

MEETING AGENDA

Chairman Sweet called the regular meeting to order at 7pm.

Present: Lynn Sweet
Dave Shemeld
Jerry Collins-EXCUSED
Jay Morris
Joseph Higgins

Also Present: Secretary, Isabel Warren
Treasurer, Andrew Lindquist-EXCUSED
Lake Manager-Scott Barrey

Recognition of Guests: Robert McGarvey, D. Bruce Smith, Siegfried and Dian Rieder
Bruce said he was in attendance to hear the commission's plan of action on the re-assessments and navigation laws and to also hear discussion on the non-permitted construction.

Bob wished to discuss the re-assessments and the construction on Cuba Lake without permits. The discussion followed on what constitutes construction vs maintenance? He also mentioned the LUR was written by the District without request from the leaseholders and commented that a variance is given after plan is approved and not because there is not a permit.

The Rieders were interested in the actions being taken by the District on the re-assessments.

Approval of Minutes: Motion made and seconded to accept minutes from March 12, 2009. 4 yes 0 no, MOTION CARRIED.

Treasurer's Report:

Following review of reports for the **District Budget** circulated by the Treasurer, a motion was made and seconded to accept the Treasurer's reports for filing. 4 yes, 0 no, MOTION CARRIED.

Motion was carried pending discussion with Andy Lindquist.

Following presentation of the **List of Claims of the General Account**, 1410.99. Motion was made and seconded to pay the accounts as listed. 4 yes, 0 no, MOTION CARRIED.

Management Budget:

Following review of the **Budget and the Cash Balance Reports** for March 2009 circulated by the Lake Manager, motion made and seconded to accept. 4 yes, 0 no. MOTION CARRIED.

Motion was carried pending discussion with Andy Lindquist.

Following presentation of the **List of Claims of the Management Account** in the amount of \$11048.28. Motion was made and seconded to pay the accounts as listed. 5 yes, 0 no, MOTION CARRIED.

Correspondence: see attached Index of Correspondence.

Comments made to D. B Smith's email concerning construction with no permit:

DEC will make a determination. Lynn Sweet reported that Jack Hart said to hold off until determination is made by DEC. Joe Higgins says there should have been requests for permits. Lynn Sweet spoke to the DEC. Scott Barrey said Lynn didn't need a permit. When the project went further, there should have been a request for a

permit. Bob McGarvey interjected with a point of order that Lynn Sweet should recuse himself from the discussion. Determination must be made by the building committee to be reported at the next meeting. Scott Barrey says maintenance is fixing a structure that is already in existence and altering is changing the parameters of an existing structure.

Action List Review: Emails from D. B. Smith on navigation laws

Item #1-Andy and Scott do not have possession of all the files from Karen Perrigo yet.

Item#2-The process for the re-assessments is:

- a. Pre review
- b. RP524 on 6/26/09 to assessors board of review
- c. July 1 becomes final
- d. 7 days to file suit in order to put an injunction on the school taxes.

Jack Hart spoke to the lawyer. They are doing the due diligence. He wants a telephone meeting with the commissioners and a meeting with the assessors. This is all pre-retainer work for a possible suit.

Item#3-Still no inundation report. Scott has requested the firm do a report manually, since the software is not working yet.

Item #4-Don Canestrany from DEC has given no response on what trees should be removed.

Item#5-Dana and Scott will remove the trees and hire someone to remove the stumps.

Item#6-The stone is being cleared and the backside has been cut.

Item#8-Permitting is in place. Scott is trying to get approval for 10 year permit.

Item#9-Navigational Aids group will put in markers in May. Scott has been unable to obtain a publication on channel markers.

Item#11&12-All leases have been paid.

Item#13-Motion was made and seconded to approve Jack Hart submitting a final budget to NYS OGS. 4 yes 0 no MOTION CARRIED

Item #14-Scott is getting more company names.

Item#15-Repair existing hydraulic pump with a kit.

Item#17-All FEMA funds have been paid-\$56,328.50.

Item#18-Bruce Smith says there is enough law in paragraph 46aaaa. What is needed is enforcement. Changing violations to misdemeanors with fines to go to CLD is OK. He disagrees with rules on boat size. Pontoon boats are power boats and there already exists boats larger than 24'. Need enforcement not rules.

Dave Shemeld says night time speed and size of power boats not including pontoon boats, should have some changes. NYS law is not specific enough.

Bob McGarvey says commissioners have done this without being asked by the leaseholders.

Lynn Sweet said the sheriff's department suggested making changes. The original changes were obtained from Rushford Lake's written navigation law.

Item#20-The cracks are being cleaned and then they will be filled.

Item#21-There has been no response on Lot 106 and 338. 338 is not being hooked up to the sewer.

Item#22-Lynn Sweet will contact Chris Buttino at OGS about the changes on the lot dimensions.

Item#23-The SNI are not interested in swapping corners on Lot 16 and 211.

Item #24-Resolution is being worked on.

Lake Manager's Report:

- SEMO Funds
 - Received \$ 56,328.50

- Inundation mapping still has to be computer rendered.
 - Data has been sent to software developer.
 - I have requested a manually generated report.
- Permits Written
 - 09-04-089 – Gengo – cut bug infested tree
 - 09-05-335 – Wolfinger – construct dock
 - 09-06-216 – Davison – construct dock

Committee Reports:

1. **Building and Lot Improvements/Lake Maintenance**-Jerry Collins, Jay Morris, and Joe Higgins
Emails from D. B Smith for discussion-discussed previously
2. **Budget and Finance**-Jerry Collins, Dave Shemeld and Andrew Lindquist, ex officio. Discussed above
3. **Water Quality**-Dave Shemeld, Joseph Higgins, Scott Barrey
4. **State Relations**-Jay Morris, Lynn Sweet. Discussed above.
5. **Public Relations and Dispatch.** Dave Shemeld

NEW BUSINESS:

FOR THE GOOD OF THE LAKE:

ADJOURNMENT:

Motions was made and seconded to adjourn the meeting. 4 yes and 0 no. MOTION CARRIED.

Meeting adjourned at 8:17 pm

Respectfully submitted,
Isabel Warren

Next Meeting May 14, 2009 at 7PM