

December 11, 2010

Shohola Falls Trails End Property Owners Association held a Board of Director's meeting on Saturday December 11, 2010 in the association office.

**ROLL CALL:**

**Officers Present:**

President – Mike Smith  
Vice President – Mark Christie  
Secretary – Wendy Purdy  
Treasurer – Arthur Deyns

**Members Present:**

Iris Altreche  
Vinny D'Eusanio  
Robert Personette  
JoAnn Pollack  
Debbie Shevlin

**Members Absent:**

Maureen Miller

**Others Present:**

Pam Valenza, Property Mgr.  
Richard Henry, Attorney  
Peggie McKiernan, Remax Realtor

President Smith called the meeting to order at 10:09 a.m. Asked for a motion to accept October 2010's minutes.

Corrections: Vincent D'Eusanio – page 2 – Delete the sentence that refers to how many lots have defaulted for the year.

**MOTION:** by Vincent D'Eusanio to accept the October 2010 minutes with the above correction. **Second:** Arthur Deyns **VOTE:** Abstain: Mark Christie (absent October meeting) All others: in favor. *Motion passed.*

## **Property Manager's Report**

Pam Valenza -

- The Annual Budget Meeting was held October 17th. There were 4 lots present. 83 lots mailed in agree comments on the 2011 budget and 16 lots mailed in disagree comments.
- 2011 Dues billing went out; we have received \$149,604.00 as of December 9, 2010.
- 68 collection letters were sent out for lots that owe 2010 full dues- as of today 6 payments were received. (5 payments were paid in full and 1 was a partial payment).
  - Pres. Smith stated he would like to begin aggressively going after people that owe back dues. However, it is expensive so we will ease into the process.
  - Arthur Deyns asked Attorney Henry if there was any action that can be done a judgment is filed on a lot to actually get the money from the property owners. Attorney Henry said once civil complaints are done and judgments are placed on the lots we can sheriff sale the lot, however that is expensive also. A sheriff sale can total around \$2,000. Deed backs are less costly but the inventory in the Land Company is high right now.
  - Attempted to locate addresses for the ten lots that owe \$10k+ without success.
  - Vinny asked if the electric was disconnected at those 68 lots – The electric is disconnected and the gate cards are locked out.
- Lots 1011/1012 have been deeded back to us and everything is completed.
- The office staff is drawing up the civil complaints for lots that owe 2009 & 2010 dues – there are 21 lots in this category.
- Directed security to do campsite control violations street by street instead of by violation. It is much easier to see without the leaves and there is more time this time of year. If it is not a safety issue, we are working with the property owners by extending the time to come into compliance. As of now we have sent out letters to 83 lots.
- Had a meeting with Wayne Robertson concerning issues with security training and tighter controls on speeding, golf carts and the bar.
- Permanent Residents – Two lots were sent letters and had the gate cards deactivated for accessing their lots over the 180 days. Trails End is not their primary residence but they were over the 180 days. Security is continuing to monitor additional lots.
  - Lot 4610 – (was disconnected earlier in 2010 for using the lot as a primary residence) Restored his electric due to a medical condition. Spoke with Lincare (medical equipment supplier) and they said he returned his equipment because he had no electric. He paid the \$100.00 for a reconnect fee and the electric is still on.
  - Vinny D'Eusanio asked if there was anyone we can call to help us get him out of the community. Pam has tried calling an agency that assists the

elderly and the property owner has 3 advertisements up requesting a room for \$500.00 and has not had any responses.

- An e-mail vote was done to begin the lower pool project. It stated the money that will be used to start the project (\$7500.00) would be taken out of ACT 180 and paid back in January 2011 from the operating budget. Need a motion for the minutes. The project was started.

**MOTION:** by Vincent D'Eusanio to approve the funding for the lower pool project out of ACT 180 and to pay the Act 180 Fund back from the operating budget in January.

**Second:** Mike Smith **VOTE:** All in favor. *Motion passed.*

- Lot 1709/10 paid their citation for disorderly conduct. A letter was submitted with the payment to the board stating it was being paid in protest.
- The fence between Trails End and Total Recreation (from the maintenance building to the mailboxes) needs to be replaced. Have obtained a price on a 6' high wood fence- with maintenance installing it the cost would be \$2052.00. To have a natural fence and have maintenance install 4' high cone shaped shrubs used for privacy (arborvitae) and plant them every 4', the cost would be approx \$3060.00. Bob Fitzgerald obtained the information on the shrubs for TE.
  - We have asked Total Recreation to help pay for the cost of the fence (because it is on the property line). Helene agreed, but wouldn't commit to a price.
  - Pres. Smith suggested TE pay for the shrubs and install them and Total Recreation pay to spray them annually in order to keep the deer away.
- Attorney Richard Henry – Submitted a letter to the Board proposing \$11,000.00 for the 2011 retainer.
- **MOTION:** by Arthur Deysn to approve the \$11,000 fee to retain Richard Henry as legal counsel for 2011. **Second:** Wendy Purdy **VOTE:** All in favor. *Motion passed.*
- Wm. Owens (Accountant) will be coming out on December 28, 2010 to begin the 2010 audit.
- In the process of obtaining quotes for Trails End's insurance which renews February 1, 2011. Have two companies so far.
- Peggie McKiernan – (owner/broker of Remax Realty)-contract with Remax is up for renewal. Peggie proposed to raise the rent by \$50 a month, as well as, replace the carpet in the Remax office and redo some of the planting outside the office. Discussion on additional advertising venues and incentives - different real estate websites, property owner incentives, camping magazines, Sunday newspapers in the New York, New Jersey area, etc.

**MOTION:** by Vinny D'Eusanio to accept contract for Remax Realty for 3 year term with same rent as previous contract with additional advertising. **Second:** Debbie Shevlin **VOTE:** All in favor. *Motion passed.*

Mike Smith – Made a suggestion that in the future Trails End can take possession of lots that owe us a substantial amount of money and possibly use some money from ACT 180

to get in and clean up those lots we acquire. He then turned the meeting over to Rich Henry for elections and legal session.

### **ELECTIONS**

Richard Henry conducted the 2011 elections. He then asked for nominations for the office of President.

**Motion:** by Wendy Purdy to nominate Michael Smith for President of the Board of Directors for 2011. **Second:** Mark Christie

No other nominations made.

Richard Henry, chairperson of 2011 election, directs Secretary Purdy 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 Bob Personette as Vice President for the Board of Directors for 2011. **Second:** Mark Christie

No other nominations made.

Richard Henry, chairperson of 2011 election, directs Secretary Purdy to cast a single ballot for Bob Personette for the office of Vice President, as there are no other nominations.

**MOTION:** by Debbie Shevlin to nominate Wendy Purdy as Secretary for the Board of Directors for 2011. **Second:** Mike Smith

No other nominations made.

Richard Henry, chairperson of 2011 election, directs Secretary Purdy to cast a single ballot for Wendy Purdy for the office of Secretary, as there are no other nominations.

**MOTION:** by Mark Christie to nominate JoAnn Pollack as Treasurer for the Board of Directors for 2011. **Second:** Artie Deyns

No other nominations made.

Richard Henry, chairperson of 2011 election, directs Secretary Purdy to cast a single ballot for JoAnn Pollack for the office of Treasurer as there are no other nominations.

Officers for 2011 – President       - Michael Smith  
  Vice President - Bob Personette  
  Secretary       - Wendy Purdy  
  Treasurer       - JoAnn Pollack

- All electoral decisions were unanimous; therefore, it was unnecessary to pass around voting ballots.

### **LEGAL** – Richard Henry

- Lots 2909/2908 have been arguing for sometime now. Atty. Henry told the owner of lot 2908 that it doesn't involve Trails End and they can go to the magistrate's office to place a private action. The owner of lot 2909 contacted the NY state senator Carl Kruger. The senator's assistant called Atty. Henry

about the matter and the two (2) lots were told it is a private matter. Atty. Henry is going to follow up with a letter to the NY Senator.

- There are 2 outstanding/pending zoning appeals that need to be discontinued as the ordinance for decks is now amended.
- Lot 5516 contacted Atty. Henry's office regarding deeding back their lot. Will defer to Land Company meeting.

President Smith –

- Reviewed the 2011 calendar with the BOD and meeting dates were set.
- No meetings will be held February, March and April. Please check e-mail for any notifications.
- It is important for all board members to attend the meetings.

### **TREASURER'S REPORT**

Artie Deyns –

- Asked why the Security line was high - Pam Valenza responded- it includes partial December 2009 and an extra shift was approved due to the break-ins that were happening.
  - Mike Smith stated he doesn't want to pay any 2010 bills with 2011 income; if we do go over in expenses we can use money out of our capital not the 2011 income. By doing this we can create a true budget.
- We need to be sure the budget amounts are spread out amongst the months proportionately for certain accounts, for example: Recreation and Concession expenses should only be budgeted for the summer season but Security expense or the Mortgage expense should be spread out evenly (1/12 should be budgeted for each month), etc.

**MOTION:** by Mark Christie to pay bills. **Second:** Bob Personette **VOTE:** All in favor. *Motion passed.*

### **SECURITY**

Mark Christie –

- Security only issued 35 citations for 2010. This number is low in comparison to last year. Will double check for next meeting.
- Warnings were issued for circumventing electric and unattended fire.
- Vinny D'Eusanio asked why a warning would be issued for such violations -the unattended fire warning was to property owners who just purchased that same day. Will research the electric violations.
- Going to speak to security about better monitoring because there are only 3 citations for stopping at Stop signs and there is the possibility for much more than that.
- All of the surveillance videos are up and running

### **Recreation**

Mike Smith – Maureen Miller said the 2011 Recreation Calendar is going to be ready soon and will be posted on the website soon.

### **OLD BUSINESS**

President Mike Smith –

- We are going to postpone discussing the rules and regulations until January's meeting, as well as, quarter dues lot discussion as stated earlier.
- Vinny D'Eusanio asked about committee for the quarter dues lots. Will determine the details at January's meeting.

### **NEW BUSINESS**

- Complaints of tree trimming/removal by maintenance - Maintenance is trimming the trees to prepare for winter. The branches have also caused power outages. The ice weighs down the branches and makes it impossible for two vehicles to fit on the road and for the plows. Several complaints from property owners the trees are being removed for no reason and beyond the setback. Complaint also of maintenance removing the wood from TE. Discussion. No alternative area to put the wood at this time. There is wood for recreation's campfires put aside. TE can chip branches, not trees.

### **PROPERTY OWNER'S TIME**

- PO suggested that we put the formula on the Trails End website for deer spray.

**MOTION:** by Vinny D'Eusanio to close the board meeting at 11:40am. **Second:** Mike Smith **VOTE:** All in favor. *Motion passed.*

Respectfully submitted,

Maegan Herington