

POALH Annual Meeting Minutes

August 15, 2021

The meeting was called to order at 10:00 am by Cindy Biancamano at POALH Pavilion, Lake Shore Dr, East Haddam, CT. Board members in attendance: Cindy Biancamano, Angela Buccheri, Hema DeSilva, Dave Edgington, Corinne Halliday, Evelyn Passan, Gary Petersen, and Kathy Sabo
Board Members Absent: Jason Griffing
Association members in attendance: Nancy Kavanaugh – Treasurer. A quorum for the meeting is constituted with over 40 voting members present.
Public Present: Ed Bader – Tax Collector, Tim Pelton – Dam Committee Chair

Opening Remarks: Cindy Biancamano welcomed everyone and indicated that parking passes were available to be picked up today. She asked if anyone wanted to take over the Lake Hayward store. Please use the colored paddles you received for voting.

Minutes: *A motion was made, seconded and passed to waive the reading of the June 27, 2021, association meeting minutes. A motion was made, seconded and passed to accept the June 27, 2021, association meeting minutes.*

Financial Reports

- **Treasurer:** Nancy Kavanaugh reported that she is in the process of learning the treasurer position. She welcomes any questions via email or requests to see the books. The budget to actual report was provided to all association members via the newsletter and posting in kiosks. She looks forward to working with everyone.
- **Tax Collector:** Ed Bader reported that there was 100% collection of taxes last year. This year we have collected 93% so far. Ed thanks all those who have paid their taxes.
- **Budget: Presentation of 2022-2023 Budget:** Dave Giroux, budget committee chairperson, asked for a motion to approve the 2022-23 operating budget of \$219,400 as presented by the budget committee and approved by the board of governors.
 - **Motion:** *Jerry Johnson made a motion to approve the 2022-23 operating budget in the amount of \$219,400 as presented by the budget committee and approved by the board of governors. Bill Halliday seconded.*
 - **Discussion - Reserves:** John Eckert, Lakeshore Drive, voiced his concern there is not enough in reserves right now and the reserve amount is very low in this budget. Dave Giroux commented that lowering the reserve to \$10,000 would allow a financially lower burden on the membership. Carolyn Eckert, Ridgewood Rd., Ext., voiced a concern that as a membership we have not yet approved reconstruction of the dam. Having too low an amount going into reserves does not make sense if we make the choice not to do some of the things that have been recommended relative to the dam. She feels that \$10,000 going into reserves is inadequate.
 - **Vote:** *A vote was held on the motion to approve the operating budget of 2022-2023 in the amount of \$219,400. There were 48 votes in favor of accepting the budget. There were 29 votes to oppose the budget. There were no abstentions. The motion to approve the budget carries.*Dave Giroux further asked the association to approve a summary of the budget committee's findings. It was felt a vote on this was not required at this time.

Reports of the Board of Governors

- **President:** Cindy Biancamano reminded association members to sign up for ladies' night. The Town of East Haddam is purchasing property that abuts the association for open space. Cindy encouraged all members to go out and vote in September on this matter.
- **Secretary-Clerk:** Kathy Sabo reminded all association members to turn in their voting paddles at the end of the meeting.

Committee Reports

- **Nominating:** Fred Alden, committee chair, presented the nominees for consideration for a vote for the board of governors which were Kathy Sabo, Cindy Biancamano, Hema DeSilva and Phil Sabo. Cindy Biancamano asked if there were any nominations from the floor. There were none.
 - **Motion:** *Sara Bares, Cragmere Rd., made a motion to elect the slate of candidates to the board of governors as presented. Linda Abel, Lookout Dr., seconded.*
 - **Discussion:** None

- **Vote:** *A vote was held on the motion to elect the slate of candidates to the board of governors as presented. There were no votes to oppose the current slate of candidates. There were no abstentions. The motion to elect the current slate of candidates to the board carries.*
- **Events:** Angela Buccheri indicated that they are always looking for volunteers. Bands are booked months ahead of time, usually in the fall so if you have ideas for a band for next summer please reach out to Angela by the end of September. The events committee will no longer be posting events on the public Lake Hayward Facebook page but will be posting on the official Property Owner's Association Facebook page instead. Lake Hayward carnival and beach days have been cancelled. After consulting with the Chatham Health District and given the fact that our target audience is children who cannot yet be vaccinated the board felt it was prudent to cancel because of the close interaction of the events and consumption of food. Instead on that day there will be an ice cream truck that will visit all three beaches and the association will purchase ice cream for any children that are on the beach that day. There will also be a movie shown that evening on first beach at 8:00 p.m. Events may look into setting up a cornhole tournament. Angela expressed her gratitude for all members who have taken the time to volunteer to run an event or help out in anyway. A huge thank you went out to Colleen Sokolowski as she is stepping down from running our children's craft nights after two decades. Angela is looking for someone to take over her job. There is a volunteer sheet for anyone who would like to sign up to help out.
- **Geese:** Evelyn Passan reported that looking for nests in the spring will continue. She asked that if you see a nest on your property being built, please let her know, but please do not touch it. Please continue to harass the geese. Evelyn thanked all those who have helped to pick up the poop on the beaches. Tools are at each beach for poop removal.
- **Lake & Water Quality:** Corinne Halliday indicated she circulated a report about what we as association members can do to help our watershed and the nutrient and phosphorus loading issues. It relays information about a question and answer period that took place with the limnologist. It will be in a future newsletter. A lot of the focus this year has been on algae. We have had a lot this season and at times it has been concentrated in blue green algae scum which is potentially dangerous to humans and animals. No one should swim when this is visible. The algae blooms have seemed to float around but if we did have one stay in front of one of our beaches Chatham Health would be called in to help do a visible inspection and direct us as to the best course of action to take. The lake quality committee will continue to do the deep water sampling along with the very important stream sampling. We expect to have a fairly good idea as to the watershed's contribution to our nutrient overload in our lake by next spring. Corinne asked all residents to redirect drainage from gutters, have septic systems inspected and pumped and plant vegetative buffers to slow down runoff. There were two beach closures this year so far due to high E. coli readings. The most likely contributor to that would be waterfowl waste and runoff from the roads and septic after a rain event. Corinne thanked the committee members for all their hard work. Adam Thompson, Lakeshore Dr., suggested the use of barley bales or barley extract to help control the algae. Corinne will look into that. Jeff Bender, Forest Way, wanted clarification on green particles floating in the water suspecting it is algae. Corinne could not confirm if those particles are actually algae throughout the lake or if they are dangerous. She has been told that when there is the blue green scum that is when it is toxic. Carolyn Eckert, Ridgewood Rd Ext, asked if the date of the weed treatment could be moved to earlier in June due to the weeds developing sooner in the year. Corinne will inquire about this.
- **Properties:** Gary Petersen reported that he is retiring after 8 years. The summer has been filled with keeping the beaches clean. The street signs have been finished. A tree was taken down by the basketball court. Coming up in the next few months will be a tree removal on reserve beach and the right of way there. Second beach is missing its rake. Please return it if you borrowed it. Gary Petersen thanked all those members who have helped him out over the last eight years.

Old Business

- **Bio Detention Basin Project:** Ed Bader reported that the association was able to get a \$16,500 grant from DEEP. This money needs to be used by August of 2022. Our engineer has indicated that we can do the construction at the end of May. The association is being asked to fund \$34,100 for the bio detention basin of which we will get back \$16,500 from the DEEP grant. This will help to mitigate runoff from the farms and keep the lake clean.
 - **Motion:** *Dave Giroux, Glimmer Glen, made a motion to approve funding of \$34,100 from the associations unallocated reserves to complete the bio detention basin project during 2022. Larry Lusardi, Lake Shore Dr., seconded*
 - **Discussion:** None
 - **Vote:** *A vote was held on the motion to move forward with the bio detention basin. There were 97 votes in favor. There were 5 votes opposed. There were no abstentions. The motion carries.*
- **Dam:** Tim Pelton, dam committee chair, provided a recap on all of the discussions that have gone on about the dam. Option 1 – Do the project in one fell swoop but will require a special assessment to fund the entire project. Option 2 – Break the project up into two phases. Pros on that approach is there is enough money in capital

reserves to start the project in 2022 then you would need a special assessment in 2023 to move forward. Option 3 – Just do the design and permitting process. It is the least expensive but will move the project downstream and it is likely construction and material costs will go up. Option 4 – Get a second opinion from a DEEP approved engineer.

- **Motion:** Adam Thompson, Lakeshore Dr., made a motion to amend dam reconstruction – presentation & capital expenditure/funding/construction vote. I move to amend the motion to strike down options 1, 2 and newly introduced option 4 and substitute option 3 to say: Option Three – Attain repair bids (not less than 3) with reference to the 2019 inspection report – Lake Hayward Dam. Said bids to be available to the POALH membership at the June 2022 meeting or before if the Board of Governors deems earlier action is warranted. Carolyn Eckert, Ridgewood Rd. Ext. seconded.
- **Discussion:** The motion was reread by Adam Thompson. David Spencer, Ridgewood Rd., felt that if we second and vote on this motion we will not be able to discuss or vote on options 1, 2 or 4 or even 3. This seems premature as all options have not yet been vetted and discussed. Leisha Spencer, Ridgewood Rd, asked for Adam to explain why he is making this motion. Adam Thompson does not believe that this project has not been looked at on all sides by moving forward with replacing the dam and not considering other options. Larry Lusardi, Lake Shore Dr., asks how long will the permit be available for – when will it expire? Paula DeSilva, Glimmer Glenn, inquired about the maintenance of the dam in the past and the maintenance in the future prior to starting this project. Keith Marvin, Ridgewood Rd, indicated he walked the dam and feels that it is good to have a proposal other than replacing the dam. He would like to see what a repair project would look like in conjunction with the report from the engineer. Carolyn Eckert, Ridgewood Rd Ext, thought it was important to note that in the 2019 dam report it says that the general condition is considered fair to satisfactory. Satisfactory means no significant deficiencies are recognized. Only minor maintenance is required, and only minor flaws are noted. Fair indicates there are not critical deficiencies with the dam that will require engineer analysis with the following exception – hydraulic analysis. The conclusion is that our dam is not ready to fail and is found that it can pass the 100 and 200 storms. Moira Boone, Lookout Dr., inquired about a counter motion as she felt the other options should still be on the table. Diane Camacho, Wildwood Dr., asked if we have looked into other funding options either through the state, federal or grant money. Tim Pelton, dam chairperson, indicated that grant money from the state under the infrastructure umbrella would not be granted to such a small project as ours. We will receive \$15,000 from the Town of East Haddam. Sara Bares, Cragmere Rd, requests that everyone vote down this motion as she feels it is a motion to not allow us to vote or make a choice on any of the other options. Adam Thompson replied that he feels his motion is the building blocks to a project to explore all avenues before making the choice to spend hundreds of thousands of dollars on one single project. Beth Bashir, Sunset Rd., also objects to this motion feeling it is not the democratic process. Ed Bader noted that the association is a municipal tax district required to follow the rules that are set out in the general statutes. He feels that this motion set before the association which is circumventing what has already been prenoticed is not legal. Leisha Spencer, Ridgewood Rd., asked in response to what Cari Eckert read, what pushes us to move forward at this point with the recommendation of option 2. Tim Pelton, dam chair, stated the dam is not in imminent danger to fail tomorrow. The challenge comes when there is a major flood event or hurricane. Lisa Hober, Wildwood Rd., stated this motion was not Adam Thompson's idea alone as a group of association members met to go over all the options. She pointed out that if we vote for a special assessment that figure will not be calculated for three months. We will not leave the meeting knowing how much it will cost each association member. It is a blank check. If Adam's option is voted down, then the other options come to life. Fred Alden, Lake Hayward Town Rd., asked how much it would cost to repair the dam. We have received estimates on how much it would cost to replace it but nothing on how much it would cost to fix it. Keith Marvin, Ridgewood Rd, noted that the options presented by the dam committee never gave us an option to just repair it. Wendy Morin, Lake Shore Dr., asked if there would be a cap on the assessment. Also, can we apply again for a grant if we go with option 2. Nancy Apfel, Lookout Dr., noted that climate change is upon us. Storms are getting worse, and the rains are getting heavier. The water is already going over and under the spillway during a heavy rain. It may not hold with the next big rain. Chuck Dupont, Ridgewood Rd., noted that Adam's motion is not ruling out the other options on the table for the dam, it is just postponing it until June of 2022 until we have more information of what it costs and what the assessment is going to be. Dave Edgington, Wildwood Rd, wanted to make it clear that a lot of thought went into this process but understands that if everyone is unhappy with all the options then we need to be given the chance to vote down the options. Adam Thompson replied that the reason that he did not want the options to be voted on is because he would like to maintain the \$30,000 to look into repairs of the dam. He wants to change the process to a possibility of a repair while maintaining that \$30,000 so we have working capital to find out if there is a correct answer that is not replacing the dam. Dave Giroux, Glimmer Glenn, asked what the difference is between Adam's

proposal and option 3. Adam replied the difference is option 3 looks for an engineer report to replace the dam and not looking at any options to repair the dam. Tim Pelton, dam chair, responded that option 3 is to fund the design and permitting process to reconstruct the dam. Lisa Hober, Wildwood Rd., stated that this vote has been referenced as a referendum. She stated that a referendum would have been a private mailing to each association member with a specific plan and a cost associated with it. Association members did not get this, so it is not a referendum. If a referendum was in play absentee ballots would be accepted. Adam reread the motion before the vote.

- **Vote:** *A vote was held on the motion put forward by Adam Thompson in regard to the dam project. There were 61 votes in favor. There were 59 votes opposed. There were no abstentions. The motion carries.*
- **Motion:** *Sarah Bares, Cragmere Rd., made a motion for a request for a paper ballot. Beth Bashir, Sunset Rd., seconded.*
- **Discussion:** John Sobolowski, Wildwood Rd., commented that a vote has already been taken and in order to overturn that vote another motion has to be made to recount the vote. It was stated that the motion has already been made. Keith Marvin, Ridgewood Rd., commented that the first motion was already passed and it not a slam against the board. It is just giving us an opportunity to take the money that we set aside and use it to tell us how much it is going to take to fix the dam. Instead of fighting against each other let's move forward to look at other options. Lynn Macri, Lookout Dr, asked if we could just discuss the current motion. Ron Dylewski, Hillside Rd., thinks whether the vote was close or not believes that we should move on and accept the results of the vote count on the original motion. Lisa Hober, Wildwood Rd., would like to make a point of order and be shown where in Robert's Rules where the motion to recount was made in time because she believes it was already carried by the board. She would like to know if Robert's Rules dictates that motion can be done before it carries or after it carries.
- **Vote:** *A vote was held on the motion to request a paper ballot. There were 4 in favor. All others were opposed. There were no abstentions. The motion does not carry.*

New Business

- **Thank You:** Cindy Biancamano thanked Moira Boone for handling the merchandising and Lake Hayward store; Gary Petersen for his time taking care of properties; Dave Giroux and his crew on the budget committee; Fred Alden and his crew on the nominating committee.
- **Pickleball:** Cindy Biancamano indicated that we now have pickleball courts. Chris Popolizio indicated to come down and join in the pickleball fun on Tuesday and Thursday evenings at 6:00 pm.
- **Board Dinner:** *Linda Abel, Lookout Drive, made a motion to have the association pay to send the board out to dinner with their spouses. Lisa Hober seconded. A vote was held and all in attendance agreed, no one opposed and no abstentions. The motion carries.*

A motion was made, seconded and passed to adjourn the meeting.

The meeting was adjourned at 12:13 pm.