

GLEN ECHO IMPROVEMENT ASSOCIATION, INC.

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Minutes

September 5, 2006

The September meeting of the Glen Echo Improvement Association, Inc. (GEIA) was held at the Senior Center in the Town Hall Annex on Tuesday, September 5, 2006. President Jackie Nowak called the meeting to order at 7:10 pm.

Secretary's Report – The Secretary's report for August 2006 was read. A motion was made by Stanley Regis and seconded by Judie Benedetti to accept the Secretary's report. The motion *PASSED*.

Treasurer's Report – The Treasurer was not present, and therefore no report for August 2006 was read.

Old Business:

- ◆ *Article 32, Private Roads* – President Nowak asked Peter Boria to speak to this. Peter related that the Town has received approval on the bylaw from the Attorney General's office. The scope of work to be performed will be determined by the Town Highway Superintendent. In order to ensure the ultimate scope of work is performed under this plan, 51% of the residents on each road must sign the petition. President Nowak will go to the Town Hall (based on input from Jerry Foskett at the Assessor's office) to determine the number and names of all lake property official abutting properties. There was a suggestion to set a date and time in the newsletter for residents to come and sign the petition(s). Petitions must be completed every other year. [Note: an associated matter within this Old Business came under Discussion: When the sewer was installed, Easement was signed over to give the Town rights for drainage and sewer mains in the roadway, and they could repair the sewer as needed. All other Town work on the road was held separate from this Easement.]

- ◆ *Drawdown/Lycott* – The Division of Fisheries and Wildlife (DFW) has stated that it is in favor of a drawdown performed in the same manner as 2005-2006: a 4-ft drawdown to start on October 15, 2006. In addition, refill should also be scheduled to occur in the same manner as 2005-2006, i.e., initiation would begin following a hard freeze (per Lycott Environmental). A discussion ensued in order to explore a strategy that would meet the goals of the current refill timing (e.g., accomplish the scouring the lake bed), yet alter the magnitude and speed of the refill, in order to avoid pushing and destroying retaining walls. Following the discussion, a formal MOTION was made by Ms. Benedetti (seconded by Stan Regis): The Conservation Commission should be formally requested to consider an alternative drawdown and refill strategy for Glen Echo Lake: Drop the lake level by 4 feet beginning 15 OCT 06, then follow the refill timing strategy (5-7 [consecutive] days of temperatures less than 15 degrees F, typically between January 15 – February 1, 2007, but no later than February 1, 2007), but keep the

lake at 2 feet below full level. Upon Lycott's recommendation – but on a date not to exceed 1 MAR 07, bring the lake back to full volume (add the 2 remaining feet). The MOTION PASSED Unanimously.

- ◆ *GEIA Property – Trash Bin:* Once again, there have been a number of complaints regarding the trash bin (smell, amount of trash, etc). Provided that the new policy for trash management in the boat launch/swimming area is “carry in/carry out”, Frank Zappulla offered to remove the trash bin. Discussion about signage led to agreement that clarity would be best with the simple words “If you carry it IN, please carry it OUT”. Donna Peters was offered as a person on this committee (by Rob Lemansky), so the Committee is now: Larry Boudriault, Dave Sanders, Ken Blackman, Frank Zappulla and Donna Peters. Since no signage activity occurred following previous discussions, the Committee was requested to implement this simple language.

Additional discussion related to this location led to general agreement that the area could be used as an event parking site – so long as a process is in place for the Association to mark the cars that are being parked there “with permission”. An example was discussed related to a 17 SEP 06 function by a GEIA member. A formal MOTION was made by XXX and seconded by Harry Neff: The Association will allow Melanie Boyd's party members to park on the Association property on SUN 17 SEP 06, for that day only, with markings on the cars that such parking was allowed. The MOTION PASSED Unanimously.

A Committee Statement of Work was presented by President Nowak (Goals, Objectives, Maintenance of the Property, Avoidance of Mis-Use, etc.) to use as a Charter for the Committee. Specific elements were outlined for members to understand what global strategies are being placed on the Committee for their assistance to the Membership. This was provided to the named Chair – Donna Peters.

- ◆ *Police Lake Access:* Following discussion, it has become clear that Chief Pervier is willing to come to the appropriate area(s) of Glen Echo and talk to someone who is misbehaving. Also, he said GEIA could purchase a personal watercraft (donated by GEIA and/or SCRA and/or Cranberry Meadows Association) to patrol the 3 lakes; this watercraft would be free to the Town but they would then be able to use the craft to accomplish appropriate enforcement. A MOTION was made by Peter Boria (seconded by Donna Peters): GEIA requests that the President explore a watercraft lease option with maintenance – such as that available from Hank's Marina – for 4 months. The MOTION PASSED Unanimously.

New Business:

- ◆ *Algae:* – Once again, there have been reports of “soapy bubbles” on the lake. These soapy bubbles are the by-product of algae breakdown. It was discussed that Glen Echo has recently experienced a couple of blooms, but there was no need to treat the lake this late in the season. Such algae would be observed if a flashlight was used to illuminate the water at nighttime, off a dock or lakeside

structure. President Nowak instructed all members to please call if algae blooms are observed.

- ◆ *Narrows Lawsuit* - A Complaint and Summons has been filed by the Chambers family against GEIA, the Town of Charlton, the Commonwealth of Massachusetts and the Secretary of Environmental Affairs. The initial hearing related to this Complaint and Injunctive Relief has been postponed to WED 13 September 06. The Complaint has requested an injunction and damages, arguing that property rights have been infringed upon. Based on discussions by multiple GEIA members with the Town's legal staff and Selectpersons, GEIA was instructed to strongly consider having an attorney represent the Association. [Note: Detailed discussion was held regarding expected legal interface requirements: 9A is the process to file the motion for dismissal, requesting FAST TRACK, and the price would include this. It could be demonstrated that the GEIA has no RIGHT to the lake, it's a privilege. Because GEIA is a non-profit corporation, the motion should include "abuse of Process".] Upon request by President Nowak, GEIA members explored costs for hiring of Neal Law firm, and the firm responded on 5 September 06 and agreed that – if so contracted – it could provide services on behalf of the Association in this matter. Following rapid review of the Complaint within their office, it was made clear that "cost is relative to the service, more service requirements would increase service costs." At this time, a projected budget for these services for consideration of GEIA appropriation was \$2,500. If the firm is required to file motions to suspend, this should be the expected maximum legal expense. A formal MOTION was made by Julie Benedetti (seconded by Donna Peters): Retain Ed Neal Atty & Assoc. to represent the GEIA on the Chambers Complaint for a fee not to exceed \$2,500, whose representation shall be based on written quotation by the Neal Corporation, and that these funds should come from the Fidelity Reserve Fund. This MOTION PASSED Unanimously.

Announcements/Reminders/Open Forum:

- ◆ *Walk to Cure Cancer* - a letter was received from Allison (Johnson) Howard regarding the "Walk to Cure Cancer" fundraising event which will be held on September 10, 2006 at UMASS Medical Center, Worcester. Allison, along with her husband George, has formed "Team Glen Echo Lake" to raise funds to help in the fight against cancer. All proceeds from the walk will support cancer research at the UMASS Memorial Cancer Center in Worcester. Allison provided informational pamphlets and website information for those who are interested in walking with or sponsoring the team. More information was made available at this meeting.
- ◆ A formal MOTION was made by Rob Lemansky (seconded by Julie Benedetti): The July monthly meeting for 2007 is eliminated. This MOTION PASSED Unanimously.

- ◆ Discussion was held regarding the Annual Audit of the Treasurer's Book expected to be conducted by John Hewitt. President Nowak will check with Bob Doucette.

A motion was made by Larry Boudriault (seconded by Stan Regis) to adjourn the meeting. The MOTION PASSED Unanimously.

The meeting adjourned at 8:20 PM.

Respectfully Submitted,

Carl M. Selavka
Secretary, GEIA