



NEWSLETTER FALL 2015

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PRESIDENT'S LETTER

Dear Members:

Welcome to our fall newsletter. It has been somewhat delayed due to the necessity of spending many hours on the Woodbury Dam issue, which is detailed in this newsletter.

I am pleased to report that 2015 has been a record year in many ways for TLA, as well as extremely challenging one for your officers and directors. With the help and financial assistance of members, we have accomplished a great deal this season.

To elaborate:

- Our annual meeting & breakfast was held at the Carrie Ricker School in Litchfield on July 11 and was a resounding success. We had a record attendance, a greatly improved menu, and a much larger and better equipped facility to hold our meeting. Thanks must be given to the school's staff and administration, whose help made this transition as pain free as possible!
- TLIS successfully changed our legal name to the Tacoma Lakes Association, a change that is more reflective of our mission. TLA has not been a social club for a number of years and this new name goes well with our role as a protector of our local watershed.
- TLA is in the process of changing to a 501(c) 3 non- profit, which not only is a better fit for our mission, but also will allow our members to receive tax benefits from contributions made to TLA. It is anticipated that this change will be accomplished by year end.
- TLA sponsored in August an "Evening with Gary Crooker" at Oak Hill High School in Wales. Gary is a well know Maine





Humorist and entertained the large crowd for almost two hours. For all, it was a nice evening with lots of well needed laughs. TLA also sold baked goods donated by local businesses and the evening was a huge success from both a financial and social perspective.

- TLA, through the experience and hard work of Vice President Rainey Doyle, finally obtained the long talked about and discussed law suit brought against the organization in the 1970's. Approximately 100 pages relating to the lawsuit will soon be available for viewing on our website. Not only does this information attest as to why the water level is maintained at the current level, but also provides a historical background of the Woodbury dam.
- TLA, in conjunction with town officials, finally was able to fully staff the town of Litchfield's Woodbury Dam Committee. Once staffed and chaired by TLA director, Charlie Manchester, the committee aggressively pursued much needed repairs to the Woodbury Dam. These repairs were approved by a town meeting last month and will be completed this fall.
- TLA lost two directors this year due to the resignation of long time director Pat Soboleski and director Bridgett Wagner. Both individuals will be sorely missed due to both their abilities and experience. In addition, Director Ari Wile was not able to be reappointed due to her move to Gardiner, which disqualified her for directorship. Her graphic design capabilities will be sorely missed, but we do intend to continue to utilize her abilities on an as needed basis.
- TLA successfully recruited new directors this year and is looking forward to utilizing their experience and abilities as TLA continues to thrive and grow.
- TLA, through member donations and dues, was able to continue to fund invasive species inspectors at the Woodbury boat launch throughout the summer season. A detailed report on the inspections is included in this newsletter. Without the invaluable assistance of the Friends of Cobbossee Watershed, this would not be possible. Our cooperative relationship with the Friends organization continues to flourish.
- TLA's plant patrol team had a very successful year as detailed in this newsletter. They are to be commended and thanks for their excellent work.
- TLA will be entering into to a 5 year agreement with the Department of Conservation to monitor lake buoys throughout the summer months. Volunteers will be needed to help with this program.

These are just some of the activities that your organization has been involved in this summer. Please feel free to mention these items to any non-members you know who question what a TLA \$15 dues payment does for everyone on the lakes. It is important to note that not one director is ever paid for any work and that hundreds of hours of work are donated every year by directors and others in accomplishing these tasks. Directors and officers pay their dues like all members. I can proudly say that TLA is one of the most active lake associations in the central Maine area. My thanks go out to all members who support us and a dedicated board of directors.

Regards,
Bruce Doyle
TLA President



TREASURER'S REPORT

2015 has been an incredibly successful financial year for your association.

Thus far this year our total income is up 35.9% over 2014. Most of this increase is from an increased membership, member donations and successful fund raisers. Our annual meeting was an amazing success with record attendance and great support of our 50/50 raffle and silent auction. Our Gary Crocker comedy night was fun and also a financial success. It's impossible to thank all of our members enough for your amazing support of our Association.

Our 2015 membership as of October 12 is 251.
This is an increase of 19 over last year.
Donations total an incredible \$5997.00.
Thank you everyone for
your amazing support of TLA!

Expenses are up this year. The majority of the increased cost is from one-time expenses related to the name change and our non-profit status change. We will still end the year with a surplus.

The Friends of the Cobbossee Watershed manage the entire Courtesy Boat Inspection Program for TLA. They recruit the inspectors, do the entire training, schedule and otherwise manage the program. TLA only pays the direct cost of the inspectors. TLA managing this program ourselves would be a difficult and expensive burden. We are extremely grateful to the Friends for their amazing management of this critically important program.

Our costs would be much higher if not for the incredible amount of hours put in by volunteers. No officers or director receive any compensation. Everyone who worked so hard at the annual meeting and the Crocker event did so for free. Ari Wile designed our new logo and prepares our newsletter. Our plant patrol spent many hours carefully checking our plant life for invasives. The dam committee spent many hours this summer working on the dam issues and bringing the dam repairs to a successful town meeting vote last month, again as volunteers. TLA is successful because of the countless hours of time invested in TLA by our many volunteers.

Thank you all!
Buddy Potts
TLA Treasurer

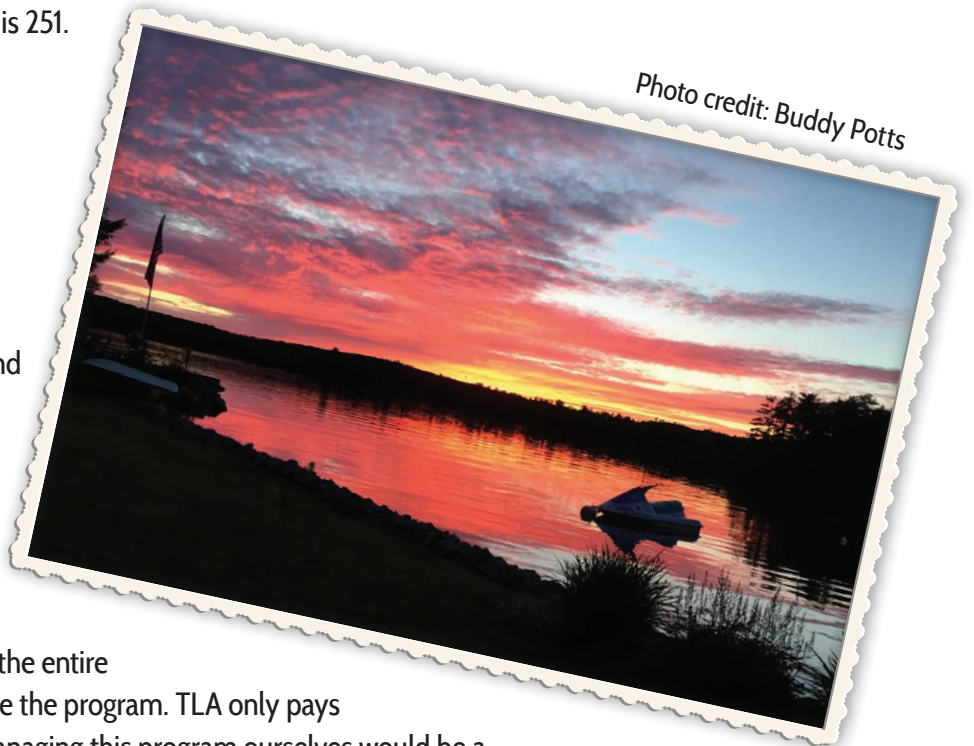


Photo credit: Buddy Potts



TLA OFFICERS AND DIRECTORS 07.01.15 – 06.30.16

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DONOR LIST

The Officers, Board of Directors would like to thank the following individuals for their generous cash donations this year. Thank you for supporting the programs of the Tacoma Lakes Association!

Please note: this is NOT a membership list. It's a list of people who made donations in addition to paying their \$15.00 dues.

Bonnie Adams	Rosanne Ducey & Michael Murray	L-A Harley
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Millie Donahue	Ted & Carolyn Janner	Normand & Janice Provencher
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 Helen Thorne
 Vince & Carole Vincent
 Steve & Deborah Ward
 Don & Evelyn Waterman
 Carl Weston
 Dian White
 Mary Whitten
 Fred & Cheryl Wilcoxon
 Susie Wilding-Hartford
 Gayle & Gary Williams
 Margaret Wolanski
TOTAL: \$ 5,997.00

The annual loon count for 2015 has yet to be posted on the Audubon website, but those of us living on the lakes all summer could tell them all they need to know! We had an active loon population this year and there were chicks on Woodbury, Sand, and Jimmy Ponds. Maine Audubon did the loon count on a Saturday in July so watch their website for official results. The coordinator for the Tacoma Lakes is Leslie Rosser.

The artificial loons nesting platforms maintained by volunteers are critical to the successful loon breeding on the Tacoma Lakes. TLA thanks everyone who maintains these platforms for helping the loons succeed on our lakes.

Loons don't all leave the lakes for the winter at the same time. By now the chicks have become selfsufficient and the parents have separated from them. All of the loons will be molting and taking on their winter feathers. They will look more brown than black as they "vacation" at the ocean for the cold months of the year. One adult from a loon family will leave first and the chicks will be the last to go, often when a bit of ice has crept into the lake. An interesting piece of information from Susan Gallo, loon expert, is that although there have been an increasing number of adult loons on the lakes in Maine, there is no increase in the number of chicks each year.

Recently, a group of loon counters attended a meeting sponsored by Maine Audubon in which they were seeking individuals to be more active in counting loons next summer. They would like folks to monitor one section of a lake for 3 minutes every week and report what they see. This project also extends to some other birds, animals, and plant life. The results will give us some important information as to how species adapt to climate change. Anyone who might be interested in participating should contact Diane Clay: 207-268-3247.

Next spring Tacoma Lakes Association is hopeful to sponsor a lead sinker exchange, to help protect the loon population from exposure to poison. Please watch the website, Facebook page, and newsletter for more information.



WOODBURY DAM REPAIR

In the spring of 2015 the town of Litchfield, after repeated urging by TLA officers, finally had a fully functioning volunteer dam committee chaired by TLA director Charlie Manchester. The committee is comprised of residents Charlie Manchester, Donna Bartlett, Fred Fenton, Gary Marsella, Nellie Gamage, Rick Ricker and Terry Averill. They quickly met and initiated some long deferred basic repair work on the Woodbury dam. Through the assistance and cooperation of local contractors the dam was brushed out, power washed, and had its rock retaining walls moved.

The committee then met with Jon Edgerton, a professional engineer with the firm of Wright-Pierce of Topsham, ME. With the permission of the Litchfield selectpersons, the committee engaged Wright-Pierce to evaluate the dam, prepare bidding requirements and specifications for much needed repair work on the dam. Once this extensive package was prepared it was sent to by Wright-Pierce to a number of different Maine companies with expertise in this type of work. The town received four bids for this work and after an extensive review process of the bids by Wright-Pierce the winning bidder was selected. Knowles Industrial Services of Gorham, ME was chosen as the winning bidder with a bid of \$27, 150. The contract allows for a completion date of all the work to be November 18, 2015.

In order to pay for this work, the Litchfield selectpersons held a special town meeting to have citizens approve up to \$30K for expenses relating to this repair. At that meeting, citizens approved this funding request. Special thanks must go to all involved in this venture that make this dam repair work possible. Without the hard work of the dam committee, the assistance of local contractors, the cooperation of selectpersons, and the expertise of Jon Edgerton, this project never would have been completed!

The dam committee's work is not done, and it now must focus on a long term maintenance plan for the dam that will ensure that it stays in fine physical condition for many more generations.



TACOMA LAKES PLANT PATROL (TLPP)

Tacoma Lakes Plant Patrol has been exceptionally lucky this summer to have added to our dedicated group of volunteer plant patrollers. Maureen Fenton and Cheri Cooledge joined us this year. Lynn Sidman rejoined us from taking part in a patrol at the end of the previous season. Diane Clay was once again the leader this summer. Buffy Dematteis kept track of and labeled the markers she had previously made, as well as, repaired and covered our scopes to help us see better under water.



Photo credit: Rainey Doyle

Sand Pond was targeted this summer for patrolling as there had not been any extensive search on that pond for several years. TLPP was anxious about a plant that seemed to be abundant in an area we called “Manchester Cove” on the southeast side of the lake. Happily TLPP can report that it was native milfoil and nothing that will expand to cause problems.

TLPP also repeated our yearly check of the Woodbury boat launch, spent some time training new volunteers, and ended with a check of what TLPP dubbed “Loon Nest Cove” at the southwest end of Woodbury.

This was a good summer, but TLPP can still use more eyes on the water. The more people out there patrolling, the more area that can be reviewed each summer/fall. TLPP has already had a request to train some teens to identify plants for next summer, and we are hoping to get a paddle board team together. Watch your TLA email, website, and Facebook for all the details!

Thank you to: Diane Clay, Buffy Dematteis, Millie Donahue, Suzie Wilding-Hartford, Rainey Doyle, Lynn Sidman, Dian White, and our new members, Maureen Fenton, and Cheri Cooledge for their dedication and volunteer work to keep our lakes clean.





THE FEBRUARY 16, 1977 LAWSUIT

by Rainey Doyle

re: Michael J. Harkins v. Tacoma Lakes Improvement Society

Michael J. Harkins filed a lawsuit on February 16, 1977 against Tacoma Lakes Improvement Society at the Kennebec County Superior Court in Augusta, ME. Mr. Harkins was “seeking damages and an injunction prohibiting Defendant, Tacoma Lakes Improvement Society, from maintaining the water in Woodbury Pond at a level higher than five and one-half feet above low water mark.” Superior Court Justice Lewis I. Naiman appointed retired-active Superior Court Justice James L. Reid to act as Referee for this case. On June 11, 1979, a hearing was held regarding the above lawsuit. Referee Reid concluded Mr. Harkins claim should be denied. Mr. Harkins bought his property in 1952 and served on the TLIS board, so he was aware of the following:

In 1885, the Gardiner Water Power Company had the rights to control the” flowage and water level of Woodbury Pond by a dam it owned in fee.” In 1908, the dam was rebuilt. In the 1940s, the Gardiner Water Power Company permitted TLIS to decide the water level in the pond. In 1942, Mr. Harkins, along with other people, “signed a deed as a grantee purchasing the right to have the water level in the pond maintained at a minimum level of six feet during the summer months.” In 1972, TLIS “purchased the fee to the dam and the flowage rights from the Gardiner Water Power Company”.

At the hearing on June 11, 1979, a few witnesses testifying for TLIS stated TLIS had set the policy for the water level since the 1940s, and their policy was to maintain the water level at 7 1/2 feet. Robert Gerber, a geologist and civil engineer, was TLIS’s expert witness and provided records and testimony showing “the water level in the pond had remained constant for a substantial period.”

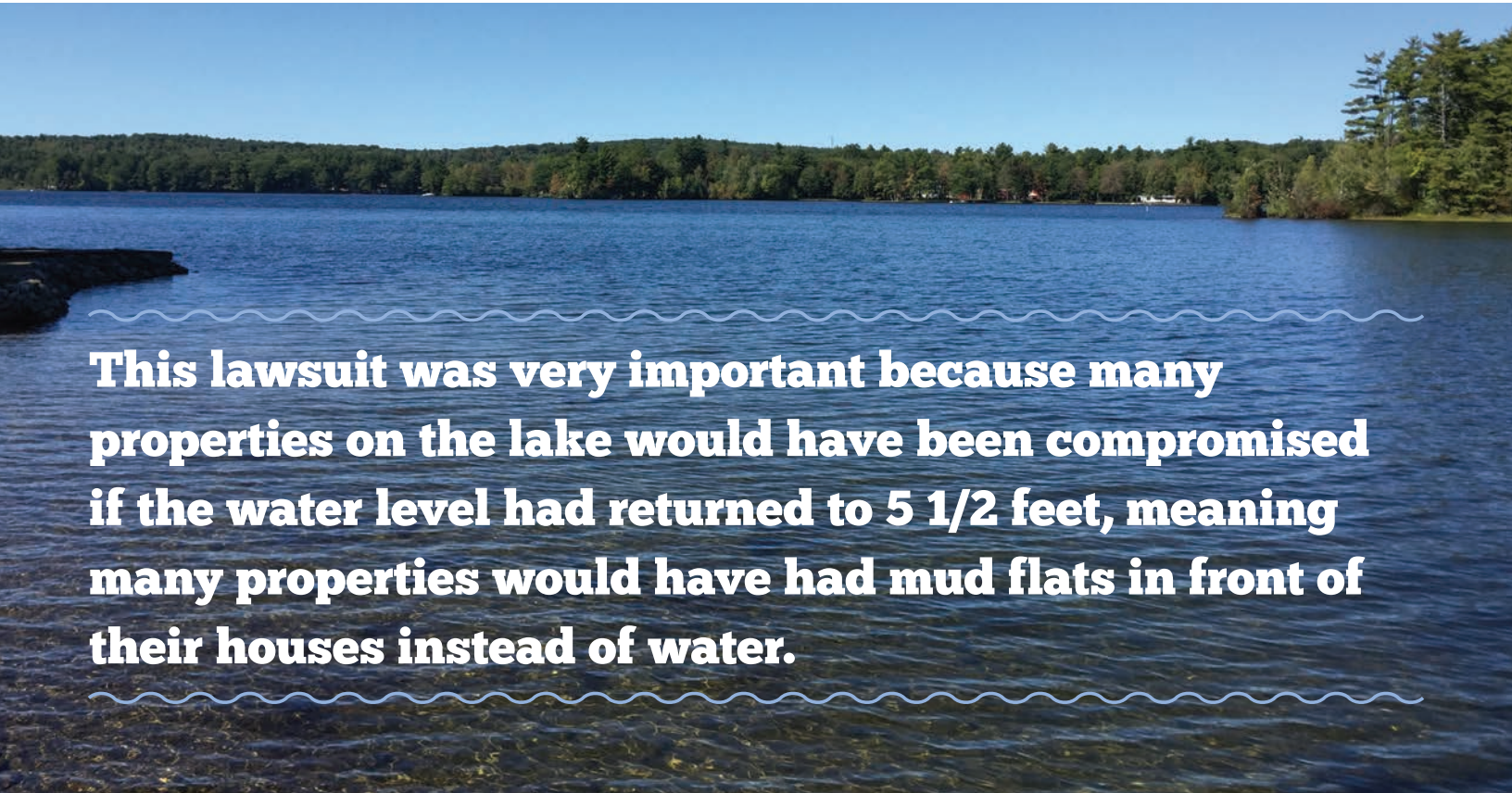


TLIS proved they had a “prescriptive easement,” which means TLIS had been setting the water level at 7 1/2 feet above low water mark, which is “measured by a reading of 177.5 on the current dam gauge” for at least 20 years. Mr. Harkins was well aware of that fact, especially since Mr. Harkins had been part of the signing of a deed in 1942 purchasing the right to maintain the water level at a minimum of 6 feet during the summer months, which means he was well aware the water level had been set above the 5 1/2 foot level. In addition to that, Mr. Harkins did not object or file anything in court until 1977 regarding his claims, way after the 20 year limit. Therefore, the Referee concluded Mr. Harkins claim should be denied.

At the hearing on June 11, 1979, a few witnesses testifying for TLIS stated TLIS had set the policy for the water level since the 1940s, and their policy was to maintain the water level at 7 1/2 feet.

This lawsuit was very important because many properties on the lake would have been compromised if the water level had returned to 5 1/2 feet, meaning many properties would have had mud flats in front of their houses instead of water. Also, by finding this document, it provided TLA with historical information and verified, once and for all, how the water level was set and why it continues to be set at that level. Once this lawsuit has been added to the TLA website, I hope all the members will read this document, even if a little at a time (since it is about 100 pages), because I think you will find the lawsuit interesting and valuable in its content.

Quotes in this article are from the lawsuit filed on February 16, 1977 re: Michael J. Harkins v. Tacoma Lakes Improvement Society



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