

Formation of the Helderberg Lake Environmental Restoration Corporation

Presented by
Gail Hutchings, President, Board of Directors, HLERC

New York State Federation of Lake Associations

Annual Meeting, May 8-9, 2026

Lake George, NY



Helderberg Lake



- Town of East Berne, Albany County
- 1926 – Helderberg Park Inc. bought 133 Acres
- Constructed original earthen dam
- Class C Dam
- Lake is approx. 29 acres
- 1944 – Dam reconstructed after failure in storm in 1938
- 1961 – Helderberg Park Inc. transfers all land and rights to newly formed Helderberg Lake Community Association (HLCA)
- 64 Camps - part of HLCA (different from HLERC)
- Mix of year-round and seasonal residences

Helderberg Lake Community Association



**HLCA is a small, private, non-profit
Community Association with antiquated
and weak bylaws and a volunteer Board**

**HLCA isn't a not-for-profit 501(c)(3)
Organization – no standing for
applying for most governmental grants**

New York State Inventory of Dams

Name of Dam: Helderberg Lake Dam

State ID: 190-1294

Hazard Code: C

See below for hazard code definition

Year Completed: 1944

Most Recent Inspection: 8/21/2018

Location Information:				
County	Municipality	River or Stream	Latitude	Longitude
Albany	Town of Berne	TR-ONESQUETHAW CREEK	42.59722222	-74.0125

Type:	
Type of Construction	Purpose
CN - Concrete Gravity, RE - Earth	Recreation, Water Supply - Secondary

During PRIME AE's November 2016 Safety Inspection, the following deficiencies were noted:

- The concrete core wall was observed to be leaning towards the lake.
- Cracks and spalling observed in the concrete core wall and spillway walls.
- The earthen embankment should be restored to its original slope.
- Areas of seepage observed should be monitored to ensure the rate of seepage does not progress.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4
1130 North Westcott Road, Schenectady, NY 12306-2014
P: (518) 357-2069 | F: (518) 357-2460
www.dec.ny.gov

Transmitted electronically to: tamisbloom@gmail.com

February 14, 2022

Tami Bloom
Helderberg Lake Community Association
PO Box 154
East Berne, NY 12059

DEC Rating: "Unsafe/Unsound"
2022 Estimated Cost - <\$500,000
2025 Estimated Cost - >\$1,400.000

**Re: Dam Safety and Excavation & Fill Permit; Water Quality Certification
DEC #4-0120-00085/8, 9 & 10
Helderberg Lake Dam Repairs
Off East Shore Road**

Why Form a Not-for-Profit?

- Need for “Standing” to apply for (most) governmental grants
HLCA was not eligible as an organization for most grants
- Why a name matters – inclusion of “Environmental” and “Restoration”
In “Helderberg Lake Environmental Restoration Corp.” (HLERC)

Development of Mission Statement and Bylaws

HLERC Mission Statement (2-2-2024)

The Helderberg Lake Environmental Restoration Corporation is a NYS not-for-profit corporation whose mission is to support the active maintenance, preservation, and improvement of the health and safety of Helderberg Lake and its environs. We conduct fundraising and other activities to support projects at Helderberg Lake that promote the environmental and structural health and safety of the lake and its dam as well as the community it is located in.

TABLE OF CONTENTS

	<u>Page</u>
ARTICLE I - CORPORATE	1
Section 1. Name	1
Section 2. Service Area of Helderberg Lake Environmental Restoration Corporation.	1
Section 3. Nonprofit Purpose.....	1
Section 4. Specific Purpose.....	1
ARTICLE II - MEMBERS	1
ARTICLE III - BOARD OF DIRECTORS	2
Section 1. Power of Board and Qualification of Directors	2
Section 2. Number and Composition	2
Section 3. Number, Tenure, Requirements, and Qualifications.	2
Section 4. Organization.....	3

Application Process – Forms and more Forms

Applications to the U.S. IRS - 1023 EZ Form vs. the Long Form

Form 1023-EZ (Rev. April 2021) Department of the Treasury Internal Revenue Service	Streamlined Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code Do not enter Social Security numbers on this form as it will be made public. Information about Form 1023-EZ and its separate instructions is at www.irs.gov/form1023ez	OMB No. 1545-0047 Note: <i>If exempt status is approved, this application will be open for public inspection.</i>
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Check this box to attest that you have completed the Form 1023-EZ Eligibility Worksheet in the current instructions, are eligible to apply for exemption using Form 1023-EZ, and have read and understand the requirements to be exempt under section 501(c)(3).

Have your annual gross receipts exceeded \$50,000 in any of the past 3 years and/or do you project that your annual gross receipts will exceed \$50,000 in any of the next 3 years? If yes, stop. Do not file Form 1023-EZ. See Instructions. Yes No

Do you have total assets the fair market value of which is in excess of \$250,000? If yes, stop. Do not file Form 1023-EZ. See Instructions. Yes No

Part I Identification of Applicant

1a Full Name of Organization HELDERBERG LAKE ENVIRONMENTAL RESTORATION CORP	b Care Of Name (if applicable) GAIL HUTCHINGS		
c Mailing Address (number, street, and room/suite). If a P.O. box, see instructions. 277 E ALEJO RD UNIT P3	d City PALM SPRINGS	e State CA	f Zip code + 4 92262



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

HELDERBERG LAKE ENVIRONMENTAL
RESTORATION CORP
C/O GAIL HUTCHINGS
277 E ALEJO RD UNIT P3
PALM SPRINGS, CA 92262

Date:

12/05/2023

Employer ID number:

Person to contact:

Name: Customer Service

ID number: 31954

Telephone: (877) 829-5500

Accounting period ending:

December 31

Public charity status:

509(a)(2)

Form 990 / 990-EZ / 990-N required:

Yes

Effective date of exemption:

October 18, 2023

Contribution deductibility:

Yes

Addendum applies:

No

DLN:

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also

Application Process – Forms and more Forms

Application to New York State



Department of Taxation and Finance

Application for Exemption from Corporation Franchise Taxes by a Not-for-Profit Organization

CT-247
(12/20)

Mailing name and address	Legal name of corporation Helderberg Lake Environmental Restoration Corp.	Employer identification number (EIN) [REDACTED]	<i>For office use only</i>	
	Mailing name (if different from legal name) c/o Gail Hutchings			
	Number and street or PO box [REDACTED]	City [REDACTED]	State CA	ZIP code 92262
NYS principal business activity Education, Fund Raising, Conservation of Water Resource		Date tax exemption claimed from 12/05/2023	<i>For audit use only</i>	
Form of organization (mark an X in the appropriate box) Corporation <input checked="" type="checkbox"/> Association <input type="checkbox"/> Trust <input type="checkbox"/> Other <input type="checkbox"/>		Business/officer telephone number [REDACTED]		
Date of formation 10/30/2023	State or country of incorporation Albany County, New York		Taxable <input type="checkbox"/>	Exempt <input type="checkbox"/>
Indicate exact name of the law under which the entity was formed (general corporation, not-for-profit, membership, etc.). Cite statutory provisions. Not-for-Profit Corporation sa defined in Subparagraph 5 of paragraph a of Section 102 of the Not-for-Profit Corporation Law				

Federal return filed (mark an X in one): Form 990 Form 990-T Form 1120 Other: _____

For lines 1 through 7, mark an X in the Yes or No box

1 Is the entity organized and operated as a not-for-profit organization? Yes No

2 Is the entity authorized to issue capital stock? (If Yes, also mark an X in the appropriate box below.) Yes No

Title holding company Collective investment Other: _____

List shareholders: _____

Importance of Board Members

- Passionate and dedicated people
 - We each made initial \$ contributions (cover D&O insurance, start-up)
- HLERC
 - Board Officers: President, VP, Secretary, Treasurer
 - Up to 3 At-Large members permitted under By-Laws
- Variety of Experience and Expertise
 - Leadership with skills in leading meetings, making decisions,
 - HLERC has an engineer, planning expert, state agency senior staff, former Fed and State employee, and former insurance professional
 - Must be action-oriented, otherwise it's just talk, talk, talk...
- Collaborative and respectful spirit



Board Policies*

- Code of Conduct
- Confidentiality Agreement
- Program Operations and Performance Outcomes
- Internal Controls
- Equal Employment and Opportunity
- Diversity, Equity and Inclusion
- Anti-Nepotism
- Environmental Justice
- Sexual Harassment

**Several required by NYS/DEC for grant applications*

How the Board Works

- Open lines of communication – regular emails and phone calls
- Monthly Board Meetings
 - Usually Via Zoom
 - In-Person Meetings in Summer
- Annual Work Plan with timelines, benchmarks, and assigned leads
- Collaborative Spirit
- Legal/Attorney Services

Annual Budget

- Minimal
 - Directors and Officers Liability Insurance: approx. \$240/year
 - Zoom annual subscription:
 - Revenue expected from grant award(s): +25k

What's Happened Since the Formation of HLERC?

Two Successful Grant applications with the Albany County Soil and Water Conservation Services

After on-site work photos:



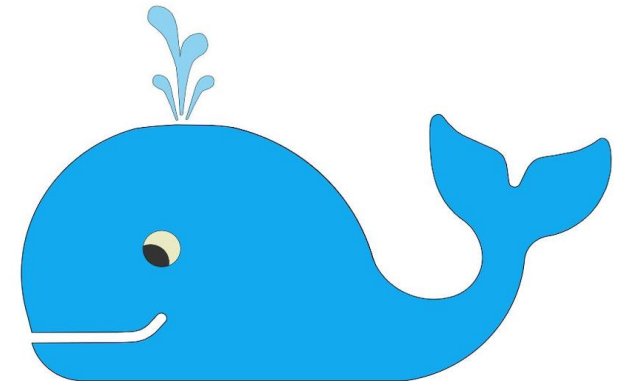
What's Happened Since the Formation of HLERC

(continued)

- New York DEC Water Quality Improvement Program Grant Applications
- Educational Outreach
 - Constructed Adult and Children's Little Libraries
- Future Planning and Environmental Restoration Work
- Partnership-Oriented Relationship with HLCA Board and Lake Homeowners
 - Annual Joint Board Meeting
- Written Communication (*HLERC Update*) quarterly
- Oral status reports at each HLCA Board meeting and annual membership

The Big Whale: DEC Grant for Dam Repairs

- NYS DEC Grant: Water Quality Improvement Program
 - Dam Repair or Removal Section
- Annual application
 - Complicated, especially SFS information required
 - Points-driven
 - Recommend experienced grant writer
- Grantee needs to come up with 25% match
 - Total project \$1.4M
 - DEC Grant: \$1.1 M
 - HLCA Members/Property Owners: \$300K
- Results
 - 2024 application: Did not win
 - 2025 application: “Screened out” (!)
 - 2026 application: ??



Conclusions and Final Thoughts/Lessons Learned

- Success and Future Possibilities
 - Win DEC grant!
- Special Tax District Revisited
 - New Town Supervisor – political acumen and specific experience with tax districts = HOPE!
- Other Final Thoughts
 - Focus on the “60-4” Rule!
 - Sometimes less is more.
- Contacts for more information
 - Gail Hutchings: Gailphutch@gmail.com
 - Liz Smith: Lizzy266@aol.com
 - Niels la Cour (HLCA President and HLERC Vice President): nplacour@comcast.net



Thank you!