

December 10, 2005

Shohola Falls Trails End Property Owners Association held a Board of Director's meeting on Saturday, December 10, 2005 in the clubhouse.

Officers Present

Michael Smith - President
John Byrnes - Vice President
Fred Meier - Treasurer
Vinny D'Eusanio - Secretary

Members Present

Iris Altreche
Artie Deyns
Stan Perrier
Robert Personette
Maureen Miller (via telephone)

Others Present

Richard Henry - Attorney
Debbie Boyle, CPA - Accountant
Pam Valenza - Community Manager

President Smith called the meeting to order at 9:20a.m. Called for corrections to the November 19, 2005 minutes.

Vinny D'Eusanio – page 3 – second bullet – should state Mr. Wall will have the complaint written on Township letterhead but the complainant will be anonymous.
Mike Smith – page 3 – the minutes should reflect the four officers of the Board, Maureen Miller and Pam Valenza met with Shohola Township.

MOTION: by John Byrnes to accept the November 19th, 2005 minutes with above corrections. **Second:** Fred Meier **VOTE:** All in favor *Note: Stan Perrier and Robert Personette not present for motion.*

Community Manager's Report

Pam Valenza

- 2006 Dues Billing has been prepared and mailed out to all property owners.
- Ordered loss runs in order to obtain insurance quotes from other agents for 2006 insurance.

- Lot 3108 – filed a lawsuit against Trails End, Pam Valenza, two current board members and four previous board members, Vector Security and Wayne Robertsen. General liability insurance and the Directors & Omission insurance have been notified. Pam Valenza, Rich Henry to meet with insurance attorney on December 22nd. Our insurance company is not representing Vector Security or its employees.
- Vector Security contract renewal for 2006 needs to be signed. As discussed with Dave Hoffman of Vector Security, the hourly rate for a guard in the gatehouse will be \$15.37 p/hr instead of the previously agreed \$16.16 and the patrol rate per hour will be \$19.84 p/hr instead of \$21.03. Gasoline has been renegotiated to \$2.00 per gallon instead of \$1.80.
- Shohola Township – On November 18th, which is the day we met with the supervisors and their attorney, the township’s attorney had been to the courthouse and filed a Preliminary Injunction Order, which was signed by the judge granting Shohola Twp. access to Trails End any day between 9am – 5pm. There is a hearing to be held regarding this on January 10th at 9:30am. Attorney Henry stated Pam Valenza, Security employees and President Smith must attend on January 10th. President Smith asked about losing a day of work. Attorney Henry stated since President Smith is mandated to appear on behalf of Trails End, he should be reimbursed.
- 19 Statutory liens have been filed against delinquent property owners. One is deeding back.
- Security Report – One citation issued for running a stop sign. Two warnings issued to the same lot for driving an ATV.
- Two attempted break-ins discovered; 4 other break-ins discovered – one was between an ex-husband and wife; one had a TV and VCR stolen; 2 had nothing taken.
- Ambulance on property for lot 1101.
- A man was pinned under his motorcycle at his lot – while unloading the motorcycle from the back of his truck, it fell on him; a neighbor heard him yelling and freed the man.
- Still crushing trailers at the dump; have re-calculated what it costs Trails End to remove and dispose of trailers – it costs us \$282.00 for the empty container and then \$72.00 for each ton disposed. Also there is a cost factor of at least 4 hours of labor with a backhoe and 2 men to remove the trailer and then crush it. The approx. cost would be \$1,000.00. **MOTION:** by Vinny D’Eusano for Trails End to impose a fee to dispose of any trailer consistent with the out of pocket expenses to the association. **Second:** Stan Perrier **VOTE:** All in favor.
- Discussion held on removal of trailers – property owners should only have the association remove the trailer as a last resort.
- Porch roofs were added onto well buildings 5 & 6 – ice would jam up the doors throughout the winter. Cost of \$1,000.00 for both.

Executive Session held 10:00a.m. - Mark Christie and Wendy Purdy, Board-elects for 2006 will attend executive session with no vote.

Regular Session resumed 11:20a.m.

Legal Report

Rich Henry –

- **MOTION:** by Artie Deyns in regards to three bank accounts – one at The Dime Bank, one at Wachovia Bank and one at Wayne Bank, the Board of Directors authorize Richard Henry, Esquire to take appropriate action to explore and investigate as to where the money currently is. **Second:** Stan Perrier **VOTE:** All in favor
- Fred Meier stated he would like to resign as Board Treasurer. **MOTION:** by Mike Smith to accept Fred Meier's resignation as Treasurer of Trails End POA. **Second:** John Byrnes **VOTE:** All in favor
- Rich Henry received a check in the amount of \$611.00 from Attorney Moulton on behalf of William Weber. Moulton has asked the Board to reconsider the removal of Weber. The Vice President, John Byrnes, brokered an agreement in the summer with William Weber to pay \$75.00 for the jacket and return Trails End's software. There were no conditions agreed to. The \$75.00 was not paid; nor was the software returned. Attorney Moulton gave the check of \$611.00 last week to Richard Henry and asked the Board to go back to the original agreement. Richard Henry recommended the Board go with the most recent course of action because the agreement from the summer was not abided by.
- The Board stands on its recent decision of November 19th and the \$611 will be applied to the outstanding balance of lot 4615 without modifications and if that is not agreeable, the check will be returned and the utilities disconnected, gate cards locked out and vehicular access denied to lot 4615. As we have already given 30 days, the Board is now giving ten days for a response.
- Shohola Twp – two appeals are pending before Magistrate Cooper concerning township violations. Rich Henry will defend lot 3227 and is defending lot 3003 at lot 3003's expense. Mike Smith gave all paperwork incidental to lot 3003 to Rich Henry. The Board has asked for a guideline of what property owners need permits for from the township. The township has stated they cannot give us a list. We feel we are entitled to have in writing when a permit is required.

Board Elections for 2006 Board of Directors

At this time, John Byrnes and Stan Perrier removed themselves from the table and Wendy Purdy and Mark Christie took their seats.

Mike Smith stated he had a letter from Jo-Ann Pollack (2006 Board-elect) stating she would accept nomination for any position if so nominated.

Maureen Miller participated via telephone via John Byrnes.

Richard Henry conducted the 2006 elections.

Asked for nominations for the office of President.

Motion: by Mark Christie to nominate Michael Smith for President of the Board of Directors for 2006. **Second:** Artie Deyns

No other nominations made.

Richard Henry, chairperson of 2006 election, directs Secretary D'Eusanio to cast a single ballot for Mike Smith for the office of President, as there are no other nominations.

Motion: by Mike Smith to nominate Jo-Ann Pollack as Vice President for the Board of Directors for 2006. **Second:** Mark Christie

No other nominations made.

Richard Henry, chairperson of 2006 election, directors Secretary D'Eusanio to cast a single ballot for Jo-Ann Pollack for the office of Vice President as there are no other nominations.

Motion: by Mike Smith to nominate Vinny D'Eusanio for the office of Secretary for 2006. **Second:** Artie Deyns

Vinny D'Eusanio declined the nomination.

Motion: by Artie Deyns to nominate Wendy Purdy for the office of Secretary for 2006.

Second: Mike Smith

Motion: by Vinny D'Eusanio to nominate Maureen Miller for the office of Secretary for 2006. **Second:** Wendy Purdy

Wendy Purdy declined the nomination for the office of Secretary.

Richard Henry, as chairperson of the 2006 election, directs Secretary D'Eusanio to cast a single ballot for Maureen Miller for the office of Secretary for 2006.

Motion: by Mark Christie to nominate Artie Deyns for the office of Treasurer for 2006.

Second: Mike Smith

No other nominations made.

Richard Henry, as chairperson of 2006 election, directs Secretary D'Eusanio to cast a single ballot for Artie Deyns for Treasurer.

Officer for 2006 – President	- Michael Smith
Vice President	- Jo-Ann Pollack
Secretary	- Maureen Miller
Treasurer	- Artie Deyns

Stan Perrier and John Byrnes resumed their seats at the Board.

Treasurer's Report

Pam Valenza – (*due to resignation of Treasurer*)

Reviewed monthly budget report. Current dues collections are at 102%; prior dues collected are well over amount anticipated. The Gas & Oil line is well over due to increased costs; sewer plant line has a large expenditure due to 2 pumps at the Wappinger lift station had to be replaced at a cost of approx. \$4,000.00 each; John Byrnes asked about insurance expenses – insurance is estimated during the budget in August, actual quotes are received in February when the insurance renews. John Byrnes asked about payroll taxes – 5% over – attributed to 4th quarter 04 taxes paid in the 1st quarter of 05.

MOTION: by John Byrnes to pay all bills. **Second:** Iris Altreche **VOTE:** All in favor

Old Business

Pam Valenza – new gate card reader will be scheduled to be installed right after the first of the New Year. A mailing will be needed to notify property owners of this. Asked for any other additional info to go in mailing. President Smith – township update.

Mark Christie – asked if children of property owners could obtain gate cards. Will look into it.

John Byrnes – when Blue Ridge Cable is finished hanging cable for digital TV and wireless internet would like to see wireless access available in the clubhouse.

New Business

None at this time

Recreation

None at this time

Legal Report continued

Richard Henry –

- Township hearing scheduled for January 10, 2005. Needs security, Pam Valenza and Mike Smith to attend.
- Needs execution of a mortgage satisfaction for lot 3239 completed.
- Received a check for the capital improvement fee and resale certificate for lot 802 and gave to Pam Valenza.
- Received \$800.00 prior dues check from lot 5003. Wants to send payments for prior dues.
- Rich Henry went to look at lot 3227 for appeal to the township. Will keep Trails End apprised of appeal status. No date has been set as of yet. Board agreed Rich Henry would defend as a test case.
- Passed out retainer proposal for 2006. \$11,000 for the year.
- Will meet with insurance attorney concerning the case with lot 3108. Rich will notify Vector Security of suit.

MOTION: by Vinny D'Eusanio to accept Richard Henry's retainer for 2006 in the amount of \$11,000.00. **Second:** Artie Deyns **VOTE:** All in favor

President Smith read proposed meeting schedule for 2006 as follows:

No Board meetings to be held February, March or November.

April and December meetings will be held the second Saturday of the month due to Easter and Christmas.

All other meetings to be held the third Saturday of the month.

January's meeting will begin at 10:00a.m. All others start at 9:00a.m.

Board-elect Wendy Purdy thanked John Byrnes and Stan Perrier for their time and service given to the Board of Directors. All agreed. **MOTION:** by Stan Perrier to close meeting at 12:00p.m. **Second:** John Byrnes **VOTE:** All in favor

Respectfully Submitted,
Pamela Valenza