

8/11/85

3:11 pm. meeting called to order by Ron LaForge president. All present: Phil Godeck, Ann Steinhilber, Helen Pellman, Ron LaForge, Anne LaForge, Rose Miller, Jane Mercer, Abs. Singer, Burns + Dick Tanager

minutes read and accepted

1st Phil Godeck 2nd Ann Steinhilber
all in favor.

Opening discussion the forming of the L.U.B.C. Archive for our records. (File Cabinet maybe needed.)

next correspondence from Atty. Coopers office the briefs also Atty. O'Briens briefs. Also correspondence from the D.E.P. and Edith Prague State Rep. given to Phil Godeck for file.

Tax collectors report: Phil Godeck
84 members paid to date
\$8400 collected 10 chronic non payers
20 others have not paid yet.
Phil Godeck requested that the ones who have not paid, to explain their situation and arrange payment for hardship cases. Everyone agreed.

Tres. report given by Ron LaForge as Dick Tanager was not present.
there's \$8,412.50 in checking account
\$164.88 pd. 1/2 town taxes pd.
\$2,000 paid for salaries of past

Current bal. for Atty. Cooper \$ 2,757.68 (account closed). Current bal. for Atty. Norris for briefs and court costs \$ 648.00.

Bill from Chronicle for tax pasting

Our projected debts:

\$ 37.50 Cooper

\$ 646. Norris

\$ 37.00 printers Atkins

\$ 100.00 for deed for 1st beach

\$ 10.00 for research

Still waiting on tag sale bal.
read and accepted

New Business: Ron LaFarge

Campanelli's have been approached for land that they requested for the Assoc. road. They are satisfied @ proposed land in front of their house. Bring up for vote at special Assoc. meeting, recommended at last meeting for Campanelli's. Send them letter.

Next subject: First Beach Status
Bill Grady Atty. (associate of Atty. Norris) of E. Hampton will work on quick claim deed from Ormechelli.

2nd Establish maintenance crew for 1st beach and other beaches headed by Zane Mercer. Erosion problems etc. Looking for volunteers (get prices on repairs)

Spec. meeting scheduled for Aug 18, 1985 by request of Lenny Parmeleau and James Prescott in the presents of officers Ron LaFarge and Anne LaFarge. Also to request to look over books as they feel the

powers of the board have been abused
asked for are the records for the past
3 yrs. We should open records to public
for spec. committees from interested
parties. No one is to take records home
Complaint no representation from officials
Copy of charter & by-laws for all members
@ minimal cost. By-laws committee of
to review & report in March. (no
private businesses in assoc.

Call for committee at spec. Assoc.
meeting to review by-laws must
be headed by a board member to
report back in March.

Ordinances or by-laws looked into
by Phil Godeck. Ron LaForge to head
committee as x-officio.

Goal to reduce taxes next year.
Flood and Erosion Control board has
control of taxation of spec. district.

Silman has rights to drain lake
or do what he wants with the water
Lake Williams Beach Association
lost suit against Silman on
riparian rights.

Spec. Assoc. meeting set for Aug. 18, 1985
at 2:00 pm. (Sun.) will be posted.
ajourned at 10:00 pm.
1st Phil Godeck, 2nd by Helen
Bellman

A committee was formed from the floor at the suggestion of Ron Latorge to review our by-laws and report recommended changes to the board of directors in March 1986 - so we could vote on changes in June 1986 - at our next annual meeting.

The committee included Mary Anderson, Bernice Brennan, Jane Sleath, Lenny Parmeleau, Lisa Edwards, Helen Bellman and Pres. Ron Latorge - serving ex officio.

Topic: Ron Latorge stressed the need for an Assoc. Archive. Phil Godeck volunteered ~~to~~ house our records for the time being - however being a seasonal resident they may not be accessible enough. Sue Melville offered to store records at her house - they will work together on this. Anyone wishing to donate any records should contact Phil Godeck. All records will be available for review by appointment - if this doesn't work out Pres. Ron Latorge will approach the town to store our records.

Report - Beach committee report - (Ron Latorge) Jane Mercer is chairman - But he was not present - Ron said Jane is getting price info on repair of first beach - but will not take on any expense without Assoc. vote. Dick Larsen volunteered his services and machines to the beach committee he will contact Jane Mercer.

Report - Tax Collector - Phil Godeck - 24 members delinquent, 2 foreclosures are in

process. Pres. Ron LaForge reported that in hardship cases, arrangements for payment can be worked out by contacting Phil Godeck - and although it will be kept confidential as much as possible - it will be reported to the board for approval and have it recorded in the minutes.

Report - Treasurer Dick Tanger - Beginning bill #479, in checking account - deposit of \$8500 (\$457.56 given to Dick Tanger by Phil Godeck @ meeting), expenditures - last years officers have been paid (\$000), 1/2 of our taxes have been paid \$164.00 and \$5,198.13 was paid (in full) on the loan. Present checking acct bal. is \$3,506.13, bank bal. is \$353.60. Outstanding bills, Atty. Cooper - \$2,757.68, Atty. Norris - \$66.00, Atty. Brady (1st beach quick claim deed) \$100.00. Remainder of tax \$164.00. If all taxes are paid we could have a \$1,500 - 2,000 surplus (with no new legal expenses.) Pres. Ron LaForge said he believed the bills we now have from the lawyers will be the final bills.

Standley Gerula - questioned whether bank savings can be legally carried over from one year to the next - we will look into this question.

Motion - to accept tax collector + tres report, 1st Mary Anderson, 2nd Joe O'Keefe vote unanimous - motion carried.

Topic Pres. Ron LaForge led discussion on next year, what should we spend our money on, what should our taxes be: (for purpose of recording a variety of budgets at next year meeting) & on

up ack - enclose building for all weather activities. Perhaps a swimming pool + tennis courts, repair beaches, possible speed bumps or other methods of speed control, block watch Phil Soeck will be training for radar control he is now town constable, deputies for Phil or a strong law enforcement committee. Sue Melville will make new sign for beaches a second bulletin board for Leonard Bridge Rd. end of assoc., Bernice Brennan will donate wood. The board will form committees at next meeting and ask for volunteers to serve.

Pres. Ron LaTorge led discussion on selling part of Echo Dr #2 to Campanellis to help them in their battle w/ town zoning for year round occupancy. They need to own contiguous land and the frontage of the rd. will accomplish this, Phil Petruzzello wanted to reserve a right of way. The recommendation of the board was to sell for \$50,000 + legal fees but some members preferred sale for \$1,000 + legal fees. motion sell only portion of rd. in front of Campanelli house (no dollar amount mentioned) with no right of way reserved - but only once they get written commitment from town that this plus whatever else they could will satisfy year round requirements 1st Standley Sunilla 2nd Mary Anderson vote 16 yes - 6 no motion carried. motion to sell for \$1,000 + legal fees (attached to previously passed motion) 1st Dick Larsen 2nd Lenny Parmeleau. Vote 16 yes 5 no - motion carried. Open forum - Mary Anderson - will arrange to have people from O.Z.R. come down and answer question on how the Assoc. is supposed to operate after the by laws committee makes their recommendations. she suggested anyone having a question to write it down. Sue Melville said 2nd meeting on Mono lake pete mining will be held in rm 565 @ D.E.P. all other speakers declined saying their topics were already covered to their

Pres.

Ron LaForge led discussion on supreme Court case and Lake status - we lost supreme Court case it did not give him the right to drain completely. The D.E.P. decides ^{Hilman} that and no decision on that has been made yet. Presently the dam is open and the lake is down almost 4'. The D.E.P. has been notified - it is unclear what they will do now - in the meantime Pres. Ron LaForge will pursue petitioning the town to buy the dam and a town beach using a two tier tax plan. He urged strong support of all members. Watch the bulletin board for further info. as it develops. Ron LaForge will also find out if tax payers or only registered voters can vote on this issue @ town referendum. Pres. Ron LaForge mentioned the records of Assoc. for last 3 yrs. were on display at his house after the meeting if anyone wished to review them.

Adjourned 5:10 pm.

Board meeting 9/8/85

Called to order 8:05 pm.

5 members present, Ron LaForge, Anne LaForge, Helen Pellman, Jane Mercer + Dick Ganger. Last meeting - min. waived

Tres. report: \$3445.60 in checking account
\$353.60 in savings account
\$3503.00 owed in legal bills

unanimous vote to except tres. report and it was agreed we should pay Atty. Norris \$646.00 and Atty. Gady \$100.00 and \$4,000 to Cooper leaving us approx \$1,700 in reserve.

Tax collector report - none, Phil Goddek abs. However we discussed our goal of being financially solvent going into our next annual meeting - we are close now - if everyone paid their taxes we could finish with approx \$1,500 surplus. Ron suggested we go into the annual meeting with 2 or 3 budget proposals ranging from \$0 tax to \$30 or \$40.00 tax with different projects that could be accomplished. Ron asked Jane Mercer (beaches/roads/property) to form his committee and research projects and their costs over the winter so we could formulate proposals in the spring.

By-laws report - Helen Pellman no meetings yet one was scheduled but was postponed a couple of weeks.

Lake report (Ron) Phil Moreski said Pac will most likely deny Hilman's permit to remove the dam (gate) but

expects that Gilman will then take D.E.P. to court - so now at least we have the state incurring legal expenses instead of us. Ron had scheduled a meeting with Larry Gilman to discuss purchase (by the town) of the dam - this meeting was cancelled by Ron - because he sees willingness for the Flood Board to do this. Ron recommended we support the Flood Board and lay back to see what happens.

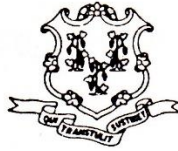
Ranter/Campbelli petition to abolish zoning - we all agreed we should not take an official position on this but the consensus was we should work for zoning reform but not abolition.

Next meeting 10/13/85, 8pm. - last meeting until Spring unless need for another meeting arises
ajoured 9:30pm.

Respectfully,
Anne M. Laforge
Secretary.

10/13/85

Unofficial meeting not a full quorum.
Anne M. Laforge
Secretary



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONN. 06106

REPRESENTATIVE EDITH PRAGUE
EIGHTH DISTRICT
ROUTE 87
COLUMBIA, CONNECTICUT 06237

MEMBER
PUBLIC HEALTH COMMITTEE
INSURANCE AND REAL ESTATE COMMITTEE

January 4, 1986

The Honorable Alice Meyer, Chairman
Planning and Development Committee
Room E 21
State Capitol
Hartford, CT 06106

Dear Alice:

Several weeks ago Mary Anderson contacted you in my behalf regarding the need for legislation to amend the Charter of the Lake Williams Beach Association, a special district established by the General Assembly in 1953, and located in Lebanon. As suggested by you at that time, I met with Ed Maley from the Legislative Commissioners Office and Stu Mahler from the Office of Policy and Management.

The attached letter from Ed Maley was prepared for me and I believe it gives a fair assessment of the existing problem. The Board of Directors called a special meeting of the Association in January and their membership voted unanimously to have this legislation drafted and presented to the Assembly for approval. They would like their charter changed to reflect that each piece of property be taxed at a flat rate fee based on their expenses as they have been doing for the past ten years.

I am respectfully requesting that your committee raise a bill which will allow the imposition of this alternative tax and validate the imposition of this tax in the past years. I am forwarding a copy of this letter along with Ed Maley's letter to Senator Eric Benson who is the Senator in this district.

Thank you very much for your kind attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Edith Prague".

Edith Prague
State Representative

State of Connecticut



LEGISLATIVE COMMISSIONERS' OFFICE

EUGENE D. MICCI
COMMISSIONER
GEORGE C. GUIDERA
COMMISSIONER
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DIRECTOR, LEGISLATIVE LEGAL SERVICES

LEGISLATIVE OFFICE BUILDING
18-20 TRINITY STREET
HARTFORD, CONNECTICUT 06106
(203) 566-8410

January 31, 1986

The Honorable Edith Prague
Room 503
State Capitol

Dear Representative Prague:

This is to confirm our earlier conversations regarding the Lake Williams Beach Association, its charter and its taxing powers.

The Lake Williams Beach Association was originally incorporated by Number 214 of the special acts of 1953. That act created the association as a governmental special district with powers concerning, among other things, regulation of building lots, construction of roads and sewers and maintenance of public health. The association was also granted, pursuant to section 12 of that act, the power to assess a real property tax within the district at a rate not exceeding one-half the mill rate of the town of Lebanon.

In 1975, the association apparently attempted to amend its charter to impose a flat rate of tax on each lot. That was done by filing an amendment to a corporate charter in accordance with the provisions of section 33-501 of the general statutes concerning specially chartered nonstock corporations. This was apparently done following the advice set forth in a memo to Representative James Brannen from Attorney Richard E. Neier of the Office of Legislative Research. In my opinion, this was not the correct procedure and the attempted amendment, although accepted and filed by the office of the secretary of the state, is not presently valid.


Although Attorney Neier correctly stated the procedure for amendment of nonstock corporate charters and the Association followed these procedures, the basic fact that was ignored at that time was that the Lake Williams Beach Association is not a nonstock corporation, but is in fact a governmental special district.

Amendment of the charter of a special district can be accomplished in two ways. First, the district may devise a home rule charter pursuant to chapters 105 and 99 of the general statutes. However, section 7-192a of the general statutes prohibits the imposition pursuant to such charters of any tax not authorized by the general statutes and the type of tax contemplated is not authorized in statute. The second method is by special act of the general assembly. The general assembly can allow the imposition of an alternative tax through this mechanism and can validate imposition of this tax in past years. Therefore, it would seem advisable for you to request the Planning and Development Committee to raise a bill to amend the association charter.

You should note that section 2-14 of the general statutes requires that any unit of local government, including the association, which requests special legislation from the general assembly should present a petition in accordance with that section to the Secretary of the State not later than ten days before the start of the legislative session. The time limit on presentation of the petition is frequently waived by the legislature, but it is usually considered important that it be filed at some point to show the interest of the local body.

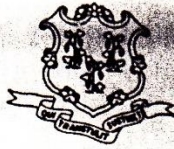
If I can be of any further help, please don't hesitate to ask.

Yours truly,



Edwin J. Maley, Jr.
Legislative Attorney

EJM:jf



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONN. 06106

REPRESENTATIVE EDITH PRAGUE
EIGHTH DISTRICT
ROUTE 87
COLUMBIA, CONNECTICUT 06237

MEMBER
PUBLIC HEALTH COMMITTEE
INSURANCE AND REAL ESTATE COMMITTEE

Public Hearing Testimony
HB 5834 An Act Concerning The Assessment Of Taxes By The
Lake Williams Beach Association

DATE: March 10, 1986 - 10:00 A.M.
Room E 53 - Planning & Development Committee

THE LAKE WILLIAMS BEACH ASSOCIATION WAS ORIGINALLY INCORPORATED BY NUMBER 214 OF THE SPECIAL ACTS OF 1953. THE ACT CREATED THE ASSOCIATION AS A GOVERNMENTAL SPECIAL DISTRICT WITH POWERS CONCERNING, AMONG OTHER THINGS, REGULATION OF BUILDING LOTS, CONSTRUCTION OF ROADS AND SEWERS AND MAINTENANCE OF PUBLIC HEALTH. THE ASSOCIATION WAS ALSO GRANTED, PURSUANT TO SECTION 12 OF THAT ACT, THE POWER TO ASSESS A REAL PROPERTY TAX WITHIN THE DISTRICT AT A RATE NOT EXCEEDING ONE-HALF THE MILL RATE OF THE TOWN OF LEBANON.

IN 1975, AFTER A VOTE OF APPROVAL BY THE MEMBERSHIP OF THE ASSOCIATION AN ATTEMPT TO AMEND ITS CHARTER TO IMPOSE A FLAT RATE ON EACH LOT WAS MADE. FOLLOWING THE ADVICE SET FORTH IN A MEMO TO REPRESENTATIVE JAMES BRANNEN (48TH ASSEMBLY DISTRICT) FROM ATTORNEY RICHARD E. NEIER OF THE OFFICE OF LEGISLATIVE RESEARCH A AMENDMENT TO A CORPORATE CHARTER IN ACCORDANCE WITH THE PROVISIONS OF SECTION 33-501 OF THE GENERAL STATUTES CONCERNING SPECIALLY CHARTERED NONSTOCK CORPORATIONS WAS FILED WITH THE OFFICE OF THE SECRETARY OF THE STATE.

ALTHOUGH ATTORNEY NEIER CORRECTLY STATED THE PROCEDURE FOR AMENDMENT OF NONSTOCK CORPORATE CHARTERS AND THE ASSOCIATION FOLLOWED THESE PROCEDURES, THE BASIC FACT THAT WAS IGNORED AT THAT TIME WAS THAT THE LAKE WILLIAMS BEACH ASSOCIATION IS NOT A NONSTOCK CORPORATION, BUT IS IN FACT A GOVERNMENTAL SPECIAL DISTRICT.

THE ATTEMPTED AMENDMENT, ALTHOUGH ACCEPTED AND FILED BY THE OFFICE OF THE SECRETARY OF THE STATE WAS NOT THE CORRECT PROCEDURE AND THEREFORE IS PRESENTLY NOT VALID.

ATTACHED IS A PETITION CONTAINING SIGNATURES FROM TAXPAYERS OF THE ASSOCIATION PETITIONING THIS COMMITTEE TO ACT FAVORABLY ON HB 5834 WHICH WILL VALIDATE THE PREVIOUS IMPOSITION OF A UNIFORM TAX PER OWNER BY THE LAKE WILLIAMS BEACH ASSOCIATION AND PROVIDE FOR THE IMPOSITION OF SUCH A TAX IN THE FUTURE.

THANK YOU.

We the undersigned, do hereby petition the Planning and Development to act favorably on HB 5834 "An Act Concerning The Assessment Of Taxes By The Lake Williams Beach Association" which will validate the previous imposition of a uniform tax per owner by the Lake Williams Beach Association and provide for the imposition of such a tax in the future.

We the undersigned, do hereby swear that we are tax paying property owners belonging to the Lake Williams Beach Association.

signed by 44 voters (many married couples)



The General Assembly
State of Connecticut

OFFICE OF LEGISLATIVE RESEARCH
CARL D. FRANTZ
DIRECTOR

Joint Committee on Legislative Management

STATE CAPITOL
HARTFORD, CONNECTICUT 06115
(203) 566-4150

July 16, 1973

TO: Representative James Brannen

FROM: Richard E. Neier, Attorney *RN*
Office of Legislative Research

SUBJECT: Amendment of charter of the Lake Williams Beach Association

This is in response to the request from your constituent, Anthony Siragusa of June 12, 1973 concerning the method for an amendment of the charter of the Lake Williams Beach Association and substitution of the flat rate across the board per land owner for the present mill rate system.

It is not necessary to introduce legislation to amend the charter of the above specified association. This can be done by filing the amendment with the Corporation Division of the Secretary of States' Office. The fee is around \$4.00. The authority for this procedure is section 33-501 Connecticut General Statutes Annotated, a copy of which is enclosed.

For your information the association was chartered in 1953 - Special Act No. 214, a copy of which is enclosed. There have been no amendments to it since its exception.

Up to the year 1961 it would have been necessary to amend the charter thru legislation. However, there was a complete revision of the corporate laws in the late 1950's which resulted in the Non-Stock Corporation Act, chapter 617 of the Public Acts of 1959, effective January 1, 1961 and now chapter 600 of the General Statutes the provisions of which changed the method of amending charters of Non-Stock Corporations.

Utilizing a flat rate instead of a mill rate for taxation purposes is an internal organization matter to be worked out with the members of the association. When this is resolved the amendment can be prepared and the rest is a matter of procedure.

If there is anything further that you wish please contact us.

RN:kd

May 4, 1986

8:00pm.

First board meeting of the season.
Present, Anne LaTorge, Ron LaTorge, Phil
Godeck, Helen Bellman, Rose Miller, Ann
Steinhilber. Absent, Dick Tangel, Ginger
Burns + Jane Mercier.

Topic next years budget starting June 1:
1986.

no treasurers report taken, abs. no previous
contact.

Tax collectors report

Proposed budget for up coming year
(1986) Treasurer \$25.00
Secretary \$25.00
Tax collector \$250.00
Property tax \$400.00
Liability insurance \$800.00
Bonding Insurance \$102.00
Postage \$200.00
Tax collection budget \$50.00
Constable's budget \$50.00
Board of Directors budget according to
Charter \$200.00
Bal. legal debts \$315.00
Repair 1st beach and sand \$200.00
Repair of boat launch + sand 2nd beach
\$1,000.00
Sand for 3rd beach \$100.00

Nominating committee, the candidates for
1986-87 season.

Pres. Ronald LaForge

Vice President Zane Mercier

Secretary - open

Treasurer Helen Bellman

Tax Collector Phil Godeck

1 yr. directors - Rose Miller, Ann Steinkilbe

Ginger Burns will be serving the 2nd year

of her directorship, 1 yr. Remaining of

Helen Pellman's directorship will be

Kent Sleath.

Work Day to clean up acre discussed
maybe May 18th 1986 (Sun).

Annual meeting June 1st 1986 (Sun).

meeting adjourned 10:30 pm.

Respectfully
Submitted
Anne M. LaForge