

**BALLSTON LAKE IMPROVEMENT ASSOCIATION**  
Board Meeting, March 24, 2015

**Next BLIA Board Meeting will be on Tuesday May 05, 2015 at 7:00 pm at:**

**Ballston Town Hall Conference Room**  
**323 Charlton Road**  
**Ballston Spa, New York**

Meeting called to order by President Pete Herman at 7:06 pm.

**Members and Guests present:** Greg Adams, Bill Bashant, Judy Brodeur, Dave Duglin, Drew Hamelink, Pete Herman, Scott Miller, Dave Pierce, and Frank Shipp

**Secretary's Report:** The minutes of the January 06, 2015 Board Meeting were accepted as written.

**Treasurer's Report:** Judy Brodeur

BLIA Treasurer Judy Brodeur handed out copies of the 2015 BLIA Budget. Included was the following information:

Checking Balance - March 23, 2015	\$2790.19
Savings Account Balance - February 28, 2015	\$6005.93

Judy noted that as of March 23, 2015 \$7434.00 had been received as BLIA dues. The Board considered the Membership response to be very impressive considering it is only March. More details on 2015 dues are provided in the Membership Committee Report.

The Treasurer's Report was accepted as presented.

**Committee Reports:**

**President's Report:** Pete Herman

**Annual Clean Up Day**

Pete Herman noted that Clean Up Day will take place on Saturday May 02, 2015 from 8:00 am to 12:00 pm. Individuals interested in participating should meet at the Ballston Lake Fire House on Route 146A. The event is sponsored by the Burnt Hills / Ballston Lake Business Association and BLIA. Refreshments will be served to participants. Pete further noted that "pack mail" will be sent to the local schools encouraging student participation. Pete noted that tee shirts (that are given out to participants) will need to be replaced. Pete also agreed to check into obtaining signs to advertise the event.

## **Special BLIA Membership Meeting on April 15, 2015**

Pete Herman noted that a Special BLIA Meeting has been scheduled for Wednesday April 15, 2015 at 7:00 pm at the Ballston Lake Fire House on Route 146A. The purpose of the Meeting is to have a Membership vote on the changes being proposed to BLIA's Articles of Incorporation and the BLIA By-Laws. The changes to these documents are necessary to support BLIA's effort to become a 501(c)(3) tax exempt organization.

### **Boating Course**

Pete Herman noted that he is willing to teach a boating safety course again this year. Pete hopes to support Ballston Lake residents who would like to complete this course.

### **Lake Management Report: Dave Pierce**

Dave Pierce provided the following:

1. From January 20 through 22, 2015, I attended the Northeast Aquatic Plant Management Society Annual Meeting in Saratoga Springs. My attendance was partially funded by the Saratoga County Water Quality Coordinating Committee. This meeting covered topics of interest to Ballston Lake such as controlling aquatic plants and algae, algae analysis, water quality, improving lake health, water chestnut control, and wetland preservation.
2. We are evaluating a way to control algae through phosphorous reduction. The best way to do this is through reducing the phosphorous concentration in storm water, bind the existing phosphorous in the sediment, and increasing the oxygen concentration of the water. Aeration would help in raising the oxygen concentration but is most effective in water 30 feet deep or less. Thus, this would not be effective in the southern half of the lake, south of the narrows. To aerate the mid-section of the lake of 162 acres would cost \$25,000 in hardware and insertion. There would be an additional electrical cost to run the system.
3. We are working with a group of "stakes holders" to rewrite the Ballston Lake Management Plan that was written in 2011. When this new plan is developed and approved by the Towns of Ballston and Clifton Park, the watershed would be more eligible to receive grant money for numerous lake improvement projects.
4. We are asking the BLIA Membership to email me (Dave Pierce at pep416@aol.com) if they are interested in helping with water chestnut removal this summer.

**Membership:** Sue Bishop, Judy Brodeur, Joann DeVoe, and Terry Harlow

Judy Brodeur noted that BLIA Member Agnes McCarthy won the "fly over" drawing.

Judy Brodeur reported that the first round of renewals was awesome! We currently have:

Membership Level	Number of Members
* Trustee \$100+	3
* Steward \$100	22
* Partner \$75	16
Friend \$40	98
Business	1
Honorary	2
TOTAL	142

\* Thank you notes were sent in appreciation.

Judy noted that BLIA has welcomed the Southern Saratoga Chamber of Commerce as a Member, and BLIA is joining their organization.

The next Membership “appeal” will appear in the March Newsletter as a “mail in” form.

#### Future Activities:

- Follow-up mailing with past members by the end of April.
- Neighbor – to – Neighbor Drive during the Month of May.
- Second Annual July 4<sup>th</sup> “Happy Birthday America Boat Parade” – Saturday July 04, 2015.
- Second Historic Ballston Lake Tour. Date to be announced.
- Gathering of Lake Elders Reunion. Under construction.
- Second annual “Hello Snow...Bye, Bye Birdies” party. Under construction for early November 2015.

#### **Newsletter:** Greg Adams

Greg Adams suggested a four page Newsletter possibly including the following subjects:

- Clean Up Day
- 501(c)(3) Update

- President's Message
- Sewer Update
- Hawkwood Property Update

Greg requested that individuals get their input to him ASAP.

**Social Media:** Sue Bishop, Judy Brodeur, and Joanne DeVoe

Our Website and Facebook page continue to allow us to share information and stay connected with members and the community.

**Old Business:**

**Sewer Committee Update:** Drew Hamelink

Drew Hamelink noted that in September BLIA provided our support for the sewer project to the Town of Ballston. Based on the studies completed at that time, the cost was estimated to be \$754 per residence.

Drew then provided a very detailed discussion of how the \$754 cost was arrived at. Since the original estimate was made, a number of inputs to the cost have changed. Most importantly, the number of dwellings originally assumed (820) for the project was overstated due to errors in obtaining the data. Also, changes have been made to the charges for vacant properties. For example, vacant lots less than 0.5 acre will now not be charged. The result of the reevaluation is that the cost per dwelling will increase from \$754 to \$899. Drew felt that BLIA should let the Town know that BLIA still supports the project at the revised cost. He indicated that he would propose a Resolution under "New Business".

**501(c)(3) Tax Exempt Status Update:** Frank Shipp

Frank Shipp provided an update on the process to make BLIA a 501(c)(3) tax exempt organization. More specifically, Frank noted the changes that must be made to the BLIA Articles of Incorporation (refer to Appendix A. of these minutes) and to the BLIA By-Laws (refer to Appendix B. of these minutes). Frank further noted that these changes must be approved by the BLIA Board of Directors and by the BLIA Membership. A Special Meeting has been scheduled for April 15, 2015 at 7:00 pm at the Ballston Lake Firehouse to discuss the necessary changes and take a Membership vote. Frank noted that the Membership must be given two weeks' notice prior to the Special Meeting. It was agreed that paid members as of 2014 and 2015 would be eligible to vote.

Frank noted that the following actions need to be taken:

- Frank Shipp completed the necessary paper work to send the revised Articles of Incorporation to New York State. Pete Herman will sign the document and send it to the State with a check for \$30.00 as noted below.

- Frank Shipp will provide a write up for the BLIA Newsletter and an announcement for the Special Meeting.
- Notification of the Special Meeting will be sent by to the BLIA Membership via USPS mail and email.
- Following the Special Meeting:
  - Dave Duglin will provide two (2) official copies of the resolutions passed.
  - Pete Herman will apply to New York State for the changes to the BLIA Articles of Incorporation with a check for \$30.00.
  - Judy Brodeur will file the necessary paperwork with the IRS including a \$400.00 electronic payment. Frank noted that there is no need to wait for a New York State reply.
  - Sue Bishop will post the Newsletter article on the Website.

Following a discussion, a motion was made, seconded and passed to: (1) approve the changes to the BLIA Articles of Incorporation as shown in Appendix A., (2) approve the changes to the BLIA By-Laws as shown in Appendix B., and (3) request BLIA Membership approval of the aforementioned changes at the Special Meeting to be held on April 15, 2015 at 7:00 pm at the Ballston Lake Fire House.

### **New Business:**

#### **BLIA Support of Sewer Project: Drew Hamelink**

Drew Hamelink noted that in the Fall of 2014 the BLIA Board of Directors voted unanimously to indicate their support for the installation of sewers in the Ballston Lake area. At that time the design presented was preliminary and a cost of \$754 / residence was estimated by the engineering firm.

As previously discussed by Drew, the revised cost estimate is \$899 / residence.

A motion was made by Drew Hamelink, seconded, and unanimously passed stating that the BLIA Board of Directors reaffirms its full support for the sewer project recognizing the updated details.

#### **New York State Federation of Lake Associations (NYSFOLA) Meeting: Dave Pierce**

Dave Pierce noted that he is interested in attending sessions on Friday May 01 and Saturday May 02, 2015. Following a discussion, it was confirmed that the necessary funding for Dave's attendance is included in the BLIA Lake Management Committee budget.

**Ballston Lake Area – Lands of Conservation Interest Map: Scott Miller**

Scott Miller proposed that BLIA participate in guiding revised Town zoning and planning initiatives. Scott proposed that BLIA produce a “Lands of Conservation Interest Map” for the Ballston Lake watershed and immediate surrounding area. Scott provided the following supporting information:

- Comprehensive plan calls for identification of important conservation lands.
- Official maps provide firm guidance to Planning Board in site review plan.
- Comprehensive plan envisioned all open space resources to be identified.
- Current farmland plan excludes non-agricultural open space resources: scenic, water resource, forest , wildlife ...
  - Proposed TDR program is an agriculture only TDR program.
  - Ballston Lake watershed is the primary sending area – no provision for open space resource protection within the watershed.
- Town is considering revisiting zoning in the watershed.

Following a discussion, Scott agreed to provide Greg Adams with information to be provided in the next Newsletter.

Kindly note that on March 26, 2015 Scott Miller provided the following email to Greg Adams:

“We are looking for 4 to 6 volunteers to help BLIA map out the important landscape features of the Ballston Lake watershed. We will provide maps to be marked up identifying important open space resources such as water, forest, scenic, and wildlife. We will then meet to compile a composite resource map to be forwarded to the Towns of Ballston and Clifton Park.” Contact Scott Miller ([millerrs@mindspring.com](mailto:millerrs@mindspring.com)) or Dave Pierce if you are interested.

The meeting was adjourned at 8:24 pm.

Respectfully submitted: Dave Duglin

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## Appendix A.

## Note

Deletions are ~~red strikethrough~~ and additions are *green bold italics*

**Ballston Lake Improvement Association, Inc.**

Pursuant to the Membership Corporations Law *amended as of April 24, 2015*

We the undersigned, for the purpose of forming a membership corporation pursuant to the Membership Corporations Law of the State of New York, hereby certify:

1. The name of the proposed corporation shall be The Ballston Lake Improvement Association, Inc.
2. The purposes for which it is to be formed are:
  - a. ~~To promote the general betterment and welfare of all persons owning and/or occupying property on or near Ballston Lake or its inlet, outlet and watershed.~~  
  
*To conduct scientific research, studies and analyses, and to collect data, concerning the biology, ecology and limnology of Ballston Lake and its watershed, and to educate the public and users of the lake, how to respect its environment.*
  - b. To make investigations and inquires into the causes and extent of pollution, excessive algae and improper drainage, from whatever source or reason, and to seek and obtain appropriate remedies for correction or elimination of the same.
  - c. To make investigations and inquiries into the drainage channel or channels from said Ballston Lake and to seek and obtain proper drainage from said lake.
  - d. To assemble and to disseminate to the persons interested, information which affects or influences the uses, conditions, and environment of Ballston Lake.

~~e. To seek to obtain, where necessary, appropriate Federal, State, County and Town legislation or group individual action, in an effort to accomplish the purposes set forth in Section (a) of this paragraph.~~

~~f. To provide a common swimming area, swimming instruction and a recreation area on or near said Ballston Lake.~~

g. To seek and obtain means of controlling or eliminating insects, weeds, navigation hazards, illegal and hazardous operation of boats and airplanes, erosion, obstructions on, over or under the lake and the introduction of foreign water, animals and/or fish into said Lake or its adjacent area.

h. To protect the sanitary conditions of said Lake by obtaining local legislation regulating the discharge of waste, debris, garbage, and other foreign matter into said Lake or into adjoining areas which are so contiguous thereto as to drain into said Lake;

i. To attempt to regulate, where possible, the reclamation of adjoining swamplands so that the same will be done in a manner which is not harmful to the Lake or its waters.

~~j. To attempt to regulate and control or prevent the indiscriminate use of lake waters for industrial, commercial or irrigation purposes or for a source of water supply for houses or areas not essential to said Lake.~~

~~k. To attempt to regulate or eliminate the use of houseboats for living purposes on said Lake.~~

l. To seek to control the inflow of water into said Lake so as to keep the waters thereof pure and clear and at a reasonably constant level.



- m. To purchase or lease or otherwise obtain, real property or rights therein such as shall be necessary and proper to ~~maintain fire lanes and any of the other purposes heretofore set forth.~~ *maintain the health and safety of the lake and its residents.*
- n. To do such other and further acts and things relating to said Lake and the aforesaid purposes, as may be found necessary and convenient so far as the same shall be consistent with Law.
- o. To make no pecuniary profit for any of its members.

3. The territory in which its operations are principally to be conducted are the Towns of Ballston, Clifton Park and Malta, County of Saratoga, New York.

4. The Town and County in which its office is to be located is the Town of Ballston, County of Saratoga, New York.

5. The number of its directors shall be not less than three or more than nine.

6. The names and residences of the Directors until the first annual meeting are:

[deleted]

7. The meetings of the Board of Directors shall be held only in the State of New York.

8. All of the subscribers to this certificate are of full age; at least two-thirds of them are citizens of the United States; at least one of them is a resident of the State of New York. Of the persons named as Directors, at least one is a citizen of the United States and a resident of the State of New York.

*9. No portion of the assets of the corporation may inure to the private benefit of any member.*

*10. Upon dissolution, any assets of the corporation shall be transferred to an entity*

*organized and qualified as tax exempt under Section 501(c)(3) of the Internal Revenue Code. Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.*

*11. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes described in section 501(c)(3). No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements any political campaign on behalf of or in opposition to any candidate for public office.*

*Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.*

*In witness whereof, we have made, subscribed and acknowledged this Certificate originally adopted November 19, 1960 is hereby amended on April 15, 2015.*

**Appendix B.****Note**

Deletions are **red** and additions are **green bold italics**

**Constitution of the Ballston Lake Improvement Association, Incorporated**

Recommended immediate changes (3)

1. The name of the document shall be changed to “By-Laws of the Ballston Lake Improvement Association, Incorporated”. **The word Constitution will be deleted.** Our NYSFOLA attorney informs us that the designation Constitution has no legal standing in this regard.
2. Article IX Meetings. Wording shall be added as follows: ***Notice of all meetings may be done via USPS or by e-mail according to the individual members expressed preference.***

Article XVIII: Dissolution now reads:

“In the event this organization is ever dissolved all of its records, books, documents and property shall be delivered and transferred to the Saratoga County Historical Society or if there be none to the Saratoga County Historian.”

3. 501(c)(3) regulations require that in the event of a dissolution the receiving entity must be a designated 501(c)(3).

I suggest wording as follows: ***“In the event this organization is ever dissolved all of its records, books, documents and property shall be delivered and transferred to an IRS designated 501 (c) (3) organization. Our preference is the Saratoga County Historical Society or if there is none to the Saratoga County Historian provided they qualify as a 501(c)(3).”***