

**Ashford Lake Property Owners' Association  
Annual Meeting  
October 7, 2023  
Ashford Senior Center**

**1. Call to order: Tom Barry**

Tom Barry called the meeting to order at 9:00.

Those Board members present were: Tom Barry, Robin Clapp, Nancy Conlan, Don Judson, Lisa McAdam Donegan, Sue Orcutt, Jason Pufahl, Denise Pillion, Diane Preble, Brent Raymond, and Ann Milner. Absent was: Paul Brown

A total of 33 voting parcels were represented including the Board members present and online.

**2. Committee Reports**

**Financial: Don Judson**

Don reviewed the Spend Detail and Historical Spend Analysis (see attached).

On January 1, 2023, the Assessment increased from \$500 to \$600. To fund the Ashford Lake Dr. drainage project, \$20,000 was transferred from the Capital Fund to the Assessment Fund. The assessment receipts are forecasted to be \$82,000, \$4,700 under budget.

We are on budget in regard to the spend. The mild winter allowed for a \$19,000 underspend in snowplowing and road maintenance. The Board decided to spend an additional \$10,000 on paving repairs. Insurance was \$3,400 more than budgeted due to the premium increase of \$1,300 and the purchase of a separate Directors and Officers indemnity policy at a cost of \$2,500. Legal fees were \$6,000 more than budgeted. An easement for the drainage pipe was required as part of the Ashford Lake Dr. project at a cost of \$2,200. The Board also sought legal advisement for some issues that arose at a cost of \$4,000. The total spend is \$109,000 which is \$32,000 more than the average total spend since 2015. Approximately \$68,000 of the total spend was for the Ashford Lake Dr. drainage project.

The recommendations for the 2024 budget are 1) to spend less on road projects (more in line with the usual \$40,000), 2) budget more for insurance and legal fees, 3) budget a total spend of approximately \$85,000, 4) resume the annual capital account contribution, and 5) no increase to the annual assessment.

Questions and comments from the floor:

-Evelyn Bunnell asked if the Directors and Officers Insurance was to indemnify the Board members for any suits brought against the Board. Don clarified that ALPOA has always indemnified the Board, but the attorney recommended we have a separate policy.

-Pete Zimmerman asked how the 2023 receipts compared to last year. Don responded that the 2022 receipts were about \$73,000.

-Rose Bergeron asked if the legal fees could be itemized. Jason explained that our former attorney retired. He had done some work pro bono. The Board evaluated and chose a new attorney with experience in homeowners associations. Gregory W. McCracken is a partner in the firm Jacobs, Walker, Rice & Barry, LLC in Manchester, CT whose practice emphasizes common interest community law and land use, planning, and zoning law.

-Brent Raymond asked if there is a retainer. Don responded that there is no retainer. He bills as we engage. Some issues are ongoing.

-Rose Bergeron stated that if the legal issues have to do with the association, the property owners have right to know about them. We should have a voice to decide what we spend money on. Jason explained that it was not a significant expense and did not need a vote by the members.

Tom explained that it came under the purview of the directors and was discussed at monthly Board meetings. Jason stated that we did not anticipate this expense for this year. It will be in next year's budget. There is no litigation. There was a request for specific documents. The Board wanted to make sure that we were doing what was legally our obligation to respond to the request.

-Rose Bergeron asked if minutes can be sent out since some people don't have access to a computer. Jason stated that this was useful feedback. During the pandemic the meetings were moved to Zoom. We have started to have in person meetings again which homeowners can attend.

-Gay McConnell asked in which month's minutes this discussion could be found. She suggested that a neighbor could make a copy of the minutes for those without access. Jason stated that the discussion was ongoing for a few months, around April and on. Tom stated that the minutes won't reflect the type of detail being inquired about. The document request came from the property owners' attorney and we referred it to our attorney.

-Pat O'Leary commented that fifteen years ago, ALPOA had to litigate with the Town of Ashford. The Board went to the community at large because the expense was substantial. If there was a legal action that was substantial, he assumed this Board would do the same. It sounded to him that so far that these are normal expenses, and the Board is dealing with them appropriately. The Board needed legal advice for what information to give but also what information they shouldn't provide. He stated that we elect officers to represent the Association and we should allow for leeway for them to make those judgements.

-Rose Bergeron asked if there was a way to develop a booklet that tell homeowners what they can and can't do. Her granddaughter was at the beach and a property owner told she couldn't be at the beach. Jason responded that part of reason the Board is working with an attorney is to determine what we are legally required to provide to complete this request. The Board is working on internal policies regarding document requests.

-Greg Shroyer stated a similar thing happened to his wife at the beach. People questioned her membership in the Association. There is a proper way to approach people. If they have a beach pass, you don't need to question people.

-Pete Zimmerman asked what is normally budgeted for legal fees. He also commented that in the future we won't have to go back to an attorney if the same request is made.

Tom explained that there is money in budget every year for legal fees, but it has not been used for a long time. Many years ago, ALPOA was the plaintiff in a lawsuit against the Town of Ashford and we prevailed. Five years ago, there was a suit where we were the defendant. An owner alleged that road work damaged his property. The insurance company handled the complaint and provided the legal representation. The liability insurance covered the entire cost. The issue discussed today doesn't involve any suits.

#### Annual Assessment

Don motioned that the 2024 assessment remain at \$600. Walt Wassil seconded the motion.

Votes: Yes: 29 present and 3 online. None opposed or abstained. The motion passed.

#### Questions and comments from the floor:

-Judy Campbell inquired about the debts. Don shared on the screen the executive summary from September Treasurer's report which is included in his report to the Board each month and included in the minutes, and which are posted on the website. 26 owners owe \$26,806. We expect to receive about \$5,700 of this amount by the end of the year. Of the total 132 homeowners, 106 are paid in full. We have received 90% of what was budgeted.

-Judy Campbell asked how properties that are in arrears are handled. Don explained that there is a billing schedule that is employed. Folks who are behind, continue to get billed. If the

assessment owed is over \$1,500, we request payment plans. If there is no response, we take people to small claims court and charge them the filing fee. We have received 100% of all judgements in our favor. Once we have a judgement, if there is no payment, we place a lien on the property. Once the property closes, we get what is owed.

-Judy Campbell asked how long the process takes. Don explained that there is no set time. We try to be fair to both sides. These people are our neighbors.

-Evelyn Bunnell clarified that even if a lien is placed on a home, there is no foreclosure.

-Kim Milikowski asked about the plan to replace the funds to the Capital Fund. Don explained that \$5,000 is moved to the Capital Fund on an annual basis. The 2024 budget will include at least \$5,000.

-Judy Campbell asked if the intent of setting up the Capital Fund with some money in a savings account and some in a CD was to earn interest. Don replied yes.

-Pete Zimmerman, who has a background in finance, stated that this is a good way to set it up.

-Pat O'Leary explained that the Capital Fund account was intended to protect the lake in the long term, like in the case of some natural disaster. To put money in a safe place to use to protect the assets of the lake. Not for everyday operations. This year some was used for the drainage project. When it was set up, the annual amount was 10% of the assessments. He stated that he believes the Board is doing a disciplined and prudent job handling the finances.

-Evelyn Bunnell remarked that Don said he wanted to bring the Capital Fund balance higher which is being financially responsible.

-Tom commented that Don does way more than any treasurer would do. Tom publicly acknowledged Don's generous contribution to the Association.

### **Roads and Grounds: Tom Barry**

#### Ashford Lake Dr Drainage Project

Tom recapped the Ashford Lake Dr. drainage project. In 2020, there were some major weather events. The drainage system was inadequate to handle the amount of rain and owners' properties were damaged. In August 2021, a surveyor was hired to survey the land. In October 2021, an engineer was engaged to complete an engineering plan. In May 2022, we began the months long process of wetland commission hearings to obtain the permits. An easement from one property owner was obtained in 2023 which involved an attorney. Tom commended the property owner for working with the Board and allowing an additional drainage pipe to run through her property. In 2023, the Board obtained bids from three contractors and one was hired. The work was completed by July. The total cost of the project was \$68,000.

There was additional paving and filling of potholes completed. The Board will evaluate the roads next spring and determine what will be done next summer. Significantly less will be spent on the roads next year.

### **Environmental: Sue Orcutt**

#### Annual Beach Water Testing

The water was tested for E coli at East and Sunset Beaches in July and August. Both results fell far below any level of concern. This data is posted on our website.

#### Lake Vegetation

The last few years we have been spraying lake vegetation every other year. This year we sprayed along the perimeter in certain areas where the phragmites had regrown, and in some areas had blocked access to drainage areas where rainwater flows back into the lake. We also sprayed the vegetation in the spillway to allow the water to easily exit under the bridge.

#### Water Quality Monitoring Program

DEEP, EPA and the last Green Valley all rely on volunteers to monitor our lakes. Sue has been testing our lake's turbidity, which helps to determine the health of a lake. In July, she could see down 8 ½ feet, which means a healthy lake. By September, that number decreased to 5 feet. The lower number could be due to the excess amount of rain we had this summer. The rain, especially heavy rain, causes run-off from the land to flow into the lake, making the water less clear.

While there have been algae present during the summer, the dominate algae by far was the green algae, Spirogyra, which is non-toxic. There were other organisms present that are indicative of a healthy lake like free swimming ciliates, flagellates and rotifers. Every lake has cyanobacteria and we have watched for the presence of a possible blue/green algae bloom. This time of the year, accumulations tend to pop up on the wind fetch sides of a lake, can move around, do dissipate, but then emerge again. It is because of this unpredictability that we posted our signs on the beaches and sent out an email to the residents. While the surface accumulations are not significant ones, it is advisable to stay away from them. Cyanobacteria is fed by nutrients like nitrogen and phosphorus which are found in wastewater runoff and fertilizers.

#### Canada Geese

We had no geese families living on our lake this year.

#### Biodiversity

We continue to have great biodiversity at the lake-many types of fish, turtles, snakes, large and smaller water birds and dragonflies. Another sign that Ashford Lake continues to be healthy.

#### Questions and comments from the floor:

-Denise Pillion asked how long the blue/green algae signs will be up. Tom responded probably a while since this is seasonal event and the blooms come and go.

-Rose Bergeron commented that blooms smell. You can put a stick in the water, and it adheres to it. Once a bloom is observed and the Board is notified, then it's up to Board to handle how to respond. It shouldn't come from the residents. Tom stated that the Board has nothing to do with social media announcements.

-Jim Haselkamp stated that he is in favor of putting out as much information as necessary.

-Gay McConnell commented that as was stated at last year's meeting, we can't control what is being said on social media. It is the nature of Facebook. On a community level, we need to speak respectfully to our neighbors.

-Jason responded that the Board would do its best to communicate using the website and signs.

#### **Dam: Sue Orcutt**

There were no changes at the dam this year.

#### Questions and comments from the floor:

-Pat O'Leary asked who is doing the inspections? Tom replied Karl Acimovic. He completed the inspection report and also the Emergency Action Plan which is quite elaborate.

-Tom reported that Sue is stepping down from the Board. He thanked her for the great job she has done.

-Robert Campbell stated that he understands the gates in spillway don't move. He asked if the Board ever considered lowering the water level. Pat O'Leary, who is a civil engineer, stated that lowering the water level is a bad practice. It exposes soil around the edges of the lake which provides opportunity for plants such as phragmites to germinate.

-Walt Wassil commented that lowering the water would cause those with shallow wells, to be without water.

-Don stated that the valve on low level drain that exists is frozen. At one time, in 1980's, the low-level drain was filled with concrete.

**Recreation: Denise Pillion**

Denise reported that monthly events are planned to bring the community together to foster community and friendship. There will be an October Fest on October 28th.

Ashford Lake T-shirts will be sold on the website. It could possibly be used as a fundraiser for future recreation events.

Walt Wassil thanked Denise for doing a wonderful job planning the events.

**Community Watch & Safety**

There was one incident several weeks ago where a vehicle was broken into on Sunset Dr. This is not characteristic of what happens at the lake. On the whole, it is a pretty safe community. We remind people to secure their property. Brent volunteered to chair this committee.

**Communications: Ann Milner**

The Board encourages every to share your email address with the Board. Using email to send messages is more efficient and cost saving.

New Website

Robin Clapp has been working on redesigning the ALPOA website, [alpoa.org](http://alpoa.org).

It will contain the same information but be easier to navigate. It is close to being ready to launch.

**3. Election of Board Members**

Robin Clapp, Nancy Conlan, Don Judson, Lisa McAdam Donegan, and Jason Pufahl's terms on the Board are expiring and they have agreed to run again. Sue Orcutt has decided not to continue on the Board, so there is one vacancy. Arta Dobbs expressed an interest in filling the vacancy prior to the meeting. Joe Allevo nominated Pat O'Leary from the floor. Pat accepted the nomination. Paper ballots and email submissions for those online were used to vote for six of the seven nominees.

Results: Robin Clapp 32, Nancy Conlan 32, Arta Dobbs 18, Don Judson 32, Lisa McAdam Donegan 17, Jason Pufahl 32 and Pat O'Leary 30.

**4. Any Other Business**

Pat O'Leary made a comment. When ALPOA was founded 27 years ago, he recalled sitting at table with others and wondering how it would work. They concluded that cooperation would be the only way. He observed some undertones at this meeting that are also moving around the lake. The Board is not here to teach neighbors how to work with each. We need to communicate if something comes up. The lake has come a long way since the days of dirt roads. It's come this far because people in the community work together. Let's see if we can be more collaborative and respectful.

**5. Adjournment**

A motion was made to adjourn by Tom Barry and seconded by Ann Milner at 11:10.

Respectfully submitted by Ann Milner  
October 17, 2022

Alford Lake Property Owners' Association (ALPOA)  
2021 Special Detail

Account Detail	2021 Percent	2021 Budget	2021 VARIANCE	2021 FORECAST
Beginning Balance	\$ 10,001	\$ 12,000	\$ (1,999)	
Deposits (Assessment Receipts)	\$ 8,236	\$ 8,706	\$ (470)	
Call (Call Cash Back)	\$ 19	\$ 10	\$ 9	
Interest	\$ 34	\$ 6	\$ 28	
Transfer	\$ 2,000	\$ 2,000	\$ -	
School Credits	\$ 10,230	\$ 10,702	\$ (472)	
School Payments	\$ (10,638)	\$ (10,700)	\$ 62	
Ending Balance	\$ 6,723	\$ 9,302	\$ (2,579)	

Payment Detail by Category

Roads - Pothole/Sealing	\$ 7,750	\$ 25,000	\$ (17,250)
Roads - Maintenance	\$ 2,588	\$ 5,000	\$ (2,412)
Roads - Street Projects	\$ 7,060	\$ 6,000	\$ 1,060
Mowing, Dune and Beach	\$ 4,535	\$ 4,500	\$ 35
Dune - Maintenance	\$ -	\$ 500	\$ (500)
Other - Maintenance	\$ 2,000	\$ 2,500	\$ (400)
Recreation/Beaches	\$ 975	\$ 750	\$ 225
Insurance	\$ 12,535	\$ 9,000	\$ 3,535
Administration	\$ 419	\$ 1,000	\$ (581)
Legal	\$ 3,065	\$ 250	\$ 2,815
Community Projects	\$ 800	\$ 800	\$ -
Construction	\$ 502	\$ 500	\$ 2
Capital Asset Transfer	\$ -	\$ -	\$ -
Account Checks & Fee	\$ -	\$ -	\$ -
Total Payments	\$ 106,538	\$ 100,700	\$ (5,838)

Capital Fund

Beginning Balance	\$ 53,809	\$ 53,809	\$ -
Deposits (From Assessment Fund)	\$ -	\$ -	\$ -
Interest	\$ 203	\$ 400	\$ (197)
School Credits	\$ 203	\$ 400	\$ (197)
School Payments	\$ 20,000	\$ 20,000	\$ -
	\$ 74,172	\$ 74,209	\$ (37)

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### ALPOA Historical Spend Analysis

	2015	2016	2017	2018	2019	2020	2021	2022	2023	Average Ave % of Spend		
Snowplowing	\$27,900	\$15,400	\$20,550	\$15,650	\$12,875	\$3,000	\$11,600	\$20,675	\$7,750	\$15,044	19.48%	Spend through 8/31 + forecast
Roads Projects	\$20,695	\$28,436	\$35,417	\$29,090	\$74,432	\$29,630	\$56,544	\$26,179	\$73,018	\$41,493	53.73%	Approximately \$68k for ALD Drainage
Insurance	\$7,717	\$8,126	\$8,181	\$8,104	\$7,578	\$8,070	\$8,110	\$8,669	\$12,535	\$8,566	11.09%	
Mowing and Dam Maintenance	\$2,157	\$4,683	\$6,287	\$3,015	\$5,555	\$13,847	\$11,816	\$5,548	\$4,535	\$6,383	8.26%	
Capital Contribution	\$0	\$23,478	\$5,000	\$5,000	\$0	\$5,000	\$5,000	\$5,000	\$0	\$5,386	6.97%	
All other	\$4,823	\$2,264	\$2,268	\$4,280	\$1,823	\$2,400	\$2,633	\$3,340	\$8,520	\$3,595	4.65%	
<b>Total Spend</b>	<b>\$63,292</b>	<b>\$82,387</b>	<b>\$77,703</b>	<b>\$65,139</b>	<b>\$102,263</b>	<b>\$61,947</b>	<b>\$95,703</b>	<b>\$68,411</b>	<b>\$106,358</b>	<b>\$77,231</b>	<b>100.00%</b>	

\$10,000 Transfer from Operating account for 2015 and 2016  
\$13,478 Transfer from Escrow

Includes mandated drainage projects

Deferred several projects due to mandated spend in '19

Deferred several projects to conserve funds in anticipation of significant ALD drainage in

