

Center Pond Restoration & Protection District

Becket, Massachusetts 01223

May 16, 2016

Dear Center Pond District Proprietors,

As Clerk of the Center Pond Restoration and Protection District, I would like to inform you of the Annual District Meeting that will take place as required in the By-laws on Sunday, June 19, 2016 at 10:00 am. The meeting will be held at the Becket Town Hall, 557 Main Street, Becket, MA. Please try to arrive promptly by 9:45 am as attendees and proxies must be registered to establish a quorum before the meeting can officially start. If you have submitted a signed proxy since the last Annual Meeting, it is valid for the upcoming 2016 Annual Meeting.

Enclosed in this 2016 Center Pond District Annual Meeting information packet are:

1. Letter from the District Clerk (yellow paper)
2. Warrant for June 19, 2016 Annual District Meeting (white paper).
3. Draft Minutes from last year's Annual District Meeting held on June 21, 2015 (lavender paper)
4. Financial: fy2015/16 Budget: Estimate and Actual; fy2016/17 Proposed Budget (green paper)
5. Proxy Form dated fy2015/16 for this Annual Meeting (blue paper) – Please sign and send in, especially if you think you may not be able to attend the meeting
6. Proxy Form for fy2016/17 - effective July 1, 2016 through June 30, 2017 (pink paper)

Please sign and send Proxies to: **Center Pond District, Box 24, Becket, MA 01223.**

Center Pond Annual District Meeting Elections: Each year elections for the positions listed below must be held at the annual Center Pond District meeting. The District Officer positions which are open: Moderator, Treasurer, District Clerk, and one Prudential Committee member for the 3-year position.

Those eligible to serve are proprietors of lots designated by the Becket Assessor's Office as being part of the Center Pond Restoration and Protection District.

The Prudential Committee Nominees for these positions are:

- | | |
|---------------------------------|-----------------|
| a) Moderator: | Steve Rosenthal |
| b) District Treasurer: | Alice Limina |
| c) District Clerk: | David Friar |
| d) Prudential Committee Member: | Anthony Limina |

Respectfully,

David L. Friar
District Clerk

CENTER POND RESTORATION AND PROTECTION DISTRICT

ANNUAL CENTER POND DISTRICT MEETING

SUNDAY, JUNE 19, 2016
10:00 AM Becket Town Hall
557 Main Street

WARRANT NOTICE

Fiscal Year: July 1, 2016 - June 30, 2017
The Commonwealth of Massachusetts

Berkshire ss

To: David L. Friar, Clerk of the District

GREETINGS:

You are hereby required to warn the proprietors of the Center Pond Restoration and Protection District in the Town of Becket, the establishment of which was provided for by the Massachusetts General Court under Chapter 243 of the Acts of 2010, to meet at the **Becket Town Hall, 557 Main Street, in said Town on Sunday, June 19, 2016 at 10:00 AM**; then and there to act upon the following articles:

Article 1: Proprietors will vote by ballot to elect a district moderator to hold office for a term of one year and shall have similar powers to those of the moderator of a town meeting.

District Moderator - Steve Rosenthal

Majority Vote Required

Article 2: Proprietors will vote to approve the 2015 Center Pond District Annual Meeting Minutes.

Article 3: Proprietors will vote by ballot to elect a district treasurer who must be a proprietor and who may be the same person as the district clerk, to hold office for a term of one year.

District Treasurer for one year - Alice Limina

Majority Vote Required

Article 4: Proprietors will vote by ballot to elect a district clerk who must be a proprietor and who may be the same person as the district treasurer, to hold office for a term of one year.

District Clerk for one year - David Friar

Majority Vote Required

Article 5: Proprietors will vote by ballot to elect one member of the prudential committee to hold office for three years.

Prudential Committee: one member for three years - Anthony Limina

Majority Vote Required

Article 6: Proprietors will vote to adopt the budget for the fiscal year **July 1, 2016-June 30, 2017** and the appropriation of monies to be raised by assessment upon the real property within the district held by proprietors.

Majority Vote Required

Article 7: Prudential Committee reports: Treasurer's Report
Weed and Water Management

Article 8: Proprietors to consider such other business as shall be consistent with the power and authority conferred by Chapter 243 of the Acts of 2010 upon the district.

Adjournment

NOTE: Article 6 - Corrected Date

And you are directed to serve this warrant by posting attested copies thereof in one or more public place within the Town of Becket fourteen days at least before the time of meeting as aforesaid, and you are further directed to send a copy of this warrant by first class mail, postage prepaid, to each proprietor of record of the District at least fourteen days prior to the time of the meeting as aforesaid and make due return of this warrant with your doing thereon to ourselves at or before the time of said meeting as aforesaid

Witness our hands this 1st day of June 2016

The Prudential Committee of the Center Pond Restoration and Protection District in the Town of Becket

Anne Shrader
Anne R. Shrader, Chairman

Paul K. Merrill
Paul K. Merrill, Member

Anthony Limina
Anthony Limina, Member

RETURN OF SERVICE

And you are directed to serve this warrant by posting attested copies thereof in one or more public place within the Town of Becket fourteen days at least before the time of meeting as aforesaid, or to cause the publication of this warrant in a newspaper published in Berkshire County and having a general circulation within the Town of Becket, and you are further directed to send a copy of this warrant by first class mail, postage prepaid, to each proprietor of record of the District at least fourteen days prior to the time of the meeting as aforesaid and make due return of this warrant with your doings thereon to ourselves at or before the time of said meeting as aforesaid.

I have served this warrant as directed above.

David L. Friar
David L. Friar, District Clerk

June 1, 2016

DRAFT

CENTER POND RESTORATION AND PROTECTION DISTRICT

ANNUAL CENTER POND DISTRICT MEETING-MEETING MINUTES

Sunday, June 21st, 2015

10:00 AM

Location: Becket Town Hall

Prudential Committee members present: Anne Shrader, Paul Merrill, Tony Limina, Alice Limina, Treasurer.

District Clerk Anne Shrader calls the meeting to order at 10:00 and announces that a quorum has been met with a total of 25 households in attendance as well as 49 proxies. Anne introduces Mr. Jeremy Dunn, the Town of Becket's Wired West Delegate.

Mr. Jeremy Dunn welcomes all present and advises that he is in attendance to speak about Wired West. He briefly explains that the Town of Becket is bringing in Wired West to assist in building a fiber to home internet network. Jeremy further explains that the goal is to build a network with strands of fiber optic cable to each home, public or private, full time or part time as well as all camps and businesses in the Town. Jeremy explains that the project is 1/3 State funded and 2/3 Town funded, adding that if the Town gets a 40% prescription rate and half of all individuals sign up, then it will not hit the tax rate. Jeremy encourages individuals to sign up and pay the \$49 deposit that will be held in escrow. Jeremy assures all present that the deposit is fully refundable and will be applied to the first month's service. Jeremy also advises that there will be different options and packages available, however they are yet to be announced. He states that telephone service will also be offered at an additional \$25 per month.

Jeremy answers questions and concerns from residents present, lastly advising that the current status shows that there are 185 sign ups left to go and that the original sign up deadline of June 30th has been rescinded and further extended.

Mr. Robert Conry, still serving as moderator, advises that the meeting is being recorded. Robert also asks that anyone who would like to speak to please state your name for the record.

Article 1: Proprietors will vote by ballot to elect a district moderator to hold office for a term of one year and shall have similar powers to those of the moderator at Town Meeting. Douglas Shrader nominates Mr. Robert Conry to serve as moderator, Mr. Russell Smith seconds the motion; there are no other nominations from the floor, the motion passes unanimously.

Robert introduces himself to all present and explains his role as moderator. Robert confirms that all warrants have been mailed to each of the proprietors and that the warrant will serve as the meeting agenda going forward.

Article 2: Proprietors will vote to approve the 2014 Center Pond District Annual Meeting Minutes. Mr. Douglas Shrader makes a motion to approve the 2014 Center Pond District Annual Meeting minutes as presented, Mr. Robert Harris seconds the motion.

Discussion: Mr. Russell Smith asks if the treasurer's report was ever approved; Alice states that the budget was the report and confirms that it was approved. Mr. Garth Klimchuck states that all financial activities as well as Quicken should be included. Alice advises Mr. Klimchuck that everything is currently being done on Quicken and that she will be happy to supply all receipts and itemized expenditures as requested. Alice further explains that she has a very specific breakdown prepared, however if it is not sufficient for some, she is glad to comply. Mr. Klimchuck adds that he would also like to see the bank statement.

Ms. Marianne Klimchuck states that she feels that there are some details missing from last year's minutes, using the example that she had volunteered to serve on a Communications Committee and that this was not clearly stated in the minutes. Mr. Bill Hoch suggests that the minutes be amended to reflect last year's specific requests. Doug makes a motion to defer amending last year's minutes at this point, having to rely on the memories of others. Mr. Klimchuck then makes a motion to amend last year's minutes, Ms. Beth Rosner seconds the motion; discussion. Doug suggests that we have a written amendment to the motion. Mr. Bill Hoch amends the motion on the floor that the approval of the minutes be deferred until a written transcript of the minutes can be provided so that everyone is aware of what exactly is being proposed, Mr. Klimchuck seconds the motion; discussion. Anne advises that she will speak with the District's attorney regarding this manner. Mr. Hoch restates his motion, stating that the approval of the minutes be deferred until a complete transcript be provided, Doug seconds the motion, Mr. Conry calls for a vote: from the floor there are 15 ayes and 3 nays, Mr. Paul Merrill, holding the proxies, votes against the motion to amend last year's minutes, stating that minutes are not intended to be an exact transcription of the meeting. Mr. Conry states that the motion of the floor has been voted down. A new motion is made to approve the minutes as presented, the motion is seconded; Mr. Conry calls for a vote: from the floor there are 3 votes to approve, 14 opposed and the 48 proxies are also voted to approve. The minutes from the 2014 Annual meeting are approved.

Tony advises that this can be further discussed after the meeting; Alice explains that the reason "income" which is being called receipts is shown the way that it is further advising that she will go ahead and provide more detail as requested.

Article 3: Proprietors will vote by ballot to elect a district treasurer who must be a proprietor and who may be the same person as the district clerk, to hold office for a term of one year. Robert briefly introduces Alice Limina as the current District Treasurer explaining Alice has been a resident since 1986, who is also a math major who brings great experience to the Committee. Robert further advises that Alice has put herself forward to continue. Robert asks if there are any other nominations from the floor, hearing none, a motion is made and seconded to have Alice serve as District Treasurer, passing unanimously.

Article 4: Proprietors will vote by ballot to elect a district clerk who must be a proprietor and who may be the same person as the district treasurer, to hold office for a term of one year. Robert introduces Anne Shrader as the incumbent district clerk who has been in Becket for over 45 years and has been intricately involved in all the doings of the Lake District. Robert advises that Anne will be stepping down as clerk and thanks her for all of her hard work and personal commitment.

There is a nomination on the floor to elect Mr. David Friar to the Clerk's position. Mr. Conry briefly introduces Mr. Friar, explaining that he has been on Center Pond for about 18 months and that he is previously from Farmington, Connecticut, where he recently retired from his architectural firm that he ran for over 40 years. Mr. Friar speaks briefly stating that he was introduced to Center Pond 40 years ago. Having built a new house on the lake recently, Mr. Friar advises that he is very familiar with many of the Town Departments and will bring his experience to the Prudential Committee. Mr. Conry asks if there are any other nominations from the floor, hearing none, he declares the nominations closed and states that David Friar will serve as the District Clerk.

Article 5: Proprietors will vote by ballot to elect one member of the prudential committee to hold office for three years. Robert explains that Anne's term is up this year and that she wishes to run again for this position. Robert advises that Anne has been completely committed and very diligent in all of her work with the Committee. Robert asks if there are any other nominations from the floor; Ms. Beth Rosner nominates Mr. Garth Klimchuck,

Marianne Klimchuck seconds the nomination. Mr. Jeff Stanton nominates Anne Shrader; Mr. Russell Smith seconds the nomination. Mr. Robert Conry explains that this vote will be done by ballot and gives each of the nominees a chance to speak. Mr. Garth Klimchuck introduces himself, stating that he is now a permanent resident in Becket and that he is also currently serving on the Town's Energy Commission. He advises that he is ready to help the Committee and looks forward to serving. Anne briefly speaks, stating that she has learned so much in the 5 years that she has served on the Committee and she looks forward to the chance to continue. Mr. Klimchuck states that the current Committee has done a great job, however there is a need for leadership change and that the proxy voting system discourages this.

Mr. Merrill advises that only the people that wish to sign over their proxies do so, further explaining that because they are a seasonal Community, the proxy process is so important. Mr. Hoch states that it is a flawed process and not one easily amended, stating that all Districts of this type do in fact use this process. Mr. Hoch goes on to explain that any individual can propose a letter writing campaign through the mail.

Doug makes a motion that the nominations be closed, Mr. Harris seconds the motion; nominations are closed.

The ballots are collected and counted. Mr. Conry announces the results to be 8 votes for Mr. Klimchuck and 6 votes plus the 48 proxies for Ms. Anne Shrader, thus declaring Ms. Anne Shrader to the elected position.

Article 6: Prudential Committee Reports: Dam Construction Status- Transfer of Dam and Property, Weed and Water Management, Treasurer- Guest Clerk Rowell; Financial Advisor, Unibank.

Mr. Conry explains that the banker from Unibank was scheduled to come in and speak, however has not arrived and moves the meeting forward. Anne passes out a statement prepared by Unibank Financial Services, Inc. All present take a moment to read and review. Anne announces that on June 19th the dam was officially conveyed and is now owned by the District.

Anne also hands out 2 documents that she has prepared, detailing some of the costs that have been incurred. Anne also advises all present that former owner Conservation Group, Inc signed a boundary and easement agreement with Paul and Joanna London before the closing. The agreement gives maintenance access for the Center Pond Dam and property.

Anne advises that the new website, CenterPondDistrict.com, is up and running, further stating that she will be posting all minutes on the website.

Committee members discuss the hiring of a dam employee. Anne explains that they have to clarify some issues with the State and that they currently have an individual from Tighe & Bond that will be working with the Prudential Committee. Alice advises that they will also need to draft a new job description for the dam and property supervisor.

Water and Weed Management- Paul Merrill presents his report, advising that they have been working with Mercedes Gallagher and Ken Wagner and that amazing progress has been made. Paul also states that there is a new rule in place, explaining that all non-invasive weed pulling must go before the Conservation Commission. Paul states that he does not have any new information on draw-downs; Mr. Klimchuck states that he would like to discuss this matter further with the Conservation Commission. Mr. Al Kirchner advises that the draw down process carries a long, extensive approval process and will only be approved when there is very good reason in place.

Paul advises that starting on May 18th, the beach water testing began. Committee members briefly speak on one instance last year when the water tested badly, stating that Ken Wagner expressed some concern. Mr. Ronzio advises that the water be tested only at the beach and often bad results are the result of heavy rain and storms. Paul warns that there is also a large population of geese this year, reminding residents to make their space as unfriendly as possible.

Mr. Kirchner expresses concern that they need to be looking toward a way to secure the dam. Tony advises that the property is clearly marked with a "No Trespassing sign" as well as no fishing, etc. He further advises that it is not public property and that putting up a fence to keep people away would prove to be very costly and still not be fool proof. Tony advises that the specific verbiage on the sign is State mandated.

Article 7: Proprietors will vote to adopt the budget for the fiscal year July 1, 2015-June 30, 2016 and the appropriation of monies to be raised by assessment upon the real property within the district held by proprietors.

Alice presents the 2014-2015 budget as prepared, providing explanations on various line items and answering questions that the proprietors have.

Cash Balances

Beginning Balance 7/1/2014 (Checking, money markets (2))	\$101,008
Receipts (taxes, interest) thru 6/17/2015	\$101,432
Total	\$202,740
Disbursements thru 6/17/2015	\$68,725
Balance 6/17/2015	\$133,715

Proprietors review the budget and ask Alice questions as they arise. Mr. Klimchuck states that the only loan the District has outstanding is the state house loan. Alice confirms, explaining that the

District is not eligible for another one-year loan and will refinance the entire loan for a specific period of time. Robert Harris asks Alice if the members can refinance amongst themselves, Alice states that it is not recommended to do so.

Alice advises that the Financial Manager from Unibank is scheduled to come in and speak. She further states that \$255,000 will be refinanced next February.

Alice advises that the two major items for the future include the closing costs that they will have as well as the liability insurance.

Mr. Klimchuck asks if they can expect their taxes to increase this year; Committee members confirm, stating that this is largely due to legal fees.

Committee members discuss purchasing liability insurance. A motion is made and seconded to approve liability coverage of one million dollars; Unanimous Approval.

Mr. Harris makes a motion to approve the budget as presented and discussed, Mr. Klimchuck seconds the motion; budget is unanimously approved.

Article 8: Proprietors to consider such other business as shall be consistent with the power and authority conferred by Chapter 243 of the Acts of 2010 upon the district.

Mr. Bob Harris makes a motion to adjourn the meeting, Mr. Klimchuck seconds the motion; meeting is adjourned at 12:25PM.

Respectfully Submitted, Heather Hunt

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CENTER POND DISTRICT

Most recent quarterly results:

Opening balance (1/1/2016)	\$148,897
☐ Receipts (Collections, interest and LOAN)	\$ 185,707
☐ Disbursements (including pay off of old loan)	\$ 242,022
<u>Closing balance</u> (3/31/2016)	\$ 92,582

Source: Quicken report of receipts and disbursements

CENTER POND RESTORATION & PROTECTION DISTRICT PROXY FORM

Fiscal Year: 7.1.2015 - 6.30.2016

I/We the undersigned:

_____ (Name(s))

of _____ (Address)

being the Proprietors of _____ (Becket Address)

do hereby appoint as our Representative:

Anne Shrader of 115 Jones Creek Place, Chapel Hill, NC 27516; Paul Merrill, 40 Thomas Street, East Hartford, CT 06108; and, Anthony Limina, 49 Hidden Glen Road, Upper Saddle River, NJ 07458; or any of them, acting singly, to represent me/us and to vote on my/our behalf with full authority and power in my/our stead:

To vote as proxy for the undersigned at all Special and Annual District Meetings, called by Warrant of the Prudential Committee of the Center Pond Restoration & Protection District acting under the authority of Chapter 243 Acts of 2010 of the Massachusetts General Laws, to be held at the Becket Town Hall, 557 Main St., Becket, Massachusetts 01223, and at any or all adjournments thereof, and to cast any vote which the undersigned would be entitled to cast at such meetings if then personally present.

This proxy shall be in full force and effect until all business of the next Annual District Meeting succeeding the

date of this proxy is concluded and to June 30, 2016 unless written revocation is delivered to the District Clerk not later than 10 days prior to the scheduled meeting.

The undersigned owner(s) hereby authorize the above named Proxy and further acknowledge(s) receipt of a copy of the Warrant.

Proprietor's Signature	Printed Name	Date
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Co-Proprietor's Signature	Printed Name	Date
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Co-Proprietor's Signature	Printed Name	Date
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Co-Proprietor's Signature	Printed Name	Date
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Please mail Proxy Form to:
Center Pond Restoration & Protection District
PO BOX 24
Becket, MA 01223

CENTER POND RESTORATION & PROTECTION DISTRICT PROXY FORM

Fiscal Year: 7.1.2016 - 6.30.2017

I/We the undersigned:

_____ (Name(s))
of _____ (Address)
being the Proprietors of _____ (Becket Address)

do hereby appoint as our Representative:

Anne Shrader of 115 Jones Creek Place, Chapel Hill, NC 27516; Paul Merrill, 40 Thomas Street, East Hartford, CT 06108; and, Anthony Limina, 49 Hidden Glen Road, Upper Saddle River, NJ 07458; or any of them, acting singly, to represent me/us and to vote on my/our behalf with full authority and power in my/our stead:

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Proprietor's Signature	Printed Name	Date
Co-Proprietor's Signature	Printed Name	Date
Co-Proprietor's Signature	Printed Name	Date
Co-Proprietor's Signature	Printed Name	Date

Please mail Proxy Form to:
Center Pond Restoration & Protection District
PO BOX 24
Becket, MA 01223