

Rushford Lake Recreation District

Regular Meeting

June 18, 2010

Amended "Draft" Minutes

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Meeting called to order at 7:32 PM by Chairman, David Hirsch. All were welcomed and joined in the Pledge.

Present: David Hirsch, Chair Rhonda Kozlowski
Deb Aumick, Vice Chair
Dick Hubbard, Commissioner
Maggie Krzyzanowski, Commissioner
Doug Crandall, Commissioner

Absent: William Szabo

Guests: Amanda Annetts Irene Pleban Bill Jahnke Judy Wirth
Sherl Stephan Edwin Pleban Carol Jahnke Bill Sikorski
Bob Stephan Joe Fusco Don Waddell Ralph Kerr
Allen Hirsch Dale Young Emil Ziembo Nancy Fusco

Deb made a motion to approve the minutes as amended. Doug made the second. Motion carried.

Committee Reports

- Dam: Bill Sikorski updated the board on dam safety and future de-watering of the tailpool. It is possible two submersible pumps will be use for de-watering. He informed the board of the need for a crane at the dam. It is possible the cost of a crane could be approximately \$10,000. Bill stated it is also possible the old pieces from the gates will be welded back on and the hydraulics will be upgraded. This will make it safer for the employees.
- It was noted that 90% of the grant award has been received. Deb expressed the board's thanks to Bill Sikorski, Bill Szabo and Rhonda Kozlowski for their work on obtaining grant money. Kathy Hock was also commended by Deb for going to Albany to put pressure on politicians.
- Bill Sikorski reported that nothing is resolved regarding whether or not core samples need to be taken from behind the dam. A survey may be needed of the back side of the dam.
- Dick Hubbard stated he felt a need for email protocol.
- It was reported a pole saw and weed whacker are needed for the employees at the dam. Dick made a motion for Bill Sikorski to get prices for a crane and approved the purchase of a pole saw and weed whacker. Deb made the second. Motion carried.

- Doug reported on prices from Sutterby Construction for two trams. He stated 120' would be approximately \$290,000. and one from the top of the dam to the valve houses would be approximately \$333,000. He stated that grant money may be available. He would like to pursue taking advantage of the water resource the District has ("Green Energy"). Bill Sikorski stated the FERC regulations are a nightmare. The Board could be forced to drop the lake in the middle of summer. He cautioned about getting involved with FERC and suggested Doug may want to speak with Al Corwin (Hatch Energy) and read the water analysis study.
- Doug reported on the recent Hazard Mitigation meeting and the Emergency Action Plan update.
- Doug reported on legal matters. The Board's attorney met with the Young's attorney to work out a temporary resolution to allow their neighbors to use their docks while the litigation is pending. The Young's neighbors will be allowed access to the docks. They must find an alternate entry rather than the gate. In the Gribbons, et al. case, their attorney, Mr. Cappellini spent much time talking about submitted items to date. He stated there are tape recordings of the board making comments before and after meetings. The board's attorney was accused by Mr. Cappellini of stating he would "kill him (Cappellini) with kindness". Mr. Cappellini accused the board of having personal agenda and the attorney general should investigate. In the Gribbons, et al case Friday's hearing dealt with two issues: (1) the issue of unsafe docks which the judge will decide on within the next week or two and (2) Cappellini's motion that the district's response was untimely and in default. The Judge dismissed the default motion.

Newsletter

Dick Hubbard reported the newsletter was put on hold until Rhonda's return and for presentations from the ad-hoc committee.

Dock Committee

Dave reported that Mr. Bill Jahnke has water problems caused by the town. He needs to dig ditches to channel the water and needs to file a new permit request. This is tabled and a group inspection will take place Saturday, June 19, 2010 at 11 o'clock AM. He had proceeded to dig on District Property with an expired permit and was publicly admonished for this action. The Commissioners would like Mr. Percy to be at the meeting.

Ad-Hoc Committee

Doug confirmed the board's decision that there will be two handbooks 1) an all inclusive one for the office and 2) a non all inclusive one as a handout to new residents. Joe Miller, attorney for the board would like a draft copy when it's ready. He will then make his additions and any necessary changes.

Dick made a motion to add “contractors must supply a certificate of insurance” to the “request form”. Maggie made the second. Motion carried.

Old Business

Discussed Joe L’Annunziata vs. Dale and Grace Young. Doug made the following proposal:

- Repair break-wall – Break-wall has been removed and is now a non-issue
- Move lift – Dave Hirsch will inspect and confirm Dale Young’s assurance that it has been moved and is in compliance.
- Replace tree – After discussion Dale Young stated that out of respect for the board, he will plant a six foot new tree by July 23, 2010. It was suggested a wire cage be placed around the tree.
- After this is satisfied a letter will be sent to Dale and Dr. Joe.

Noted there is no ordinance in Rushford regarding jumping off the bridge. The town’s attorney will be addressing the issue.

Discussed a dock license for 8483 A Glen Road. Amanda Annetts will be applying for a dock license in a very congested area. After discussion, Deb made a motion to send a certified letter to the Pursels stating they must change the configuration of the dock infringing on the neighbor’s right of way by March 1, 2011. The dock may overhang at the upper lever, but the bottom section must be re-configured so as not to infringe on the right of way. Doug made the second. Maggie abstained from the vote because she had not seen the situation. Motion carried.

Doug made a motion to send a certified letter to Roger Billyard advising that he will be allowed two weeks from June 21 to remove the boat sunk in the lake or his dock license will be revoked. If he fails to remove the boat in the allotted time, it will be removed and stored at his expense. Deb made the second. Motion carried.

Agreed to research concerns about ownership of Glen Road brought to the board by Mary Jane Kelly at a previous meeting.

Deb made a motion to have the board’s attorney research ATV and golf cart issues. Doug made the second. Motion carried.

Chairman Hirsch discussed a current rumor alleging that Hutton Bay docks will be relocated to the public swimming area. He indicated that this is not a consideration at this time.

The board was reminded to start preparing budget items for submittal to Treasurer, Bill Szabo. Thoughts should be sent to Bill or presented by the July meeting.

Dick Hubbard expressed his dissatisfaction with the board not addressing the Legal/Rules Committee recommendations that he presented to the board in March. Agreed to discuss having a legal and rules

committee meeting with Joe Miller. Doug will ask if Joe is able to attend a meeting Tuesday, July 27, 2010 at 7 PM. Deb noted this will be a work session.

Open Forum

Bob Stephan expressed sympathy to Dick Hubbard on the passing of his mother.

Dan and Jenny Harris expressed concern for those who use golf carts to get to the water.

Maggie made a motion to adjourn at 9:46 PM. Deb made the second. Meeting adjourned.

Submitted by,

Rhonda Kozlowski
District Secretary