COMMONWEALTH OF MASSACHUSETTS

**Minutes of the Sherwood Forest Lake District**

**Annual District Meeting conducted on June 10, 2017 at 1:00 PM**

**Becket Town Hall, 557 Main Street, Becket MA**

Pursuant to the foregoing warrant, the seventh Annual District Meeting of the Sherwood Forest Lake District was called at 1:00 PM at the Becket Town Hall by Mr. Steve Rosenthal the District’s Moderator. Mr. Rosenthal introduced himself as the duly elected moderator for the SFLD and then read the preamble to the published and posted Annual District Meeting warrant to all those assembled. As his first order of business he verified that a quorum was present by obtaining a count of those from the district’s registrar. Mr. Robert Ronzio, the district clerk, indicated that one hundred eighty-eight (188) eligible proprietor voters were present in person or represented by proxy and this number exceeded the district’s bylaw quorum requirement of fifty (50). With the quorum requirement satisfied Mr. Rosenthal officially called the meeting to order at 1:05 PM and proceed to the matter at hand and moved to read the first article.

Mr. Rosenthal read:

**Article 1:** To see if the Districtproprietors will vote to elect a moderator, who should, but not need be, a proprietor of the District. Said newly elected moderator shall again certify to the Annual District Meeting that a quorum, consisting of fifty (50) proprietors of the District in attendance or by proxy, is present.

### Majority Vote Required

Mr. Rosenthal stated that as the duly elected moderator for the SFLD 2016 Annual District Meeting, he would use his authority to open this year’s Annual District Meeting and conduct an election for the 2017 moderator. Mr. Rosenthal checked with the District Clerk to ascertain that a quorum was present. Mr. Ronzio, the district clerk, confirmed that 188 proprietors were present in person or by proxy and this number exceeded the fifty (50) proprietor quorum requirement so the meeting could proceed.

Mr. Rosenthal then opened the floor for nominations for the moderator position. Mr. Bill Osborne made a motion to nominate Mr. Steve Rosenthal for District Moderator for 2017. Mr. Ronzio seconded the motion. Mr. Rosenthal twice asked for additional nominations. No other names were advanced. Mr. Rosenthal called for a vote. The vote to elect Mr. Steven Rosenthal is unanimous.

Mr. Ronzio, the district clerk, swore in Mr. Rosenthal as District Moderator.

Mr. Rosenthal as moderator re-confirmed the quorum count with the district’s clerk. Mr. Ronzio stated that the total count of proprietor present in person or by proxy was still 188.

With the quorum requirement again satisfied, Mr. Rosenthal officially called the meeting again to order at 1:07 PM, proceeded to the matter at hand and moved to read Article 2.

**Article 2:** To see if the District proprietors will vote to raise and appropriate such sums of money as may be needed to defray the expenses of the District for the 2018 fiscal year as delineated in Chapter 107 of the Acts of 2010 and as set forth in the attached proposed **SFLD - Operating Budget - FY2018**:

**Prudential Committee: Recommend Majority Vote Required**

Mr. Ronzio moved to advance the budget as presented, Mr. Osborn seconded.

Mr. Rosenthal confirmed that all present had a copy of the operating budget for FY2018. He asked those present to take a moment to briefly review the line items before them. Mr. Rosenthal stated he would place a hold on any line item that a proprietor called out requesting further discussion.

Several proprietors in attendance asked to set aside line items 2,4, and 8 for further discussion.

Mr. Rosenthal returned to the line items previously held in the order in which they appeared in the warrant. Mr. Rosenthal asked for discussion on Line Item 2.

Line item #2 - Dam Management - A question was asked regarding what was included under general operating expenses and how capital expense projects were funded. Dr. Lerner provided answers about the general operating expenses to maintain the dams in compliance with the Office of Dam Safety and gave information about how major projects like the restoration of Lancelot Dam were funded through a separate authorization by the proprietors.

Mr. Rosenthal called for a vote on line item 2. Line item 2 was approved unanimously.

Line item #4 - Beach and Boat Management - Mr. Rosenthal answered concerns regarding the transfer of monies from Beach and Boat Management account to Lake Management account. He assured those present that when the need arose, there would be sufficient monies in the account to rejuvenate the beaches with sand. Once the proprietors present were satisfied Mr. Rosenthal closed the discussion and called for a vote on line item 4. Line item 4 was approved unanimously.

Line item#8 – Insurance -Despite this being set aside for discussion no concerns were voiced. Mr. Rosenthal removed the hold on Line item #4. Thus this item reverted back to be included with those items not withheld for discussion.

Mr. Rosenthal called for a voice vote for all FY2018 operating budget line items not previously approved. Mr. Rosenthal stated that since there were no votes in opposition or abstentions the district’s **FY2018 Operating Budget** was unanimously approved.

**Article 3:** The moderator shall entertain nominations from the floor for District clerk/treasurer to see if the District proprietors will vote by secret ballot to elect a clerk/treasurer who must be a proprietor entitled to vote at district meetings. The term of service shall be three (3) years from the date of this Annual District Meeting and/or until the election and qualification of the clerk/treasurer’s successor. The clerk/treasurer must be bonded within ten (10) days of the assumption of office or the office will be derclared vacant.

**Majority Vote Required**

Mr. Rosenthal called for nominations for the clerk/treasurer position. Mr. Taylor nominated Mr. Robert Ronzio to be the District clerk/treasurer. Ms. Cowell seconded the nomination. Mr. Rosenthal twice called for any other nominations. No other names were advanced. Hearing none, Mr. Rosenthal declared nominations closed and called for a secret ballot vote. Two tellers tabulated all ballots placed in the ballot box and reported the results to the moderator. Mr. Rosenthal stated that Robert Ronzio received all votes. Mr. Rosenthal declared Mr. Ronzio elected.

**Article 4:** The moderator shall entertain nominations from the floor for District assistant treasurer to see if the District proprietors will vote by secret to elect an assistant treasurer who must be a proprietor entitled to vote at district meetings. The assistant treasurer will only assume the duties of the treasurer if the treasurer’s position become vacant or if the treasurer is incapacitated and incapable of performing the duties of the office due to illness or incapacity as determined by a licensed medical professional or the courts. The assistant treasurer must be bonded within ten (10) days of the assumption of office or the office will be declared vacant. The term of service shall be three (3) years from the date of this Annual District Meeting and/or until the election and qualification of the assistant treasurer’s successor.

### Majority Vote Required

Mr. Rosenthal called for nominations for the clerk/treasurer position. Mr. Taylor nominated Ms. Linda Searles to be the assistant treasurer. Ms. Cowell seconded the nomination. Mr. Rosenthal twice called for any other nominations. No other names were advanced. Hearing none, Mr. Rosenthal declared nominations closed and called for a secret ballot vote. The District Clerk counted all ballots placed in the ballot box and reported the results to the moderator. Mr. Rosenthal stated that Linda Searles received all votes. Mr. Rosenthal declared Mrs. Linda Searles elected.

**Article 5:** The moderator shall entertain nominations from the floor for individuals to fill three (3) Prudential Committee positions. The moderator will then have the District proprietors vote to elect by secret ballot three (3) regular members, each of whom shall be proprietors of the district, and none of whom may be the clerk, treasurer, or assistant treasurer, to the Prudential Committee from among those nominated. The terms of service of the three elected regular members shall be three (3) years from the date of this Annual District Meeting and/or until the election and qualification of their successors.

**Majority Vote Required**

Mr. Rosenthal called for nominations for the two (3) Prudential Committee positions. There was a nomination from the floor for Dr. Howard Lerner, Mr. William Maier and Ms. Joan Goldberg to serve in these positions. The nominations were seconded. Mr. Rosenthal twice called for any other nominations. No other names were advanced. Hearing none, Mr. Rosenthal declared nominations closed and called for a secret ballot vote. The District Clerk counted all ballots placed in the ballot box and reported the results to the moderator. Mr. Rosenthal stated that Dr. Howard Lerner, Mr. William Maier and Ms. Joan Goldberg were all elected.

**Article 6:** To see if the District proprietors will vote to amend Chapter II District Offiicers of the Sherwood Forest Lake District By-Laws bydeleting the last sentence in Section 1 which reads as follows: “*The Committee may appoint a superintendent for each of the following areas: dams, lakes and boats/beaches, each of whom will serve at the discretion of the Committee.”* in its entirety and replace it with a new sentence to read as follows:

Section 1. (new last sentence) The District proprietors may annually elect a superintendent for each of the following areas: dams, lakes and a boats/beaches, each of whom will serve voluntarily under the supervision of the Prudential Committee. A superintendent must be a proprietor and may also be an elected Prudential Committee member.

**Prudential Committee: Recommend Majority Vote Required**

Article 6 is moved and seconded. Dr. Lerner briefly discussed the rationale for changing the language in the district’s By-Laws. Specifically, the proprietors will annually elect the superintendents who will serve without compensation and be supervised by the Prudential Committee. The moderator called for a voice vote, Article 6 passed unanimously.

**Article 7:** To see if the Districtproprietors will vote to appoint from among those nominated from the floor, a proprietor who may or may not be a Prudential Committee member to each of the following voluntary positions; Superintendent of Dams, Superintendent of Beaches and Boats, and Superintendent of Lakes, and to have these individuals report to and serve under the direction of the Prudential Committee. The terms of service of each superintendent shall be one (1) year from the date of this Annual District Meeting and/or until the election and qualification of their successors or to take any other action relative thereto.

**Prudential Committee: Recommend Majority Vote Required**

In light of the approval of Article 6 above, Article 7 is moved with the following language change; remove the word “*appoint*” in the fist sentence and replace it withthe word “*elect”.*  The change is seconded. There is no discussion. Mr. Rosenthal called for a voice vote on the amendment and declared it passed unanimously. Mr. Rosenthal returned to the now amended Article 7. Article 7 as amended was moved, seconded and declared approved unanimously by voice vote. The following individuals were then nominated for said positions; Superintendent of Dams – Mr. Stanley Taylor; Superintendent of Beaches and Boats – Mr. Steve Rosenthal; and Superintendent of Lakes – Mr. William Maier. Hearing no other nominations, voice votes are called for all three positions. All three individuals nominated are elected unanimously.

**Article 8:** To see if the District proprietors will vote to exclude those proprietors who have been recommended by the Prudential Committee on the attached list as having met the criteria set forth in Section 21 of Chapter 107 of the Acts of 2010, including submitting an Opt-Out Form or its equivalent stating the reason for seeking exclusion and exemption from taxation and having agreed to release any easement rights to access the lakes and beaches in the District if their request is acted upon favorably. The Prudential Committee may charge a reasonable fee to the petitioner in order to verify that the petitioner is the record titleholder for the parcel. The exclusion from taxation does not become final until a release of easement rights acceptable to the Prudential Committee is recorded in the Berkshire Middle District Registry of Deeds and petitioner has paid all recording fees. A copy of the recorded release and vote of the Prudential Committee also must be filed with the Town of Becket’s Board of Assessors by the petitioner.

**Prudential Committee: Recommendation annotated for each petitioner’s request** **Majority Vote Required**

Article 8 is moved and seconded.

Mr. Rosenthal asked Mr. Ronzio to give a brief explanation of the various components to Article 8 and to provide the proprietors with the name of the proprietor who had requested and been recommended by the prudential committee for exclusion from the district.

Mr. Ronzio then stated that Mr. Donald Munger of 352 Alan A Dale Drive (Lot 022/216.0-0469-0000.D0 & 0 King Richard Drive (Lot 022/216.0-0308-0000.D) had submitted the appropriate Opt-Out documentation for both parcels to the prudential committee and that the prudential committee had reviewed each application to ensure that it met the requirements for exclusion as set forth in the enabling legislation, Chapter 380 of the Acts of 2010 for each designated parcel.

Mr. Ronzio answered questions from those present, giving some general opt-out procedural information. Dr. Lerner additionally stated that anyone owning property, excluding lake front property, could seek to opt-out. Mr. Rosenthal reminded proprietors that the Lake District taxes are a percentage of the Town of Becket taxes.

Mr. Rosenthal asked if there was any further discussion. Hearing none he called for a vote on Mr. Munger’s Opt-Out requests provided that Mr. Munger complete the necessary paperwork at the Berkshire Middle District Registry of Deeds. All votes were in favor. There were no nays or abstentions. Mr. Rosenthal declared the vote unanimous and stated that Mr. Donald Munger’s properties were now excluded from the District pending the filing of the Release of Easement Rights documentation with Berkshire Middle District Registry of Deeds.

Mr. Ronzio stated that Mr. Donald Munger would be advised by first class mail of the decision by the proprietors stating that Mr. Donald Munger still needed to proceed to the Registry of Deeds to complete the action by filing their Release of Easement Rights for each property owned.

Dr. Lerner made a motion to adjourn the meeting at 1:38 PM, the motion is seconded and the meeting is adjourned.

Respectfully Submitted,

Robert T. Ronzio

Clerk-Treasurer

Sherwood Forest Lake District