

**WALKER LAKESHORES LANDOWNERS ASSOCIATION**

**BOARD OF DIRECTORS  
REGULAR MONTHLY MEETING MINUTES**

**SATURDAY, MAY 18, 2019**

**I. Call to Order**

The Walker Lakeshores Landowners Association Board of Directors Regular Monthly Meeting was called to order at 10:15 am.

**II. Salute to the Flag**

**III. Announcement of Recording**

Call for any objections to recording of Minutes for accuracy. No objections received.

**IV. Roll Call**

Members present: Mario Aieta, Mike DeVita, Janice Hahn, Ron Lisciandrello, Bill McCarthy, Rose Murphy, Maryann Muschlitz, Paul Palladino, Vicky Perrotta, Carol Reynolds, Marvin Schechter

Members Excused: Carol Gillen, John Weber

Members Absent: Bill Reese

**V. Approval of the Minutes**

The Minutes of the Board of Directors Regular Monthly Meeting held on April 27, 2019, was reviewed via email prior to this meeting. Motion made by Carol Reynolds, seconded by Maryann Muschlitz, to approve the Minutes as written. All voted aye, motion passed.

**VI. Approval of the Agenda**

Motion made by Carol Reynolds, seconded by Vicky Perrotta, to accept the Agenda. All voted aye, motion passed.

**VII. Presidential Remarks**

Any WLLA member having a support/companion animal with them at all times must provide the WLLA office with a copy of their certificate to be kept on file.

Thank you to the Woman's Club who donated 14 fidget mats to Milford Health Care. Sharron Hatchman donated a quilt to Milford Health Care. Marybeth at the Victims Witness Office has been contacted and has informed us that no hearing date has been scheduled as of yet for the Alan Sherer case, which is on appeal. Marvin Schechter of the Legal Committee explained the details for the delay in scheduling and stated the President of WLLA will write a letter to District Attorney demanding a court date. Since WLLA is the victim, we need to have our rights protected by the court. The last court proceedings were reviewed to inform everyone present. Prior to this meeting, Alan Sherer conversed with Mario Aieta and informed Mario that he will continue his actions which are in violation of community rules of West Shore Beach. Kathleen Zimmerman, WLLA office secretary, has been approved for vacation time.

### VIII. Treasurer's Report

In the absence of Carol Gillen, Janice Hahn presented the report. The current list of invoices for this month was reviewed and explained. Items 10 & 11 were questioned and explained to be the cost for filing 8 property owners currently in arrears, totaling over \$25,000. Court fees are reimbursable to us. The judge's decision should take about 6 weeks. There currently are 20-24 more property owners still in arrears which will be filed soon, keeping within the small claims court allowable amount. Explanation provided for clarification given to the Board on approximate arrearages. The total of arrearages is over \$110,000 and has been outstanding for years. Questions arose as to why the P & L Statement does not reflect the arrearages. In past months, the BOD has only been provided percentages and no amounts. At this time, Marvin Schechter questioned why all this money is owed the community and yet is proposing a special assessment for roads. Going forward, Marvin requests a printout provided the BOD as to the status of all arrearage amounts as it would impact planning the need/amount for a special road assessment.

Marvin Schechter also questioned our collection policy on assessments and stated the process is taking too long. He stated we should not have to wait over a year to collect what is owed as the current policy states. He proposed that we bill assessments on January 1 with payment due on February 15. If they are not paid by February 15, we should take the property owner to court, with this new proposed policy to begin in 2020. Suggestion made by Janice Hahn to wait for Carol Gillen to be present and discuss at the next BOD meeting.

Other expenditures questioned were for Cincinnati Insurance Company second payment for the D&O insurance coverage and the Norris attorney fees, as well as clarification of discretionary income for the new shredder for the office. Explanations accepted. Motion made by Mike Devita, seconded by Carol Reynolds, to approve the invoices as presented. All voted aye, motion passed.

### IX. Committee Reports

A. Finance Committee - presented by Janice Hahn. The Vanguard Account chosen by this committee is the prime money market with 2 contacts, Carol Gillen and Carol Reynolds. They have each provided their social security numbers to be on file. Question arose as to how many

signatures are required for a withdrawal and if that is the purpose of the contacts. This issue will be discussed at the next meeting when the Treasurer is present to provide further information.

B. Planning Committee - presented by Janice Hahn. Frank Riel presented this committee a plan for a new community playground and was told he must provide a more comprehensive proposal to the next Planning meeting, as well as to the Finance and Beach and Grounds committees. ADT is performing an inspection of the WLLA office and will provide a proposal to upgrade the existing security system to bring it up to code.

C. Legal Committee - presented by Janice Hahn. Mario Aieta reported Wayne Bank was served with a writ to start the case of fraud. After Wayne Bank contacted the attorney for discussion, the attorneys recommended we serve them with a complaint, which will be done soon. Fran Orth has not been served as yet. Vicky Perrotta is working on a new rental agreement and will present it to the Legal Committee for approval when completed. Atty. Steih stated at the last BOD meeting that we cannot provide Maple Park with our current resale packet as it applies only to WLLA. A new form has been developed and will be presented to Maple Park informing them of their responsibility to pay their pro rata share to WLLA as new property owners in Maple Park. This committee reviewed and approved it with minor changes and it will be provided at no cost to the homeowner. Atty. Steih has questioned Maple Park's cost for capital improvement on resale to those who are delinquent. Two Maple Park residents will receive a refund and five to be refunded for the cost of the resale packet.

D. Membership - presented by Vicky Perrotta. Nominations for the upcoming election are being accepted for President and Vice President for a 2 year term and 3 directors for 3 year terms. Both the nominator and the nominee must be in good standing. This morning at the General Meeting nominations were accepted from the floor. Saturday, May 25, 2019 is the deadline to submit nominations. Absentee ballots are available in the office beginning on June 1 with a deadline July 13, 2019 at 2 pm. They must be signed for and picked up in person. One ballot per household in good standing. Results will be posted at the next meeting, website and newsletter.

E. Social Committee - presented by Maryann Muschlitz. The Sip and Paint netted \$114.50 with another Sip and Paint scheduled for July 13. Community picnic scheduled for July 20 from 3-7pm. Everyone attending is to bring a covered dish. Fishing contest in June, Safe Haven and Wildlife talk by Scott Rando planned. Details on website and newsletter. Maryann was advised all volunteers helping with children must have a background check. Yard sale netted \$115. Suggestions made for planning a yard sale next year.

F. Clubhouse - nothing new

G. Lake Committee - presented by Peter Wulfhurst. Before we can apply for a permit for inspection of the dam outlet valve and lowering the lake, the engineer needs to know how many

homeowners want to clean up their lakefront as it impacts the cost of the permit. Anyone who secured a permit to put their dock in the lake does not need to be included as the dock permit allows homeowners to dredge up to 10 feet from the shoreline. Invasive plant infestation have been reported in surrounding waterways and lake so it is extremely important that all boats coming from other waterways be thoroughly cleaned before being put in our lake. Possible permit sought for geese removal as they can cause a health issue and impact water quality. Possibilities include shooting, capture or harassment. No recommendations at this time being pursued.

H. Roads - presented by Mike DeVita. Culverts need cleaning and drainage issues need to be addressed. Proposals being sought as to cost for new culverts where necessary. Road maintenance needed and awaiting proposals. Cutting of trees overhanging roadways need to be addressed. Atty. Steih stated we can rightfully cut away any branches and limbs overhanging our right of way. Suggestion made to notify homeowners by mail. \$5000 has been allotted for the removal. Empire Excavating job complete for this year and has one more year remaining on their contract.

I. Communications - presented by Mike DeVita. Nominations will be posted in newsletter. Deadline for submissions is June 15 for newsletter articles. Facebook stats reviewed. Community Bulletin board to be installed, delay due to weather.

J. Rules & Regulations - presented by Marvin Schechter. Second full day meeting with the committee held yesterday to consider the new Constitution and By Laws which will be rolled over into one set of ByLaws. The committee had originally proposed a set of ByLaws and controversy had arisen regarding Membership, which removed Maple Park residents from membership of WLLA completely. The committee worked on all 9 Articles that will form the new By Laws. All of the Articles passed with a vote, with seven of the Articles approved unanimously, two passed with a vote of 7 members for and 2 members against. With regard to the Membership portion, the committee came up with a proposal for Maple Park to be offered a Premium Access. This would mean the following: a Maple Park landowner could access all WLLA amenities and pay a lump sum fee determined by the Board of Directors each year. This would not give them membership in WLLA, the privilege to vote in WLLA elections or be a member of the Board of Directors. The committee had considered 2 main concerns: a. 7 families who have been paying to use the amenities should continue to have that opportunity and b. having someone representing Maple Park on the WLLA Board and have a right to vote is unacceptable, as there are no legal ties binding us to Maple Park and the theft of Art Politano affected WLLA not Maple Park. After debate, the committee come together around those issues and developed this membership component for the By Laws. Also considered were numerous suggestions via phone in reference to the proposed ByLaws from Atty. Steih and from Carol Gillen. All suggestions were openly discussed and debated and those appropriate were incorporated. Most suggestions from Atty. Steih were not mandatory, except for how Article 9 was amended. The original Article had a system of amending the bylaws in the hands of the Rules and Regulations committee and the BOD. Only at the end of the process, if

accepted, would it go out to the community. Atty. Steih said it violates Pennsylvania Law. As per the Uniform Planned Community Act, we as a BOD or a committee cannot restrict an amendment of the homeowners association Bylaws. Changes must be by the community. Atty. Steih sent various bylaws examples and Marvin developed a language which purports to PA law, gave it to the committee and the new Article 9 passed with a unanimous vote to change the way we amend the Bylaws. It will now be in the hands of the community. Many changes agreed upon at the seven hour meeting will be incorporated and sent to all members of the Rules and Regulations committee to review and determine if all changes have been made correctly/included.. Once done it will move on to the BOD, who will follow the procedure of amending the Bylaws, and move forward to the community. Question arose as to community members having an opportunity to voice their opinions or ask for changes of what is presented to them at the General Membership Meeting. Marvin stated that even though that situation is not addressed in the current ByLaws, community members have an opportunity to have a say, in light of what was stated by Atty Steih. These new proposed Bylaws must meet two criteria: The new approved Bylaws must be sent to the secretary 30 days before the July 20, 2019 General Membership meeting, which will be June 20, 2019. Three weeks prior to the July 20 meeting, they must be posted. Second, at the July 20 meeting, every member attending the meeting will be given a copy of the Bylaws and they have the opportunity to debate. If  $\frac{2}{3}$  of members attending approve of the Bylaws as is, they will be sent out to every community member with a ballot to vote at least 30 days before the next Membership meeting, or by August 21. After all votes collected and counted, the results will be announced at the September 21 General Membership Meeting. It is a complicated and strong process affording the community a say. If the vote of the community disapproves of the New Bylaws, the committee will go back and begin the process again. Heated discussion ensued regarding the Maple Park Membership proposal and explanation as to how the Rules and Regulations committee came to their decision including most of our current legal expenses involve Maple Park, hostility towards Walker Lake from Maple Park residents, new lawsuits against Walker Lake exist which will cost us even more legal fees and how a majority of Maple Park does not want to be a part of the Walker Lake community. Strong opposition voiced by Carol Reynolds, a Maple Park resident, who stated she would resign and would not work with a hostile board who does not want her to have a vote or serve on the Board. She stated she would resign today. The question also arose regarding the procedure of approval of the new proposed Bylaws which has conflicting methods outlined in our current Red Book. Motion made by Mario Aieta, seconded by Ron Lisciandrello, to have the Board of Directors interpret the current Constitution/ByLaws to require the Rules and Regulations committee to propose to the Board its current Amendment to the ByLaws and the Board has the right to vote to approve that recommendation for circulation to the membership or alter it. One vote opposed, one vote abstained, all remaining voted aye. Motion passed. Carol Reynolds rescinded her resignation.

At the conclusion of this meeting, Janice Hahn's resignation goes into effect and Carol Reynolds, Vice President, will assume the duties and responsibilities of the President.

K. Security - Carol Reynolds. Carol stated a new chairperson will be needed to head this committee.

L. Rental - Vicky Perrotta. One B&B has started on 5/15/20 and has met all Walker Lake requirements for rentals. One possible rental not registered exists on Lake Shore Road.

M. Beach and Grounds - Bill Boehme. Keystone has begun lawn cutting, gutters have been cleaned, Portable potty will be in place by Memorial Day, clubhouse walkways have been cleaned and stained. Department of Health requires 5' buoy markers and other safety precautions are in place at beaches. With regard to West Shore Beach, cars continue driving on the beach and quotes are being taken to place large rocks to block vehicle access. Clubhouse beach will have sand delivered in June, Bill Mays is handling garbage pickup, dock has been put in place at the boat launch. Tennis court repair bids were reviewed and requesting \$11,400 for Copeland to do the repair. Discussion has been tabled until next meeting as only \$500 allowed from membership for tennis court repairs. Bill Boehme will be given a key to the garage door to access the clubhouse for needed supplies, etc.

#### X. Member Comments

Appreciation expressed to Janice Hahn for a job well done as President. Member suggest we seriously consider a Road Usage fee for all residents in Walker Lake.

Member stated he does not want to have to pay for a permit for lakefront owners to dredge in front of their property. They should pay for their own permit and not use community money.

#### XI. Adjournment

Motion made by Carol Reynolds, seconded by Vicky Perrotta, to adjourn the meeting at 1pm. All voted aye, meeting adjourned.