

**Masthope Mountain Community  
Board of Directors Meeting  
December 19, 2015**

Transcriber: Kelli Myers  
Beach House

8:40 AM Meeting called to order and Pledge of Allegiance said.

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

Bruno asked for approval of the agenda. Peter Torchio wants to add height of garages to New Business. Dan Clarks wants to add approval of members of the Appeals Committee to New Business. Michele Torre wants to add approval of a member to the Beautification Committee to Old Business. Dan has a motion for replacement of water pump for Ski under New Business.  
Agenda approved unanimously.

Bruno asked for the Approval of the Minutes from the October 24, 2015 Board of Directors Meeting and Approval of the Minutes from the November 21, 2015 Board of Directors Meeting.  
Both Minutes were approved unanimously.

Treasurer's Report-for period ending November 30, 2015-Foster McCoy-see attached.

Bruno asked for approval of Treasurer's Report.  
Treasurer's Report approved unanimously.

**Correspondence Report-Dan Clark**

Dan stated that there was an email giving accolades to Carol Castor and Lukus Neidkowski for their efforts in decorating the lodge for the holidays.

**Bruno called for Committee Reports**

- a. Ski & ATV-Sheldon stated that snow making has begun.
- b. Real Estate- John Hoglund has resigned his position and recommended Rose Perrotti take his position.
- c. Audit-Maria Porter-no report.
- d. Strategic Plan-Bruno deVinck –Survey was given to office and is being put out on web and other social media areas for property owners.
- e. ECC-Ron Tussel permits have slowed down. See attached.
- f. Westcolang Lake Association-Dan Clark-Next meeting is in January.

- g. Documents-Carl Harrison-will be handing out a four page packet to the Board. 1<sup>st</sup> page is cover letter, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> pages are in regards to the covenants about storage of vehicles/trailers for the north side and south side of the community. You can clearly see the differences in the covenants from the north side to the south side. The committee has been working on the language used for the south side. The community has changed and the committee would like the board to work with property owners to help them be compliant. They recommend a possible storage area for all of the “toys” that property owners have collected. Paul Bakos states that the covenants for each side are very different. The committee is saying that they are working on changing the covenants to read very similar to the Falling Waters side. He feels that the storage unit idea should be pursued by Strategic Planning Committee.
- h. Fire Prevention-Jim Fox-Corrections are still not completed. Randy and Maintenance have put signage for addresses for roadways that loop around on the Falling Waters side. It will also be done on the Masthope Rapids side in the near future.
- i. Beautification-Cindy Wyatt-the committee has a tentative plan for the four corners.
- j. Boating-James Graziano-they had the first meeting, issues are being brought to the table. Next meeting is January 16<sup>th</sup>, 2016.

President’s Report-Dan Clark-quiet time on the mountain, ski started to make snow. We had the staff appreciation party that went well. Tried a new DJ at the party and he was great. We will be using him in the future.

Manager’s Report-see attached. (Ron Schmalzle) There is not a ski resort open in the surrounding area. Ski discussion ensued.

Old Business

- a. Wayco –Randy explains some of the paving will occur in the spring but they will continue to work for as long as they can.
- b. Parking lot expansion at beach-nothing new to report.
- c. Tiki Bar area expansion-plans sent to architect.
- d. Renter’s lease addendum-Document Committee will review the documents. Office will move forward with the addendum.
- e. “Ski House”-Randy met with engineer, project could be in the works for next year.
- f. Property Owner Survey-Bruno states that it should be up and running today or tomorrow. Michele expresses she feels that the survey should run through the summer.
- g. Falling Waters emergency access-already covered.
- h. Deer population control-addressed in Manager’s Report.
- i. Boat Committee-motion for members.

**MOTION 01:12:19:15**

**Whereas the Masthope Board of Directors has created the Boating Regulations Committee.**

**Therefore be it resolved that the Masthope Mountain Community Board of Directors approves the following property owners to be appointed as members of the committee: Frank Fiumano, Mal Nathan, Ed Torre, Ken**

**Rindos, Jeff Schaffer, Ed McClary, Susan Pease, Sandy Pease, Gerhard Buhler and James Graziano (Chairman).**

**FIRST: MICHELE TORRE  
SECOND: DAN CLARK  
MOTION PASSES UNANIMOUSLY**

- j. Drones-Ski's Drone policy will be given to the Documents Committee for review.
- k. Shed violation fine structure, in regards to the property where the house burnt down but the shed is still there. The property owner should remove the shed and should continue to be fined until it is removed. Another property owner, Kurt Larsen needs to prioritize his concerns and the Board will address them one item at a time. Peter Torchio addresses an issue with shed regulations and the wording in the handbook.

**New Business:**

- a. The effect of ownership transfer to a Trust with regards to the existing family passes. Dan explains that the question is when does the trust end. Paul Bakos responds that it would end when the 2<sup>nd</sup> owner (parent) dies. This matter of trusts and ownership falls under our Handbook rules and regulations where we can amend the wording with the assistance of Alan Young. The Document Committee will look into the situation in more detail and meet with Alan Young.

**MOTION: 02:12:19:15**

**William Owens and Company has submitted The Masthope Mountain Community Property Owners Council Financial Statements and Supplementary Information for the fiscal year ended, April 30, 2015.**

**Therefore be it resolved that the Masthope Mountain Community Board of Directors approves the Auditor's Report for the fiscal year ended, April 30, 2015.**

**FIRST: BRUNO DEVINCK  
SECOND: ED MCCLARY  
MOTION PASSES UNANIMOUSLY**

Carl Harrison composed a letter to Dan Clark in regards to the Appeals Committee. He would like attendance to be taken into consideration when it comes to being a member on this committee. It is recommended that Liz Gill is taken off the committee do to her lack of attendance (1 in 6). This will be put on Old Business for the next Board meeting. Dan explains the appeal process. Carl picks 3 people to make a judgement on an appeal. Michele has a concern about the selection of 3 people. She wants to know why more people aren't used to make a decision on an appeal. Carl explains that he needs to pick unbiased members for a vote. It is recommended to approve the committee members except Liz Gill.

**MOTION: 03:12:19:15**

**Whereas each year the Appeals Committee members are reaffirmed.**

**Therefore be it resolved that the Masthope Mountain Community Board of Directors confirms the appointment of the following members to the appeals committee for another year: Carl Harrison, Henry Walker, Rich Falciccho, JoAnn LaPlace, Ted Cecchini and Nancy Mahwhinney.**

**FIRST: DAN CLARK  
SECOND: PETER TORCHIO  
MOTION PASSES UNANIMOUSLY**

Carl Harrison recommends John Grandy to fill the spot on the Appeals Committee.

**MOTION: 04:12:19:15**

**Whereas an opening has become available in the Appeals Committee.**

**Therefore be it resolved that the Masthope Mountain Community Board of Directors approves John Grandy as a new member of the Appeals Committee.**

**FIRST: CINDY WYATT  
SECOND: PETER TORCHIO  
MOTION PASSES UNANIMOUSLY.**

**MOTION: 05:12:19:15**

**Whereas the Beautification Committee has been created.**

**Therefore be it resolved that the Masthope Mountain Community Board of Directors approves Leatrice Langer as a member of the Beautification Committee**

**FIRST: CINDY WYATT  
SECOND: MICHELE TORRE  
MOTION PASSES UNANIMOUSLY**

**MOTION: 06:12:19:15**

**Whereas the booster pump used for snow making needs to be replaced immediately.**

**Therefore be it resolved that the Masthope Mountain Community Board of Directors approves the expenditure, not to exceed \$20,000, to be taken from the Ski Reserve.**

**FIRST: FOSTER MCCOY  
SECOND: EUGENE PRINCIPE  
MOTION PASSES UNANIMOUSLY**

Dan Clark addresses ECC and Appeals Committee members being members of the Board and that it could be a conflict of interest. This is tabled to next meeting's Old Business.

Karen Kilgallen addresses the Board and explains her procedure with collections. (Foreclosures/bankruptcies). At this time of the year we generally reject the request for a refund of \$350 late fee. We do give hardship status if the property owner explains their situation and explain why they may need an extension for dues payments, if it is addressed in a timely manner. The Board questions some of the properties with bad debt. Karen explains the difference between Upset Sale, Judicial Sale and Repository Sales. Masthope is ahead of the foreclosure rate compared to surrounding communities.

Property Owner's Time-11:04am:

Carl Harrison 22FW

-addresses Ron Schmalzle in regards to the drone policy and penalties. Is there something in the policy that explains enforcement and penalties?

-with the absence of snow we should look at hover boards and their potential issues. Michele Torre would like to make a motion to ban hover boards from Masthope Mountain Recreational areas.

Rich Seidel 578MR-we have a new cell on tower, will this increase revenue? (T-mobile) Randy will check however he does not think it does.

Al Hartman 164MR-what started the shed issue? Ron Tussel responds that the shed contained commercial spools of thread but believes it was cleaned out. Another property had a house that burned down and the owner left a van filled with asbestos behind on the property.

Leatrice Langer 458MR-compliments messages. Board of Directors should step back from Chairing and serving on committees to allow room for more property owners.

Jerry Ferraiulo 861RF-applauds the communications that extends out to the property owners. It seems that it seems more restrictive when it comes to the horse stables through the years. Could we look into more flexibility into leasing the horses and extended hours for trail rides? Randy responds that we lease 2 horses. He will speak to Laura about extending hours in the future.

John Grandy 6CM-thinks Constant Contact is a great idea.

**MOTION: 07:12:19:15**

**Therefore be it resolved that the Masthope Mountain Community Board of Directors adds hover board and hover board type equipment to MMC Rules and Regulations Section VII.A.17.**

**FIRST: MICHELE TORRE**

**SECOND: PETER TORCHIO  
MOTION PASSES UNANIMOUSLY**

Dan reads Alan Young's email in regards to enforcing rules and regulations applying to watercraft registration. James Graziano wants this discussion tabled until next meeting. He wants to gather more information from the property owner's files. Dan will need to go back to the lawyer with the additional information to get the answers to the questions asked when registering watercraft.

Open Session ended at 11:44am.  
Executive Session began 11:59am.  
Executive Session ended 1:00pm.  
Back to Open Session at 1:00pm

**MOTION: 08:12:19:15**

**Whereas property 857FW (107 Minnow Ct.) is currently in arrears.**

**Therefore be it resolved that the Masthope Mountain Community Board of Directors authorizes the foreclosure of the property and home at 857 Falling Waters (107 Minnow Court, Lackawaxen, PA 18435). Additionally, the Board of Directors authorizes the expenditure of up to \$15,000.00 from the Real Estate Fund to facilitate the foreclosure.**

**FIRST: DAN CLARK  
SECOND: BRUNO DEVINCK  
MOTION PASSES UNANIMOUSLY**

Meeting ended at 1:02pm.

Treasurer's Report for Period Ending November 30, 2015

**UNAUDITED**

Collections

|              | Nov 14    | Nov15     |
|--------------|-----------|-----------|
| Total        | 2,071     | 2,059     |
| Billable     | 1,771     | 1,760     |
| Paid in Full | 1,559-88% | 1,563-89% |
| Outstanding  | 212       | 197       |

Income and Expense- YTD

|                       | Oct 15 YTD  | Nov 15 YTD  |
|-----------------------|-------------|-------------|
| Revenues to date      | \$3,209,870 | \$3,324,951 |
| Expenses to date      | \$2,118,853 | \$2,494,331 |
| Net Surplus (deficit) | 1,091,017   | 830,620     |

The Summit

|                       |            |            |
|-----------------------|------------|------------|
| Rev. to date          | \$ 643,954 | \$ 696,156 |
| Exp. to date          | \$ 641,451 | \$ 695,844 |
| Net Surplus (deficit) | 2,503      | 312        |

The Market Place

|                       |            |            |
|-----------------------|------------|------------|
| Rev. to date          | \$ 242,283 | \$ 268,773 |
| Exp. to date          | \$ 222,985 | \$ 251,814 |
| Net Surplus (deficit) | 19,298     | 16,959     |

Summit/Market Net Surplus (deficit)

|  |        |        |
|--|--------|--------|
|  | 21,801 | 17,271 |
|--|--------|--------|

| ECC Code Officer Monthly Report December 2015 |                          |                |            |                  |               |          |
|---|--------------------------|----------------|------------|------------------|---------------|----------|
| Date  | Type of Permit           | Property Owner | Lot Number | 911 Address      | Permit Number | FEE      |
| 12/4/2015                                     | firewood bin             | Arcaro         | 1107FW     | 159 Rainbow      | 20989         |          |
| 12/4/2015                                     | dormer/roof              | Lotz           | 105FW      | 104 Fern Ct.     | 20990         | \$75.00  |
| 12/7/2015                                     | garage                   | Barlik         | 1198RF     | 104 Horseshoe Ct | 20991         | \$150.00 |
| 12/7/2015                                     | garage                   | Lebow          | 572RM      | 174 Heritage     | 20992         | \$150.00 |
| 12/14/2015                                    | paint shed               | Mangan         | 315FW      | 140 Pebblerock   | 9544          |          |
| 12/14/2015                                    | shed                     | Mangan         | 315FW      | 140 Pebblerock   | 20993         | \$40.00  |
| 12/15/2015                                    | burn                     | LaVigna        | 150MR      |                  | 18815         |          |
| 12/17/2015                                    | drainage                 | Demeri         | 403FW      | 208 Pebblerock   | 16886         |          |
| 12/17/2015                                    | resurface/grade driveway | Fed Nat Mtg    | 25FW       | 114 Briar Ct     | 16887         |          |



## Managers Report

December 2015

### Projects:

1. Falling Waters Culvert – Road is open, contractor to begin cleanup of temporary road, will work as weather permits.
2. Beach house generator – All in place and can be operated manually at this point, auto switch will be operable Jan 4<sup>th</sup>.
3. Athletic complex – Electrical service is complete, compactor to be ordered and installed when approved by BOD.
4. Falling Waters emergency access – There is not a right of way on the other end in to Riverview. We are working to resolve that.
5. Booster Pump – There was a failure with one of the booster pumps, it was repaired but is obsolete so several bronze parts needed brazing and the impeller suffered some damage. The pump house will not put any warrantee on the repair or give any type of life expectancy on the unit.

These pumps are custom manufactured with long lead times. I have found a pump that can be delivered in 3 to 4 weeks and be used with a 150hp motor we have in stock. The motor will need to be examined and possibly rewound and a coupling added.

6. Beach parking- no update.

### Public Safety

1. Normal activity for the month.
2. Officers on line for winter season.

## Maintenance

1. Horse trails – Waiting for contractor for additional section.
2. Fitness trail – Work to continue trail in spring.
3. Plow trucks all in order.
4. Intersection numbers installed on Falling Waters side of community.

## Summit

1. Staff in place for winter.

## Administration

1. Collections – Karen here to discuss collections.
2. Deer Cull – Left message with biologist, he will be out of office until next week.
3. Drone policy
4. Compactor – Board was sent email below detailing lease/purchase of new unit.

The addition of a compactor for recycled materials will result in a potential savings.

### Current pricing:

\$15 per ton for recycled material.  
Hauling \$285  
Typical tonnage per haul 2.5 ton  
Cost per haul is \$322

### Compactor pricing

\$15 per ton recycled material  
Hauling \$285  
Projected tonnage 9 ton  
Cost per haul \$420

### Cost comparison to remove 9 ton

Current \$966  
Compactor \$322  
Savings \$644

Annual savings based on estimated annual tonnage in excess of \$8000.

Compactor lease to own \$344/month or \$4128/annual.

We will also have a estimated charge of \$3000 to convert our existing unit to 208 three phase.

These costs should not have a impact on this years operating budget.

## Ski Big Bear at Masthope Mountain Drone Policy

Out of safety concerns for property owners, guests, employees, and property, Ski Big Bear at Masthope Mountain prohibits the operation of unmanned aerial systems, or aerial drones, by property owners, guests, and the general public, including recreational users and hobbyists, without prior written authorization from the Resort. This prohibition includes drones for filming or videotaping, as well as any drone use by media or journalists operating above Ski Big Bear at Masthope Mountain property, including any drone launched off-site and subsequently flown above ski facility property. Please contact Ron Schmalzle or Lori Phillips at 570-226-8585 if you have any questions or if you seek prior-approval to operate any aerial drones. Any authorized operation of aerial drones will be governed by Federal Aviation Administration rules and regulations, as well as policies established by Ski Big Bear at Masthope Mountain, which may include certification, training, insurance coverage, and indemnification requirements. Any violation of this policy may involve suspension of your skiing privileges, or the revocation of your season pass or ticket.