

**POCONO FARMS EAST ASSOCIATION, INC.**  
**BOARD OF DIRECTORS MEETING**  
**SATURDAY, JANUARY 17, 2015**  
**MINUTES**

**Board Members present:**

Bryan Sandford - President, Margaret Miller - Vice President, Susan Anderson-Krieg – Director, Daniel Broxmeier - Director, Marion Kelly – Director, Tykieyen Moore – Director, Jose Ramos – Director.

**Board Members absent:**

Josefina Garcia – Treasurer, Marisol Santos – Secretary.

**Alternate Members present:**

Janice Smith-Hughes.

**Alternate Members absent:**

None.

**Staff present:**

Robert M. Zito, CMCA, AMS, General Manager.

**Members present:**

Peter Pascullo, Vanessa Guzman, Mark Sofia, Clara Rivera.

The meeting was called to order by President Bryan Sandford at 9:04am in the conference room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

**As there was not a full complement of Directors present, Ms. Kelly made a motion, seconded by Mr. Broxmeier to move Ms. Smith-Hughes up to Director for this meeting, or until such time as her replacement arrives. All in favor. Motion passed.**

**At this point Mr. Sandford asked the Directors present if they would like to deviate from the published agenda and open Public Input at this time.**

**A motion was made by Ms. Anderson-Krieg, seconded by Ms. Kelly to open Public Input at this time. All in favor. Motion passed.**

Mr. Peter Pasuclo, a resident of Carriage Estates and a neighbor were present to express their concerns over snowplowing at the end of Carriage Lane. He complained about Coolbaugh Township leaving up to two feet of snow on the road after plowing the upper part of Carriage Lane. He also stated he never saw PFE's plow and that he has had to use his own equipment to open the road.

Mr. Sandford stated that the Township would not take the end of Carriage Lane due to the inability to maneuver large equipment in the cul-de-sac. He further stated that the primary purpose of plowing is to open the road for emergency vehicles which we do. He also said that he, Mr. Zito and Mr. Broxmeier have monitored the condition of the road in question and that PFE's snowplow contractor is sent to maintain the road "religiously and consistently.

A lengthy conversation ensued. Mr. Sandford said that buying salt in aggregate was considered but deemed impractical. Mr. Broxmeier stated that he has seen an improvement in road conditions this year. Mr. Sandford then ended the discussion by saying that the Board has, and will continue to look into feasible ways of best maintaining this and all other PFE roads.

**At 9:25am the regular agenda resumed.**

1. **Minutes**

The minutes of the December 20, 2014 Regular Meeting were reviewed and considered for approval. No corrections were noted.

**A motion was made by Mr. Broxmeier, seconded by Ms. Kelly to accept the December 20, 2014 Regular Meeting minutes as presented. All in favor. Motion passed.**

**The previously approved November 15, 2014 Reorganization Meeting minutes and the November 15, 2014 Regular Meeting minutes were also presented. No action on this item was necessary.**

2. **Maintenance Report – as presented by Robert M. Zito**

Mr. Zito presented a written report to the Board.

He stated that with the management agreement now in effect, December 2014 was the final month of ongoing trash / garbage pickup on outlying streets. He said that Rob Roy, Kings Way and Carriage Lane would be policed on a weekly basis going forward, as per the revised agreement.

He also went into further detail on a conversation that he had, outside of the office and outside of work hours, with Mr. Pascullo regarding the concerns that were addressed earlier in the meeting.

**A motion was made by Ms. Anderson-Krieg, seconded by Mr. Ramos, to accept the Maintenance Report as presented. All in favor. Motion passed.**

3. **Permit Report – as presented by Robert M. Zito**

A written report covering permit activities for the period through January 10, 2015 was presented by Mr. Zito.

For the year 2014 55 permits were issued – 12 compliance (building) permits and 43 tree permits.

Mr. Zito stated that Classic Homes was fined, and paid for three violations, totaling \$1,500.00, of PFE rules regarding working hours. He also noted that five compliance permits were closed out in 2014.

**A motion was made by Ms. Kelly, seconded by Mr. Broxmeier, to accept the Permit Report as presented. All in favor. Motion passed.**

4. **Compliance Report – as presented by Robert M. Zito**

A written report covering citations issued year to date through January 10, 2015 was discussed by Mr. Zito.

It was noted that in total for 2014, 350 citations were issued.

A house on Coach Road, which appears squatters are occupying, was discussed. Mr. Zito stated that this property is unsightly and is bank owned. Pocono Mountain Regional Police was contacted by management to lodge a complaint but we were told that legally, the only entity who could lodge a formal complaint was the ownership entity.

**A motion was made by Ms. Anderson-Krieg, seconded by Mr. Moore, to accept the Compliance Report as presented. All in favor. Motion passed.**

5. **President's Report –**

Mr. Sandford gave a brief report.

He asked those Directors who have accepted Committee assignments to make sure that they stay informed and participate. He gave an example of a Finance Committee meeting scheduled for January 10<sup>th</sup> that needed to be cancelled because only one member showed up. He stressed to those present that their responsibilities to PFE needed to be taken very seriously.

6. **Management Report – as presented by Robert M. Zito**

A written report covering the operations of the Association through the period

ending December 31, 2014 was distributed by Mr. Zito.

Mr. Zito noted that the unaudited financial results showed a collection rate of 80.63%, similar to, but slightly down from 2012 and 2013.

\$1,412.00 was written off in December. Finally, a summary of collection activity for the year 2014 was presented, noting that \$4,107.50 was spent on collection costs. This expenditure yielded \$12,911.91 in revenue collected.

The Directors then briefly discussed the reduction in trash collection services due to the revised management contract. Several Board members suggested that summer student volunteers, individuals who needed to satisfy court ordered community service or programs such as Adopt-A-Road could be utilized to minimize the effects of this reduction.

**A motion was made by Ms. Kelly, seconded by Ms. Smith-Hughes to accept the Management Report as presented. All in favor. Motion passed.**

#### 7. Committee Reports

- **Rules & Regulations:** A meeting was held on January 10<sup>th</sup>. Recommendations for revisions to Rules & Regulations 5:12.c and 5.18.a will be considered under Old Business.
- **Citation Appeals:** No meeting.
- **Facilities:** A meeting will be held after this meeting. Previously discussed by the Committee were solar lights, dates for future events and a possible dog park. Events discussed were a second annual Earth Day Cleanup, to be held on April 22<sup>nd</sup>, and Camelbeach trips on July 4<sup>th</sup> and the last Saturday in August. Mr. Zito commented on the proposed dog park, saying that if it was located across from the Administration Building the area could double as an overflow parking area for the office complex.
- **Finance:** Mr. Moore stated that although the economy appears to be improving, the Board must remain diligent regarding expenses. He thanks management for helping the community get through some difficult financial times. He urged the Board to concentrate on long term financial goals. Finally he reminded all Committees that all expenditures regarding Committee activity need to be approved by the full Board of Directors.

**At this point (11:02am) Mr. Sandford called for Public Input.**

**Ms. Vanessa Guzman (Zumba Instructor)** – Ms. Guzman informed the Directors that she would be offering a free class on Tuesday evening, January 27<sup>th</sup>. The purpose of this class was to generate interest in the program and to have students sign up and pay for a six week session of classes that would begin in early February. She asked the Board if there would be a charge for using the Community Room for that evening, or if they could see fit to give her the room, that evening, at no charge.

Mr. Sandford briefly touched on the expenses associated with maintaining the Community Room and said that this matter could be discussed under New Business.

**Mr. Mark Sofia** - Mr. Sofia discussed with the Board a motorcycle club (a non-profit 501.3.c corporation) that he belongs to. This club, which among other things holds charitable events for the benefit of veterans, is now looking for a room to hold monthly meetings, usually consisting of approximately 13 members. Mr. Zito suggested that the group hold its meetings on Saturday mornings when the office and Community Room is already open.

Mr. Sandford suggested a pay-as-you go system, similar to the Church group that had occupied the Community room for several months.

**Ms. Clara Rivera** - Ms. Rivera voiced her support for a proposed dog park. She also suggested that boulders be placed on the corner of Oberon Road and Hamlet Drive to prevent parking on the dead end street. She was told that due to the fact that there are lots privately owned in that area, access to that road could not be blocked. She also lodged a complaint against a noisy dog in the area.

**At this point (11:25am) Public Input was closed.**

#### **8. Financial Report – as presented by Tykieyen Moore**

In Ms. Garcia's absence Mr. Moore discussed a written report submitted by Mr. Zito covering the preliminary financial results of the Association for the period ending December 31, 2014.

A listing of cash disbursements for the period of 12/1/2014 – 12/31/2014 was presented to the Board of Directors. No questions were forthcoming.

A brief discussion took place regarding the current Profit and Loss Statement and preliminary operating results for the year 2014.

**A motion was made by Ms. Miller, seconded by Ms. Kelly, to accept the Financial Report as presented. Seven in favor. One abstained (Mr. Ramos left the room). Motion passed.**

9. Secretary's Report – No report

10. Old Business –

- Long-term Community Room Tenants – Mr. Sandford reminded those present that the lease with Vanessa Guzman (Zumba) ends on March 31<sup>st</sup> and the lease with Culture's Closet ends on June 30<sup>th</sup>.
- Revisions to the PFE Rules and Regulations

A motion was made by Ms. Kelly, seconded by Mr. Broxmeier to amend the PFE Rules and Regulations as follows (revised language in *italics*):

- 5:12.c – “For Sale” signs may be posted on the front driveway of the premises. *The For Sale signs must not exceed 24 inches wide by 36 inches long and inserted in the ground.*
- 5:18.a – *Each building site must have a “porta-potty” in place at the beginning of work. The “porta-potty” must be removed when a Certificate of Occupancy is obtained from Coolbaugh Township. Violation of this rule will be subject to a fine of \$25.00 per day.*

All in favor. Motion passed.

- By-Laws Change (Counting of Proxy Votes)

A motion was made by Mr. Broxmeier, seconded by Ms. Anderson-Krieg to table this issue at this time. All in favor. Motion passed.

11. New Business –

- Zumba's use of Community Room 1/27/2015

A motion was made by Ms. Kelly, seconded by Mr. Broxmeier, to offer the use of the Community Room to Vanessa Guzman (Zumba) at no charge for a free, introductory class on January 27, 2015. Seven in favor. One abstained (Mr. Moore). Motion passed.

- Long-term Community Room Tenants – Brief discussion again took place on this issue. It was suggested that a floor, or minimum, be considered if new leases are offered.

12. Correspondence –

A letter previously written to Mr. Pascullo was presented. As this matter was discussed with him earlier in this meeting, no further discussion took place.

**A motion was made by Ms. Anderson-Krieg, seconded by Mr. Broxmeier to adjourn the meeting. All in favor. Motion passed.**

There being no further business the meeting adjourned at 12:13pm.

**NEXT REGULAR BOARD MEETING: February 21, 2015 at 9:00 am.**

Submitted by: \_\_\_\_\_  
Robert M. Zito, Recording Secretary

Witnessed by: \_\_\_\_\_  
Marisol Santos, Secretary

Date: \_\_\_\_\_

**POCONO FARMS EAST ASSOCIATION, INC.  
BOARD OF DIRECTORS MEETING  
SATURDAY, FEBRUARY 21, 2015  
MINUTES**

**Board Members present:**

Bryan Sandford - President, Margaret Miller - Vice President, Josefina Garcia – Treasurer (arrived 9:16am), Marisol Santos – Secretary (arrived 9:02am), Susan Anderson-Krieg – Director, Daniel Broxmeier - Director, Tykieyen Moore – Director (arrived 9:23am), Jose Ramos – Director.

**Board Members absent:**

Marion Kelly – Director.

**Alternate Members present:**

Janice Smith-Hughes.

**Alternate Members absent:**

None.

**Staff present:**

Robert M. Zito, CMCA, AMS, General Manager.

**Members present:**

None.

The meeting was called to order by President Bryan Sandford at 9:00am in the conference room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

**As there was not a full complement of Directors present, Mr. Ramos made a motion, seconded by Mr. Broxmeier to move Ms. Smith-Hughes up to Director for this meeting, or until such time as her replacement arrives. All in favor. Motion passed.**

1. **Minutes**

The minutes of the January 17, 2015 Regular Meeting were reviewed and considered for approval. No corrections were noted.

**A motion was made by Ms. Miller, seconded by Ms. Anderson-Krieg to accept the January 17, 2015 Regular Meeting minutes as presented. All in favor. Motion passed.**



2. **Maintenance Report – as presented by Robert M. Zito**

Mr. Zito presented a written report to the Board.

He stated that a major part of maintenance work done during the month of January pertained to snow removal and ice control, as there were 10 separate instances during the month. Along with this winter maintenance, normal cleaning, mopping and vacuuming of the office and Community Room continued to take place.

Mr. Zito stated that in response to concerns brought forth by residents of Carriage Lane, he personally took eight separate trips in the last month to tour Carriage Lane and all other PFE roads to monitor snow and ice conditions.

**A motion was made by Ms. Anderson-Krieg, seconded by Mr. Ramos, to accept the Maintenance Report as presented. All in favor. Motion passed.**

3. **Permit Report – as presented by Robert M. Zito**

A written report covering permit activities for the period through February 12, 2015 was presented by Mr. Zito.

Thus far this year no permits (tree or compliance) have been issued.

Ten compliance (building) permits remain open. A total of three (two new construction and one addition) have been closed out in 2015. In addition, four other sites appear complete, although Certificates of Occupancy have not yet been issued. Mr. Zito will continue to follow up with Coolbaugh Township on these building sites.

**A motion was made by Ms. Miller, seconded by Mr. Broxmeier, to accept the Permit Report as presented. Eight in favor. (Ms. Smith-Hughes did not vote as she left the room). Motion passed.**

4. **Compliance Report – as presented by Robert M. Zito**

A written report covering citations issued year to date through February 13, 2015 was discussed by Mr. Zito.

Year to date 42 citations / warnings have been issued, 20 of them having been issued in early February. Seven of the citations / warnings issued in February were for having more than one shed. Mr. Zito told the Board that he has seen more and more "lean to" type upright sheds being erected by homeowners who already have a traditional shed, and asked for opinions on whether the Board felt that this "lean to" constituted a second shed.

Having unsuccessfully searched the internet for the term by which these "lean to" storage units were called, no consensus was reached.

**A motion was made by Ms. Anderson-Krieg, seconded by Mr. Moore, to accept the Compliance Report as presented. All in favor. Motion passed.**

5. **President's Report –**

Mr. Sandford gave a report.

Among the items discussed were the snow and ice conditions of PFE roads during this severe winter, a location for a possible dog park, the community bulletin board at the mailbox pavilion and the Community Coalition initiative. He urged Ms. Miller and Ms. Garcia to make every effort to attend Coalition meetings so that PFE would be properly represented.

6. **Management Report – as presented by Robert M. Zito**

A written report covering the operations of the Association through the period ending January 31, 2015 was distributed by Mr. Zito.

Mr. Zito noted that the as of January 31 only 364 properties were paid in full, compared to 438 at the same time last year. However he said that since many homeowners have traditionally paid as late as March 31<sup>st</sup>, a true level of this year's preliminary collection rate would not be known before the end of March.

The winter / spring newsletter was discussed. Mr. Zito asked those present to submit content. Mr. Ramos suggested contacting local businesses to see if they would be interested in advertising, which would partially offset the cost of printing and postage.

At this point a homeowner, Ms. Jeannette Noest, came into the office and complained to Mr. Zito about the language in the follow-up billing sent by management in early February. He asked her to address the Board, which she did. Ms. Noest was told that all property owners who had not submitted a payment by January 31<sup>st</sup> received the letter and that the letter stated the actions that would be taken by the Association if payment was not forthcoming.

**A motion was made by Mr. Moore, seconded by Mr. Broxmeier to accept the Management Report as presented. All in favor. Motion passed.**

## 7. Committee Reports

- **Rules & Regulations:** A meeting was held on February 12<sup>th</sup>. A recommendation relating to the possible change in proxy voting / counting was agreed on by the Committee at that time. The Committee is recommending that Attorney Greg Malaska's "Alternative #2" be adopted by the Board, and asked that this be considered later in this meeting under Old Business.

The next committee meeting will be held on Saturday, March 7<sup>th</sup> at 10:00am.

- **Citation Appeals:** No meeting.
- **Facilities:** A meeting was held by the Committee last week. At that time the possible dog park was again discussed. Ms. Smith-Hughes discussed information received from the PA Department of Conservation and Natural Resources (DCNR) relating to possible funding and grants.

The second annual Earth Day cleanup, to be held on April 22<sup>nd</sup>, was discussed.

Mr. Zito suggested that before any plans be formalized for the dog park that he contact Township to acquire a permit to allow PFE to disturb the lot across the street for this possible use.

Solar lights were again discussed.

Relating to a cleanup, Mr. Sandford discussed the Pocono Mountain West High School students who helped at the Christmas celebration. He said that he would like to see if they would be interested in helping us for a cleanup.

Mr. Zito showed the Board the bulletin board that was ripped off the mailbox pavilion and suggested a scrolling LED message sign board. The pros and cons of such a sign was discussed.

- **Finance:** No report.
- **Social Activities:** Confirmed that the Christmas celebration will be held on December 19<sup>th</sup> and the Board meeting will be moved to December 12<sup>th</sup>.

8. **Financial Report – as presented by Fina Garcia**

Ms. Garcia's asked Mr. Zito to discuss the preliminary financial results of the Association for the period ending January 31, 2015.

A listing of cash disbursements for the period of 1/1/2015 – 1/31/2015, totaling \$14,562.00 was presented to the Board of Directors. A question regarding check # 3192, in the amount of \$2,083.33 was raised. Mr. Zito stated that this is the monthly contribution to the Reserve account, as per budgeted (\$25,000.00 annually).

Mr. Sandford asked if the new signature card had been completed.

The current Profit and Loss Statement and preliminary operating results for January 2015 were briefly discussed.

**A motion was made by Ms. Anderson-Krieg, seconded by Mr. Broxmeier, to accept the Financial Report as presented. All in favor. Motion passed.**

9. **Secretary's Report – No report**

10. **Old Business –**

- **Possible By-Laws Revision** – Mr. Broxmeier discussed the recommendation of the Rules & Regulations Committee regarding By-Laws Sections 6.6 and 7.8.

**A motion was made by Mr. Broxmeier, seconded by Ms. Miller to amend the PFE By-Laws Section 6.6 – Proxies and Section 7.8 Election as follows (revised language underlined and in *italics*):**

**Section 6.6 - Proxies**

At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing, signed and dated, and filed with the Association Secretary before or at the call of the meeting. Every proxy shall be revocable by the Member and shall automatically cease upon the: (1) termination of the membership of the member issuing the proxy, (2) receipt of notice by the Secretary of the Board of the death or judicially-declared incompetence of a Member, or (3) expiration of eleven months from the date of the proxy. Board solicited proxies assigned to the Directors shall be voted as follows:

A) All Board distributed proxies shall be assigned to the Directors, as evenly as possible, among the Directors who are present at the membership meeting. Each Director shall vote on behalf of the members whose proxies he or she holds on all matters that come up on floor.

B) All Board solicited proxies, which have been only signed and dated, but contain no mark of voting preference or direction by the member, shall be voted as follows:

1) Per election of Directors and alternates: as each Director desires.

2) For stated questions in accordance with the Board's recommendation, if any; otherwise, as the Director desires.

C) Board solicited proxies, signed and dated, and which contain a mark or designation of the voting preference or direction of the member, shall be voted as the member directs. This shall apply to both elections and ballot questions.

(d) All properly completed proxies shall count toward the establishment of quorum.

(e) All voting issues shall be subject to the counting procedures identified in Section 7.8 (a)(3).

**Section 7.8 Election:** Election to the Board of Directors shall be by written ballot, in the form of an in-person ballot or a directed proxy ballot submitted in compliance with Section 6.6 of these Bylaws. At such election, the members, in person or by proxy, may vote in accordance with the provisions of these Bylaws. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

(a) Procedure

1. The annual meeting notice shall go out in August of each year. The annual meeting notice shall solicit candidates to serve as Judges of Election at the October annual meeting.

2. At the September meeting of the PFEA Board of Directors, the Board shall select at least three (3) Judges of Election to count proxies and ballots at the annual meeting.
3. On the day of the annual meeting, the appointed Judges of Election shall convene one (1) hour before the call of the meeting to begin counting the proxy ballots. At the call of the meeting, the Judges of Election shall also accept any additional proxies or ballots submitted during the meeting. The Judges of Election shall maintain the integrity and confidentiality of the proxies and results until the formal announcement of the results at the annual meeting by the PFEA Secretary or Community Manager.

**Six in favor. Three abstained (Ms. Santos, Mr. Moore and ??????). Motion passed. (Listen to tape @ 57:00 minutes)**

- **Long-Term Rentals**

Mr. Sandford told all present that Zumba's lease ends on March 31, 2015. A letter sent by Vanessa Guzman to the Association was distributed to and discussed by the Board.

A lengthy discussion took place. After much conversation regarding the method of charging residents, non-residents and commercial users, it was decided that a minimum cost per hour should be put in place either in place of or in addition to the current system of revenue sharing.

**A motion was made by Mr. Broxmeier, seconded by Mr. Moore to offer Community Room rental to Vanessa Guzman of Zumba, after March 31<sup>st</sup>. at a flat rate of \$17.00 per hour, or \$76.50 per week, based on the current schedule of four and a half hours per week. All in favor. Motion passed.**

After the motion was passed it was decided that as of April 1<sup>st</sup>, payment for room rental must be payable in advance. Mr. Zito was asked to contact Ms. Guzman to inform her of the Board's decision and that failure to pay in a timely manner would automatically revoke the privilege to use the Community Room.

**A motion was made by Mr. Broxmeier, seconded by Mr. Moore to add to any future long-term rental contracts language stating that failure to pay in full prior to using the Community Room will revoke all privileges to use the Community Room. All in favor. Motion passed.**