

# WALKER LAKE SHORES LANDOWNERS ASSOCIATION

## BOARD OF DIRECTORS

### REGULAR MONTHLY MEETING

JANUARY 19, 2019

#### **I. Call to Order**

The Board of Directors Regular Monthly Meeting was called to order by President Janice Hahn at 10:10 am.

#### **II. Salute to the Flag**

#### **III. Roll Call**

Members present: Janice Hahn, Carol Reynolds, Carol Gillen, Rose Murphy, Mario Aieta, Michael DeVita, Bill McCarthy, Linda Verge, Maryann Muschlitz, John Weber, Bill Reese, Marvin Schechter

Members excused: Ron Lisciandrello, Vicky Perrotta, Paul Palladino

Michael DeVita objected to the roll call, stating procedure was not followed when appointing Marvin Schechter as Interim Board Member and accepting Will Murchio's resignation. Janice Hahn stated the Board accepted Will Murchio's resignation at the Executive Board Meeting in December, according to procedure. Michael DeVita was not in attendance. President Janice Hahn followed procedure as outlined in the Red Book for appointing Marvin Schechter as Interim Board Member. Mike DeVita requested in the future we follow the more formal procedure used last year when receiving multiple new Interim Board Members. President Janice Hahn explained due to multiple openings to be filled at the time a more formal procedure had been used but unnecessary in this situation. Suggestion made by Carol Reynolds to keep a pool of people willing to serve as Board members for future openings.

Motion made by Carol Reynolds, seconded by Maryann Muschlitz, to accept Will Murchio's resignation. All voted aye, motion passed.

Motion made by Mario Aieta, seconded by Carol Reynolds, to appoint Marvin Schechter Interim Board Member. Mike DeVita voted no, stating objection to procedure used in appointment. All remaining voted aye. Motion passed.

#### **IV. Approval of November 17, 2018 Regular Monthly Meeting Minutes**

The Minutes were reviewed and approved via email prior to this meeting.

#### **V. December 2018 Bills**

The bills for the month of December were reviewed and approved via email prior to this meeting.

## **VI. Approval of the Agenda**

Motion made by Carol Reynolds, seconded by John Weber, to approve the Agenda. All voted aye, motion passed.

## **VII. Presidential Remarks/ New Business**

An Executive Board Meeting was held on Saturday, December 8, 2018 to discuss the Hoffman memorandum conclusions regarding Wayne Bank. A vote was taken to seek an attorney on a pro bono or contingency basis before the statute of limitations expires. At same meeting, Will Murchio's resignation was accepted and Marvin Schechter was presented to the Board by President Janice Hahn to fill the vacant Board seat, voted on and approved by the Board. This procedure was repeated at this month's meeting, as noted above.

Thank you expressed for fifty five wheel chair pillows donated to Milford Senior Care by our Women's Club and for their continued contributions to community facilities.

Alan Sherer court ruling has been appealed with a new court date set for April 2019. All who were present at the last hearing will receive a subpoena to appear, including former Police Officer Scott Carney. Walker Lake will need legal representation.

A lien was levied on Roseanne Tortorella's property but in December it had been foreclosed. According to PA law, only 6 months plus a proration of the current year can be recovered by WLLA. An invoice for \$1079.86 was submitted to the bank and the payment was received.

John Kochis property of 0.23 acres (see attached) is free and clear of all judgements and should be going up for sale. If not sold, we could purchase for \$100 for green space or purchase at a higher price and resell the property. An explanation of Judicial Sale/Free and Clear sale explained: if property is not purchased and goes to a Repository Sale, WLLA can purchase it for \$100 and keep as green space or purchase for \$1500 for resale.

On Wednesday, December 5, 2019 the meeting with Attorney Stieh did not reveal the formula previously used in lawsuit addressing lake usage fees for a Maple Park Resident, since the lawsuit was over 20 years old. However, Atty. Steih was helpful in finalizing the calculation for the Maple Park Pro Rata share. It was also found administrative fees can be included in the pro rata share, but not including oil or lights

John Weber researched if residents on state or township roads pay additional taxes than those on Walker Lake roads which would offset their responsibility to pay WLLA road fees. It was found they do not pay more. Everyone pays an equal percentage of the tax bill.

Janice Hahn offered her resignation as President of Walker Lake Landowners Association, effective May 2019. Motion made by Maryann Muschlitz, seconded by Marvin Schechter, to accept Janice Hahn's resignation as President to be presented at the May 2019 meeting. Carol Gillen voted no, all remaining voted aye, motion passed.

Any member in good standing can be appointed interim president until the next election. The opening will be posted on our website, Facebook page and bulletin boards. There will be an Executive Board meeting in April to review letters of intent and appoint someone who is willing to take on the responsibilities according to the Red Book.

## **VIII. Treasurers Report - Carol Gillen**

All financials, see attached, reviewed with the Board, including November 2018 report.

Motion made by Maryann Muschlitz, seconded by Mike DeVita, to pay all bills. All voted aye, motion passed.

Discussion to reauthorize Discretionary Funds for 2019. Currently Roads, Beach and Grounds and the Office have a monthly budget of \$250/month. Suggestion received to increase the Office monthly allowance. Motion made by Marvin Schechter, seconded by Carol Reynolds, to keep the Roads and Beach and Grounds at \$250/month and increase the Office to \$500/month. All voted aye, motion passed.

## **IX. Committee Reports - written reports attached**

### **A. Finance Committee**

The 2017 audit was presented. Motion made by Maryann Muschlitz, seconded by Linda Verge, to post on the Walker Lake Website. All voted aye, motion passed.

Discussion with regard to obtaining a Walker Lakeshores Landowners Association credit card was tabled and will be discussed at the next Finance Committee Meeting.

A voucher system, see attached, was recommended by the committee and will be adopted moving forward.

Exploring options for a new accountant.

Reports attached supporting the Maple Park pro rata share. Proposal to keep 2018 fee to Maple Park at \$10.00 and set a fee of \$60.00 for 2019. Motion made by Carol Reynolds, seconded by Mike DeVita, to bill Maple Park \$60.00, due on 4/1/2019. All voted aye, motion passed. Overdue invoices for the 2018 \$10.00 mandatory fee were assessed a finance charge. The option will remain for Maple Park homeowners to pay in full for full access but the \$60.00 is a mandatory fee, Anyone who paid the \$10.00 fee and also paid in full for 2018 will receive a \$10.00 refund. Explanation to all Maple Park residents will be provided at the office by appointment to all requesting.

Motion made by Marvin Schechter, seconded by Maryann Muschlitz to make a stop payment on February 1, 2019, if the two checks lost in the mail are not returned. All voted aye, motion passed.

### **B. Program Committee**

The Holiday party was a success, the home decor contest went well. Super Bowl party will be held 2/4/2019 and a pool being collected for prizes each quarter. June 8, 2019 will be a fish contest with prizes. It will be catch and release. Duck Race August 17. Discussion on possibility of a summer picnic free to members and small fee for non members is ongoing. The bus trip was cancelled for lack of participants and paint and sip cancelled due weather. Walker Lake teeshirts discussed. Gem Printing recommended as a supplier. No decision made on pricing or sizing yet. The graphic suggestions presented to the Board for acceptance of a tee

shirt logo was not accepted. Board is awaiting design presentation of our existing logo as on Walker Lake letterhead and website. Committee asked to come up with selection of 3 logos, including the existing logo, formally by email to all board members to make selection and present the consensus at the next Board meeting for final decision and vote. Motion made by Marvin Schechter, seconded by Mike DeVita, to proceed with the tee shirt project, pending Board decision on logo. All voted aye, motion passed.

Discussion regarding small games of chance licensing. Discussion tabled due to numerous concerns and question if WLLA qualifies.

### **C. Clubhouse**

Nothing to report.

### **D. Lake**

Report to be posted and attached. Question again arose regarding lowering the lake. The Lake Committee is not discussing a lake drawdown and questioned why it is being brought up each month. Numerous negative reports and experiences shared by those in attendance regarding lake drawdowns in the past at Walker Lake and elsewhere. Our last drawdown done 14 years ago. A board member is looking into permit costs for a lake drawdown independent of the lake committee, as the lake committee is not pursuing permits or recommending lowering the lake. The Lake Assurance Program has gone live and awaiting more information to be presented to the Board. The Lake committee will do a presentation next month.

### **E. Roads**

Concerns arose regarding the upcoming storm. Potholes were filled on November 4, 2018. New potholes will be addressed in the Spring. Two new stop signs have been received and need to be installed as per code. Awaiting accident report from November 19, 2018, before pursuing reimbursement for damages of the weight limit sign. Culverts need to be addressed in the Spring with decision regarding cost and responsibility.

### **F. Legal**

The Hoffman Report was discussed and the results were yes to all 3 questions presented to the Board. 1. Hiring an attorney to bring suit against Wayne Bank on a pro bono or contingency basis.. 2. Include Fran Orth with the suit against Wayne Bank.. 3. File suit against former Board members on an individual basis, not as a whole. Difficulty finding an attorney either pro bono or on a contingency basis due to relatively small dollar amount we are seeking. Mario Aieta will find out if the Hoffman Group and others will be willing to take the case. The statute of limitations expires February 8, 2019

A draft of the Declaratory Statement has been received from Atty. Farley to recoup money from Philadelphia Insurance for additional years regarding the theft by Art Politano. The Legal Committee is reviewing the draft before filing.

This committee met with the Finance Committee and decision made to discontinue the transfers of money from the Roads Account to the Lake Account as per the Hinkel Agreement.. After

intensive scrutiny and hours of research done by the Finance Committee Chair, there is no evidence in either of the accountant's reports that were the basis for the Hinkel settlement that the money identified as missing from the Lake fund was used for the roads, and, in fact, the road totals provided in the Myer report identify a similar shortfall for Road. By discontinuing the transfers, there will not be a need for a special assessment in July. A meeting was requested with Hinkel Estates president Bill Reese to discuss some settlement arrangements over the next month.

Discussion as to retain the firm of Levy, Stieh, Gaughan and Baron as the WLLA counsel. A transition will take place from Atty. Tom Farley within the next few weeks and a discussion of separation of prior and ongoing work to be decided. Motion made by Marvin Schechter, seconded by Maryann Muschlitz to retain Levy, Stieh, Gaughan and Baron as the Walker Lake counsel. All voted aye, motion passed.

Difference between abstaining and recusing was explained for clarification: Abstaining means not to vote at all by holding oneself back. Too many abstentions could result in removal from the board. To recuse oneself means to withdraw from the voting process for either personal reasons or conflict of interest.

## **G. Planning**

Discussion to join the Community Association Institute which provides a wealth of helpful information and use of their online library. All Board members will be eligible to join Motion made by Marvin Schechter, seconded by Mike Devita, to join the Community Resources Association at the cost of \$295 for one year. All voted aye, motion passed.

The scope of work for each committee has been received. They will be reviewed by this committee and present recommendations to the Board. This committee has been fortunate enough to have two engineers as members. Results of the survey which was sent out to all property owners was reviewed. Discussion is ongoing of a community bulk refuse pick up, a reserve study and home inspector for clubhouse buildings.

## **H. Rules and Regulations**

This committee has been authorized and working on a unified set of Bylaws by combining the current Rules and Regulations and the Constitution. The new By Laws will be what governs the community. Guidelines and procedures must be voted on by the Board of Directors. All suggestions are welcome.

## **I. Communications**

The newsletter is out, the Spring Newsletter will be out March 15, 2019. One person was removed from the Walker Lake Facebook Page, 341 remain in the group. The Walker Lake website was renewed for 4 years and a backup person is still needed to learn the operations. Simple Lists is working well.

## **J. Rentals**

Two illegal renters found and letters were sent to the offenders.

## **K. Security**

A meeting with new members will be set up in the near futures.

#### **L. Beach and Grounds**

Nothing to report.

#### **PUBLIC COMMENTS**

Question arose from John Hahn as to how you distinguish accuracy of claims if family or friends when discovering rentals. He was answered: if money is exchanged, it defines as a rental.

Question to Carol Reynolds, Security Committee Chair, regarding a voluntary community watch be reinstated vs hiring an agency. Suggestion considered.

Question asked if an accurate list exists of all property owners. Answered it does exist.

Question as to who makes the final decision to lower the lake, the lake committee or the board.

#### **XI. Adjournment**

Motion made by Mike DeVita, seconded by Carol Reynolds, to adjourn the meeting at 1:10 pm. All voted aye, motion passed.