

COMMONWEALTH OF MASSACHUSETTS



Sherwood Forest Lake District

Prudential Committee Meeting



Date December 11, 2010

Time: 10:00 AM

Location: Becket Room, Becket Town Hall
557 Main Street, Becket, MA 01223

MEETING MINUTES

Committee Members present: Howard G. Lerner (Chair), Stuart R. Eldred (Vice Chair), Joseph P. DeCarolis, Richard D. Hackbarth, William, F. Maier, and Stanley C. Taylor; absent William J Osborn III and Lucy A. Ferriss. Clerk/Treasurer present Robert T. Ronzio.

Public Present: None

Prudential Committee Members Comments and Announcements - The chair and committee members present have the opportunity to make a statement.

Introduction: Howard G. Lerner brings the meeting to order at 10:02 AM and announces that parliamentary procedural rules previously adopted will regulate the conduct of the meeting in accordance with the provisions of the Open Meeting Law other pertinent Massachusetts general laws, the by-laws of the district and local customs and traditions. Since there is no one in attendance who is unfamiliar with these provisions he dispenses the reading of the remainder of the document.

Committee members raise the issue of the establishment of an inclement weather policy. Howard advises that in case of inclement weather, that he, after having consulted with Bob Ronzio who resides in Becket, will make the call by 8:00 AM, the morning of the scheduled meeting, and will then inform all others of any delays or cancellations. If severe winter weather advisories are issued by the national weather service the committee asks Howard to do this at least the day before the meeting as a cautionary measure to preclude members who have to drive long distances. Howard agrees that this makes sense and advises committee member to use good judgment before deciding for themselves to attempt the drive. He also asks them to email or phone their intentions to Bob Ronzio as early as possible since no meeting can be held unless a quorum is present. Bob was advised to send out emails and/or make phone calls to keep the committee aware of any change in the status of future meetings.

Approval of Meeting Minutes of November 13th, 2010 - Mr. Ronzio apologizes for not releasing the meeting minutes to the committee members earlier, however, explains that there apparently was a problem with the tape recorder that was being used. He states that he now does have a back-up recorder present at this meeting. Bob informs committee members that he did purchase Dragon dictate software from Nuance. This software is suppose to automatically transcribe verbal discussions at the meeting minutes via computer however, in order for the software to work properly, an upgraded tape recorder will have to be purchased. He assures committee members that he will find a compatible model and have it ready for the next monthly meeting provided funds are available. Committee members briefly review meeting minutes. Mr. Lerner provides some additional information that was reviewed at the last meeting but was not included in the minutes. A motion was made to accept the meeting minutes of November 13th as amended, the motion was seconded: Unanimous Approval.

Legal Counsel Agreement - Bob informs committee members that the agreement is back and has been signed by Elizabeth Goodman, he advises he will also sign document. A holiday party invitational was also included; Bob requests that anyone wishing to attend to please RSVP.

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Collection of taxes/database - Bob informs committee members that he received a call from David Zagorski in the town's assessor's office looking for a list of proprietors within the district. He stated that he thought this was odd since it is the town assessors' responsibility to maintain a database of proprietors within the district. Bob informs members that he knew that the town clerk, George Roberts, had a copy since George had accessed the database in his office earlier in the week when Bob had business to discuss with George. So Bob states he informed the assessor to check with the town clerk and/or see if the data was on the town's back-up computer files. Bob then advises the committee that he has spoke with Jim Podolak at the DOR and was informed that step one in getting the SFLD on the DOR's GATEWAY data base has been completed, however he is waiting for the town's assessor to complete step two. Step two Bob advises entails entering the 1302 names into the state's database along with data from the SFLD's approved budget. He continues and states that once this information is entered the state will verify the data and then certify the district's tax rate. After the tax rate is set the town can then begin the process of sending out the district's tax bills, which he hopes will be accomplished before January 1, 2011. Tax file data and the proper mailing of the tax bills are also discussed. Committee members ask when the district can expect monies to begin to come in. Bob advises that February 1st is the earliest date that this could happen assuming the tax bill are sent out before the end of the year. Next Bob states that the tax collector waits two weeks before transferring any fund because checks need to clear the bank and the town cannot transfer fund that have not been deposited. It is agreed on that the second week in February is the earliest possible time that money could be flowing into the SFLD treasury. Realistically however, the committee thinks that this probably won't happen but they are hopeful. Committee members discuss reserving the large downstairs for their next scheduled meeting.

Insurance: Indemnification - Insurance quote for Officers and Directors (Indemnification) Insurance is back from the Haberman Insurance Group. Two policy options were proposed, one for half a million dollars, the other for one million dollars. Committee members agree that the difference in cost between the two policies was nominal, therefore deciding to go ahead with the one million dollar policy. Payment schedule is discussed. The policy can either be paid in full upfront, or the policy can be spread into ten equal monthly payments, each being approximately one hundred and fifty dollars. A motion is made that insurance of a million dollars is purchased and that Bob Ronzio will check with DOR as how to make that purchase. It is agreed upon that the first payment needs to be made, whether or not borrowing is approved. Motion is seconded: Unanimous Approval.

Excalibur Lake: Maintenance Bill - Howard Lerner suggests that payment of this bill will need to be put on hold until they have the money to pay it.

Opt-Out - Bob states that thirteen letters went out, none have come back yet. One additional request from Ken Lake just came in. It is discussed that anyone wanting to opt-out, needs to notify the committee before deadline in the Act. Committee discusses how to pull out the fourteen property owners that have opted out and how to make sure that they do not receive a tax bill. Bob warns that this time around, they still might get a bill.

Approval of Dam Inspector and Maintenance - Discussion of whether or not this needs to go out to bid. Bob states that for Little Robin, according to legal council it is legally all right for the committee to hire an engineer without going out to bid IAW recent changes in the procurement statute, Chapter 30B, because architects, engineers and related professionals who perform design or consulting services are exempt. However, Bob states that when the non-building cost of the project exceeds \$100,000.00 then the statute states that it is prudent and in the interest of the taxpayers to subject the contract to competition and go out to bid. Bob passes out handouts of the projected costs, etc. for each dam project that the Office of Dam Safety has rated unsafe. A motion is made that Morris Root be hired as the engineer for the initial Little Robin dam project, Motion is seconded: Unanimous Approval. Motion pending Attorney Goodman's review and the procurement officer's signing of the contract. Funding of the issue is briefly discussed. Contacting Unibank as the bank of preference is discussed. Motion is made for the committee to prepare a contract, which Bob Ronzio will then forward to Elizabeth Goodman for review. Once the SFLD's attorney signs off on the legality of the

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document and verifies that it protects the interests of the SFLD, the contract is approved; motion is seconded: Unanimous Approval.

Office Expense/Computer Software and Hardware - Still on hold until money starts coming in.

Website selection/design/development/publication - Bob Ronzio asks the committee if they are ready to make a decision about the SFLD's website. A discussion ensues regarding the need for a website and its merits. Howards states that he has yet to formally contact Michael McEnerney but believes that he is willing to take on this task without compensation. Motion is made to assign Mike McEnerney if he is willing to do the work for the website set-up as long as the cost stays under \$800.00; motion is seconded: Unanimous Approval.

Website Maintenance - Committee requests that if Mike McEnerney agrees to be the SFLD's Webmaster that he send a proposal regarding the projected costs for monthly maintenance of the website to the committee for review.

Publication of the Act and By-Laws - Bob advises that this is still on hold at this point. He informs committee that it needs to be available by the time the annual takes place.

COLAP workshop - Agenda and information will be sent to committee if there are any interested parties. Bob confirms this is just an announcement; committee members have time to decide if they would like to attend.

Other business to come before the Committee

Inquiries were made to Division of Fisheries and Wildlife to see if the SFLD would be able to obtain a propagator's license, thereby giving the SFLD the right to establish a catch and release policy. Committee members discuss that they want to just keep the fishing conditions as they presently are, but not more than that, due to the fact that they believe policy changes will allow people who are not proprietors or their guests (commonly referred to as outsiders) to fish in the lakes within the district. Bob requests that a copy of the propagation documentation for the files.

Stationery and proposed logo design as well as colors are discussed. Bill Maier will prepare and have samples ready for the next meeting.

The issue of ATVs and snowmobiles on the ice in the winter is discussed. It is generally believed that only waterfront residents legally have access, to get onto to the lakes as their property abuts them. Some members of the committee who serve on both state that the SFNA is the custodian of the beaches and that organization is unwilling to allow anyone access to the lakes using snowmobiles via the beaches because of liability issues. Committee members also conclude that this is not an issue for them since it is not stated within the enabling legislation. The committee decides that those proprietors who are concerned about snowmobiles on the lake be told to contact the Environmental Police for information about state law; stating the lake district does not have jurisdiction.

Warrant Approval - None at this time.

Public Input - None present.

Correspondence - None received.

Adjournment - Motion to adjourn the meeting is made; seconded: Unanimous Approval. Meeting is adjourned at 11:55 AM.

Schedule - Next meeting February 12th, 2011.