



RIDGETOP LAKES CONSERVANCY, INC. (RLC)
MEETING WITH THE PUBLIC
MINUTES SEPTEMBER 22, 2024

1. **CALL TO ORDER.** Rob called to order a meeting with the public on September 22, 2024 at 10:03 am, in person at the Yankee Lake Preservation Association (YLPA) Clubhouse and via Zoom.

2. **ATTENDANCE:** The following RLC Board members were in attendance:

<i>Madeline Boyd</i>	<i>Present, via Zoon</i>
<i>Cathy Dawkins</i>	Present
<i>Joan O'Keefe</i>	Present
<i>Rob Rogers</i>	Present
<i>Richard Langseder</i>	Absent

In addition to these RLC Board members, approximately 81 members of the public were present, in person, and approximately 52 guests were present on Zoom.

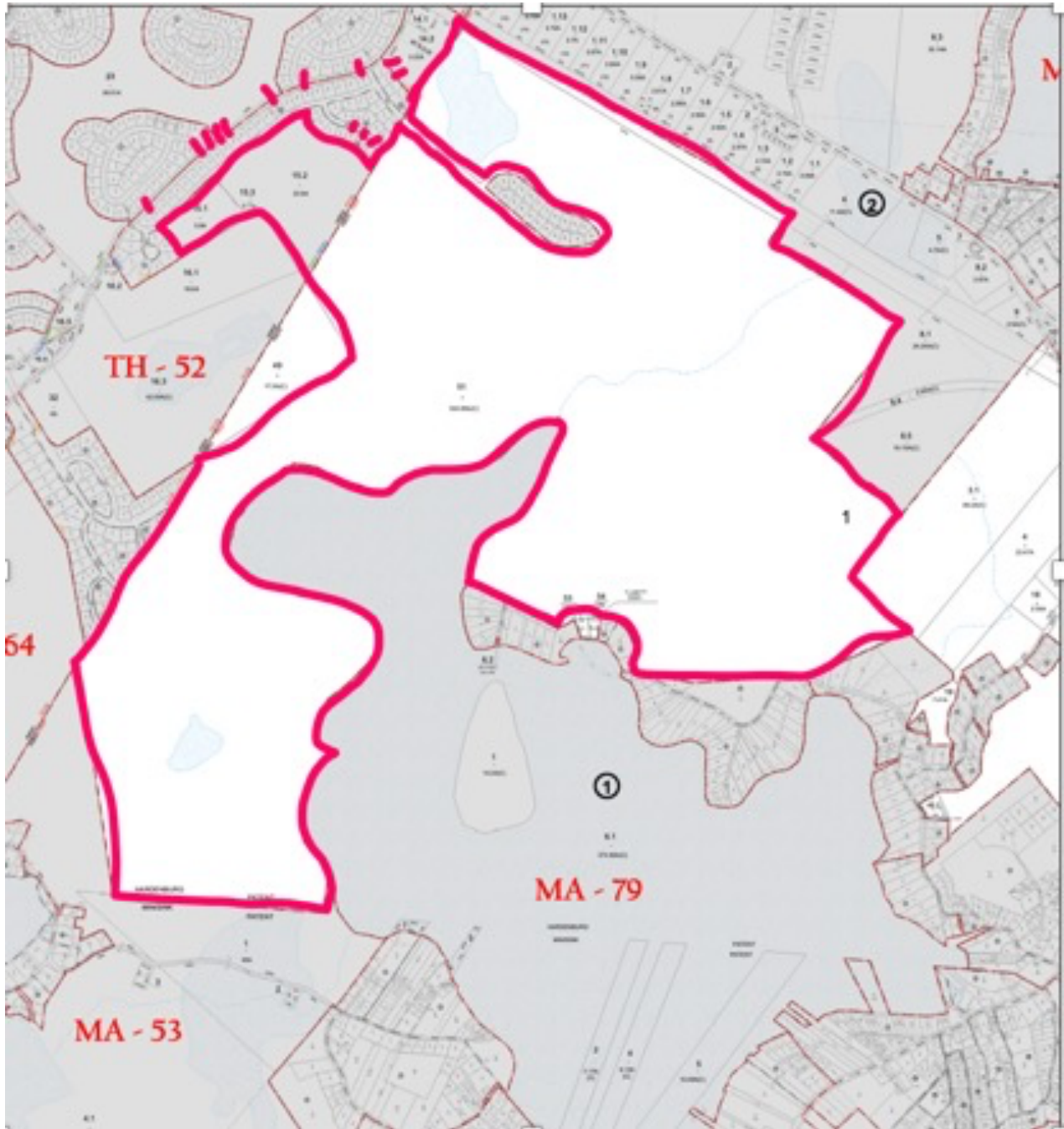
Unfortunately, the internet connection was highly unstable and failed multiple times during the meeting. Minutes will be made available electronically.

3. **PURPOSE:** The purpose of this meeting is to:
- Give background information on the opportunity for RLC to purchase what is known as the "WIR Property" and also the "Whale's Tail of Yankee Lake";
 - Give an update on the latest developments with this opportunity;
 - To discuss the details of the offer;
 - To discuss what we would need from the public/community; and
 - To identify next steps.

Rob gave a brief overview of these topics and then opened the meeting to questions from the public.

4. **SUMMARY OF PUBLIC INQUIRY:** The following questions and answers were discussed:
- In response to inquiries regarding the specific location, Rob and Kevin Armistead used a map located in the meeting room to point out the precise location of the parcels in question. While this was helpful to those in the room in person, the RLC took the action to provide an annotated map showing the property in question.

See below:





- b. Lake Rights: The question was raised as to whether this property has deeded lake rights to use Yankee Lake. The current owners contend that they have a deed showing lake rights, but did not provide such for review. It was clear that developer interest in the property depends, largely, on equivocal rights, and it is clear that there is little appetite for going to court to ensure this.

Elaboration was made that there are several concerns with water rights. The first, as articulated by the questioner is whether the land has deeded rights to use the waters of Yankee Lake. Another, equally important issue, is the use of groundwater. As we sit at the top of the ridge, protection of ground water – to supply the ridgetop lakes, as well as our own wells - is essential.

- c. How do we buy it?
- i. Rob explained that this meeting is hosted by the Ridgetop Lakes Conservancy (RLC) and that it is to the advantage of all who currently live and own property around all five (5) of the ridgetop lakes (Yankee, Wolf, Louise Marie, Wanaksink and Masten) have a vested interest in protecting this large parcel of land as it impacts not only lake access to Yankee Lake, but potentially water usage that would affect us all.
 - ii. The concept is that all financial donations would be made to the RLC, which is an authorized 501(c)(3) not for profit. This would allow all donations to be made in federal tax-deductible status.
 - iii. The RLC would then purchase the property and conserve it for the public good. This means that the RLC would ensure access to the land by the public, including both enjoyment and educational value.
 - iv. Should we be unable to raise sufficient funds to buy the property outright (through donations and/or grants) we would be forced to look into loans and/or grants that might take control out of RLC hands.
 - v. It is also possible that there could be large donations that would be contingent on a single entity or family purchasing a portion of the parcel to be held privately. If this were to happen, it would cost more because we would need to sub-divide the land. Further the RLC would create stringent deed restrictions on these properties, preventing further subdivision and limiting the number and size of dwellings and usage.
 - vi. What would happen if someone donated to RLC and then, for some reason, the plan failed to materialize? To be crystal clear, we cannot return funds should things not happen. Especially if we won't know until rolling into a new year. There is no give back of charitable donations. The IRS wouldn't accept that.

What we discussed in the meeting was making a pledge, which is a form of legally binding contract, and when we are close to a closing on the property, ask for all pledges to be paid. If things fall through, then the pledges are not



binding, and no one is out their money. This is what we are wanting people to do.

Also under accounting regulations, funds donated for a specific purpose are held in a temporarily restricted fund for the stated purpose. We could not use that money for another purpose, even if the other purpose meets our mission statement.

Should something happen and we are unable to purchase the property, that will not stop RLC's dedication to preserving and protecting the environment surrounding the five lakes (including Yankee Lake) on the Mount Prosper and Shawangunk ridgetops. Should RLC ever reach a point where it can't function independently, the entity and its assets would be transferred to our named successor organization, the Basha Kill Area Association.

- vii. Because of these complications, **we prefer, at this point, where large donations are concerned, to have individuals make "PLEDGES" rather than immediate transfer of funds.** Pledges should be made using this form.



PLEDGE COMMITMENT FORM

The Mission of the Ridgetop Lakes Conservancy is to protect and preserve the natural environment of the Shawangunk and Mount Prosper ridge tops and surrounding areas by land acquisition and by promoting conservation through educational programs and seminars.

Important! The IRS does not allow not-for-profit organizations to return tax-deductible charitable donations once they have been accepted. Charitable contributions are considered final gifts, and once they are made, they cannot be refunded without potentially jeopardizing the tax-exempt status of the organization and creating tax consequences for both the donor and the nonprofit. Returning funds to donors could raise issues of mismanagement of funds against the nonprofit.

For this reason, we ask you to make this **legally binding pledge**, and **not** to write a check just yet. Your pledge would only become payable once the project viability is confirmed. If the project fails, the pledges are not binding, so no one loses money. Additionally, accounting rules require that donations for a specific purpose must be held in a restricted fund and cannot be used for any other purpose, even if it's aligned with the organization's mission. So, make a pledge. Provide your contact info. We will let you know when to send a check/transfer funds.

Legally Binding Statement:

I (we) commit to make the following contribution of \$ to The Ridgetop Lakes Conservancy, Inc., restricted to the **Save the Whale Campaign** to purchase and preserve 500+ acres of land bordering Yankee Lake and State Route 17. This includes the actual purchase price and associated expenses.

Donor Information:

Name(s):		
Mailing Address:		
City:	State:	Zip:
Phone:	Email:	

Donor/Trustee Signature:

Date

Acknowledgements:

<input type="checkbox"/>	I prefer that my donation not be acknowledged publicly
<input type="checkbox"/>	My donation may be acknowledged publicly, but not the amount
<input type="checkbox"/>	My donation is in honor of:
<input type="checkbox"/>	My donation is in memory of:

Please send your check and/or pledge commitment form made payable to:
Ridgetop Lakes Conservancy, Inc.
P.O. Box 568
Wurtsboro, NY. 12790-0568

www.RidgetopLakesConservancy.org info@RidgetopLakesConservancy.org
Ridgetop Lakes Conservancy, Inc. is a 501(c)(3) charitable organization
Our Federal Employer Identification Number (FEIN) is 82-4699665



- d. Hazardous Waste Liability. A question was posited regarding the possibility that there might be hazardous waste on the property and that the community would not want to purchase someone else's liability. It was explained that all real estate transactions in NY State are covered by a property disclosure requirement.
- e. Pledge Deadline. It was suggested that we set some sort of pledge timeline or deadline. While this is a good idea, conceptually, and we need a fast-paced, quick response to this issue, we also will not decline contributions that come in later. It is suggested that our initial target be end of September, with a second push for Oct 15.
- f. Funding status updates. It was suggested that we establish and maintain a "pie chart" to give a quick visual status of pledges to date. At present, our Webmaster is working to create a "thermometer" gauge that we will use to depict ongoing progress against our goal.
- g. Business Case. It was highlighted that each and every property owner has a vested interest in donating to this cause. Should a developer buy this property, build housing, even within the Mountain Greenbelt zoning limitations, each home could be quite large and could, in effect, house large extended families. This could impact both water usage and population density. Inevitably, this could impact property values at both Yankee and Wolf lakes, as well as the other ridgetop lakes. Preventing this negative property value impact is well worth a financial investment from all.
- h. What if, at some point in the future RLC were to disappear or go bankrupt. Rob explained that when creating a 501(c)(3), it is necessary to name a successor organization. The RLC named the Basha Kill Area Association as such at the time we were established.
- i. NYS DEC Grants to protect and preserve the public water supply with a 25% funding match. Dave Langseder suggested we look into these grants as a possibility.
- j. Jessica Lansdale, President of the Lake Communities Alliance was introduced and described work that the LCA is doing to support designation of our lakes as a **Critical Environmental Area (CEA)**. The NY State Environmental Quality Review (SEQR) law gives municipalities the authority to establish Critical Environmental Areas (CEAs) within their boundaries which receive special consideration in the SEQR process (6 NYCRR 617.14[g]).
- k. Rob re-iterated that we are seeking \$4 million in donated funds. There are strategies to move forward if we are unable to achieve this goal immediately, but the goal is \$4 million. All interested parties should send pledges to info@ridgetoplakesconservancy.org



5. THE meeting was adjourned at 11:43am.



Attachment 1: Words you can share with others.



Save the Whale

Help us save the land between Yankee Lake and Route 17

This pristine area of one of Sullivan County's historic lake communities has been under threat of development for decades. For the very first time, the local community has an opportunity to buy the 500+ acre property and put it under the protection of Conservancy.

But we need \$4 Million to do it.

Our community is an economically diverse one. We work together as a team...but now we need to reach out and ask our larger community for help. As we near the end of the year, perhaps a tax-deductible donation is something you might consider.

Take a look at the Ridgetop Lakes Conservancy. We are local. We are your neighbors. And not one penny goes to any overhead labor. www.ridgetoplakesconservancy.org.