

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

Transcriber: Kelli Myers
Property Owners Lounge

8:36 AM Meeting called to order and Pledge of Allegiance

Roll Call: Present – Dan Clark, Ed McClary, Michele Torre, Cynthia Wyatt, Bruno deVinck, Peter Torchio, Foster McCoy, Paul Bakos, Jim Fox, Eugene Principe, and James Graziano

Bruno DeVinck welcomes the new board members.

Paul Bakos wants to add ATVs to new business.

Agenda approved unanimously.

Bruno DeVinck asked for the Approval of the Minutes for the June Board Meeting.

Minutes Approved Unanimously.

Foster McCoy gave the Treasurer's Report. (See attached)

Treasurer's Report for Period Ending June 30, 2015 – Foster McCoy

Treasurer's Report---June 2015

See attached

Treasurer's Report approved unanimously.

Correspondence Report-Dan Clark

1. John Hoglund met with Dan and will discuss under Real Estate Committee time.
2. A property owner requested to meet with the board in executive session. Board members were given information about meeting with the property owner.
3. Ralph Silvestri was sent a letter back from Dan in regards to horse trails. It will be addressed under new business.

Dan Clark called for Committee Reports

- a. Ski & ATV-Sheldon Langer was not in attendance-Dan Clark gave report. There was an ATV training class in July. It went well. The August class is cancelled.

- b. Real Estate Report- Dan Clark-Fern Court property discussed, the owner wants to swap property. Board forwarded request to Real Estate Committee, Committee sent it back to board. Issue is would Masthope become a dumping ground for undesirable lots. No recommendation from the committee. Randy spoke about the issue, it is not a desirable lot, and it is next to a green space lot. It was common practice of community in the past to do a lot swap. It is not an advantage for Masthope. Paul's opinion is to swap the lot if they were members in good standing and if the lot is a buildable lot. Lot has been on the market a long time. It would keep a dues paying member. Michele is concerned about opening Pandora's Box. Where do we draw a line when it comes to lot swapping? The community has taken back wetland properties in the past. Michele suggests the property owner first try to give the lot to a builder. If it does not work then we revisit the idea of a lot swap. Dan has another item to discuss. The direction of the committee, they should focus on people who own properties next to Masthope owned properties to see if they are interested in acquiring the property and merging they lots. It would increase their dues amount by 35% benefitting Masthope.
- c. Audit-Maria Porter, the audit committee met with the managers and they received the information they requested. She wants to add Jo Ann LaPlace as a member. Motion will be done under new business.
- d. Strategic Plan-Bruno deVinck said the committee will be working on finalizing the survey format in today's meeting at 1:00pm at the POC office.
- e. ECC-Ron Tussel-34 permits. No new construction at this time. Will be making up some easier forms for property owners.
- f. Westcolang Lake Association-Dan Clark-meeting is July 26th. Dan will be the treasure of the WLA. Spraying is done in the lake. Milfoil is running amuck in the village area. Randy added that the muskrats are going to be removed since they are causing damage.
- g. Documents-Carl Harrison thanks everyone for helping to find volunteers for the committee.
- h. Fire Prevention-Jim Fox-Smokey received minor damage. See attached. Firewood cannot be transported from state to state. See attached.

President's Report-Dan Clark-record breaking time for the July GMM of 55 minutes. Board is completely changed since 2010. We recognized Steve Stern and Joe Galante. Amenities report, numbers change drastically during holiday weekends.

Manager's Report-see attached.

Suggests to create a beautification committee. Gary would meet with the committee once they have ideas and see if it a possibility. Fitness course will be ½ mile walking trail behind the basketball courts. That is where a bench and table will be place in Memory of Joe Galante. Will look into possible stop signs that say except right turn. The office will accommodate last minute day pass requests.

A member not in good standing should not be able to use amenities under another property owner's guest passes. It is now being abused. Issue is being brought to board to make a decision about amending this rule. The original motion mentions the member (deeded owner) not family members. John recommends we do a motion or clarification that says any member and family members in arrears cannot use amenities until they are no longer in arrears.

Game room is a disaster. Redemption games are the ones that are popular. Randy has contacted two other companies to possibly replace our current vending company.

Pete asks about removing the lift from the lodge.

Pete acknowledges Jay the gate checker and what a great job he does. He wants him to have more authority. Randy responds that he does have authority but will remind him that he has authority to enforce the rules.

Michele thanks the lifeguards for doing a great job, compliments Cole from maintenance for always working, Joe Gattuso always goes above and beyond.

Michele suggests that we should consider sun sails at the pool next season, as the umbrellas provide shade for very few people.

Paul had rented beach house and had Summit cater it. It was a great job. He suggests we look at the fees we are charging for Summit catering jobs. We want to make sure we are not double charging for services.

Old Business

- a. Strategic Plan-final format approved. Meeting at 1pm today.
- b. Survey-final draft
- c. Revised rule for handbook keep on agenda. Managers have been looking at what else needs to be added to the new handbook. Paul would like to have management check to make sure ATV helmet rules are in handbook.
- d. Bylaws Article III S & Article V. Dan responded that we approved mailing out the change. Document committee met again about putting out previous year's cpi. Community will vote over any increase over cpi. The preamble and number 1 will be one vote, and number 2 will be a separate vote. It will be an electronic motion.
- e. Entrance signs-on going discussion-beautification committee
- f. Special Recognition-Joe Galante already discussed

New Business:

- a. Horse trails. Dan reads Ralph Silvestri's letter at the meeting. It questions volunteers' qualifications, would like to see prior survey, questions how are meetings being announced to the public and asks about new horse trails. Dan explains committee meetings do not need to publish an agenda. Only the budget and audit committee require certain qualifications to be a member of that committee. Committees are not required to keep minutes. Horse trails are maintained by stable staff and volunteers. Randy and Dan have spoken to Laura. Randy responds that there is one place Laura thinks would be a good place for a new trail, Pipelane which was an old developer's road off of Eagle Rock. It would be a two hour ride. This trail would only be available in the spring and fall. This would be no additional liability. Peter suggests a trail from Eagle Rock up through Falling Waters. James

Graziano suggests reviving the trails we have. He believes that our current trails need to be fixed up like the ATV trails have been. He would like to take Randy on a tour of the trails where they need to be cleaned up.

- b. ATV-Paul Bakos concerns with non-licensed drivers operating any ATV/UTV in the community. Young drivers have lack of training. He believes a valid driver's license should be required. ATV training is for trails not for the roads. Michele also concerned about drivers. This issue will be put on old business for next meeting agenda. Possibly have a town hall meeting in regards to ATV and requirements. A date will be discussed at the next board meeting.
- c. Paul tells the new board members that they can get Masthope email addresses.
- d. Delaware River is high and cold. Draining from a reservoir into the river making it high and cold.
- e. Peter addresses Aqua smoke testing. Randy responds it is testing for infiltration into the septic system.

Property Owner's Time-11:05am

Rehill 916RM-loud camp behind his house, they have loud speaker system with chanting, singing, etc. late into the evening hours. Called Lackawaxen Township about the situation and state police however nothing has been done. Michele has experienced the noise he is speaking of. She contacted various people last year. It got better but did not go away. Randy is going to try to contact them and see if he can get something accomplished. ATV concerns, he does not want to see age change in Masthope.

Braver 328FW-ATV, there is a manufacturer's warning that suggests no one under 18 should operate. Certain roads should be designated to ATV/UTVs. Property owners' insurance would be affected if they were to get into an accident with an ATV. Inequity of renters/property owners, Dan will address this in old business in the next board meeting. Article III S, removing operating budget from the members vote. Feels property owners should be able to vote on any budget. Discussion ensued.

Carrozza 525MR-agrees with ATV concerns, our rules are correct, haven't enforced the rules about the kids riding alone. 3 strikes you are out, need to enforce rules better. Eugene suggests strategically putting public safety in high traffic ATV areas. Randy responds that we have been enforcing the rules. Public safety has been instructed to hit the ATVS hard.

Perotti 164RF-Act 180 and legal documents-membership should have the right to vote on the budget. Wants the right to vote whether it is the same as the fall back budget or not. Dan needs Property Owners to approve by-law change in regards to Article S. ATV's need to follow the rules and be enforced. Discussion ensued in regards to the ATV/UTV rules.

Harrison 22FW-a lot of passionate feelings in regards to the ATV's. Suggests using Columbus Day weekend for town hall meeting about the ATVs since Labor Day will be a very busy weekend for everyone.

Mahwhinney 667MR-concerns about voting on the budget, feels property owners should vote on every budget. Dan responds that Mahwhinney spoke multiple times with our attorney in regards to his concerns.

Grandy 6CM-question about Blueberry Ct. Randy said it was leveled and seeded. Randy will look at it. PPL took the trees down. Some owners pick up rubbish and he suggests putting up signs such as "keep our community clean". Asks about the upset sale, Randy responds that buying the property the buyer must own for 3 years before selling. Beautification signs can be addressed by the Beautification Committee that should be formed. Blood drive on Labor Day weekend, he would like to put signs up in various spots the weekend before. Randy had issues with where signs were placed so he thinks number of signs and locations are important. Randy will work with John.

Seidel 578MR-we could use one way sign at the top of the mountain where the dirt road from the Summit meets Karl Hope. As cars approach that area there is not a sign to indicate a right turn must be made to follow the direction of traffic. He witnessed a vehicle going in the wrong direction.

MOTION: 01:07:25:15

Whereas the audit committee is seeking additional members.

Therefore be it resolved that the Masthope Mountain Community Board of Directors approves Jo Ann LaPlace as a member of the audit committee.

FIRST: MICHELE TORRE
SECOND: DAN CLARK
MOTION PASSES UNANIMOUSLY

MOTION: 02:07:25:15

Whereas the culvert on Powderhorn is failing and extensive flood damage occurred on Constitution Drive.

Therefore be it resolved that the Masthope Mountain Community Board of Directors will use funds from the Capital Road Repair Account to cover the cost of these necessary repairs to Powderhorn Drive and Constitution Drive, not to exceed \$20,000.

FIRST: CINDY WYATT
SECOND: JIM FOX
MOTION PASSES UNANIMOUSLY

MOTION: 03:07:25:15

Whereas the board has become aware of residents of Masthope using the amenities and facilities while being in arrears to the Masthope POC: and whereas there have been instances

in which members who are up to date with dues and payments have allowed members in arrears to use their (member in good standing) guest passes at Masthope.

Therefore be it resolved that the Masthope Mountain Community Board of Directors is replacing current rule G.1.Members in Arrears (page 8) with...revised G.1. The Masthope POC Board of Directors directs that any member, or family member of a member in arrears, with dues or any other payment due to the POC, shall not be allowed to use any of the amenities, or facilities with any form of pass until such time that the arrears are settled.

FIRST: ED MCCLARY
SECOND: MICHELE TORRE
MOTION PASSES UNANIMOUSLY

Open Session ended at 12:15pm

Executive Session began at 12:25pm

Meeting Adjourned at 12:50pm

Treasurer's Report---June 30, 2015**Unaudited****Collections**

	<u>June -14</u>	<u>June-15</u>
Total	2,076	2,062
Billable	1,777	1,763
Paid in Full	1,349-76%	1,371-78%

Unrestricted Income and Expense-YTD

	<u>May YTD</u>	<u>June YTD</u>
Revs. to Date	\$1,938,853	\$2,192,655
Exp. to Date	397,294	729,523
Net Surplus (Deficit)	1,541,558	1,463,132

The Summit

Rev. to Date	75,077	132,898
Exp. To Date	107,798	202,515
Net Surplus (Deficit)	(32,721)	(69,617)

The Market Place

Rev. to Date	33,160	65,280
Exp. To Date	29,463	83,127
Net Surplus (Deficit)	3,697	(17,847)

Summit/Market Net Surplus(Deficit)

	(29,024)	(87,464)
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*Fiscal Year Ends 4/30

Managers Report

July 2015

Projects:

- 1 Falling Waters Culvert – Contract has been awarded.
2. Flood Damage – Repairs are complete.
3. Front entrance – Still in planning.
4. Beach house generator – Permits have been issued.
5. ATV trails – Culvert pipes to be installed.
6. Athletic complex – Permits have been approved for electrical. Site has been designated for fitness course and future walking trail.

Public Safety

1. Normal activity for the month.

Maintenance

1. Pool – Dealing with a water leak.
2. Beach – All is good.
3. Roadside mowing is on going
4. Motor being installed in mason dump.
5. Culvert on Powderhorn – Large culvert pipe is failing, repair costs will be approximately \$7500

Summit

1. Business has been steady, comparable to last year.

2. Carnival food was a great success.
3. Summer menu is in place and doing well.

Administration

1. Summer has been busy.
2. Aqua – 24 lots that are listed as common in Pike GIS will be removed from the payable. Payment for the settlement will be made this week settling all outstanding accounts.
3. Day passes – Current rules state there is to be a 30 day notification. Every effort is made to accommodate people who come in last minute, I would suggest this rule be re-visited.
4. Tax sale lot motion – Karen suggested the motion be amended to include: Lots purchased thru this program must be owned by purchaser for a minimum of 3 years.

Activities

1. The fire works were well received.
 2. The carnival was a huge success.
 3. Up coming events are posted on the web and are available in the weekly messages.
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**MASTHOPE MOUNTAIN COMMUNITY POC
BOARD OF DIRECTORS**

- #2

DATE: 6/27/15 1st Dan Clark 2nd Joe Kosiba

MOTION FORM

Please print your motion clearly and submit to the POC office for distribution to the other board members as part of the pre-meeting packet. All material must be submitted no later than one week prior to the board meeting

Whereas Masthope Mountain Community looks to maintain lots in good standing

RESOLUTION

Note: Preambles are not required as part of a motion.

Therefore be it resolved that the Masthope Mountain Community Board of Directors
accepts the proposal for purchasing lots from 'UPSET SALE' whereas any member in good standing, or an immediate family member of a member in good standing, may bid and purchase any unimproved Masthope (MR, FW, WP) Subdivision lot starting the 2015 and future Upset Sale. Masthope will waive the past due amounts for the owner, but reserves the right to continue to collect against the prior delinquent owner. The dues for the year of the sale will be pro-rated from the date of the sale forward. The new owner will need to remit the pro-rated portion of the dues (about 7.5 months) and the Capital Improvement Fee.

VOTES CAST	FOR	AGAINST	ABSTAIN	VOTES CAST	FOR	AGAINST	ABSTAIN
C. Wyatt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P. Bakos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. deVinck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	F. McCoy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Suljic <i>ab</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E. McClary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
P. Torchio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	D. Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Kosiba	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	M. Torre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				S. Stern	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTING RESULTS: FOR 9 AGAINST 0 ABSTAINS _____ THE MOTION: PASSES / FAILS

MASTHOPE P.O.C. DAY PASS REQUEST FORM

REQUESTED BY: (PLEASE PRINT) _____

LOT#: _____ PHONE#: _____ DATE: _____

Dates Passes Requested For: _____ # Passes Needed: _____

REQUESTER'S SIGNATURE: _____

FEE(S): BOARD OF DIRECTORS MOTION:

1. Day passes, when issued, shall only be given to property owners for their deeded properties.
2. Requests for day passes must be submitted in writing no earlier than thirty (30) days and no later than two weeks prior to the date(s) requested. No other requests shall be honored.
3. Day passes shall be given out on an availability basis based on anticipated usage by property owners determined by such things as time of year and holidays. Day passes will not be issued for MEMORIAL DAY, JULY 4TH AND LABOR DAY WEEKENDS.
4. The fees for passes shall remain at \$5 per day, per person, \$25 per week, per person and \$75 for thirty days per person.
5. Additional charges shall be incurred for the use of all amenities connected with the Stables, Fitness Center and Ski Area.

USE OF ALL AMENITIES (STABLES, FITNESS CENTER, AND SKI WILL HAVE ADDITIONAL CHARGES)

STABLE USAGE:

Please be aware that Renters & Guests will be responsible for paying additional fees as follows:

- Trial Rides \$22.00/person/hour
- Arena Rides \$11.00/person/half hour
- Pony Rides \$6.00/person for 6 loops around

**Please make sure that you are in proper attire for riding: Jeans, boots/sneakers. No open toe shoes, sandals, clogs, shorts, etc. **

FITNESS CENTER: \$7.00/ per day

A \$25.00 Deposit is now required for the release of Day Passes. You will be refunded your deposit when you return all the day passes issued to the POC office. Not returning the passes within 5 days will result in the loss of deposit.

TYPE OF \$25 DEPOSIT (circle one) CA CK CC MO

DATE POC RECEIVED _____ STAFF INITIALS _____

PASSES SET _____ STAFF INITIALS _____

PO PICKED UP: _____ DATE: _____

Signature

REMINDER: Property Owners are responsible that their guest(s) follow the rules & regulations of the Community. Amenity rules can be found in the Property Owner's Handbook on the Masthope Web Site or for a POC copy \$5.00.

						Marge Brinkworth	<p>Whereas the Board of Directors has a fiduciary responsibility to see to it that all community rules are followed and that the interests of the property owners are protected and Whereas the Board has become concerned about Residents of Mashhope using the Amenities and Facilities while being in arrears to the Mashhope P.O.C.; and whereas there have been situations where Members, who are up to date with Dues and Payments have allowed and encouraged Members in arrears to use their Guest Passes at Mashhope,</p> <p>Therefore be it resolved that the Board of Directors in Mashhope direct that any member in arrears, with Dues or any other Payment due the P.O.C., shall not be allowed to use any of the Amenities, or Facilities with any form of pass until such time that the arrears are settled. Members, however, that are in arrears may be allowed to use the Bar and Restaurant. Members in arrears may also Ski at Big Bear providing that they pay full Pass Fees with no discounts allowed...Any Member, whether in arrears or not, violating these rules shall be subjected to action in the following manner:</p> <p>First Offense ~ \$250 Fine Second Offense ~ \$500 Fine Third Offense ~ \$1000 Fine Fourth Offense ~ Revocation of membership for one year by Community Vote at the next scheduled General Membership Meeting. This newly adopted Rule shall take effect immediately by order of the Board of Directors.</p>
Board of Directors	Guest pass usage while in arrears	Passes	3	12/18/10	Steve Stern		

MULT. LOT.

~~OPTIONS~~

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ISSUE:

Members not in good standing using amenities as a guest of a member in good standing

revised: 7/24/15

I. CURRENT BOARD MOTION

12/18/10: Whereas the Board of Directors has a fiduciary responsibility to see to it that all community rules are followed and that the interests of the property owners are protected and Whereas the Board has become concerned about Residents of Masthope using the Amenities and Facilities while being in arrears to the Masthope P.O.C.; and whereas there have been situations where Members, who are up to date with Dues and Payments have allowed and encouraged Members in arrears to use their Guest Passes at Masthope,

Therefore be it resolved that the Board of Directors in Masthope direct that any **member in arrears**, with Dues or any other Payment due the P.O.C., shall not be allowed to use any of the Amenities, or Facilities with any form of pass until such time that the arrears are settled.

Members, however, that are in arrears may be allowed to use the Bar and Restaurant. Members in arrears may also Ski at Big Bear providing that they pay full Pass Fees with no discounts allowed...Any Member, whether in arrears or not, violating these rules shall be subjected to action in the following manner:

First Offense ~ \$250 Fine

Second Offense ~ \$500 Fine

Third Offense ~ \$1000 Fine

Fourth Offense ~ Revocation of membership for one year by Community Vote at the next scheduled General Membership Meeting. This newly adopted Rule shall take effect immediately by order of the Board of Directors.

II. CURRENT SITUATION

A member, who is in good standing, is taking her grandchildren to the pool as her guests. The children's parents are not in good standing. However, although the intention of the original rule was to include all family members, the actual statement does not mention them. Also, the motion passed to address this problem is unclear as to its specific intent.

III. ISSUES REGARDING THE ORIGINAL MOTION

Although the pre-amble states the issue of members not in good standing using amenities as guests of members in good standing, the actual motion says only that "...**member in arrears**, with Dues or any other Payment due the P.O.C., shall not be allowed to use any of the Amenities, or Facilities with any form of pass until such time that the arrears are settled."

This is how the rule is stated in the handbook:

C, 10 (page 7)

Fines may be issued and passes may be invalidated by the POC due to misuse and rights of use of facilities revoked in accordance with the bylaws and rules and regulations of the community.

G. Members in Arrears (page 8)

1. Any members in arrears with dues or any other payment due the POC shall not be allowed to use any of the amenities or facilities until such time that the arrears are settled.
2. Members who are in arrears may be allowed to use the bar and restaurant.
3. Members in arrears may also ski at Big Bear providing that they pay full pass fees with no discounts allowed.
4. An administrative fee will charged for anyone in arrears for due

IV. PROPOSED ACTION

Pass a new amended motion stating:

Whereas the Board has become aware of residents of Masthope using the amenities and facilities while being in arrears to the Masthope P.O.C.; and whereas there have been instances in which members, who are up to date with dues and payments have allowed members in arrears to use their (the member in good standing) guest passes at Masthope,

Therefore be it resolved that;

1. The Masthope POC Board of Directors direct that any **member, or family member of a member in arrears**, with dues or any other payment due the P.O.C., shall not be allowed to use any of the amenities, or facilities **with any form of pass** until such time that the arrears are settled.
2. This rule shall apply to a member not in good standing using any amenity or facility as the guest of another member who is in good standing. In this instance, both the member in good standing and the member (guest) not in good standing shall be subject to the fines stated below.
3. Members, however, that are in arrears may be allowed to use the Bar and Restaurant. Members in arrears may also Ski at Big Bear providing that they pay full Pass Fees with no discounts allowed.
4. Any Member, whether in arrears or not, violating these rules shall be subjected to action in the following manner:
 - First Offense ~ \$250 Fine
 - Second Offense ~ \$500 Fine
 - Third Offense ~ \$1000 Fine
 - Fourth Offense ~ Revocation of membership for one year by community vote at the next scheduled General Membership Meeting.