



## New York State Federation of Lake Associations, Inc.

Meeting of the Board of Directors  
October 2, 2010  
10:00AM  
White Eagle Conference Center  
Hamilton, NY

### Present

Helen Sick, President	James Cunningham	Bob Rosati
Walter Dutcher, Treasurer	Rena Doing	Rebecca Schneider
Janet Andersen, Secretary	George Kelley	John Slater
Jack Baldwin	Dean Long	Robert Thill
Donald Cook	Theresa Mayhew	

### Absent

Bill Harman, Vice President	Nick Klupacs	Jan Shields
Matthew Albright	Barbara Marko	David Wright
Don Keppel	Kathleen McLaughlin	

### Also in Attendance

Nancy Mueller, Manager	Scott Kishbaugh, DEC	Nancy Craft
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- 1. Call to Order.** President Helen Sick called the meeting to order at 10:10 am.
- 2. Minutes of the May 2010 Meetings.** Robert Thill made a motion to waive reading of the minutes and to accept the minutes as written, Jim Cunningham seconded, and motion carried.
- 3. Treasurer's Report.** Walter Dutcher reported on the transition of the treasurer's role. He has completed the transition to Quickbooks from the January 1 start of the fiscal year. Funds on hand, approximately \$40K, are adequate to cover the cash needs. The conference net gains were over \$7,000, about \$1400 from the silent auction. Walter set up the inventory of Diet books so he can match sales with cost of goods sold. He indicated that since Quickbooks is tracking lake association membership and CSLAP, it can help with billings to the lake associations if desired. Walter said two CD's have matured and have been rolled into money market funds where they are making more interest and readily available. There was a question about FDIC insurance or other backing, and Walter will look into that. He has also set up separate accounts for CSLAP and the Speakers Fund, and there is currently about \$8K in CSLAP. Walter will send out quarterly financial reports to the board. Year-to-date, revenues are \$88,158 with net profits of \$13,349. Assets total \$159,417.58 including the inventory of Diet. John Slater moved, and Theresa Mayhew seconded to accept the financial report, with thanks to Walter for the progress in bringing the financial system to Quickbooks, and the motion was approved.
- 4. Office Report.** Nancy Mueller extended FOLA's condolences to Rena Doing. She also reported the Cooperstown celebration for Bill Harmon for "One man's service to the

environment”. She noted that the office had slowed down with fall, and she was getting inquiries about the 2011 conference. She clarified that the Upstate Lab that was in the news for fraud was not the lab that was used for CSLAP, which is Upstate Freshwater Institute, or UFI. She also reported that Diet sales have slowed, although about 1000 of the 3000 originally printed have been sold. She mentioned that signing up with Amazon appeared to be difficult because of shipping. While expedited shipping service does not have to be offered, shipping reimbursement to FOLA would be low and there is a need to be available to ship if orders arrive. Further discussion was deferred until the Diet topic in the afternoon.

**5. Guest speakers – Insurance for Lake Associations.** Chuck Spaulding of Bailey Insurance Agency, and Chris Albanese from Philadelphia Insurance, a subsidiary of Tokyo Marine, joined the meeting. Both firms work with municipalities and not-for-profit organizations. They put together a proposal for Melody Lake and wanted to discuss a program that could address lake association needs. They discussed the various types of insurance that lake associations might consider, including general liability, directors and officers insurance, special event policies (necessary for riskier events and most events with over 500 people), hired & non-owned auto liability, members accident (which would supplement health insurance if members were injured at a lake event), and property insurance. General liability and D&O together should cover the board whether accused of negligence or wrongful acts. Chuck and Chris reviewed the considerations for underwriting, including activities promoted by the association, signage, and dams. Robert Thill reviewed the difference between exposure or risk, which exists, and liability, which is determined by the courts. Cost factors include the number of members, the size of the lake (if owned), dam risk, and activities. To have an affinity program with a discount, FOLA would need to expect to have participation of 50 – 75% of the membership, which the board thought was an unlikely achievement. While insurance cost would vary with the lake, Chuck asked for a reaction to an annual rate of \$40 – \$50 per member. The board asked Chuck and Chris to give an educational presentation at the conference, and they agreed. They will work with Nancy to see if information can go into the newsletter. The board also indicated that they have not endorsed a specific vendor to date but felt that information about, and availability of, insurance would be valuable to our members.

**6. Dam Safety Regulations Update.** Bob Rosati reported that there was not a lot of new regulatory activity. The DEC is not approving extensions of time for the emergency action plans due by August 19, but is being lenient in their enforcement. He also reported that the stormwater regulators are looking for comments on a proposed document on Dam Removal and Barrier Mitigation in NYS. He will distribute the electronic document to those who requested it.

**7. NALMS Meeting – Oklahoma City.** Nancy is registered to attend the NALMS conference in early November. FOLA is not an exhibitor and will not have books for sale, but she will take book order forms. Bill and Holly are also planning to attend.

[Lunch at noon]

**8. Diet Sales.** Nancy stated that advertising costs had been in the business case that helped develop the prices for Diet. The previously approved advertising budget of \$500 is too small for

many publications. Nancy will put together a proposal for an advertising budget to reach the target publications and audience.

The board resumed the discussion of how to sell through Amazon but get around the shipping difficulties. Books can be shipped to Amazon, but having them handle the inventory is very expensive. Don Cook moved, and Rena Doing seconded, to ask Jim Cunningham to get a quote from Forager Press to handle the Amazon sale process for board review, and the motion passed.

Further discussion revolved around how to get more visibility to Diet. It was suggested that a book review be submitted to Adirondack Life and to make the book review available for distribution to weekly papers. It was felt that it is hard to find the Diet order form on the FOLA website, and there is not a description of the book and its contents. Also, Nancy will try to get a link to the book on the EPA website.

**9. CSLAP Report.** Scott Kishbaugh reported on the activities of the CSLAP Committee, which consists of Scott, Nancy Mueller, Jan Andersen, Jim Cunningham, Bill Harmon, Dean Long, Jan Shields, and Helen Sick. The CSLAP Committee met twice recently, by conference call and in before the board meeting. Scott reviewed the rotation plans, or how to expand the program to more lakes without expanding the program funding. The program currently plans to have most lakes be in for at least 5 years, then rotate out for one year. A set of 40 index lakes will not rotate, to ensure a consistent reference set of lakes. The current list of index lakes was distributed, representing areas of the lakes, depth, size and trophic status. Scott reminded the group that the moderate depth lakes (25' – 40') were important to sample, as in general they had experienced the most significance algae blooms recently. The list of the planned “rotation out” year was also distributed, and the size of the 2011 list is based on the waiting list size of 20 lakes, with the lakes with the most time in the program rotating out. The board liked the non-subjective selection. There is some concern voiced that lakes that rotate out will not rejoin the program.

Scott also reported on our desire to better market the program, to ensure that the participating lakes derived value from their participation. He spoke about the reorganization of the report into regional summaries and short individual lake appendices. He also described the committee’s discussion of alternate rotation or pairings to increase the overall number of lakes included. Many options with associated logistic complications are under consideration.

For the present program, the 2010 sampling is largely complete. Data should be available by year end, and Scott is targeting to release final reports by the conference date. Scott also reviewed some near term issues. First, DEC will go to a contract lab by 2012. The Invitation for Bid will be released by year end, and awarded mid-2011. The CSLAP committee hopes UFI will become a contract lab. Second, Scott reported a tumultuous time at DEC, with about 20% of the group anticipated to retire, and substantial reorganizations. Scott will keep CSLAP and believes the economic case is strong. However, lakes should expect the responsiveness to day to day issues will diminish based on reduced personnel in fisheries, permits, and regional engineers. Invasive species funding is not expected soon.

In response to questions, Scott said that while 230 lakes had been sampled at some point, the current program capacity is about 115 lakes. He also mentioned the consideration of changing

from self-selected participation to targeted lake participation in the program, to increase under-represented lake categories. There were questions about whether drinking water lakes should be a criteria for lake participation. Rebecca Schneider recommended gauging quantity as well as quality, expecting increased diversions with increasing impacts of climate change. If a lake is rotated out, they can participate in CSLAP light, and it is not yet determined if they could use UFI for sample analysis. Nancy and Scott will meet with the lab to discuss this question among others. Nancy also reported no significant concerns from lakes about the increase in fees. She asked lake associations to provide the CSLAP Committee with ideas for the program.

**10. 2011 Conference.** Nancy asked for ideas for the conference. John suggested a theme of HELP – How’s Everyone’s Lake Program? We agreed on sessions on insurance and algae, including HAB. Other suggestions included a regulatory update, invasive species, stormwater, municipal sanitary upgrades, and dams. Nancy asked for ideas for the keynote speaker. Theresa Mayhew reviewed the agendas for two conferences for suggestions. On Oct 22 a Lake Stream and Watershed Conference at Hamilton College will include topics on climate change and