

**MINUTES**  
**POCONO MOUNTAIN LAKE FOREST COMMUNITY ASSOCIATION**  
**REGULAR MEETING**  
**May 19, 2019**

11:00 am – 111 Country Club Road – Clubhouse  
[PMLF2019@gmail.com](mailto:PMLF2019@gmail.com)    <https://www.pmlfcommunity.com>

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STATEMENT OF COMPLIANCE noted for record.

ROLL CALL

John Swift, President - present

Lara Winkler, Secretary - absent

Linda White, Treasurer

Ben Gardner, Director – entrance noted

Joe Griger, Vice President

MINUTES

Minutes of Meeting of 4/28/19 Eligible: JS, LW, LW, BG, JG

Motion made by President Swift to waive reading of minutes, Seconded by JG. Roll call: Unanimous

Motion made by VP Griger to adopt minutes of 4/28/19, seconded by Director White.

Roll Call: Unanimous

OLD BUSINESS

*Mailing of Invoices for Dues*

President Swift summarized the mailing of the dues letter noting the community is getting into first part of the fiscal year and as advised by our attorney it is important to continue to take this leadership position in overseeing the community functions. Much research was conducted on the financial status of each resident, and since the dues of \$602 were already set, we would proceed with this number at this time along with setting a \$15 capital improvement deposit which will help us in getting reserves back into community since all capital and reserves is depleted. He noted that in good faith we could not charge lot owners more than those residents who had homes on their lots, so this number was applied across the board. President Swift noted that in the past there were a number of categories used related to adjoining lots, lots with water systems and unbuildable lots. As to unbuildable lots, it was noted that with today's technology there have been significant changes and since many can now obtain septic permits with mound systems, some of these unbuildable lots may be buildable. Discussion ensued on a request received about an unbuildable lot and payment of reduced dues on a lot that is over an acre in size. It was decided that due to all the changes over the year, the board should look at the size of the lots and how long these lot owners have ownership of lot and whether or not they can or can't obtain a septic permit. This will be addressed in future. Discussion pursued on the fact that there are some buildable lots swallowed by the past association; Mr. Swift indicated we are a not for profit association and should never had held them.

President Swift continued that the list of property owners needs to be refined since office records are deficient with information/data. This mailing was done off the 'tax list' from the County and as we move forward these issues will be worked out so that each individual property owner's records are complete, accurate and up to date.

Opened to discussion: Ms. Jacelyn Ultsh lot 457 received an email which didn't have any dues listed, and noted that in the past she had overpaid the dues by \$100 and was concerned. President Swift reinforced that our records in the office are deficient, but did find her account which reflected that she has a \$100 credit for payment of dues. This amount can be deducted from the \$602.

Mr. Brian Munch asked the Board's intentions on receipt of these dues. President Swift indicated that we can't hold off on paying bills that have to be paid (i.e. electricity, insurances). First priority would be the roads.

Mr. Jeff McNamara noted that garbage trucks not helping roadways and causing further decay. VP Griger indicated we won't know which direction to go with on that subject until we get funds in place. Right now bills haven't been paid from past administration (to what extent is still unknown) and that there have been school tax packages that were never opened over past two years, although these taxes should not exceed \$2,500.

(NOTE: Director Ben Gardner entered)

It was noted the payment for the dumpster before removal was in arrears of thirty grand. President Swift reviewed the payment and lack of payment of bills noting concerns with inability to confer with our vendors since they will not give invoices due or amounts to this board. Although we have paid past due accounts to allow the community to continue business operations, we will need to make sure we get Met Ed/Cable up to speed. We need to see all invoices and expenses due in full.

Discussion ensued and question raised as to whether or not past administration can be sued for lack of fiduciary management as a board couldn't this be considered theft of services to those dues paying members that didn't receive the benefits of their dues. David DeVilliers noted that the big difference today than the past is that these dues received will go towards the operation of the community where past administrations focused payments to their attorneys vs resident's needs.

#### *Community Clean Up Day*

Director White indicated this was a successful day with many residents coming out in all three gates to clean up the property. She noted this was done thru a DOT grant and appreciated all of the volunteerism that has been exhibited these past months by many residents taking pride in restoring their community. Accolades were given to Beautification Committee for chairing it and doing such a great job putting it together and to all that participated.

#### *Update on Forestry Cutting status*

Director White said nothing has been sent to the association from past request. President Swift noted that although they put a flag up in the area of wood cutting, none of the other information previously requested has been submitted. .

### *Inspection report on resident drainage issue-*

President Swift reported an inspection was made at the resident on Mahogany Road where it was overflowing culvert. He did a great job cleaning it up from last month's meeting. The problem appears to be that many of our culverts are backed up causing waters to flow onto lands/roads with no control. It was noted that there are severe problems with this on Jack Pine and if not corrected, may take this road out completely. Although residents are required to maintain culverts and swales on their properties, this isn't happening and the association never conducted any maintenance on culverts: another area of concern to address in the future.

### *Dead Standing Tree*

President Swift conducted an inspection on a residential lot for removal of dead and dying trees. Discussion ensued and it was noted that any dead and dying tree is a safety hazard and would need to be removed. Board had no objection to removal of dead and dying trees but where there was 'clear cutting' of lots with removal of five or more heritage trees (large diameter trees), reviews need to ascertain if acceptable and inspections will be made to determine same.

### *Financial Status/budget discussion*

President Swift summarized that we have expended by monies donated and/or dues paid \$440 for postage stamps required to send out invoices. Payment of this year's dues will help in moving forward. It was noted that the office will be opened limited hours on a Wednesday and Saturday to collect dues. Although the board would like a regular office staff, we will be using volunteers for these days.

President Swift noted we have the TOPS program and will be updating and correcting inputted information to make it consistent with actual dollars/cents/property owner info.

Of concern noted by President Swift was the discovery that there was an outside IP address that was tied to an outside resident not on the Board which individual had the right to get into our cameras and all our programs.

Of concern also were that lots are being sold in community without approvals and no idea where monies are deposited.

President Swift responded to a question about asking these realtors 'not' to sell these community lots noting that there was a letter sent by Mr. Floss to the realtors telling them only he can approve a sale. The concern also noted was that in the past our County legislators requested the community NOT to sell properties like this. President Swift intends to offer a rebuttal to abstract companies and realtors association indicating we are in managing the association.

## **NEW BUSINESS**

### *Littering in Community*

Director White noted that she received various emails and social network postings on the excessive littering throughout our roadways/community. Although some of these areas may be from the bears,

residents still need to clean up their lands and surrounding lands of debris. A posting and email was done to help resolve this issue.

#### *Opened to the public*

Discussion ensued that some of these sites may belong to renters and that the owners may not be aware of this. President Swift responded noting that renters are charged a different rate and are required to deposit an additional \$500 which should have gone into a trust not commingled with operation funds since these monies are posted for the type of littering abuse noted. There is no hard record on this in office or a listing of all tenants in the community, and no account with these funds on deposit to address the issue.

#### *Website & Phone Development*

The Board purchased a Magic Jack Phone and will be setting this up to take messages etc. and a contact number for all residents to reach the board members with their questions/needs.

The website has been created and has much of the Board's information on it already. Many thanks offered to Maz Cruz for this hard task of creating a site. This new website is called Lake Forest Community Association and can be reached at: <https://www.pmlfcommunity.com>

#### *Opened to public*

Mr. McNamara noted there may be some confusion and would it be possible for the Board to put on the web and out in email a summary of all discussed relative to the dues and the \$15 capital, and that the Board has no intention to proceed with any fines and/or assessments. The Board stressed that this is not the intention and would not proceed with any fines and/or assessments and that President Swift would comprise a write up for posting on web/email and administrators of social media sites should they wish to post it summarizing the activities discussed today and why this was done. Clarification should be given in this write up as to why the return address says 'treasurer', how we got email and homeowner's addresses. All board members agreed it is best to clarify and resolve any misunderstandings on this. President Swift authorized to develop this explanatory letter.

#### *ATV's*

Director noted this is on agenda since she received several emails from residents about speeding and near accidents and although the By Laws prohibit all terrain/atv's etc. in community that this is a subject that should be reviewed since in today's environment these are vehicles that many have. Discussion ensued. Board recognizes this is a bylaw that should be reviewed. Perhaps the simple answer is requiring them to be validly registered and insured. Future discussion will be held on this. President Swift was asked to add this to his letter to let residents know that speeding and noise violations are not acceptable and to respect one's neighborhood accordingly, noting what the By-law does require.

#### *Pool*

As to the pool, a previous question asked was answered as it relates to use of volunteers that the cost of opening the pool and repairs to same is cost prohibited based on funds needed to make all operational

and insured. At this time the pool cannot be opened. It must be secured thou since it is a safety hazard and the cost of a cover or how to protect it has to be made.

Opened to public

Mr. Trainer lot 696 asked which more important: road vs pool?

Mrs. Ecvimen noted she was told the pool needs repairs and is not in good condition. Board members noted that the pool will need a full assessment and solid vendor and that this subject be addressed in Preident's Swift write up.

Ms. McNamara said she could assist the Board on finding information out on pool covers, etc.

*Office staff*

This was put on agenda since Board will reach out to those volunteers to help man the office on temporary basis since we have posted Wednesday and Saturdays for payment of dues. An email will be sent by Board to coordinate same.

Opened to Discussion

*Carried Court Hearing Date*

At this time it appears the continued court hearing will not be until sometime in July. Concerns noted on this delay and we hope we can see this date moved up. When firm date announced, information will be posted accordingly.

Opened to Discussion

Concerns noted on delay

CORRESPONDENCE

*Request for confirmation of dues from Tashlik Realto*

The Board received a request to confirm dues/fees for community. This form has various different categories which is an older form used. President Swift will respond with the dues and capital for this year only.

PUBLIC DISCUSSION (for items not on agenda schedule or general discussion items)

Mr. Trainer asked if the Board could keep comments on the subject pertinent to that subject only since it appears residents bring in other subjects that are on agenda to be discussed. This tends to lengthen board meetings. Director White noted that the board has been keeping these regular board meetings open in a less formal manner since residents have had few opportunities to discuss any subject with past administrations but agreed in future, the Board will remind residents that this subject is either already on the agenda and hold comments till that time, or hold other comments until public discussion.

Mr. Bonavia asked if residents choose to pay prior administration, would they be credited if court appoints this board. President Swift confirmed cancelled checks reflect payment as well as receipts of 'any' dues paid to any entity and that any judgement would require that either party turn over the funds and record keeping to insure that no resident is affected or found in arrears. Not paying at all may throw community into a receivership and all will be in same position. As to the Board's position, all of this has to be clear in the judge's declaratory judgment.

Concerns noted that debris exists at end of Fox Road and dumping there is a problem. President Swift will review DOT's list and if some of these items can be put out with other junk collected, we will attempt to move that debris for DOT to pick up.

Several residents extended their appreciation to all the volunteerism of our residents and for all the hard work in pothole repairs and cleaning up and snow removal. The Board noted that hope to have a summer event to honor all of those who volunteered and donated their time, energy and monies to help move this community forward.

Hearing no further business, meeting adjourned unanimously in a motion made by Director Gardner, Seconded by Director Griger at 1:15PM.

Respectfully submitted,

Linda White

NEXT MEETING: June 15<sup>th</sup> @ 11am

WEBSITE ADDRESS: <https://www.pmlfcommunity.com>

CERTIFIED AND ADOPTED AT THE BOARD MEETING ON June 15, 2019



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(signature)