

**Masthope Mountain Community  
Board of Directors Meeting  
April 25, 2015**

Transcriber: Kelli Myers  
Beach House

8:30 AM Meeting called to order and Pledge of Allegiance

Roll Call: Present – Dan Clark, Ed McClary, Michele Torre, Cynthia Wyatt, Fred Suljic, Bruno deVinck, Peter Torchio, Paul Bakos

Steve Stern and Joe Kosiba absent  
Foster McCoy via teleconference

Dan Clark presented an amendment to agenda: Motion to approve audit chair, motion to acknowledge the 7 members of the ski committee, motion to appoint chair to election committee, and motion to obtain 2 paddleboats

Agenda approved unanimously.

Dan Clark asked for the Approval of the Minutes from March Board Meeting.  
Minutes Approved Unanimously.

Pete Torchio addresses the Board with his thoughts and concerns since he will be leaving to be a part of the community clean-up day. With the entrance repairs that need to be done, he would like to add some shrubs. He thanks Jim Fox and his efforts in getting us Smokey Bear. Bus stop issues with a property owner sitting at the bus stop. Nothing can be done to stop this owner from going to the bus stop. Inquires if we still have a garden committee. June and her 4-h kids are taking over the garden.

Foster McCoy gave the Treasurer's Report.

*Treasurer's Report for Period Ending March 31, 2015 – Foster McCoy*

**Treasurer's Report---March 2015**

**See attached**

Correspondence Report-Dan Clark

Dan Clark stated there were 2 pieces of correspondence.

1. Nancy Mahwhinney wants to bring special attention to the way we finalize appointments. Motions need to be done for appointments for board approval. It will

then be acknowledged in the minutes. Masthope should advertise slots that we have available on committees before we actual do appointments.

2. Diane Braver addresses how we budget and correct our by-laws. She would like to see the rules that apply to property owners' and renters' passes be reviewed. There are a different set of requirements for property owners and renters.

#### Dan Clark called for Committee Reports

- a. Ski & ATV-Sheldon Langer-new golf cart rules are in effect starting May 1.
- b. Real Estate Report-John Hogland not present. Rose Perrotti wants to restructure the resale packet
- c. Audit-Dan Clark-Appointed 3 members and appointed the chair.
- d. Strategic Plan-Bruno deVinck-the committee has several recommendations for the community but would like to focus on Tiki bar expansion since it brings in high amount of revenue, research the addition of bathrooms at pool, conduct another survey to see what property owners would like done in the community, create a welcome packet for new property owners that would include the history of Masthope and what Masthope has to offer
- e. ECC-Ron Tussel not present-Randy read his report: many permits being issued.
- f. Westcolang Lake Association-Dan Clark-had meeting last Sunday, reaching out to Aqualink to spray for the communities on the same day. Snowplowing was an issue: gravel, salt, and snow being pushed into the water. Next meeting is the 4<sup>th</sup> Sunday in July.
- g. Documents-Carl Harrison-not present. Attorney Alan Young coming to next week's meeting to look over documents
- h. Fire Prevention-Jim Fox- Smokey Bear is here. Jim will continue to be contact person. We need egress signs for Upper and Lower Independence.

President's Report-Dan Clark-nothing to report

Manager's Report-see attached

Old Business-nothing to report

#### New Business:

- a. Property Owner's Handbook revision needs to be reviewed and a final approval will be made at the May Board of Directors meeting. By-laws should not be in the handbook just rules and regulations. 2009 covenant change allows "no impact businesses" to operate in Masthope. (Home occupation)
- b. Entrance Signs- Michele Torre will act as liaison with this project along with Randy and other volunteers. Options will be discussed during May and June Board of Directors meetings.
- c. ATV trail- work still needs to be done on existing trails. Training center could be done on Butternut Court approximate costs for cleanup and training center would be \$10,000.
- d. Act #153-Pennsylvania now requires 3 background checks for anyone that will be working directly with children: FBI clearance, State criminal background, and Child

Abuse History Clearance. Masthope will be covering the costs for these background checks.

- e. Meet the Candidates: petition due date changed to May 18<sup>th</sup> by noon. There will be a meet and greet on Sunday May 24, 2015
- f. Motion to approve Audit Chair

MOTION: 01:04:25:15

Whereas the Bylaws stipulate the Ski Committee shall consist of a chairperson and a minimum of three and a maximum of seven members:

Therefore be it resolved that the Masthope Mountain Community Board of Directors approves the appointment of Jerry Ferraiolo, Dorothy Dexter, James Graziano, Lisa Lawler, Tom Hillpot, Phyllis Cobban, and Dan Wyatt as the members of the Ski Committee.

MAKER: DAN CLARK  
SECOND: ED MCCLARY  
MOTION PASSED UNANIMOUSLY

MOTION 02:04:25:15

Whereas there is a need to have a chairperson for the audit committee, the board of directors has received a nomination from the audit committee nominating Maria Porter as chairperson.

Therefore be it resolved that the Masthope Mountain Community Board of Directors approves the appointment of Maria Porter as chairperson of the Audit Committee.

MAKER: DAN CLARK  
SECOND: BRUNO DEVINCK  
MOTION PASSED UNANIMOUSLY

MOTION: 03:04:25:15

Whereas an electronic motion was made to amend a motion approved by the Board of Directors at the March 28, 2015 Board of Directors monthly meeting and requires validation at the next monthly Board of Directors meeting

Therefore be it resolved that the Masthope Mountain Community Board of Directors amended the prior approved motion of an expenditure of up to \$5,000 from the Board of Directors Capital Contingency line item to increase our paddle boat fleet. This increase was to allow the purchase of 2 paddle boats at the cost of \$2836.20 each with freight. This electronic motion was approved unanimously by all members of the Board of Directors.

MAKER: DAN CLARK  
SECOND: MICHELE TORRE  
MOTION PASSED UNANIMOUSLY

MOTION: 04:04:25:15

Whereas the Board shall appoint an Elections Committee consisting of a committee chair and six members in good standing (not Board members)

Therefore be it resolved that the Masthope Mountain Community Board of Directors approves the appointment of Joe Meglio as the Chair of the Elections Committee.

MAKER: DAN CLARK  
SECOND: ED MCCLARY  
MOTION PASSED UNANIMOUSLY

MOTION: 05:04:25:15

Whereas the Strategic Planning Committee is seeking to expand its membership.

Therefore be it resolved that the Masthope Mountain Community Board of Directors approves the appointment of Cynthia Wyatt and Victoria Graziano as members of the Strategic Planning Committee.

MAKER: BRUNO DEVINCK  
SECOND: MICHELE TORRE  
MOTION PASSED UNANIMOUSLY

MOTION 06:04:25:15

Therefore be it resolved that the Masthope Mountain Community Board of Directors approves hosting all candidates for a "Meet the Candidates" event for the Lackawaxen Township Supervisor position on Friday, May 15, 2015 at 7:00pm in the Property Owners Lounge.

MAKER: DAN CLARK  
SECOND: BRUNO DEVINCK  
MOTION PASSED UNANIMOUSLY

Property Owner's Time-10:37AM

Leatrice Langer 458MR noticed graffiti by the dog park. Suggests to look at Woodloch's signs for ideas for Masthope's entrance.

Maria Porter 1246FW suggests to get volunteers to help with mailing.

Meeting Adjourned at 10:39a.m.

**Treasurer's Report--March****Unaudited**

<b><u>Collections</u></b>	<b><u>Mar.-14</u></b>	<b><u>Mar.-15</u></b>
Total	2,081	2,066
Billable	1,782	1,767
Paid in Full	1,570- 88%	1,600 - 91%

**Unrestricted Income and Expense-Fiscal YTD\***

	<b><u>Feb.-YTD</u></b>	<b><u>Mar.-YTD</u></b>
Revs. to Date	\$3,999,715	\$4,124,208
Exp. to Date	3,647,931	3,870,040
Net Surplus (Deficit)	351,784	254,168

**The Summit**

Rev. to Date	1,218,386	1,298,211
Exp. To Date	1,145,485	1,218,504
Net Surplus (Deficit)	72,901	79,707

**The Market Place**

Rev. to Date	428,158	454,710
Exp. To Date	407,959	431,609
Net Surplus (Deficit)	20,199	23,101

**Summit/Market Net Surplus(Deficit)**

	93,100	102,808
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\*Fiscal Year Ends 4/30

## Managers Report

April 24, 2015

### Projects:

- 1 Falling Waters Culvert – Pre bid meeting was this past week, 6 contractors attended. A site visit was done, bids are due mid-June, for approval at the June BOD meeting. Construction would start after Labor Day and be completed by mid-November.
2. Paving – Road bid packets are nearly completed and will put out by months end.
3. Flood Damage – Continued repairs to the drainage on Constitution should start next month.
4. Aqua – Final plans are being made to finish paving on Constitution and Upper Independence.
5. Front entrance – One of the stone signs collapsed, looking for your direction. Repair what is there or replace.
6. Beach house generator – Looking at the possibility of installing a generator to provide another emergency center should there be an extended power outage.
7. Beach parking – Difficulties with storm water management. This project could be helped with the purchase of property from the Ottesons, but we have not been able to contact them. Until that happens the project is on hold. Falling waters second access – work in progress.
8. ATV trails and training center – A review was done of previous BOD minutes and there was conversation about establishing the area but funding was not done. There is also a need to work on the existing trails, I have an estimate of \$10000 to do all the work. Funding is not in the coming budget and would have to come from the BOD discretionary operational money.

## Public Safety

1. In the process of ordering a new vehicle thru the Ford fleet program.
2. Staff is being hired for the summer season.
3. Golf Cart rules – Starting this month the new rules will be in effect, a warning will be issued prior to citations.

## Maintenance

1. Pool – Repair work and resealing the pool has been completed and filling is in progress. The new heater has been installed.
2. Road Sweeping is being done now.
3. Landscape – Grounds are being cleaned, mulched and prepared for additional plantings.
4. Beach sand has been ordered.
5. Launch dock is being built.
6. Carpet and rubber flooring is being installed in the lodge.
7. Roadside mowing is being done at this time.
8. Market place remodel is complete.
9. Repairs from the water leak have been completed at the beach house, changes have been made to assure we do not have the problem again. The building will be painted and prepared for the summer.
10. Lodge Roof – Contractor is due in to address final minor items and install snow bars and gutters.

## Summit

1. New menus are completed.
2. Staff is being hired and trained.

## Administration

1. PA act #153 – See attached memo.
2. Staff is all in place, job re-assignments are going well.
3. Weekly messages are now being distributed on Friday.
4. Payment plans – There appears to be a larger than normal number of members taking advantage of the plan.
5. Seasonal staff (guards and checkers) are being hired.

## Activities

1. The activity center is being assembled.
2. All age groups are being addressed for activities.
3. Up coming events are posted on the web and are available in the weekly messages.

## Fitness

Additional equipment has been ordered.



## New PA Law Requires Criminal Background Checks

Maybe you haven't yet heard about Pennsylvania's Act 153 of 2014, but this new state law may significantly impact the way your organization screens employees and volunteers working with youth.

### Background Checks

Effective December 31, 2014, Pennsylvania law states that that all Pennsylvania employers are required to obtain, for all employees and volunteers working in direct contact with children and/or youth, extensive Criminal Background checks (1) before hire and (2) every 36 months after that. The three levels of checks now required by the Act are:

1. Criminal History Record obtained from the PA State Police (\$10 fee)
2. Child Abuse Clearance obtained through the PA Department of Human Services (\$10 fee)
3. Federal Criminal History Record obtained by submission to PA State Police or FBI (\$28.75 fee)

The [PA State Police website](#) has a helpful section for how to obtain the relevant clearances through the various agencies. Please note that your insurance company may have recommended vendors available for #1 & #2 but that the FBI Criminal Background Check must be done through the [FBI website](#). If you are a client of Sovereign and curious as to if your insurance carrier has recommended vendors please contact your service representative.

### Who is a Mandatory Reporter?

The law also clarifies and expands the definition of "mandatory reporter". People in the following positions are defined as mandatory reporters:

- Clergy members, including ministers and other spiritual leaders.
- Any individual, paid or unpaid, who, on the basis of that individual's role as an integral part of a regularly scheduled service, activity or program, accepts responsibility for a child. This includes individuals

## New PA Law Requires Criminal Background Checks

serving at youth camps or programs, sports or athletic programs, outreach programs, enrichment programs, troops, clubs and similar organizations.

- Mandatory reports must make an immediate and direct report of suspected child abuse to ChildLine either at [www.childlinepa.org](http://www.childlinepa.org) or by calling 1-800-932-0313. After making the report to ChildLine, the reporter is required to immediately notify the person in charge (or their designated agent) of the institution, facility, school or agency.

- **Training:** Beginning November 14, 2014 all **EXISTING** mandated reporters are required to participate in a 3 hour Mandated Reporter Training. Online training can be done at either [www.childlinepa.org/mandatoryreporter/](http://www.childlinepa.org/mandatoryreporter/) or the PA Police Department website. This is required to be completed by June 2015.
- **Hiring:** Employers are not allowed to hire or approve an applicant if their criminal history record information indicates the applicant has been convicted of a felony offense within the five year period immediately preceding verification.

- Exceptions for religious organizations no longer apply.
- Requirement for prospective employees took effect on 12/31/14. Requirement for prospective volunteers takes effect on 7/1/15.
- The federal check may be waived for volunteers who “swear or affirm” in writing that they have resided in PA for 10+ years and have never been convicted of any crime.
- For now, the Act does not provide a timeline for current employees who were previously not required to have clearances.

## New PA Law Requires Criminal Background Checks

- Administrators who fail to comply with the Act can be fined up to \$2,500.

### For Further Reading

- [Child Abuse Act](#) from The Center for Children's Justice. Includes a helpful table on pages 4 and 5 explaining how and when the Act affects your organization's procedures.
- [Child Abuse Act](#) from the PA House of Representatives. This document outlines stricter Abuse Reporting Procedures that are also dictated by the Act.
- [Child Abuse Act](#) on the PA General Assembly website for comprehensive research on the Act's requirements, penalties, etc.