

New York State Federation of Lake Associations, Inc.

Meeting of the Board of Directors
March 24, 2012
10:00 am
White Eagle Conference Center
Hamilton, NY



Present

Jim Cunningham, President
Walter Dutcher, Treasurer
Janet Andersen, Secretary
Jack Baldwin
Donald Cook
Rena Doing

Rich Henderson
John Jablonsky
George Kelley
Dean Long
Theresa Mayhew
Kathleen McLaughlin

Bob Rosati
Rebecca Schneider
Jan Shields
John Slater
Robert Thill

Absent

Matthew Albright
Bill Harman, Vice President

Nick Klupacs
Barbara Marko

Helen Sick
David Wright

Also in Attendance

Nancy Mueller, Manager

Scott Kishbaugh, DEC

- 1. Call to Order.** President Jim Cunningham called the meeting to order at 10:11 am.
- 2. Minutes of the October 22, 2011 Meeting.** Dean Long made a motion to accept the minutes, Rich Henderson seconded, and motion carried.
- 3. Budget Process.** Jim Cunningham indicated that together with Walter he was working on putting together a budget to project the annual income and spending on FOLA related activities and CSLAP activities, in part to allow us to better evaluate the proposed DEC – FOLA contract.
- 4. Treasurer's Report.** Walter Dutcher presented the balance sheet, showing that our total assets as of the meeting are \$201K, including \$18K of books. He pointed out that conference, membership, and CSLAP funds came early in the year, and many of the expenses follow later, although some CSLAP expenses may not come in until the following fiscal year. He noted that it is costing us more than we make to have an inventory of books at Amazon, but it is a necessary part of that marketing venue. Investment income is modest based on low interest rates: this generated a conversation about alternate investments, and Walter, Rich Henderson, and Bob Thill will meet and provide a recommendation for the next board meeting. He reviewed the 2011 I&E: FOLA revenue was \$109K, cost and expense \$86K, net income \$22K. We made about \$7K on the 2011 conference. Walter commented that it appeared that CSLAP may be subsidizing FOLA's office expenses, part of the rationale to compile the budget. Walter said that he did not expect any difficulties getting the 990 submitted by the required May 15 date. Walter will distribute some financial documents by email. Bob Rosati moved and Robert Thill seconded to accept the financial report, and the motion carried.
- 5. Web Site.** Guest Dan Cronin, of MyLakeTown.com, presented the newly launched web site and features available to members and associations: associations can have a group page. Members will be getting login instructions soon. He discussed what information is generally available, and then what is

public and private for members who log in to the system. He reviewed the capability to upload videos and do surveys. He also discussed some payment and registration vehicles: there are fees associated with using them. Our goal will be to have them available for next year's conference. He identified that so far there has been no cost; the report search was created at a cost, and would be made available to us for \$1500. John Slater moved and George Kelly seconded that we pay Dan Cronin an amount not to exceed \$2000 for development of features on the website that will support FOLA's requirements. There was some discussion of whether we should have commercial access and it was felt that the bylaws would not allow such activities. Walter Dutcher will move the website domain registration to godaddy.com, a cheaper solution. Board members will provide content for the website: Bob Rosati: dam regulations, Rebecca Schneider, watershed management & riparian buffers; John Slater, stormwater; Walter Dutcher, septic system care and water / land conservancy news; Jim Cunningham, alternate onsite septic systems. Jan Shields offered to help edit, Jan Andersen will load onto the site.

6. Office Report. Nancy reported that she was slightly behind on the conference, that a few more speakers were needed. Also that the number of exhibitors was down, most citing the general economy. Paid attendees so far are 36. The one day commuter fee is \$65, and a new two day commuter fee was established at \$80. Nancy encouraged strong silent auction and raffle items. Bob Rosati has gotten wine and discussed a case vs individual bottle sale. Nancy brought up the Talk of the Town ad for Diet, and Terri Mayhew discussed. Rich Henderson moved and John Jablonsky seconded purchasing a ¼ page add for \$250, the motion carried. We may also be able to get an article in the magazine, Jim Cunningham will pursue that for the issue on planning. Walter purchased conference calling capability through TechSoup, Nancy will follow up and distribute the calling information. Nancy also reviewed the grant which would fund water quality testing for fracking impacts. The board discussed this and felt that there was a very high likelihood that results would be challenged in court, and would require more volunteer training and certification, and agreed to table this for now. Nancy also said that Dan has been great to work with on the website, and the board thanked Nancy for her time on the website project.

7. Board of Directors – Expiring terms and proposed slate of officers. Jim Cunningham reviewed the directors who were at the end of their terms and they all agreed to serve again. Jim also proposed a slate of officers that is unchanged except that Janet Andersen has agreed to be president-elect. Robert Thill reminded the board that officers are elected at the May board meeting. He also indicated that the board should set the number of directors, and urged a more even distribution among the term expirations. Janet Andersen moved and Richard Henderson seconded that the board have a maximum number of members of 31, distributed 11, 10, and 10 by the term classes, and the motion carried.

8. Committee Reports

Diet Marketing - Terri Mayhew reviewed our past Diet marketing actions. She asked for more people to post book reviews on Amazon, reviewed the ad in Talk of the Town, and reviewed the other ideas that she was working on, including a you-tube video. Bob Rosati reported that Cabin Life will do a review. We agreed that personal persuasion plays a role, and each board member should tell Jim how many hard and soft copy books they would like to take home from the May meeting. We need to figure out a way to keep track of the distributed books and anticipated receipts.

Conference - Dean said that Nancy had covered his report. We will print the 800 number for White Eagle in the conference agenda. George Kelly moved and John Slater seconded that the keynote speaker be paid a honorarium of \$300 and \$60 in travel to be paid from the speaker fund, and the motion carried.

Scholarship Committee – Bill Harman and Jim Cunningham had worked on a program where a lake

association could pay for a Lake Management Plan, to be matched by the school, and a corporate donation may supplement. No action was taken at this time.

Federation of Lakes – Jan Shields asked for board input on the invasive species law. Nancy said we should support the new law number 9422 sponsored by Sweeney. Rebecca Schneider offered feedback.

Regional Meetings – Don Cook reviewed the plans for the Western Regional meeting. Janet Andersen, Kathleen McLaughlin, and Terri Mayhew reviewed less structured ideas for a Downstate meeting piggybacked on Terri's Columbia County lakes activities. Robert Thill moved and Richard Henderson seconded that the board authorize Don Cook to hold a regional meeting at an expense not to exceed \$200. The Downstate meeting will be reviewed in May.

9. CSLAP Report. Scott Kishbaugh distributed a list of accomplishments and continuing discussion items. An updated CSLAP protocol will be posted to the web and distributed to CSLAP volunteers. The 2011 individual lake reports and the 2010 statewide report should be released within the next two weeks: Scott is awaiting additional ESF data. Scott reviewed new CSLAP webpage content and asked board members for updates for revolving stories. He also reviewed the HAB work between DEC, ESF, and DOH and attempts to publicize when suspect information came in, including by Google map bubbles. He agreed to work to make it clear that FOLA and CSLAP were not the sole source of information, that any alerts would be distributed in a variety of ways, and to ask DEC legal for appropriate disclaimers. Jan Andersen moved and Dean Long seconded a motion as follows: WHEREAS the second edition of Diet for a Small Lake was jointly authored between NYSFOLA and NYSDEC with the understanding that NYSDEC would provide website access to Diet for a Small Lake, and WHEREAS NYSFOLA holds the copyright on Diet for a Small Lake, and WHEREAS NYSDEC has agreed to post and enforce restrictions on the use of Diet for a Small Lake, THEREFORE, the board of NYSFOLA resolves that NYSDEC is approved to post the second edition of Diet for a Small Lake on its website: and the motion carried. Discussion of whether the posting should be watermarked or printing suppressed ensued, and the board agreed to ask Scott to see if watermarking could be enabled and / or printing could be suppressed, ancillary to the resolution.

10. Proposed Contract and covering wage gap. Scott reviewed the history of the change in approach, that the state contract lab process was such that UFI could not bid, and that the lab that was contracted is \$30K more expensive for analyses, that the old process for subcontracting Nancy, through the Central NY Regional Planning & Development Board, to support CSLAP was no longer viable. This resulted in a proposal to have FOLA oversee the CSLAP deliverables for a three year contract, with a 2 year extension option, paying for staff support and analytics and shipping, expected to be \$120K per year. This would start no earlier than May 1. Dean Long moved and John Slater seconded that FOLA would cover gap payments to Nancy Mueller for CSLAP work for any uncovered period between April 1 and June 1 and the motion passed. Jim Cunningham then commented on his review of the document, and said that it imposed costs and obligations on FOLA, and that he wanted an attorney to sign the contract. Scott reviewed an estimate of the income and expense, which showed a loss, but also included contingencies. Dean Long moved, and Robert Thill seconded a motion authorizing FOLA officers to negotiate the contract, consult with any board member as required, hire or retain an attorney, accountant, or other professionals for a fee up to \$5K, to complete this work as soon as possible, and to author a letter of intent to enter into this agreement, and the motion carried. Scott reiterated that at this point the DEC was still supporting the program, but that this approach might lead to a transition plan where more responsibilities would leave DEC and come to FOLA. In response to requests, Scott agreed to forward a workplan outlining the work requirements.

11. 2012 Conference awards were discussed and agreed. The board approved the two day commuter rate again, and we agreed that unregistered walk-ins may not get lunch. Nancy and Jim will work on the publicity and wording of commuter advertising.

12. Hosting NALMs conference. Nancy discussed the inquiry from NALMs of our interest in hosting the conference, and distributed a NALMS work plan. No action was taken.

13. Invasive species bill support. We discussed our interest in supporting the Invasive Species bill. Terri Mayhew moved and Rena Doing seconded that FOLA would buy an eighth of a page in the Legislative Gazette in support of this bill, and the motion carried.

14. New business. Kathleen McLaughlin asked about the court case on the ability of a town to regulate boathouses, and we agreed to ask David Wright to cover that as part of his lake law talk this year.

15. Next meeting date. The next meeting was scheduled for Friday, May 5, at 3pm at the Appley Center.

Adjournment. John Slater moved and George Kelly seconded that the meeting be adjourned at 3:10 pm, and the motion passed.

Respectfully submitted,

Janet Andersen

Janet Andersen, Secretary, NYS FOLA