

**Rainbow Lake Water Protection District**  
Board of Commissioners Meeting  
September 21, 2017

The Board of Commissioners meeting was called to order by Chairman Roger Gorham at 1:00 p.m. at the Brighton Town Hall. In addition to Chairman Gorham, Commissioners present included Peter Shrope, Peter Geertz, Ralph Bennett, Gordon Sawyer, Jeanette Tummons (Franklin County) and Kristofer Alberga (DEC). Also present, Charles Gibbs, President Emeritus, and John Carr, Professional Engineer, representing Blue Mountain Engineering, PLLC.

**Approval of Minutes:**

Chairman Gorham asked for approval of the minutes of the August 23, 2017 RLWPD meeting. They were approved unanimously, as written.

**Treasurer's Report:**

Treasurer Geertz indicated that the RLWPD has a current balance of \$22,592.08. Significant anticipated bills through the end of the year include insurance (\$2,800) and engineering (\$8,500), projecting a year end cash position of approximately \$11,200. The 2018 budget presented included tax revenue of \$20,000 and use of existing funds of \$4,025. The budget was approved as presented (attached).

**Dam Modifications:**

Peter Geertz reported on conversations relating to dam improvement financing with banker Craig Stevens and attorney Robert Hafner and reviewed a memorandum from attorney Hafner dated September 7, 2017, indicating that the Rainbow Lake Water Protection District has no authority to borrow funds. Peter Shrope reported on his conversations with Jonathan Miller, County Attorney, and Bryon Varin, County Treasurer, who concurred with the conclusions reached by Hafner and concluded that the County Legislature would be the financing agency for the dam improvements. They also indicated that they would provide financial guidance for the proposed dam improvement project. The Commissioners of the district were invited to a 45 minute pre-presentation meeting with the legislature on October 19, 2017 to present the project and discuss financing procedure.

John Carr presented preliminary engineering plans for the dam improvements. Discussion ensued concerning the amount and type of material to be used for the berms as well as alternatives to approaching the work required on the west side of the dam, such as using a stick crane from the east side instead of constructing a temporary access road on the west side. In order to allow more water to flow over the dam during high water events, John Carr presented a plan to lower the center boards (stop logs) to a level slightly below the top of the current flashboards in their lowered position. This would allow for a substantially higher rate of water to flow over the dam during high water events with minimal impact on normal water levels. Installing a third flash board on top of the center section of the dam to allow for even greater control was discussed. John Carr presented a current cost estimate in the amount of \$230,000, including a 20% contingency. He agreed to provide an updated cost estimate reflecting the

construction alternatives discussed by the end of the following week. The engineering report was accepted with anticipated amendments to add center flashboards and John Carr was authorized to proceed with Task 2 (SEQR Documentation and Permit Assistance) and Task 3 (Final Design). Kris Alberga indicated that he would take the engineering plans, as presented, to the DEC Forestry Division for their initial reaction.

The calendar for dam modifications proposed at the August 23 meeting was discussed briefly, with the goal of a formal presentation and approval by the Franklin County Legislature scheduled for late December remaining in place.

Roger Gorham outlined the anticipated flow of the pre-presentation with the county legislature. It was suggested to meet with the county attorney and county treasurer before the meeting with the legislators, have a brief introduction to the legislature by Roger Gorham, some engineering detail by John Carr and some discussion on the method of financing which Peter Geertz will direct to Bryon Varin and Jonathan Miller.

#### **Other Business:**

Peter Shrope indicated that no formal approval for appointment as Commissioner for the Rainbow Lake Water Protection District was needed for the representatives of Franklin County and the DEC as these are deemed to be permanent positions.

Roger Gorham presented a Commissioner contact information sheet, an updated version to follow via email.

Roger Gorham presented a draft of policies and procedures for the operation of the flashboards and performance of dam maintenance, based on an outline obtained from John Carr. Minor changes to this draft were discussed. It is anticipated that a formal resolution approving the policy will be introduced and voted on at the next meeting of the Board of Commissioners. Commissioners were invited to observe the raising of the flashboards at the next opportunity.

Peter Geertz spoke briefly on his conversation with the insurance agent and their requirement for a periodic engineering inspection report on the condition of the dam. The insurance agent will inform us of the last such report and the timing of the next required report. An insurance certificate from contractor Randy Smith & Sons, Inc., listing the Rainbow Lake Water Protection District as additional insured, will be forwarded to our insurance agency as soon as received.

#### **Adjournment:**

Ralph Bennet moved to adjourn, which was seconded by Peter Shrope. Motion was approved unanimously, and the meeting was adjourned at 3:30 p.m. The next meeting of the RLWPD is scheduled for 1:00 p.m. Wednesday, October 6, 2017 at the Brighton Town Hall.

Respectfully submitted,  
Peter Geertz, Secretary

**RAINBOW LAKE WATER PROTECTION DISTRICT**  
**PO Box 20**  
**Rainbow Lake, NY 12976**

Proposed Budget 2018

Revenue			
Tax Revenue		\$20,000	
From Bank Account		<u>4,025</u>	
			\$24,025
Operating Expenses			
Minor Repairs		1,000	
Gate Raise/Lower, Debris Removal		800	
Dam Inspection		<u>500</u>	
			(2,300)
Administrative Expenses			
Insurance	(General Liability)	\$1,000	
	(Public Official)	<u>1,800</u>	
			2,800
Legal Fees		250	
Office		100	
Accounting		500	
Assessor		<u>75</u>	
			(3,725)
Dam Improvement			
Engineering		15,000	
Legal		2,000	
Permits		<u>1,000</u>	
			(18,000)
Balance			<u><u>\$0</u></u>