnold email re: Prep for Special Meeting and Viewing of Main Dam and Duck Pond Dams
- July 22-Discussion of what to be discussed at Special Meeting
- July 23-email from JoAnn Wool that Carl Wool and Andy Tierney to clean goose feces
- July 23-email from Ray DeCormier clarifying vote at July Board Meeting re: Eric G's House and Tax Sale
- July 24-JoAnn Wool email to D O'Brien re: confusing water sample maps and labeling
- July 24- email from Todd Machnik - interested in bidding on dam repairs
- July 25-D. O'Brien Thank You for D Arnold Presentation at July 24 Special Meeting
- July 25 Email from Heidi regarding Lake Use Rules and a family gathering of 20 on the Beach
- July 27-request from Jimmy at same email as Heidi re: Clubhouse - referred to Shauna Benedict
- July 27-Dave Arnold email to Todd Machnik re: Bidding on Dam
- July 27-Dave Arnold Dam update per Karl Acimovic
- July 31-Kevin Grady to D O'Brien re: contact DEP to get beach closure guidelines
- July 26-Lake Health Report from Reggie Miles
- July 31-Update on Ryan Terrace ROW from Reggie Miles
- July 31- Legal Notice from Town of Lebanon re: Proposed Amendment to Seasonal Occupancy

Communication and Correspondence - August

- Aug 1-Reggie Miles – Lake Health Report for July
- Aug 2-D O'Brien unavailable until Aug 6
- Aug 2-D O'Brien communication that to speak with DEP and our Attorney re: Northeast Cove Status
- Aug 2-Dave Arnold resignation as Director
- Aug 3-JoAnn Wool resignation as Clerk
- Aug 4-Dave Arnold Follow up regarding his recommendations for dams
- Aug 4-Mark Paul email to Board Members cancelling the Aug 5 Meeting due to lack of quorum
- Aug 7-Janet Atkins request to change her husband's name from "Major" to "Adrian" in the Special Meeting Minutes for July 2009
- Aug 9-Mike Smith Updates to Website
- Aug 19-eColi reports re: Lollipop are high from R Miles to D O'Brien
- Aug 19-from Kevin Grady – Contractor Best Practices re: protecting lake
- Aug 20-D O'Brien request to R Miles to send docs to him for review/approval and sharing with DEP
- Aug 20-Notes from D O'Brien re: conference call with attorney and DEP
- Aug 20-Lake Health Report from R Miles
- Aug 21-Dam Info from Carl and JoAnn Wool
- Aug 23-JoAnn Wool-email : August meeting cancellation docs for towns
- Aug 24-JoAnn Wool's clerk responsibilities moving to Sherri-Ann Martin, pending Board approval
- Aug 28-JoAnn Wool would like to remain on Dam Committee
- Aug 28-C. Wool August Care Taker Report

ALL ORIGINALS ARE ON FILE WITH AMSTON LAKE TAX DISTRICT CLERK

LAKE DRAW DOWN

ASSUMPTIONS: **Area of Lake = 180 Acres**
 One Acre = 43,000 Square Feet
 One Cubic Foot = 8.48 Gallons
 The 8" Valved Underflow Pipe drains at rate of 31.6 Gallons/Second
 (See NOTE 1 Below)
 One 6" Siphon will drain at rate of 8 Gallons/Second
 (See NOTE 2 Below)

Total Flow (of underflow plus two 6" siphons) = $31.6 + 8 + 8 = 47.6$ Gallons/Second

180 Acres X 43,000 Sq. Ft/Acre = 7,740,000 Sq. Ft
1 Foot of Water Depth = 7,740,000 Cubic Feet
7,740,000 Cu Ft X 8.48 Gal/CuFt = 65,635,200 Gallons
1 Inch of Water Depth = 65,635,200 Gals / 12 Inches = 5,469,600 Gallons/Inch

THEREFORE: To Lower Lake 1 Inch:

5,469,600 Gallons / 47.6 Gal/Sec = 114,900 Seconds
114,900 Seconds / 60 Sec/Min / 60 Min/Hour = 31.9 Hours, Say 32 Hours

To Lower Lake One Foot:

32 Hours/Inch X 12 Inches = 384 Hours / 24 Hours/Day = 16 Days

NOTE 1 : Last year the 8' Underflow Pipe was able to lower the Lake 1 Inch in approximately

48 Hours.

1 Inch = 645,000 CuFt X 8.48 Gals/CuFt = 5,469,600 Gallons
5,469,600 Gals/48 Hours / 60 Min/Hr / 60 Sec/Min = 31.6 Gallons/Second

NOTE 2 : Information provided to R. Miles indicated a 6" Siphon would flow from 6 to 10 Gallons/Second (Used average of 8 Gallons/Second)

*Report of the Tax Collector
September 2, 2009*

- In August I deposited \$25,696.58, which represented \$22,645.13 current year taxes, \$21.10 current year interest, \$1,709.85 prior year taxes, \$744.50 prior year interest and \$576.00 in lien fees. There were 178 payments posted. By statute payments postmarked by August 3rd are not delinquent which is why the current year interest figure is low.
- The break down by town is: \$12,045.74 collected from the Hebron district and \$13,650.84 collected from the Lebanon district.
- Year to date tax collection: \$121,542.57
- Attorney Adam Cohen emailed the tax collector's deeds for the properties that were auctioned on July 23rd. I delivered the deeds to the Lebanon Tax Collector's office where we signed them in front of witnesses and a notary. They been filed but not recorded. The deeds will be recorded with the Lebanon Town Clerk after the six-month redemption period has passed.
- Regarding new legislation regulating the funding of water quality expenses for lake districts: Attorney Cohen's opinion is that due to the wording of the new legislation, a case can be made that it does not apply to our district. He will continue to research the issue but the ultimate decision regarding billing for that line item on the budget may require a Board vote. I have spoken to Quality Data Systems to confirm that they will be able to handle any change to our billing but they are not yet aware of the new legislation. The new legislation goes into effect October 1, 2009.
- I have mailed Attorney Cohen several delinquent accounts for his review. He is willing to send demand letters for any amount. We will discuss which account to pursue after he has had time to review the statements.

Respectfully submitted,



Eileen Curtin
Amston Lake Tax District
Tax Collector