

**POCONO FARMS EAST ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
SATURDAY, JANUARY 16, 2016
MINUTES**

Board Members present:

Margaret Miller - President, Bryan Sandford - Vice President, Susan Anderson-Krieg - Treasurer, Marisol Santos - Secretary, Daniel Broxmeier - Director, Janice Smith-Hughes - Director, Marion Kelly - Director, Tykleyen Moore - Director (arrived 9:04am), Jose Ramos - Director (arrived 9:02am).

Board Members absent:

None.

Alternate Members present:

Clara Rivera.

Alternate Members absent:

None.

Staff present:

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

Members present:

None.

The meeting was called to order by President Margaret Miller at 9:00am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

The minutes of the December 19, 2015 Regular Meeting were reviewed and considered for approval. The following corrections were offered:

Page 7: Community Room Gutters should read Community Center Gutters.

Page 4, President's Report, Line 1: He should read She.

Page 6, Financial Report: Accrued should read Accrued,.

A motion was made by Ms. Anderson-Krieg, seconded by Mr. Sandford to accept the December 19, 2015 Regular Meeting minutes as presented and corrected. All in favor. Motion passed.

The corrected and previously approved minutes of the November 21, 2015 Reorganizational and Regular Meetings were reviewed.

A motion was made by Mr. Sandford, seconded by Mr. Braxmeler to accept as reviewed the November 21, 2015 Reorganizational and Regular Meeting minutes as presented and corrected. All in favor. Motion passed.

The corrected and previously approved minutes of the October 17, 2015 Regular Meeting were reviewed.

A motion was made by Mr. Sandford, seconded by Ms. Santos (due to grammatical changes made after approval) to accept as revised the October 17, 2015 Regular Meeting minutes as presented and corrected. All in favor. Motion passed.

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

Mr. Zito presented a written report to the Board. He called for questions.

He said that again this month snow was not much of an issue. The major project undertaken this month was erecting the new bulletin board at the mailbox pavilion which he did with assistance from Mr. Jeff Hein.

He pointed out to the Board two issues of dumping – one of furniture along the road on John's Way and one of a mattress being dumped on Falstaff Drive. He asked for guidance on these issues.

Discussion ensued. The consensus of those present was to pick up the mattress and charge the owner of the property since the mattress could impede traffic on the road. Since this was not the case with the furniture dumped alongside the road, it was the consensus of those present to take no action on that issue.

A motion was made by Mr. Sandford, 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 detailing permit activities for the calendar year was presented by Mr. Zito. In summary the following permits were issued – 47 in total (35 tree permits and 12 building permits). 14 building permits were closed out in 2015.

The height of the new home construction on Titania Road was discussed at length. Mr. Zito stated that Township Engineer Russ Kresge and Township Zoning Officer Joe Brady were contacted and that Mr. Brady, along with Mr. Zito, visited the site the previous day. At that time, Mr. Kresge was consulted by phone. Mr. Zito said he was told that since the height of the building was less than 35' it fell

within Township ordinance and no action could be taken on Township's end. Both Mr. Kresge and Mr. Brady did not think that the height of the house was egregious when taking in consideration the slope of the road. Mr. Zito said Mr. Kresge suggested that PA DEP could be contacted if we felt stormwater was being diverted onto other properties, but that this course of action would involve PFE hiring an expert, such as an engineer, and filing suit against the property owner / builder.

Mr. Moore said that in the future if the neighboring property has problems the Association could choose to support that property owner, but since there are no issues at this time we should not look to create a problem if one does not exist. All agreed that no action should be taken at this time.

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

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

A written report compiling citations issued since last meeting was presented by Mr. Zito.

Mr. Zito said that Attorney Greg Malaska had recently sent four letters, as requested by the Board, to two property owners cited for non-compliant fences and two for unregistered commercial vehicles.

A discussion took place regarding repeat offenders and the method of assessing fines. It was agreed that Mr. Zito will provide the Board with a report of those properties fined and those that have complied. The Citation Appeals Committee will then determine if fines are to be forgiven.

The fence poles on Gordon Lane and Cambell Way were discussed. Mr. Zito will try to contact the owner to see the purpose of those poles.

Mr. Sandford pointed out the fact that Mr. Zito had issued 25 warnings for trash cans left at the road on this report. He asked all Board members if they understood the rule and then pointed out what he and Mr. Broxmeier felt was a violation of this rule. Discussion took place.

5. President's Report – Ms. Margaret Miller

Ms. Miller again asked that all members make their best effort to arrive at 9:00am so meetings can begin promptly. She again requested that only one person at a time speak at these meetings. Finally, she asked that Board members promptly reply to any emails that requested a reply.

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

A written report covering the operations of the Association for the 2015 year was distributed by Mr. Zito.

Briefly, Mr. Zito stated that we had a good year collection-wise, up about four percentage points from 2014. He said that home resales were slowing a bit but activity in this area was relatively strong and that the A/R write-offs noted were primarily the result of sheriff sales and bankruptcies.

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

7. Committee Reports

Mr. Zito said that since Mr. Moore, Ms. Smith-Hughes and Ms. Rivera were absent last month when committee assignments were made, they should be given the opportunity to request assignments at the appropriate time during this meeting.

- **Rules & Regulations:**

Mr. Broxmeier said that the Committee had met the previous Saturday and that they discussed burn pits and chimeneas. The Committee felt that this type of burning should be allowed. He said that drones were also discussed and that the Committee was on a fact-finding mission to see how the FAA handles such vehicles.

Mr. Sandford asked when the revisions made over the past year would be incorporated into the official governing documents of PFE. Discussion took place. Mr. Zito said that all the revisions are listed as an addendum to the R&Rs both in resale packets and on the PFE website. All documents are now in PDF format which makes revisions difficult with the software capabilities we currently have. He said he would make a better effort to revise and reformat all changes into one document as soon as possible.

- **Citation Appeals:**

Ms. Miller asked Mr. Moore if he would serve on this Committee. He agreed.

- **Facilities:**

Ms. Smith-Hughes requested to not serve on the Facilities Committee this year.

- **Finance:** No report.
- **Social Activities:** No report.

A motion was made by Mr. Broxmeier, seconded by Mr. Sandford, to accept Committee reports as presented. All in favor. Motion passed.

8. Financial Report – as presented by Susan Anderson-Krieg and Robert M. Zito

Ms. Anderson-Krieg asked Mr. Zito to proceed. Mr. Zito discussed the preliminary financial results of the Association for the year ending December 31, 2015.

The disbursement list for December 2015 was presented. There were no questions.

In summary, unaudited operating income for the year was \$184K, which was 15% over budget. Operating expenses were \$140K (4% over budget, primarily due to the capital projects undertaken by the Board in the latter part of the year). Reserve contributions of \$35K were made during the year – \$10K more than anticipated. Total cash at the end of 2015 stood at approximately \$108K.

Mr. Zito stated that the 2015 operational audit had begun and that all files were now in electronic form which should facilitate the completion of the audit.

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

9. Secretary's Report – No report

10. Old Business –

- **Bidding on Potential Capital Projects –** Mr. Moore asked how we could solicit bids for work being considered. Mr. Zito suggested putting a public notice into the Pocono Record. Specifically, the re-paving of the mailbox pavilion and the drainage pipe on Carriage Lane were discussed. Mr. Zito said he had approximate measurements but would stress to potential bidders that visual inspection and measurement would be strongly encouraged. Mr. Zito suggested that the Board make a motion to authorize advertisement.

During this discussion Mr. Moore brought up the possible purchase of a projector, in the context of having the Finance Committee recommend the prioritization of projects for the current year. Mr. Zito mentioned the four projects approved in the budget Reserve schedule – re-paving of the mailbox pavilion, Carriage Lane drainage and road work, sealcoating and re-striping of the Community Center parking lot and stone or mulch for the landscaped areas at the Community Center.

Other issues discussed were leaking from the Community Center gutters and the possibility of a trash dumpster for the office area. It was noted that the leaking downspout was fixed, but some leaks still remain in the gutters themselves. Mr. Zito will speak to Mr. Jorge Amaya on this issue when it is feasible to repair.

Ms. Santos presented an advertisement and specifications for a projector. Discussion followed.

A motion was made by Mr. Sandford, seconded by Mr. Broxmeier, to close Old Business. All in favor. Motion passed.

11. New Business –

- **Culture's Closet** – Mr. Zito apologized for any confusion regarding the request of Culture's Closet for additional time. He pointed to Mr. Moore's e-mail response, which essentially said that if the room was not being used that we, as management, be able to approve such requests, as being a good guideline to follow. A long discussion followed.

Mr. Sandford brought up the fact that a separate request for a 15-minute grace period at the end of Culture's Closet's classes was previously e-mailed to the Board and carried out without majority approval. Mr. Sandford then requested an Executive Session to discuss personnel policies and procedures.

During this part of the discussion Mr. Zito was not present (he was helping a homeowner), but prior to the executive session he tried to explain the administrative error that occurred in this instance which allowed the grace period request to go forward. Understanding that this would not occur going forward he asked for guidance on how to charge this tenant for overages (i.e., per minute, per quarter hour, etc.).

Mr. Zito was called away again. At that time the following occurred:

A motion was made by Mr. Sandford, seconded by Mr. Broxmeier, to hold an Executive Session. A vote was taken. A majority approved this request, with Mr. Moore objecting, stating that all sessions should be open.

The Board broke for Executive Session at 12:10pm. Ms. Rivera, as alternate, was not invited to participate, in accordance with proper procedures of Executive Session.

The Board reconvened the Regular Session at 12:20pm.

Ms. Smith-Hughes and Ms. Rivera left at 12:20pm.

Ms. Miller outlined for Mr. Zito procedures that are to be followed in situations such as this: A) Management would inform the President of the issue. B) The President would either decide on the issue or instruct management that an email request be sent to Board members. C) The issue could only move forward with a majority of five Directors agreeing. D) A non-response by Board members would be construed as an abstention.

Mr. Zito again reiterated that the error previously discussed was administrative in nature, not a conspiracy.

Mr. Moore asked Mr. Zito if clarification was still needed regarding the charging of overage. Mr. Zito mentioned a situation regarding a child being sick and having to use the bathroom. He said that he would prefer to follow the same procedure he has followed in the past regarding overages:

- **Payments to Contractors** – Mr. Broxmeier has asked that contractors not be paid in full until jobs are done. Mr. Zito said that final payments are released only after the job is done and suggested that someone other than himself give final approval to determine the job is done correctly. A discussion occurred.
- **Overflow Parking Area** – Mr. Broxmeier noted that the overflow parking lot was flooded during the recent heavy rains.
- **Committee Assignments** – Ms. Rivera and Ms. Smith-Hughes, being absent, could not request their assignments. Mr. Moore said that he would serve on the Finance Committee.
- **Community Center Parking Lot** – Mr. Ramos suggested that the Community Center parking lot be used as a safe, well-lit drop off point for students using the "activity" bus in the afternoon. Discussion followed.
- **Chimeneas** – The Rules & Regulation Committee suggested allowing household fire pits for recreational use. An informal survey of those present showed that only four members were in favor of bringing this item to a vote, so it was tabled at this time.
- **Emergency Alarm Callouts** – Since Mr. Zito was now the only person on the emergency call out list, Ms. Miller suggested that Mr. Ramos be added. Mr. Ramos has previously told Ms. Miller that he would volunteer. Those present agreed to add Mr. Ramos to the callout list and allow him to have a set of keys.
- **Governing Documents** – Mr. Moore suggested that four months prior (May Regular Meeting) to any Annual Meeting all changes to the governing documents be incorporated into a bound booklet for distribution to the members.

- **Homeowner Complaint Regarding Citation** – Mr. Ramos stated that in the summer someone came to his door complaining of harassment regarding a violation. He said the homeowner said he carried a gun, etc. Mr. Ramos said he explained the appeal procedure to this homeowner.

12. **Correspondence** – None.

There being no further business, a motion was made by Ms. Kelly, seconded by Ms. Anderson-Krieg to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 12:58pm.

NEXT REGULAR BOARD MEETING: February 20, 2016 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 20, 2016
MINUTES

Board Members present:

Margaret Miller - President, Bryan Sandford - Vice President, Susan Anderson-Kieg - Treasurer, Marisol Santos - Secretary, Daniel Broxmeier - Director, Marion Kelly - Director (arrived at 9:01am), Tykleyen Moore - Director, Jose Ramos - Director.

Board Members absent:

Janice Smith-Hughes - Director.

Alternate Members present:

None.

Alternate Members absent:

Clara Rivera.

Staff present:

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

Members present:

None.

The meeting was called to order by President Margaret Miller at 9:00am in the Community Room of Pocono Farms East Association, 3770 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

The minutes of the January 16, 2016 Regular Meeting were reviewed and considered for approval. The following corrections were offered:

Page 2, Maintenance Report - Paragraph 2, line 1: moth should read month.

Page 6, Top paragraph: Mr. Sandford asked for interpretation of the intent of the ending of the paragraph statement "Mr. Zito will speak to Mr. Jorge Amaya on this issue when it is feasible to repair". He felt that it seemed it was saying that Mr. Zito would wait for warmer weather to speak to Mr. Amaya. A short discussion took place. No action was taken.

Various: The spelling of the word **chimneas** should be changed to **chimeneas** throughout the minutes.

Page 4, Rules & Regulations – Line 4: fact finding should read fact-finding.

Page 6: Discussion took place regarding the inclusion of the following sentence: **The Board broke for Executive Session at 12:10pm. Ms. Rivera, as alternate was not invited to participate.** Mr. Sandford and Mr. Broxmeier argued that it was not necessary to mention this. Ms. Kelly argued that since it was part of the open session it should be documented. The following revised statement was agreed upon to be included in the minutes: **The Board broke for Executive Session at 12:10pm. Ms. Rivera, as alternate, was not invited to participate, in accordance with the proper procedures of Executive Session.** Later on in that paragraph the following change was agreed upon: **Ms. Smith-Hughes and Ms. Rivera were not present at that time** should read **Ms. Smith-Hughes and Ms. Rivera left at 12:20pm.**

December 19th: Mr. Broxmeier noted that the mention himself as **Ms. Broxmeier** still remained in the approved minutes for that date. Mr. Zito will correct the errors.

Page 6, New Business – Paragraph 2, Line 1: 15 minute should read 15-minute.

Page 7, Line 5: majority (five) should read majority of five.

Page 7, Chimineas: Spelling will be corrected to chimeneas. **Line 3:** bring this should read bringng this.

Ms. Kelly, at this time, asked for clarification on the rights and responsibilities of an Alternate Director. Comments were heard from Mr. Sandford, Mr. Moore and Mr. Ramos.

Page 7, Second paragraph: Mr. Broxmeier objected to the fact that the Mr. Zito included the following statement **Mr. Zito again reiterated that the error previously discussed was administrative in nature, not a conspiracy.** A contentious discussion took place. Mr. Sandford felt Mr. Zito should not take liberties in including his own comments unless he affords that courtesy to others at the meeting. Mr. Zito explained that he is trying to provide a representative picture of the meeting and not a verbatim record and has, in the past, included comments of others that he subjectively felt were relevant to the content of the meeting.

Ms. Kelly refuted Mr. Broxmeier's objection, saying the comment was made and whether or not the Board liked the comment it was part of the meeting and should be included in the minutes.

At this point Mr. Ramos quoted from PFE By-Laws Section 8.2 – Executive Sessions. Discussion followed.

There was more discussion on the initial objection. Mr. Broxmeier then made a motion to strike "not a conspiracy". Mr. Sandford stated that motions are not

typically made when minutes are being considered for approval. Ms. Kelly suggested an informal vote be taken on this issue, Mr. Zito suggested that a vote be taken to approve the minutes as corrected up to this point – and voting NO if it was the Director's desire to remove "not a conspiracy".

A motion was made by Mr. Broxmeier, seconded by Ms. Kelly to accept the January 16, 2016 Regular Meeting minutes as presented and corrected to this point. Four in favor (Ms. Santos, Ms. Anderson-Krieg, Ms. Kelly and Mr. Ramos). Two opposed (Mr. Broxmeier and Mr. Sandford), Two abstained (Mr. Moore and Ms. Miller). Motion passed.

Further comments on the issue were heard from Mr. Broxmeier, Ms. Santos and Ms. Kelly.

The corrected and previously approved minutes of the December 19, 2015 Regular Meeting were reviewed. Mr. Zito noted Mr. Broxmeier's earlier comments.

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

Mr. Zito presented a written report to the Board. He called for questions.

Mr. Zito said it was pointed out to him that the trash cans at the PFE shed were left out for an entire week. He explained that he put the cans out for the trash hauler in Mr. Jeff Hein's place and that Mr. Hein evidently misunderstood the fact that Mr. Zito would not be putting the cans back after pickup. Mr. Zito said that basically most of the trash that was being generated by the office was being taken offsite by him and that he would make sure that this issue does not occur again.

He also said that the water pipes in the office froze once again during the stretch of cold weather. He also said that the roof wires were working well in preventing ice dams on the roof this winter.

Mr. Sandford also brought out that he had informed management of severe flooding in the areas of Lamont Way, Graham Lane, Gordon Lane and Leslie Way, specifically regarding crossover pipes. Mr. Zito said that he did check out the situation later that afternoon and that a lot of it had subsided but that Lamont Way was extraordinarily bad at that time. Mr. Sandford clarified that the time of Mr. Zito's visit was approximately 1 ½ days after the storm.

Mr. Zito said that he would write a letter to Township Chairman Bill Weimer regarding the concerns of the Board.

Further comments were made on the issue of stormwater and flooding by Mr. Sandford, Mr. Zito and Ms. Kelly and Mr. Broxmeier. Mr. Broxmeier and Ms. Kelly discussed problems specifically related to Carriage Estates.

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 detailing permit activities YTD through February 15th was presented by Mr. Zito.

In total only three tree permits have been issued thus far this year. No compliance (building) permits have been issued.

Mr. Broxmeier asked if porta potties are being removed by contractors in a timely fashion. Mr. Zito said that they are being removed promptly upon issuance of a Certificate of Occupancy.

Mr. Sandford asked if Classic Homes had requested any new permits. Mr. Zito said that they have not and would not get one until the citation for working on MLK Day was paid.

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

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

A written report compiling citations issued YTD through February 15th was presented by Mr. Zito.

Mr. Zito discussed the four homeowners Attorney Greg Malaska had recently contacted. He said that the property owner on Cambell Way had contacted the office and requested to come to the Board meeting to address the Board, while the other three have not responded and were fined as appropriate.

Mr. Sandford asked about the property owner who requested to speak to the Board and if they were a member in good standing. After some discussion Mr. Sandford asked to know who invited this property owner, who is not in good standing, an audience with the Board. Mr. Zito said he had. Mr. Sandford referred to the By-Law that was put in place in 2011 allowing only members in good standing the right to address the Board. Mr. Zito said that it was his recollection that the intent of this change was to discourage complaints from those who had no standing in the Association, and he felt that since this was an issue that he could not resolve, he thought it was proper to allow her to speak directly to the Board.

Ms. Kelly asked about the homeowner's recourse if an audience was not granted. Mr. Sandford pointed to Attorney Malaska's letter stating that she

would be fined and that the fence must be returned to the state originally permitted within 60 days. Ms. Kelly again asked about recourse if a homeowner "screws up". Discussion followed. Comments were heard by Mr. Broxmeier, Ms. Kelly, Ms. Anderson-Krieg, Ms. Miller and Mr. Moore, all relating to the fact that the citation appeals process should be the only recourse that management should follow relating to violations.

Mr. Zito also discussed the other homeowner who wanted to negotiate payment of a large delinquent balance. After discussion Mr. Moore suggested that this homeowner present any type of negotiating offer in writing to the Board, which the Board can discuss.

A review of this account was done by the Board. While the payments were sporadic Mr. Zito pointed out that \$1,535.00 was paid over the last 10 years, roughly equating to the dues charged during that time. The consensus of the Board, however, was to not consider speaking with her at this time and to take Mr. Moore's suggestion that she put any offer that she would like to make in writing.

Mr. Zito said that in light of the fact that it appeared that the Board now wanted letter of the law followed regarding violations, he would like to send all violations and pictures to the Citation Appeals Committee as they are sent to homeowners, so that they have an understanding of the progression of the violations. Mr. Sandford felt that sending this information to them was beyond the scope of their job and that all this information should not be sent to them.

Discussion followed. It was pointed out that since homeowners have the right to ask for an appeal within 21 days that the rules, as stated, should be followed. Mr. Moore said that if there are any extenuating circumstances brought to management's attention, they, in turn, should be brought to the Board's attention.

Administrative procedures and policies continued to be discussed at length. Mr. Moore, as a Board member, said that in the future all Board members should be notified when a property owner wants to address the Board. On matters relating to day-to-day operation of the building, responsibility for decisions should fall to management or management and the President of the Board. Mr. Sandford said that since management is an "employee" of the Board, the Board needed to take responsibility for management's decisions.

Mr. Ramos left the meeting at 10:53am.

At this point (10:54am) the Board recessed.

The meeting reconvened at 11:00am.

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

5. President's Report – Ms. Margaret Miller

Ms. Miller said that she trusted everyone had read Ms. Smith-Hughes' email stating that she was resigning from the Board at this time due to having broken her foot. She said that as far as her being President, she did not have "a dog in this race" and that she was on the Board to represent 900 plus homeowners, and that as the community expands and diversifies, policies should be updated to benefit all.

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

A written report covering the operations of the Association for the January 2016 year was distributed by Mr. Zito. He called for questions.

Mr. Sandford said that the report did not specify the number of accounts paid in full at the end of 2015 and 2014. Mr. Zito said that information was part of the January report. Mr. Sandford asked that that number be shared with him at the end of the meeting. Mr. Zito said he would reprint it for Mr. Sandford.

Ms. Kelly asked, generically, how things were going. Mr. Zito said they were going OK.

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

7. Committee Reports

• Rules & Regulations:

Ms. Miller said that the meeting was cancelled due to bad weather. Mr. Zito said that Rules & Regulations and Covenants were updated and reformatted and sent to the Proofreading Committee, and that he would give the updated documents, along with comments from the Proofreading Committee to the R&R Committee at its next meeting. Ms. Kelly asked if the By-Laws had been updated. Mr. Zito said that he was still working on the By-Laws. Ms. Deborah Moore gave an example of one inconsistency – having fines associated with violations sometimes mentioned in the section pertaining to the violation and some not being mentioned until the end of the document – and that there should be consistency throughout.

- **Citation Appeals:** No report.
- **Facilities:**

Discussion of who would take the leadership role of this Committee took place. A brief mention of the expiration date for the Culture's Closet lease was made. Mr. Broxmeier discussed a projector. Mr. Moore said that he had sent some information to the Board members this morning and that they review it and educate themselves on the options available.

- **Finance:** No report.
- **Social Activities:**

The discussion on the projector and screens continued. Ms. Moore discussed dates for the Community Easter event. It was the consensus of those present that the event should take place on Saturday, March 26th. Mr. Broxmeier said that he would like to donate \$50.00 to the event. He was thanked for that generous gesture.

- **Proofreading:**

Ms. Moore stated that she had reviewed the updated Rules & Regulations and Covenants.

8. Financial Report -- as presented by Susan Anderson-Krieg

Ms. Anderson-Krieg asked Mr. Zito to proceed. Mr. Zito discussed the preliminary financial results of the Association for the month of January 2016.

The disbursement list for January 2016 was presented.

Mr. Ramos returned to the meeting at 11:37am.

Ms. Anderson-Krieg and Mr. Zito said that the amount disbursed was inflated due to the check written to PFEA for transfer into the Reserve account.

Mr. Moore asked about winter maintenance and snowplowing. Mr. Sanford asked if the Attorney Fees line item included the violation letters sent by Attorney Malaska. Mr. Zito said that the charge relating to the letters were paid subsequent to this report and would show up next month. Mr. Moore asked if any other Associations have invested Reserve money. Discussion followed relating to Treasury Bills, CDs in the secondary market and other financial instruments. Ms. Kelly discussed group efforts for services such as garbage, paving, etc., that could benefit both the Association and homeowners.

A motion was made by Mr. Moore, seconded by Mr. Sandford, to accept the Financial Report as presented. All In favor. Motion passed.

9. Secretary's Report – No report

10. Old Business –

- **Proposed Ad for Potential Capital Projects** – Mr. Zito presented a draft of an ad soliciting RFPs for capital projects to be done this year. He stated that a motion was made last month to authorize the advertisement (jobs A & B), but Mr. Sandford, correctly, stated that no motion was made and no vote taken.

Discussion of allowing bids on individual jobs, awarding or rejecting bids, etc., took place.

A motion was made by Mr. Moore, seconded by Ms. Anderson-Krieg, to authorize advertising for RFPs for potential capital projects as presented.

Prior to the vote, Mr. Zito asked if the contents and assumptions made in the proposed ad were acceptable. Mr. Sandford questioned some of the assumptions made for the drainage work on Carriage Lane. Mr. Moore suggested that conversation take place with interested parties and that their expert opinions should be sought, and if they cannot offer that opinion he would question their ability to do the job in question. Mr. Broxmeier and Ms. Santos also commented.

Ms. Kelly left the meeting at 12:00pm.

Ms. Santos said that regarding the stone or mulch at the Community Center the ad should read "Purchase and installation" not "Purchase and/or installation". That change was recorded.

All in favor. Motion passed.

- **Status of Attorney Malaska's Letters –**

- **Fence on Cambell Way-** Per earlier conversation at this meeting, the homeowner will not be present but will address a letter to the Board.
- **Fence on Chelsea Circle-** No response from homeowner. Mr. Sandford pointed out that this violation was long-standing and no permit was ever issued. He also recalled that earlier attempts to

arrange a meeting with the property owner were not responded to by the homeowner.

- o **Vehicle on Hamlet Drive-** No response from homeowner. Mr. Sandford stated that this violation went back a long time.
- o **Vehicle on Northampton Road-** No response from homeowner. Mr. Sandford stated that this violation went back years.

The Board discussed possibly moving forward with legal action, table the issues, or give homeowners more time to expound. Mr. Broxmeier brought up the fact that the property on Northampton Road not only had the unregistered commercial vehicle but a fence in disrepair and an unsightly condition. Mr. Ramos suggested that the vehicle could be seized and sold after a judgment was obtained to recoup costs. Mr. Sandford disagreed, citing the condition of the vehicles. Mr. Broxmeier suggested that while he does not like to lose money, the Board may have to expend some funds to get something done.

A motion was made by Mr. Moore, seconded by Mr. Broxmeier, to authorize Attorney Malaska to move forward with court proceedings against the property in question on Northampton Road. Six in favor. One opposed (Ms. Santos). Motion passed.

A motion was made by Mr. Moore, seconded by Mr. Sandford to appoint Deborah Moore to the Citation Appeals Committee. All in favor. Motion passed.

1.1. New Business -

- **Request for Payment Agreement** – Previously addressed in this meeting.
- **Request for Authorization to send out Spring Newsletter** – This newsletter will be timed primarily to advertise the Easter Eggstravaganza to be offered by the Social Committee March 26th from 11:00am – 1:00pm.

A motion was made by Ms. Anderson-Krieg, seconded by Mr. Broxmeier to authorize sending a Spring Newsletter. All in favor. Motion passed.

- **Resignation of Director Janice Smith-Hughes -**

A motion was made by Ms. Anderson-Krieg, seconded by Mr. Sandford to accept the previously submitted resignation of Director Janice Smith-Hughes. All in favor. Motion passed.

- **Other Issues -**

Mr. Sandford told those in attendance that at the last Regional Police meeting a group from New York made a presentation on their willingness to train our police

in a new drug program, and that he had materials from that presentation that he would like to share with the Board.

Mr. Broxmeier suggested that although management notified the Board of a last minute change in hours this week, such changes should be posted on the bulletin board so that all in the community are informed.

Mr. Moore asked about the previous efforts of neighboring HOAs cooperating with PFE on issues. He also asked if the issues Coolbaugh Township had with Regional Police were ever resolved. Mr. Sandford said that the Township was awaiting court dates for pending litigation and that the Township hired a consulting firm in December, from which no report has been issued to date.

12. Correspondence - None.

There being no further business, a motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 12:23pm.

NEXT REGULAR BOARD MEETING: March 19, 2016 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, MARCH 19, 2016
MINUTES**

Board Members present:

Margaret Miller - President, Bryan Sandford - Vice President, Susan Anderson-Krieg - Treasurer, Marisol Santos - Secretary, Daniel Broxmeier - Director, Marion Kelly - Director (arrived at 9:08am), Tykieyen Moore - Director (arrived at 9:03am), Jose Ramos - Director (arrived at 9:05am).

Board Members absent:

None.

Alternate Members present:

None.

Alternate Members absent:

Clara Rivera.

Staff present:

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

Members present:

Deborah Moore.

The meeting was called to order by President Margaret Miller at 9:00am in the Community Room of Pocono Farms East Association, 370 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

The minutes of the February 20, 2016 Regular Meeting were reviewed and considered for approval. The following corrections were offered:

Page 3, Maintenance Report - Paragraph 2, line 1: Mr. Zito should read **He**.

Page 3, Maintenance Report - Paragraph 2, line 2: He should read **Mr. Zito**.

Page 4, Permit Report - Paragraph 4, line 2 : ~~that that~~ should read **that they**.

Page 4, Compliance Report Paragraph 2, line 1: recently sent should read **recently**.

Page 5, Paragraph 2, line 3: Board should read **Board,**.

Page 5, Paragraph 4, line 2: violatlons should read violations..

Page 5, Paragraph 4, line 2: homeowners should read homeowners..

Page 5, Paragraph 6, line 4: day to day should read day-to-day.

Page 5, Paragraph 6, line 4: On matters relating to day to day operations and the operation of the building responsibility for decisions should fall to management or management and the President of the Board should read On matters relating to day-to-day operation of the building, responsibility for decisions should fall to management or management and the President of the Board.

Page 6, Maintenance Report, Line 3: Committee should read Committee..

Page 7, Financial Report, Line 2: written to us should read written to PFEA.

Page 7, Financial Report, Line 7: Invested money should read invested Reserve money.

Page 7, Financial Report, Line 10: benefit the should read benefit.

Page 9, Old Business, Line 7: He went on to ask the Board if they wanted to move forward should read The Board discussed possibly moving forward.

Page 9, Old Business, Line 13: lose money should read lose money..

Page 9, Old Business, Line 14: do expend should read expend.

A motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to accept the February 20, 2016 Regular Meeting minutes as presented and corrected.

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

Mr. Zito presented a written report to the Board, covering February 17th – March 11th. He called for questions.

He said that on several warmer days, Mr. Jeff Hein had run his mower over the edge of the road along Rob Roy Drive and Kings Way to mulch leaves and prepare the area for mowing. He also said that both the mechanical room of the Community Center and the back corridor had been cleaned out, and that items were discarded at Panther Waste, along with the several pieces of furniture left on the road on John's Way.

Mr. Zito also said that a tree had fallen on the Center's propane tank and that he had arranged for SC Tree Service to remove the tree from the tank at a cost of \$25.00. Mr. Hein then subsequently recycled the wood at the Township Recycling Center.

Another item that was discussed was the Center's generator, which had been serviced the day before. Mr. Sandford was present when the technician was leaving and told those present that we were told that the unit was down four quarts of oil and that the generator's battery was losing power (reading less than 12 volts) and should be replaced.

Mr. Sandford and Mr. Broxmeier said that they would be willing to take a look at the generator and could possibly replace the battery if one were purchased.

There was a consensus to have Mr. Zito purchase a new battery. Once purchased, Mr. Sandford would look into installing it.

Mr. Zito also said that FJ Hess had replaced all three toilet flushometers. He mentioned that in the past week several of the office electrical receptacles had tripped. Mr. Zito said that he would be willing to repaint the kitchen once the office workload eased up.

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

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

A written report detailing permit activities YTD through March 12th was presented by Mr. Zito. Activity remains slow.

He discussed several situations that had been previously mentioned. The property on Gordon Lane that had erected posts is indeed installing a fence. The property owner came into the office, paid the fee and was given a permit. Classic Homes paid for a previous citation and had then applied for a new permit on Chelsea Circle. However, the permit fee was not included with the submission, so no permit was issued. An incident recently occurred on Belgravia Drive when a homeowner, who had a valid permit, felled several electrical wires while cutting down a tree. Thanks to a neighbor alerting the office of a very dangerous situation (the felled wires were laid upon an aluminum ladder in the middle of the street, creating a hazardous situation) we were able to get the situation remedied fairly quickly.

Ms. Santos asked if a permit was needed for a patio / deck that was less than 30' off the ground. As per Coolbaugh Township, a Township permit was not needed for this project and therefore, after discussion by the Board, one would not be required by PFEA.

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

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

A written report compiling citations issued YTD through March 16th was presented by Mr. Zito.

Mr. Zito discussed citations issued the prior period. Of 29 citations issued, eight were resolved, 11 were given additional fines and 10 (mostly uncovered propane tanks) would be reviewed at a later date.

Mr. Sandford questioned a deck project that was underway at a home on Cambell Way. The Association had previously alerted Coolbaugh Township to what appeared to be a dangerous situation. Mr. Zito said that Township Zoning Officer Joe Brady is requiring a permit from this homeowner, and as such, the homeowner would be required to get a permit from PFEA. He also said that the homeowner's account has already been charged a permit fee of \$100.00.

A home on Fergus Way was also discussed. This home had previously been cited due to unsightly conditions in the rear yard, which is now being blocked by screening attached to a fence. There were questions raised as to whether a permit had been obtained for this fencing. Mr. Zito will research this matter.

Mr. Sandford went on to ask about a home on Mayfair Road that has no steps leading up to a front door that is at least eight feet off the ground. Mr. Zito said that "Informational Warnings" regarding this potentially dangerous situation had previously been sent to the homeowner and that the homeowner made contact with the Administration Office stating that he did not have the funds to repair the steps at this time. Mr. Zito was asked to contact Mr. Brady at the Township to have him assess the situation.

Two other situations, a building related issue on Hampshire Road and a vehicle issue off Rob Roy Drive, were satisfactorily resolved.

Finally, current citations, issued 3/16, were discussed. Mr. Zito said that he was now adding the following information to all warnings and citations issued – DATE MAILED, LAST DAY TO APPEAL and DATE OF NEXT ACTION.

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

5. President's Report – Ms. Margaret Miller

Ms. Miller informed those present that Coolbaugh Township was conducting a leaf pickup at PFE from April 11th – 15th. She said that at the Township Supervisors

meeting it was noted that volunteers for "Meals on Wheels" were badly needed. She also distributed the latest police report for Coalbaugh Township. Mr. Broxmeier read aloud the statistics contained in that report. Other police matters were discussed, along with the financial situation of Pocono Mountain Public Library.

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

A written report covering the operations of the Association for the February 2016 year was distributed by Mr. Zito. He called for questions.

Mr. Zito said that in reviewing collection activity, the percentage of dues collected is about the same as last year, but, through February, 47 more accounts were paid in full this year compared to last.

He stated that resale activity has remained strong, although the majority of resales still appear to be foreclosed homes.

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

7. **Committee Reports**

• **Rules & Regulations:**

Mr. Broxmeier said that the Committee had met the previous Saturday. Several items were discussed, among them language in the R&R document pertaining to culvert pipes, specifically who is now responsible for paying for a culvert pipe. There was a feeling among Committee members that this issue had been previously addressed and new language approved by the Board. If that is true case, it would mean that Mr. Zito apparently missed incorporating this change into the revised R&Rs. He will research the matter.

Ms. Kelly said that she felt that this Committee should be open to all Board members so that changes and revisions can be facilitated. She was told that meetings are open to any member / homeowner.

A lengthy discussion took place regarding needed revisions to language pertaining to the Architectural Control Committee (Section 4.4 of the R&Rs). At the conclusion of the discussion the following motion was made:

A motion was made by Mr. Moore, seconded by Mr. Broxmeier, to revise Rules & Regulations Section 4.4 as follows:

Management and, as needed, Board designees, shall have primary responsibility for approving new buildings proposed and being constructed within the

development in accordance with the declaration of these Rules and Regulations.
All in favor. Motion passed.

- **Citation Appeals:**

No formal report. Mr. Zito referred to a letter sent by a property owner on Titania Road. This letter was recently emailed to the Committee members but no clear consensus was reached. A long discussion took place. It was noted that this property also has a permit which was taken out for an addition several years ago that has not yet been closed out. The consensus of those present was that the initial fine should remain on the homeowner's account.

- **Facilities:**

No formal report. It was noted again that the long-term lease for Culture's Closet will expire at the end of June and that this matter needs to be addressed in the near future.

Earth Day, specifically an event at Northampton Community College, was discussed.

- **Finance:** No report.

- **Social Activities:**

Ms. Moore said the Committee was continuing to work on the upcoming Easter event on March 26th, and that volunteers are needed.

A projector, again this month, was discussed. Mr. Ramos said that he had attempted to get a rental preview of a projector from Rent-A-Center. Mr. Sandford mentioned that, by coincidence, Ms. Darlene Sanford and Mr. Moore were, after researching projectors, both recommending purchase of an Epson 2040 projector.

A motion was made by Mr. Broxmeier, seconded by Ms. Santos, to purchase an Epson 2040 3D Full HD projector, with allocation of funds - \$1,000.00 - having previously been approved. All in favor. Motion passed.

Mr. Broxmeier said that two donations, totaling \$75.00, were received for the Easter event. The consensus of the Board was to buy three \$25.00 gift cards from Walmart that could be raffled off at the event.

- **Proofreading:** No report.

8. Financial Report – as presented by Susan Anderson-Krieg

Ms. Anderson-Krieg asked Mr. Zito to proceed. Mr. Zito discussed the preliminary financial results of the Association for the year-to-date through February 29th.

The disbursement list for February 2016 was presented. No questions were forthcoming.

Mr. Zito reviewed revenue, saying that approximately 67% of budgeted income was received through February.

Through the end of February, Operating profit stood at approximately \$75K. Month-to-date, approximately \$15K was received in revenue and the same approximate amount disbursed through accounts payable.

The four capital projects scheduled for 2016 were discussed.

A motion was made by Mr. Sandford, seconded by Ms. Santos, to accept the Financial Report as presented. All in favor. Motion passed.

9. Secretary's Report – No report

10. Old Business –

- Status of Attorney Malaska's letters – Mr. Zito included in the Board packet letters of response from two homeowners regarding ongoing violations – the fence violation on Campbell Way and the fence violation on Chelsea Circle. Regarding the vehicle violation on Northampton Road, Mr. Malaska wanted the Board to realize that initial costs for legal action on this matter would be about \$400.00 - \$600.00 and if the matter were contested, costs could go over \$2,000.00. The Board was comfortable with this and all agreed to move forward with legal action on this property.
- Fence on Chelsea Circle – Mr. Sandford said he recalled that in an earlier speakerphone call between the Board and this homeowner, she said that she would get back to the Board on scheduling an appeal hearing last summer, but that she had failed to do so.
- Mr. Zito said that she met with him in the Office recently and that she stated that the fence goes back to 2002 but was hidden by trees that were removed when a new home was constructed next to her home. She said that she was willing to bring the fence into compliance and that she needed a fence there due the danger posed by a deep drainage ditch that runs on her property perpendicular to the road. She asked that the fine be waived and she paid her account in full, minus the initial \$500.00 citation.

A motion was made by Mr. Moore, seconded by Mr. Ramos to allow the homeowner on Chelsea Circle until June 30th, 2016 to obtain a fence permit from PFEA and bring the fence into compliance relating to height and permitted materials. If, on June 30th, 2016, all conditions have been met, the PFEA Board of Directors will consider waiving the initial \$500.00 fine. If all conditions have not been met, the fine will stand and additional fines will accrue. All In favor. Motion passed.

- **Fence on Cambell Way** – This fence exceeded the parameters of the variance that was previously given to the homeowner by the Board. The homeowner wrote a letter of explanation to the Board, which was considered at this meeting.

After discussion, it was agreed that the Board needed to stand by Atty. Malaska's letter and that the fence must be brought back to the specification of the original variance. Mr. Zito was directed to inform the homeowner in writing and to get Monroe County Waste Authority to address the conditions next door to this home.

Ms. Santos and Mr. Ramos left the meeting at 12:30pm.

A motion was made by Mr. Broxmeier, seconded by Mr. Sandford inform the homeowner on Cambell Way that she has until June 30th, 2016 to bring her fence into compliance per the original variance issued by the PFEA Board, and that the initial fine of \$500.00 stands. If conditions are not met by June 30, 2016, additional fines will accrue. All in favor. Motion passed.

A motion was made by Mr. Sandford, seconded by Ms. Kelly to close Old Business. All in favor. Motion passed.

11. New Business –

- **2015 Operational Audit** – Mr. Moore disagreed with the language in the audit's management letter relating to the lack of a Reserve Study. After discussion, the Board asked Mr. Zito to send the most current PFEA Reserve Schedule to Zavada & Associates and ask for clarification on the Schedule and how it relates to Generally Accepted Accounting Principles (GAAP).

A motion was made by Mr. Sandford, seconded by Mr. Broxmeier to table acceptance of the 2015 Operational Audit. All in favor. Motion passed.

- **Transworld Systems Collections –**

A motion was made by Ms. Kelly, seconded by Mr. Broxmeier to purchase from Transworld Systems 500 accounts, for the purpose of debt collection, at an amount of \$5,962.50. All in favor. Motion passed.

- **Resignation of Alternate Clara Rivera –**

A motion was made by Mr. Sandford, seconded by Mr. Broxmeier to accept the resignation of Alternate Clara Rivera. All in favor. Motion passed.

12. **Correspondence –**

- **Letter from Homeowner on Horatio Road –**

A discussion of the written request to forgive all previously accrued late fees took place. It was determined that since the majority of these fees occurred in relation to the assessment to bring PFE roads up to Township specifications, and that all property owners were responsible for this assessment, it would not be proper to waive these fees. The Board also considered that as long as \$50.00 monthly payments continue to be made, no additional late fees will accrue.

- **Letter from Homeowner on Gordon Lane –**

A letter from the son of a deceased property owner taking exception to violations and unsightly conditions cited on his property was discussed.

- **Letters Regarding Flooding on Graham Lane, Gordon Lane, Lamont Way and Belgravia Drive –**

Correspondence regarding flooding conditions on these roads were presented. Mr. Zito said that he is supposed to meet with Township Roadmaster Bill Weimer when Mr. Weimer's health permits.

- **Letter from Homeowner on Derby Road regarding billing mistake –**

A letter from a property owner, sent to Mr. Broxmeier, relating to a billing error, charging an account with a \$2.55 late fee, was discussed. Mr. Zito said he and Mr. Broxmeier called the property owner and that the error was admitted and corrected.

• **Notice from Coolbaugh Township --**

A notice from Coolbaugh Township announcing the Spring Leaf Cleanup (April 11th – 15th) was discussed.

Prior to adjournment, Mr. Zito distributed a recent article regarding meeting protocol and Robert's Rules.

There being no further business, a motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 1:08pm.

NEXT REGULAR BOARD MEETING: April 16, 2016 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, APRIL 16, 2016
MINUTES

Board Members present:

Margaret Miller - President, Bryan Sandford - Vice President, Susan Anderson-Krieg - Treasurer, Daniel Broxmeier - Director, Marion Kelly - Director, Tykleyen Moore - Director (arrived at 9:08am), Jose Ramos.

Board Members absent:

Marisol Santos - Secretary.

Alternate Members present:

None.

Alternate Members absent:

None.

Staff present:

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

Members present:

None.

The meeting was called to order by President Margaret Miller at 9:05am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

The minutes of the March 19, 2016 Regular Meeting were reviewed and considered for approval. The following corrections were offered:

Page 3, Maintenance Report - Paragraph 5: "He mentioned that in the past week several of the office electrical receptacles had tripped **and that** he would be willing to repaint the kitchen once the office workload eased up. Mr. Zito" **should read** "He mentioned that in the past week several of the office electrical receptacles had tripped. **Mr. Zito said** that he would be willing to repaint the kitchen once the office workload eased up".

Page 9, Correspondence - Letter from Homeowner on Horatio Road Line 5: **decided** should read **considered**.

A motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to accept the March 19, 2016 Regular Meeting minutes as presented and corrected.

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

Mr. Zito presented a written report to the Board. He called for questions.

He told those present that subsequent to the generator being serviced, Mr. Sandford and Mr. Broxmeier replaced its battery, as had been suggested by the technician.

Mr. Zito discussed the damage to the shed on Belgravia Drive. He said that the carpentry repairs needed as a result of the falling tree were completed yesterday and that the Board needed to make a decision on whether or not to restore electrical service to the shed, at an estimated cost of \$975.00. He also suggested that Board members take a ride to the shed to see if there are any other trees that may pose a danger and should be removed.

Red septic dye was again put in the gutter downspouts on several occasions during rainstorms this month. In an effort to determine where the underground downspout was discharging water, Mr. Zito said that on each occasion, the dye could not be seen discharging, so he believed that the stormwater was leeching under the parking lot.

He said that in all three flushometers in the Community Room bathrooms were changed and that the fiberglass inner tank in the men's room was also replaced due to a crack in the old one.

Finally, Mr. Zito noted that the tree that had fallen on the propane tank at the Association office was removed by Mr. Jeff Hein.

At this time, a short break was taken to review the condition of the Community Room tile floor.

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

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

A written report detailing permit activities YTD was presented by Mr. Zito.

He briefly mentioned two situations – a new home construction on Chelsea Circle and a deck replacement on Cambell Way. Both contractors were issued permits for their work, the latter being forced to do so with the help of Township

Zoning Officer Joe Brady. Overall, activity remains slow and no permits were closed out this month.

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

4. Compliance Report - as presented by Robert M. Zito

A written report compiling citations issued YTD was presented by Mr. Zito. He said that 50 new citations (34 warnings and 16 fines) were issued this month.

Several items were brought up by Board members. Mr. Sandford discussed a new burn barrel on Belgravia Drive. Mr. Broxmeier asked about the status of the ongoing problem of garbage cans being left out past collection day. Mr. Zito said that while not perfect, in his opinion the situation was much improved. Mr. Sandford showed a picture of a homeowner, in compliance with the new rules regarding the placement of garbage can on non-collection days, whose can was overflowing only one day after garbage was collected.

Mr. Zito discussed the status of previously issued citations. Of the 39 issued last month, 16 were resolved.

Finally, brief discussion took place on the practice of homeowners wrapping a piece of lattice around an upright propane tank, the frequency of citation tours and an unsightly property in Carriage Estates.

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

5. President's Report - Ms. Margaret Miller

Ms. Miller reminded Board members to please speak one at a time during meetings to facilitate the transcribing of the audio recording. She also urged the members to read the notes pertaining to any meetings they might have missed so that subsequent meetings would not get bogged down with questions that had been discussed previously.

Ms. Miller passed out and discussed the latest Pocono Mountain Regional Police report. She also mentioned the dangerous structure and the E-911 address status reports given at the Coalbaugh Township Supervisors meeting.

Mr. Sandford stated that the Supervisors said that a 15 day notice period for the owners of the burned out structure on Belgravia Drive was underway and that demolition of the structure could proceed at its conclusion.

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

A written report covering the operations of the Association for April 2016, was distributed by Mr. Zito. He called for questions.

He stated that TYD 642 properties were paid in full, versus 585 at the same time last year. Collection agency reporting for delinquent properties has begun.

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

7. **Committee Reports**

- **Rules & Regulations:**

The Committee held a meeting to review the full content of the current Rules and Regulations to identify omissions, contradictions and grammatical errors. Ms. Miller, Ms. Anderson-Krieg and Ms. Deborah Moore made corrections and suggestions to the document, which will be presented to the full Board upon the completion of the Committee's review. Mr. Zito was asked if the document that the Committee was working with contained all revisions to date. He said that to the best of his knowledge, it did.

- **Citation Appeals:**

No formal report.

- **Facilities:**

The expiring lease of Culture's Closet Dance Studio was discussed. Mr. Sandford noted the low attendance for these classes. He also said that with the recent purchase of the projector, Friday night classes might be pre-empted due to Social Committee functions. For those reasons, he asked the Board to consider not renewing the current lease. Mr. Broxmeier agreed.

Ms. Kelly asked if the group has caused any problems during their lease. Mr. Sandford felt that we need to know how many PFE children are participating in the program. Ms. Kelly agreed that this was a valid question. Mr. Sandford said that he felt that the program was not providing the service to the community that it was designed to do.

Discussion of the membership rights of owners versus renters took place. Mr. Zito suggested that the Facilities Committee meet Ms. LaNeice Mobley any evening she holds class to have their questions answered. Ms. Kelly volunteered to meet Ms. Mobley.

- **Finance:** No report.
- **Social Activities:**

The new projector and the successful Easter event were discussed briefly.

- **Proofreading:** No report.

8. **Financial Report – as presented by Susan Anderson-Krieg and Robert M. Zito**

Ms. Anderson-Krieg asked Mr. Zito to proceed. Mr. Zito discussed the preliminary financial results of the Association for the year-to-date.

The disbursement list for March 2016 was presented. Mr. Zito stated that disbursements were much higher than normal due to the annual expenses for the audit (Zavada & Associates) and collection activities (Transworld Systems).

Mr. Zito reviewed revenue and expenses, stating that approximately 76% of budgeted income was received and approximately 31% of expenses disbursed through March, with an operating surplus of approximately \$75K.

Cash on hand stood at approximately \$191K, with approximately \$85K held in Reserves.

A prepaid charge card totaling \$280.00 was purchased with monies raised by the Social Committee this year and last. An additional card for \$233.00, the total of monies raised by the Committee prior to 2015, will also be purchased.

Dues collections for 2016/ 2015/ 2014 stood at 59.96%/ 62.78%/ 64.08% respectively.

At this point (11:01am) Mr. Sandford left the meeting.

Note: No motion accepting the Financial Report as presented was heard.

9. **Secretary's Report – No report**

Ms. Miller informed those present of the passing Ms. Santos' father, and asked that Ms. Santos' family be kept in their prayers.

10. **Old Business –**

- **Acceptance of 2015 Audit –** Mr. Zito told the Board that Zavada & Associates accepted the language PFE presented regarding Reserves and revised the draft audit accordingly. He said that Joe Lenahan of

Zavada & Associates stated that the revised language was "boilerplate" since Reserves were not part of the scope of the audit and that the CPA firm, therefore, could not confirm or reject the Reserve schedule content. Mr. Zito said that in a phone conversation, Mr. Lenahan indicated that everything audited was in order to the satisfaction of Zavada & Associates.

A motion was made by Mr. Moore, seconded by Ms. Anderson-Krieg to accept the 2015 Operational Audit as completed by Zavada & Associates. All in favor. Motion passed.

- **Condition of House on Hamlet Drive** – Mr. Broxmeier asked if Zoning Officer Joe Brady had issued a notice of violation for this property. Mr. Zito said that he had.
- **Condition of Burned House on Falstaff Drive** – Mr. Zito said that both he and Mr. Brady issued notices of violation (unsightly) for this property.

A motion was made by Mr. Broxmeier, seconded by Ms. Anderson-Krieg to close Old Business. All in favor. Motion passed.

11. **New Business** –

- **Insurance Reimbursement / Electrical Repair - Shed** – Mr. Zito said that he had provided both carpentry and electrical estimates to our insurance adjuster. Once again, he suggested that Board members take a ride to the shed to see if the condition of any other trees were a danger to the building. Discussion on restoring the electric service to the shed took place. An estimate from VLD Electric (\$975.00) to restore electric service to the shed was discussed.

A motion was made by Mr. Moore, seconded by Ms. Kelly to accept the estimate from VLD Electric to restore electric service to the shed at a cost of \$975.00. All in favor. Motion passed.

- **Geocaching** – A request from a homeowner to place a cue for this interactive game on PFE property (at the Malloox Pavilion) was presented and discussed. After a lengthy discussion, it was determined, for safety purposes, that this location was not the best location due to the amount of traffic daily that crossed through the Pavilion. Mr. Moore suggested that the homeowner contact Coolsough Township since the open space Tannery property was just across the street from the desired location and would be more appropriate for this activity.
- **Capital Projects** – The following bids, received by April 8th and opened by Ms. Miller, Ms. Anderson-Krieg, Mr. Sandford and Mr. Zito on April 14th were presented and discussed:

PROJECT #1	BIDDER	AMOUNT	BUDGET
MAILBOX PAVILION REPAVING	NORTHEAST SITE CONTRACTORS, E. STBG, PA.	\$10,922.50	\$13,000.00

PROJECT #2	BIDDER	AMOUNT	BUDGET
CARRIAGE LANE REPAVING / PIPE REPLACEMENT	NORTHEAST SITE CONTRACTORS, E. STBG, PA.	\$9,418.50	\$6,000.00
	AQUA RESOURCES	\$8,250.00	

PROJECT #3	BIDDER	AMOUNT	BUDGET
SEALCOATING / RESTRIPING OF COMMUNITY CENTER PARKING LOT	NORTHEAST SITE CONTRACTORS, E. STBG, PA.	\$3,680.00	\$3,000.00
	POCONO SPRAY PATCHING, GOULDSBORO, PA.	\$1,363.00	
	M. MAYO SEALCOATING, FALLS, PA.	\$1,775.64	

PROJECT #4	BIDDER	AMOUNT	BUDGET
MULCH FOR COMMUNITY CENTER PARKING LOT	MOUNTAIN LANDSCAPING, MOUNTAINHOME, PA	\$4,875.00	\$3,000.00

OR

PROJECT #4	BIDDER	AMOUNT	BUDGET
STONE FOR COMMUNITY CENTER PARKING LOT	MOUNTAIN LANDSCAPING, MOUNTAINHOME, PA	\$7,425.00	

Regarding the mulch/stone project, it was the consensus of those present that the bids submitted were too rich for this project to move forward at this time.

A motion was made by Mr. Moore, seconded by Mr. Broxmeier to accept the proposal from Northeast Site Contractors of East Stroudsburg, PA, to repave the PFE Mailbox Pavilion at a cost of \$10,922.50. All in favor. Motion passed.

A motion was made by Mr. Broxmeier, seconded by Mr. Moore to accept the proposal from Aqua Resources for the Carriage Lane Repaving / Pipe Replacement at a cost of \$8,250.00. All in favor. Motion passed.

A motion was made by Mr. Moore, seconded by Ms. Anderson-Krieg to accept the proposal from Pocono Spray Patching of Gouldsboro, PA to sealcoat the Community Center / Administration Office parking lot at a cost of \$1,363.00. Six in favor. One abstained (Mr. Broxmeier). Motion passed.

After the awarding of bids, brief discussion took place regarding whether the payment for these projects should be disbursed from the Reserve Fund or Operating Fund.

- **Community Room Tile Floor** – Discussion took place regarding the need for, at minimum, a cosmetic fix for the issue.

A motion was made by Mr. Moore, seconded by Mr. Broxmeier to bring in a tile contractor to offer suggestions on how best to fix the problem. All in favor. Motion passed.

- **Other Issues** – Discussion took place on the following:
 - **Road lines on PFE roads** - Mr. Ramos said that he had equipment to paint lines on PFE roads, specifically Carriage Lane, if the Board desired to do so.
 - **Panther Waste** – Mr. Ramos said that Panther Waste had donated a dumpster to another community for cleanup, and we should also inquire if they might donate one to us.
 - **Speeding on PFE Roads** – Mr. Ramos stated that PMRP should be made aware of speeding within PFE, specifically in the evening around the time of the PMW activity bus drop-off.
 - **St. Luke's Hospital** – Ms. Kelly said that the new hospital in Bartonsville made an informational presentation to members of Pocono Farms County Club and we should look into the feasibility of having them make a similar presentation to PFE.

12. Correspondence – None.

There being no further business, a motion was made by Ms. Anderson-Krieg, seconded by Ms. Kelly to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 12:24pm.

NEXT REGULAR BOARD MEETING: May 21, 2016 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, MAY 21, 2016
MINUTES

Board Members present:

Margaret Millar - President, Bryan Sandford – Vice President, Susan Anderson-Krieg – Treasurer, Marisol Santos – Secretary, Daniel Broxmeler - Director, Marion Kelly – Director, Tykioyeri Moore – Director (arrived at 9:08am), Jose Ramos.

Board Members absent:

Alternate Members present:

None.

Alternate Members absent:

None.

Staff present:

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

Members present:

Shlomo Marks (10:14am)

Violetta Pitoka (11:08am)

Janice Smith-Hughes (11:55am)

The meeting was called to order by President Margaret Miller at 9:03am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

Due to a computer malfunction, the corrected minutes from March 19, 2016 and the draft minutes from April 16, 2016 were not available.

A motion was made by Mr. Sandford, seconded by Mr. Broxmeler to table review of the corrected March 19, 2016 Regular Meeting minutes and acceptance of the draft April 16, 2016 Regular Meeting minutes, as they were not available. All in favor. Motion passed.

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

Mr. Zito presented a written report to the Board. He called for questions.

He reviewed the maintenance activity that took place from April 9, 2016 – May 9, 2016. Outside of normal activities, several incidents were highlighted:

- Picking up of dumped household trash on Rob Roy Drive and Northampton Road and bags of dumped leaves on Hamlet Drive, and repair of the roof and electrical damage to the storage shed on Belgravia Drive.

Mr. Sandford noted that there appeared to be a lack of maintenance (floors and bathrooms) from the third week of April to the end of the report. Mr. Zito said that during his vacation, this maintenance was not done. He accepted responsibility and explained to the Board that the personnel he had contracted with for such maintenance were no longer available and that he had been doing the maintenance for the last six months or so. He suggested that upon expiration of the current Management contract (3/31/2017), a reallocation of duties be part of any extension negotiation. Mr. Moore agreed, and asked Mr. Zito to offer his thoughts on this at a future meeting.

A motion was made by Mr. Sandford, seconded by Ms. Kelly to accept the Maintenance Report as presented. All In favor. Motion passed.

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

A written report detailing permit activities YTD was presented by Mr. Zito.

He stated that six compliance permits were issued this far YTD (two new construction, two fence, one deck and one shed). Several other situations – specifically deck repair / replacement (like for like) - were discussed. Mr. Zito said that he had inquired of Township Zoning Officer Joe Brady to see if Township permits had been required by Township for a deck replacement on Mayfair Road and two deck replacements on Hamlet Way. Mr. Zito said that he would require a permit if Township did. Mr. Sandford said he thought in the past that if replacing like for like, and not expanding, a permit from PFE in this situation would not be need. This matter will be checked into further.

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

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

Due to a computer malfunction, the current Compliance Report was not available.

5. **President's Report – Ms. Margaret Miller**

Ms. Miller reminded Board members to please speak one at a time during meetings to facilitate the transcribing of the audio recording. She also urged the members to read the notes pertaining to any meetings they might have missed so that subsequent meetings would not get bogged down with questions that had been discussed previously.

Ms. Miller passed out and discussed the latest Pocono Mountain Regional Police report. She also mentioned the dangerous structure and the E-911 address status reports given at the Coolbaugh Township Supervisors meeting.

Mr. Sandford stated that the Supervisors said that a 15 day notice period for the owners of the burned out structure on Belgravia Drive was underway and that demolition of the structure could proceed at its conclusion.

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

Due to a computer malfunction, the current Compliance Report was not available.

7. **Committee Reports**

- **Rules & Regulations:**

At its last meeting, the Committee held a discussion on Section 7.2, Prohibited Vehicles. That section says that there will be a fine for a violation, but that there is no fine amount in the R&Rs pertaining to that section. Ms. Anderson-Krieg said that the closest fine to this issue is found under Section 7.5.

Ms. Miller asked those present if there should be a section on boats, since we had several violations (uncovered, etc.). Mr. Broxmeier said that all boats, upon purchase, need to be registered and that number stays with the boat for its life.

Discussion took place regarding fines for prohibited vehicles and unregistered vehicles. Further consideration will come out of the R&R meeting on June 4th.

- **Citation Appeals:**

No formal report.

- **Facilities:**

Mr. Zito discussed several items that had been brought up previously – a ditch on Dorchester Drive, trees at the shed and an estimate for the Community Room fire replacement. Regarding the floor, Mr. Zito said that an estimate he received was

for at least \$1,000.00 of labor, plus materials. He said that the contractor suggested a full laminate floor, which would likely range from \$4,500.00 - \$5,000.00.

Mr. Sandford discussed the issues that might occur with laying a laminate floor over tile, versus laying one over wood, and laying one in a building with a high water table. He suggested that Mr. Zito get an estimate to perform minimal repairs of the corners of the floor, and that the Board seriously consider pulling the cost of a more permanent repair in the 2017 budget.

Compromised trees at the PFE shed on Belgravia Drive were discussed next. After discussion Mr. Zito was directed to get an estimate for the removal or trimming of trees that pose a danger to the shed.

At this point, Public Input was opened (11:08am)

- **Violetta Pitoka, Norfolk Road.** Told the Board that people have been taking pictures of her family and that several people have been harassing her dog. She was told that these matters are best referred to Regional Police. She was also told to take a video, if possible of the harassing parties and post No Trespassing signs on the property.

She also expressed her displeasure with Mr. Zito not responding to an inquiry regarding a citation that was previously interested. Mr. Zito apologized, took her phone number, and said that he and Township Zoning Officer Joe Brady would be out to review the situation the following week. Mr. Zito said he would contact Ms. Pitoka once the review was complete.

Ms. Miller then noted that she had brought subscription forms from Pocono Mountain Regional Emergency Services and encouraged PFE residents to subscribe to the plan this year.

- **Finance:** No report. Mr. Moore said that the Committee would be looking into how to possibly fund, among other things, the flooring issue and a new computer system.
- **Social Activities:** The upcoming Yard Sale was briefly discussed. Mr. Zito said that we had 18 families sign up. Ms. Miller brought up a "swap" site that Middle Smithfield Township started. Mr. Moore said that he had sent three possible projector screens for the Board to consider. The prices for these screens listed under \$300.00. This will be an agenda item in June.

Robert said that a homeowner called regarding heading up a Community clean-up day.

- **Proofreading:** No report.

8. **Financial Report – as presented by Susan Anderson-Krieg and Robert M. Zito**

Ms. Anderson-Krieg asked Mr. Zito to proceed. Mr. Zito discussed the preliminary financial results of the Association for the year-to-date.

The disbursement list, totaling \$13,179.24 for April 2016 was presented. No questions were forthcoming.

Mr. Zito reviewed revenue and expenses YTD through 4/30/2016. Revenue for the period was \$138,150, or 83.36% of budget. Operating expenses YTD totaled \$54,758, or 39.58% of budget.

After monthly contributions and expenditures to the Reserve account were considered, the Association had a surplus of \$74,269 for the period 1/1/2016 – 4/30/2016.

For the first nine days of May, cash receipts totaled \$5,060, while disbursements totaled \$11,174, leaving a TYD surplus through May 9th of \$67,965.

Cash on hand stood at approximately \$192,540.39, with \$87,910.32 held in Reserves.

The dues collection percentage (as a percent of budget) stood at 67.83%, compared to 66.73% a year ago.

A motion was made by Mr. Sandford, seconded by Ms. Santos to accept the Financial Report as presented. All in favor. Motion passed.

9. **Secretary's Report – No report.**

10. **Old Business –**

- **Status of Capital Projects –** Ms. Miller said that the parking lot sealcoating was scheduled for 5/23 and the repaving of the mailbox pavilion was scheduled for the week of either June 13th or June 6th.

Regarding the Carriage Lane project, Mr. Zito said that after several attempts, he finally reached an office that Mr. Ryan Detwiller, who had submitted the bid under Aqua Resources was involved in. The following day Mr. Zito said that he received an email from Mr. Detwiller stating that there had been a "reorganization" within the company and that he could provide the services agreed on with the use of subcontractors. Discussion followed.

A motion was made by Mr. Sandford, seconded by Ms. Kelly to disavow the previous bid awarded to Aqua Resources for work to be performed on Carriage Lane, due to the inability to fulfill its requirements, and that we contact the next lowest bidder, Northeast Site Contractors, to see if they would honor their original bid price. All in favor. Motion passed.

- **Culture's Closet Lease** – Ms. Kelly said that she attended one of the classes and she was very impressed. She said that there were 15 total children, with five coming from PFE. She further said that Ms. Mobley very much wanted to continue her lease.

Mr. Sandford referred to the list Ms. Mobley supplied to Mr. Zito, and said that only one was a member (owner) and that the rest either did not live in PFE or were renters. He said that this building was built for the benefit of members, and that he felt that this program was not benefitting the membership at large.

A lengthy discussion followed. Mr. Sandford felt it would be a complete disservice to the 900 or so dues paying members who supplied the funds to build this building if a program only benefitting one member. Mr. Moore said that when he originally agreed to programs like this, it was to have something available for the members and the decision of people to use it or not, and he felt that was important. Mr. Broxmeyer felt that it was important that the \$20.00 per hour fee cover all of the expenses (heat, electric, maintenance) that we incur for the building. Further comments were heard by Ms. Kelly, Mr. Ramos and Ms. Kelly. Mr. Moore again said that all he could do as a Board member was to offer the option of programs to the membership and questioned whether the Association would be better off less the rental fees paid by Ms. Mobley (approximately \$4,000.00 per year) or not.

At this point Ms. Miller cut short the debate and asked the Board members where they stood on the issue. By a show of hands, the majority were in favor of renewing the lease. After this informal vote, discussion took place on the particulars of a lease extension. Mr. Zito put forth the outline of a draft that he had previously submitted for the Board's consideration.

A motion was made by Mr. Moore, seconded by Ms. Anderson-Kreig to extend Culture's Closet lease to June 30, 2017 under the terms currently in effect. Seven in favor. Two opposed (Mr. Sandford and Mr. Broxmeyer). Motion passed.

Mr. Sandford went on to say that his no vote was on the basis of the fact that the program benefited only one out of 900 members.

Mr. Moore and Ms. Kelly both felt it was important to do a cost analysis in the future to determine if the hourly rental rate was sufficiently covering the Association's costs.

11. New Business –

- **Police Coverage for July 4th Weekend –** Mr. Sandford asked the Board members if, like last year, they would like to purchase special, dedicated coverage from Pocono Mountain Regional Police for the July 4th weekend. After brief discussion, the following motion was made:

A motion was made by Mr. Broxmeier, seconded by Ms. Kelly to purchase from Pocono Mountain Regional Police dedicated coverage for Saturday, July 2nd through Monday, July 4th. Eight in favor. One opposed (Mr. Ramos). Motion passed.

- **Forged Homeowner Letter –** Mr. Zito shared a letter to a property owner, on which the content and his name and signature was forged, that threatened fines against another property owner.
- **Computer Issues –** Mr. Zito said that one of the issues with updating the computer system was the fact that TOPS software support was not available on an "a la carte" basis but only on an annual basis. Comments were heard from Mr. Moore and Ms. Kelly. Mr. Moore said that he has been concerned with the age of the computer system for the last few years and expressed some concerns with some "cloud" backup systems. Ms. Kelly said that she felt that while cost is always a factor, we need to get what we need in order to operate efficiently.

This issue will be researched further and options will be considered in the future.

Township Dog Park – Mr. Ramos brought the Board up to date on the status of the dog park being built at the Township Park on Route 423. He also discussed other items, available with grants, which have been discussed at meetings of the Township Parks and Recreation Commission.

12. Correspondence –

- **Forged Homeowner Letter –** Mr. Zito shared a letter to a property owner, on which the content and his name and signature was forged, that threatened fines against another property owner. After discussion it was agreed that that actions of informing the community the possibility of receiving fraudulent notices through the newsletter, contacting PMRP and the contacting the Postal Inspector should be taken.

- **Verbal Complaints on Gordon Lane** – Mr. Zito discussed the ongoing complaints regarding the possible auto business operating on Gordon Lane.

There being no further business, a motion was made by Mr. Sandford, seconded by Ms. Anderson-Kreig to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 1:20pm.

NEXT REGULAR BOARD MEETING: June 18, 2016 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, JUNE 18, 2016
MINUTES

Board Members present:

Margaret Miller - President, Bryan Sandford -- Vice President, Susan Anderson-Krieg -- Treasurer, Marisol Santos -- Secretary, Daniel Broxmeyer - Director, Marion Kelly -- Director, Tykleyen Moore -- Director, Jose Ramos (arrived at 9:14am).

Board Members absent:

None.

Alternate Members present:

None.

Alternate Members absent:

None.

Staff present:

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

Members present:

Janice Smith-Hughes (11:55am)

The meeting was called to order by President Margaret Miller at 9:00am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

Due to a computer malfunction in May, the draft minutes from both May 21, 2016 and April 16, 2016 were considered for approval at this meeting.

May 21, 2016

Page 4 under "Norfolk Road", "Ms. Miller than noted" should be "Ms. Miller **then** noted".

Page 7 "Police Coverage for July 4th Weekend", Due to a typographical error, both this paragraph and the motion associated with this discussion appeared twice in the draft minutes. One set will be deleted.

A motion was made by Mr. Sandford, seconded by Mr. Moore to approve the May 21, 2016 Regular Meeting minutes as presented and corrected. Seven in favor. One abstained (Ms. Santos). Motion passed.

April 16, 2016

Page 2 "Maintenance Report" Line 3, "as has been suggested" should be "as had been suggested".

A motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to approve the April 16, 2016 Regular Meeting minutes as presented and corrected. Seven in favor. One abstained (Ms. Santos). Motion passed.

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

Mr. Zito presented a written report to the Board. He called for questions.

He reviewed the maintenance activity that took place from May 10, 2016 – June 7, 2016.

Mr. Zito talked about an estimate of an approximate \$250.00 per day labor rate for the removal of tie, leveling cement and glue that need to be done manually. The new paving job at the mailbox pavilion was discussed. The comments heard were positive.

Mr. Zito also suggested that in next year's budget it may be advantageous to allocate some money to have the pavilion seal coated next year. He said that this would prevent any cracks that might have formed from becoming larger. Northeast Site Contractors told Mr. Zito to wait at least a year to have this done to allow any oils to come out of the pavement.

A dining room table and other trash that was retrieved by management was discussed, along with some new dumping along Kings Way.

Mr. Zito also brought out the Township ordinance that requires septic systems to be serviced every five years, and that we began using the system in 2011.

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

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

A written report detailing permit activities YTD was presented by Mr. Zito.

He discussed the property on Norfolk Road that had erected a fiberglass awning. He said that he and Township Zoning Officer Joe Brady visited the property and

that the property did indeed need a Township permit. Discussion took place regarding if a PFE permit was needed. The consensus on this matter was that a PFE permit was not needed.

A shed on Belgravia Drive whose size was questioned was discussed. Mr. Zito said that he met with the homeowner and that he made it clear that the "overhanging" portion of the shed -- approximately 4' -- could not be enclosed in keeping with PFE size guidelines.

Several houses being constructed on Chelsea Circle, along with a general poor condition on that street, were discussed.

Mr. Sandford questioned a tree permit issued on Lewis Crown Drive. Mr. Zito said that all trees authorized (10) were either within 20' of the house and/or power lines.

Mr. Zito said that Classic Homes had emailed him stating that they felt that no permit review fees should be charged by the Association. He was directed to contact other Associations to see if and what they are charging and Atty. Malaska to see if we are in compliance with the UPCA by charging fees.

A motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to accept the Permit Report as presented. All In favor. Motion passed.

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

Due to a computer malfunction in May, the Compliance Report contained both follow-up and new activity from March 18, 2016 – June 7, 2016.

Ms. Kelly asked about the illegal fence on the PFE property that borders Miller's Auto on Route 196. She was told that no movement has occurred. Another illegal fence on Chelsea Circle was discussed. Mr. Zito said that a permit was issued for this property for a compliant fence – 4' high and made of permitted materials – but that the property owner was seeking a variance to have a 6' fence.

Illegal activity was also discussed. A property sitting on Cambell Way has been using a clearing on Bristol Court as a second driveway. The property has also been observed by Mr. Zito and Mr. Brady to be filling in parts of the road with sheetrock and building materials, which they were told to remove recently.

After a lengthy discussion, Mr. Zito was directed to give the homeowners a 30 day warning telling them that the entrance on Bristol Court would be blocked off and could not be used for ingress and egress to their property.

Mr. Sandford discussed a property parking a camper on a second, newly constructed driveway. Mr. Zito said he will call Mr. Brady since this would fall under Township regulations.

The property on Northampton Road that has been turned over to Atty. Malaska was discussed. Mr. Zito said that he was told by Atty. Malaska that four fines need to be issued prior to filing suit. He said that to date, we have fined three times and a fourth fine will be issued July 7th.

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

5. President's Report – Ms. Margaret Miller

Ms. Miller again mentioned that the Township Supervisors have enacted an ordinance requiring septic tanks to be pumped at least every five years. She asked Mr. Sandford to speak about two issues – the burned house on Belgravia Drive finally being taken down and the Township Supervisors taking over a debt obligation for the Pocono Mountain Public Library. Mr. Sandford said that the burned home was finally removed after three years' worth of effort. He said he also asked Township personnel to place boulders in the driveway of this home to deter dumping. He also mentioned that effort to remove the house that burned last summer on Falstaff Drive now needs to be a priority. He then told the Board of the steps that the Coolbaugh Supervisors took to restructure the Library's debt and the inequity of funding between Coolbaugh Township and Mt. Pocono Borough.

Ms. Miller talked about the past practice of having a roving Crime Watch or Security Patrol and she asked if that idea could be resurrected. Mr. Zito reminded the Board that about eight years ago the Guardian Angels were willing to start and train a Chapter in PFE but there was no participation from membership. Discussion took place.

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

Mr. Zito spoke about his written report. As of May 31st, 672 properties were paid in full, as opposed to 635 last year.

The previous month's computer malfunction was discussed. Various hardware and software options that would best serve the Community going forward were mentioned by both Mr. Zito and several Board members. Mr. Zito said that he felt the problem was not with the main software database, TOPS Software, but rather with inadequate hardware and inadequate software. He suggested an upgrade to Windows 10 and the latest version of Microsoft Office as a possible solution.

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

Mr. Moore left at 11:13am.

7. Committee Reports

- Rules & Regulations:

The updated version of the PFE Rules & Regulations, with suggestions and revisions made by the R&R Committee was distributed. Ms. Miller suggested calling a special Board meeting to consider these changes, which Mr. Sanford objected to. He stated that meeting dates had already been published and additional meetings could not be added without Membership's knowledge. All Board members were asked to read the revised R&Rs and be prepared to consider the changes at the next Board meeting. Ms. Miller and Mr. Broxmeier thanked Ms. Deborah Moore for her excellent efforts in helping to update the Rules & Regulations.

- Citation Appeals:

No formal report.

- Facilities:

No formal report. Mr. Zito mentioned that a homeowner had volunteered to organize a clean-up day for PFE. This will be discussed under New Business. Ms. Kelly asked Mr. Zito if the Community Room renters have been keeping up with the facility. He said, by and large, that they were.

- Social Activities: The possible purchase of a projector screen was again discussed. It was pointed out by Mr. Zito that information provided by Mr. Moore on this matter had been distributed to the Board in their meeting packet.

8. Financial Report – as presented by Susan Anderson-Krieg and Robert M. Zito

Ms. Anderson-Krieg asked Mr. Zito to proceed. Mr. Zito discussed the preliminary financial results of the Association for the year-to-date.

The disbursement list, totaling \$12,415.20 for May 2016 was presented. No questions were forthcoming.

Mr. Zito reviewed revenue and expenses YTD through 5/31/2016. Revenue for the period was \$144,366. Operating expenses YTD totaled \$76,338.

Ms. Anderson-Krieg said that she had just signed a large volume of checks. Mr. Zito said that due to the computer malfunction last month (the inability to process checks) the volume of checks needed in June would naturally be higher than normal. He also said that over \$12,000.00 of checks in the batch just signed

were for the repaving of the mailbox pavilion and the sealcoating of the Community Center parking lot.

Mr. Sandford said that once the repairs on Carriage Lane took place the original account set up for collecting Road Dues would now be depleted.

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

9. **Secretary's Report – No report.**

10. **Old Business –**

- **Ditch on Dorchester Drive –** The PFE Crossover ditch was discussed by Mr. Zito. He said that the homeowner adjacent to the ditch had emailed the Board previously complaining that the ditch was not operating properly. Discussion took place.
- **Community Room Floor –** Mr. Zito said the estimate he had received was for an approximate four days of labor, which must be done by hand, at a cost of about \$250.00 per day, plus materials. Discussion followed.

A motion was made by Mr. Broxmeler, seconded by Ms. Kelly to repair the Community Room tile issue, at a cost not to exceed \$1,800.00. All in favor. Motion passed.

- **Projector Screen –** It was the consensus of those present to have Mr. Zito ask Mr. Moore for his recommendation on which screen to purchase and to proceed with the purchase.
- **Trees at Shed –** Trees deemed dangerous, 13 in total, at the PFE shed had been previously marked by Mr. Zito and contractor Santos Castillo.

A motion was made by Mr. Broxmeler, seconded by Ms. Kelly to have Santos Castillo remove 13 trees and brush at the PFE shed, at a cost not to exceed \$1,300.00. Six in favor. One opposed (Mr. Sandford). Motion passed.

- **Repainting of Community Room Kitchen –** Mr. Zito asked for help in repainting the kitchen, since he is now short-handed in the office. Several Board members offered their assistance.
- **Variance Request on Chelsea Circle –** Mr. Zito again said that the homeowner on Chelsea Circle with the illegal fence had recently gotten a permit for a fence that complied with Pocono Farms East rules but now was asking for a variance for a six foot fence. She also asked that one or two Board members come to her property so see why this variance is. In

her opinion, needed. No further action to move either request forward was forthcoming.

A motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to close Old Business. All In favor. Motion passed.

Mr. Ramos left at 12:40pm.

11. New Business –

- **Community Wide Cleanup Day** – Mr. Zito again said that a homeowner on Essex Road said he might be willing to organize a Community cleanup day. Mr. Sandford asked about the cost of disposal of any items that might be picked up. A lengthy discussion of the pros and cons of a cleanup day took place. No action to move this matter forward was forthcoming.
- **Mailbox Pavillion** – Mr. Zito had said that he would like to have the pavillion professionally stenciled with directional and speed limit signs, in addition to having the speed bumps painted, but was withdrawing the request to a lack of funds. Mr. Broxmeier said he would paint the speed bumps.
- **Party Cancellation** – Mr. Zito said that a party that was scheduled for later this afternoon was cancelled five days ago, supposedly due to deaths in the family. The homeowner requested a refund. Mr. Zito said that he had since it was within 14 days, which is the normal cancellation policy, he could not issue a refund, but would ask the Board out of courtesy.

A motion was made by Ms. Kelly, seconded by Ms. Anderson-Krieg to offer the homeowner in question the option of using the funds already paid (\$175.00) to reserve the Community Room at a later date. Five in favor. One Abstained (Ms. Santos). Motion passed.

- **Incident in Parking Lot** – Ms. Miller recounted the incident that had taken place the previous Thursday. Mr. Broxmeier and Mr. Zito, who were involved in the incident, also gave their accounts. This incident occurred with a parent participant in the Culture's Closet dance program. The director of the program offered apologies to all involved after the incident. Mr. Zito said that in the future he would like to require that a complete list of all parents and vehicles be given to the Association for participants of programs using the facility and that parking passes be issued.
- **A motion was made by Mr. Broxmeier, seconded by Sandford to have Mr. Zito send Culture's Closet a letter stating that the parent involved in the**

incident discussed is no longer allowed in the PFE Community Center or the PFE Community Center parking lot. All in favor. Motion passed.

- Correspondence - None.

There being no further business, a motion was made by Ms. Kelly, seconded by Mr. Broxmeier to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 1:20pm.

NEXT REGULAR BOARD MEETING: July 16, 2016 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, AUGUST 20, 2016
MINUTES

Board Members present:

Margaret Miller - President, Bryan Sandford - Vice President, Susan Anderson-Krieg - Treasurer, Morisol Santos - Secretary, Daniel Broxmeier - Director, Tykleyen Moore - Director (arrived at 9:04am).

Board Members absent:

Marion Kelly - Director, Jose Ramos - Director.

Alternate Members present:

None.

Alternate Members absent:

None.

Staff present:

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

Members present:

None.

The meeting was called to order by President Margaret Miller at 9:00am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

Due to not achieving a quorum in July, the draft minutes from June 18, 2016 and were considered for approval. The following corrections were noted.

Page 2 - Maintenance Report - Line 14. "along some" should be "along with some".

Page 4 - President's Report - Line 16. "but the there" should be "but there".

Page 4 - Management Report - Motion "Compliance" should be "Management".

Page 5 - Financial Report - Line 8. "computed" should be "computer".

Page 6 - Ditch on Dorchester Drive - Line 2. "email" should be "emailed".

Page 6 – Community Room Floor – Motion "not exceed" should be "not to exceed".

Page 7 – Variance Request on Chelsea Circle – Motion "Sandford" should be "Mr. Sandford".

Page 7 – Incident in Parking Lot – Motion "Sandford" should be "Mr. Sandford".

A motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to approve the June 18, 2016 Regular Meeting minutes as presented and corrected. All in favor. Motion passed.

The previously approved minutes from May 21, 2016 were discussed.

A motion was made by Mr. Sandford, seconded by Ms. Anderson-Krieg to accept the May 21, 2016 Regular Meeting minutes as corrected. All in favor. Motion passed.

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

Mr. Zito presented a written report to the Board pertaining to maintenance activity for the months of June and July.

In June, in addition to normal maintenance requirements, 13 trees were removed from the property housing the PFE shed on Belgravia Drive, the Community Center septic system was pumped as required by Coolbaugh Township ordinance and the water supply backflow valve in the Community Room was checked and serviced as required by Pennsylvania American Water System.

In July, the tile replacement project in the Community Room was completed, an HVAC malfunction was repaired and Mr. Broxmeier, on a volunteer basis, painted the speed bumps at the Mailbox Pavilion.

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

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

A written report detailing permit activities YTD was presented by Mr. Zito.

He stated that since the Board last met, two shed permits, three new construction permits and one permit for a carport were issued, and that year-to-date, a total of 40 permits (including tree) had been issued.

Several questions were forthcoming from the Board. Mr. Broxmeier asked about a shed permit on Coach Road that had initially been flagged for not having its base line required 40 feet from the road. Mr. Zito said that he had contacted the contractor prior to the installation of the shed and that he and Coolbaugh Township Zoning Officer Joe Bracy looked at the property after installation and it met the required setbacks. A question about a property on Titania Road being issued permit extensions was put forth by Mr. Broxmeier and Mr. Sandford. Mr. Zito said that an order passed by former PA Gov. Ed Rendell extending all municipal permits to June 2016 had led him to extend the permits and charge an additional permit fee, rather than issue fines. In addition, he stated, in most of these cases, the lack of a Township Certificate of Occupancy was caused by failures on interior issues such as electrical work, which cannot be seen by PFE personnel. Mr. Sandford discussed PFE's process and questioned whether our due diligence was being carried out properly. A lengthy discussion followed. It was agreed that this issue would be formally brought up under New Business.

Mr. Broxmeier then questioned a home on Chelsea Circle that, in his observation, appeared to have several unregistered vehicles on their property. Finally, Mr. Sandford asked that management provide the Board with a list showing the status (good standing / not in good standing) of property owners that have been issued permits.

A motion was made by Mr. Sandford, seconded by Mr. Moore to accept the Permit Report as presented, and that additional information of this report be provided next month. All in favor. Motion passed.

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

Mr. Zito presented a written Compliance Report through August 9, 2016.

Language currently included citations, allowing homeowners to request an appeal all citations, including long standing infractions, was brought up by Mr. Sandford. His feeling was that it was not appropriate to offer appeals to homeowners who have ignored previous citations, and that this language should be removed. A long discussion ensued.

Mr. Moore said that he felt we should distinguish citation appeals versus the right of a homeowner to present their particular circumstances to the Board. Mr. Zito reminded the Board that it denied hearing a homeowner who erected a fence that was not in compliance with PFE rules due to the fact that the citation she was appealing put her as a homeowner not in good standing.

A discussion of the feasibility of using legal remedies (court proceedings) to enforce compliance of limited long standing citations was discussed.

A motion was made by Mr. Sandford, seconded by Ms. Santos to accept the Compliance Report as presented. In addition, a further motion regarding

Compliance will be made under New Business. Five in favor. One non-vote (Ms. Anderson-Krieg left the room). Motion passed.

5. **President's Report – Ms. Margaret Miller**

Ms. Miller commented on the July 4th weekend and said that, in her opinion, Saturday, July 2nd was the worst day, in terms of illegal fireworks. She handed out and discussed reports issued at the meetings of Pocono Mountain Regional Police and the Coolbaugh Township Board of Supervisors. The police reports contained information on hours, while the Township reports were specifically in reference to dangerous structures and E-911 signage. Additionally, the upcoming Township leaf collection was discussed.

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

A written report was presented by Mr. Zito.

He said that, unfortunately, foreclosures continue, but at this point banks and servicing companies seem to be anxious to pay their current dues obligation as soon as they are taking possession of the property, so as to not incur late fees.

Mr. Zito also said that due to the amount of properties changing hands through foreclosure, accounts receivable write-offs would likely be higher than usual in subsequent months.

There were no questions from the Board.

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

7. **Committee Reports**

• **Rules & Regulations:**

The draft of the proposed updated PFE Rules & Regulations was presented to the Board. Discussion took place. As the discussion took place, Ms. Anderson-Krieg offered to track changes as they were agreed upon, saying she would forward them to Ms. Deborah Moore for compilation. Among the items discussed were updates to PODS, Bagsters and chimeneas. Regarding chimeneas, the following motion was offered:

A motion was made by Mr. Sandford, seconded by Mr. Broxmeler to leave the language regarding "chimeneas" as currently written in the PFE Rules and Regulations. One in favor (Mr. Sandford). Three opposed (Ms. Miller, Ms.

Anderson-Krieg and Ms. Santos). Two abstained (Mr. Broxmeier and Mr. Moore) Motion failed.

Mr. Sanford then brought up the language regarding culverts, stating the majority of properties are on Township roads. Other issues discussed at this time were bicycles, basketball hoops in driveways, property maintenance and rewards for homeowners offering tips for violations that lead to conviction.

- **Citation Appeals:**

A request for appeal was presented from a homeowner on Cambell Way. A previous request for a meeting with the Board was denied at a prior meeting. This request was also denied. Mr. Zito was asked to send a letter to this homeowner, referring to a prior letter sent on April 19, 2016.

- **Facilities:**

No formal report.

- **Social Activities:**

No formal report.

8. Financial Report – as presented by Tykleyen Moore and Robert M. Zito

As Mr. Zito was tied up with office business, Mr. Moore briefly reviewed the written report as presented. Ms. Miller then asked those present to review the list of cash disbursements for July. No questions were forthcoming.

Mr. Moore said that it seemed to him that the Association was getting itself on a firm financial footing. Boosting up the Reserve account was discussed.

At this point, Mr. Zito returned to the meeting. He stated that 97% of expected revenue for the year had already been received through July 31st.

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

9. Secretary's Report – No report.

10. Old Business –

- **Status of Capital Projects –** Mr. Zito said that the Carriage Lane crossover pipe was installed, although the contractor was waiting for the material placed on top of the pipe to settle before final paving. The shoulders of

the mailbox pavilion were discussed. Mr. Zito suggested that modified stone be added to the edge of the area just paved to prevent chipping. Mr. Broxmeier also agreed, for safety reasons. Mr. Sandford felt that estimates, and a better idea of what actually was needed, were needed before proceeding. He also had a concern regarding the job being done properly. Discussion followed.

A motion was made by Mr. Moore, seconded by Mr. Broxmeier to authorize up to \$1,000.00 for material and labor, to add modified stone to the shoulders of the mailbox pavilion. Five in favor. One opposed (Mr. Sandford, on the basis of the uncertainty of cost and need). Motion passed.

- **Unauthorized Driveway on Bristol Court –** Mr. Zito was asked to come up with two or three estimates for the September meeting.
- **Weekend Rental –** Mr. Sandford asked if there had been any follow-up on the weekend rental house on Oberon Road who had previously paid a citation issued for not registering tenants. Mr. Zito said there had been no further complaints or follow-up. Comments were heard by Mr. Sandford, Mr. Moore, Mr. Zito, Mr. Broxmeier and Ms. Miller.

A motion was made by Ms. Santos, seconded by Mr. Broxmeier to close Old Business. All in favor. Motion passed.

11. **New Business –**

- **Party Cancellation –** It was agreed that Mr. Zito could offer a rescheduled date to the party (baby shower) that was cancelled due to the guest of honor giving birth early.
- **Tree on PFE Easement Land –**

A motion was made by Mr. Broxmeier, seconded by Mr. Moore to authorize a maximum of \$200.00 to remove a tree in the PFE easement land behind a home on Fergus Way. Five in favor. One abstained (Ms. Anderson-Krieg). Motion passed.

- **Issuance of Permits –**

Pursuant to an earlier discussion, a motion was made by Mr. Sandford, seconded by Mr. Broxmeier that permits will not be issued to members not in good standing and extensions on permits not issued until all fees are current. All in favor. Motion passed.

- **Long Term Violations –** Discussion continued on the issue.

- **Alleged Auto Shop on MacBeth Way -** Mr. Sandford asked about this home on MacBeth Way. Mr. Zito detailed the fines and actions that have been taken against this property thus far.

A motion was made by Mr. Broxmeier, seconded by Ms. Santos to close New Business. All in favor. Motion passed.

12. **Correspondence**

- **PMRP Chief Wagner-** Mr. Zito detailed the calls responded to during PFE's July 3rd and 4th dedicated police coverage.
- **Verbal Complaint regarding Crossover Ditch on Graham Lane -** Mr. Sandford stated that the ditches as far back as Leslie Way and Cambell Way (Township responsibility) were not flowing freely. There was no specific direction given to management regarding the ditch on Graham Lane.

There being no further business, a motion was made by Ms. Anderson-Krieg, seconded by Mr. Broxmeier to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 12:28pm.

NEXT REGULAR BOARD MEETING: September 17, 2016 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, SEPTEMBER 17, 2016
MINUTES

Board Members present:

Margaret Miller - President, Bryan Sandford - Vice President, Susan Anderson-Krieg - Treasurer, Marisol Santos - Secretary, Daniel Broxmeier - Director, Tykleyen Moore - Director (arrived at 9:01am), Marion Kelly - Director, Jose Ramos - Director (arrived at 9:07am).

Board Members absent:

None.

Alternate Members present:

None.

Alternate Members absent:

None.

Staff present:

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

Members present:

Grier (8-0124), Moore (2-2116), Lawrence (7-7106), Belcastro (5-1575), Zengen-Smith (1-1732)

The meeting was called to order by President Margaret Miller at 9:00am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

The draft minutes from August 20, 2016 and were considered for approval. There were no corrections forthcoming.

A motion was made by Mr. Sandford, seconded by Mr. Broxmeier to approve the August 20, 2016 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 pertaining to maintenance activity for the month of August.

He stated that the Carriage Lane pipe replacement project was completed. He also said that a volunteer from Goodwill Industries worked one day, through RMZ Property, to pull weeds in front of the office complex. In addition, ten tons of modified stone would be delivered to the mailbox pavilion the following Tuesday. This stone will be placed along the edges of the newly paved surfaces at the pavilion and the painting of the speed bumps will be completed. Mr. Broxmeier suggested that a notice be placed on the bulletin board stating that the pavilion would be closed while this work is being done. Mr. Zito also suggested looking into installing a trail camera along Kings Way to try to lessen the constant littering problem. He also said Mr. Jeff Hein suggested that instead of installing new mulch or stone at the office complex next Spring, many of the areas that are now mulched could be seeded with grass.

A motion was made by Ms. Anderson-Krieg, seconded by Ms. Santos to accept the Maintenance Report as presented. All In favor. Motion passed.

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

A written report detailing permit activities YTD was presented by Mr. Zito.

Year to date, a total of 46 permits have been issued. In response to the questions raised at the August meeting, he stated that he had included additional information in the "details" section of the report.

Relating to some of the questions previously raised, Mr. Zito pointed out the PFE Rules & Regulations state that all exterior work must be completed within six months and that the old permits that are still open pertain to only interior work for which a Coolbaugh Township Certificate of Occupancy has not been obtained. He asked for direction. Discussion followed. Comments were heard from Mr. Moore, Mr. Sanford and Mr. Broxmeier. Mr. Sanford clarified the jurisdiction that PFE has over construction, and he suggested language be added to PFE permits that sync up with the PFE R&Rs. Mr. Sanford once again asked if permits or extensions were being issued to members not in good standing. Mr. Zito said they were not.

A motion was made by Mr. Sanford, seconded by Mr. Moore to accept the Permit Report as presented. All In favor. Motion passed.

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

Mr. Zito presented a written Compliance Report through September 13, 2016.

In response to the questions raised at the August meeting, he stated that a different format and different language for citations was now being used, and the report presented to the Board was now in a different format. Mr. Sandford said that he thought the language in the revised citation forms was clearer than what had been used in the past.

Several ongoing issues were discussed – the fence on Cambell Way, the fence on Chelsea Circle, and the issue on Northampton Road that had previously been referred to Attorney Greg Malaska. Mr. Sandford said that the Board must decide the next steps that should be taken in these matters.

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

5. President's Report – Ms. Margaret Miller

Ms. Miller briefly commented on the upcoming Annual Meeting and the fact that the draft budget that will be presented to membership at that time must be considered at this meeting.

At this point the following motion was made:

A motion was made by Mr. Sandford, seconded by Ms. Kelly to suspend regular business at this time and accept public input. All in favor. Motion passed.

Public Input:

Grier (Lot 8-0124): Complained about various unsightly lots on Chelsea Circle. He said that he knew that PFE had reached out to local authorities but questioned if PFE had levied fines against these properties or was commencing court proceedings against them. He spoke of a home on Chelsea Circle that has been burning furniture and refuse and stated that the construction site (Classic Homes) that borders his home is very unsightly, with an overflowing dumpster and tree stumps on property for approximately four months. A long discussion ensued. An ATV with a small child wearing no helmet was also mentioned.

Lawrence (Lot 7-7106): Complained about a neighbor who leaves garbage out, which is then ripped open by animals. He also said that a shed in the back of a neighboring property is in disrepair. Additionally, he felt that a dog run being used by the neighbor might be on his property. He also asked about the status of the pipe work being done by PAWC. Mr. Sandford explained that water pipes were being enlarged so that fire hydrants could possibly be installed in the future. Mr. Zito said that he spoke to Mr. Dave Altmiller of PAWC and Mr. Kyle Knecht of Coolbaugh Township regarding the poor road conditions left by this project and that he was told that before Winter the temporary patches should be milled up and redone, with a final road overlay being done next Spring.

A motion was made by Mr. Sandford, seconded by Ms. Kelly to close public input at this time and resume consideration of regular business. All in favor. Motion passed. The time was 10:22am.

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

A written report was presented by Mr. Zito.

He said that while more accounts were marked as "unpaid", if citations with monetary fines were excluded, more accounts were paid in full this year than at the same time last year.

He said that foreclosures continue, but despite that fact the dues collection percentage is slightly higher at this point this year than last, and that he expected this trend to continue. Also pointed out were the large amount that had to be written off in August due to Sheriff Sales and bankruptcies. The difference between Chapter 7 and 13 bankruptcies was discussed.

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

7. Committee Reports

• **Rules & Regulations:**

The proposed final updated PFE Rules & Regulations will be considered under Old Business

• **Citation Appeals:**

The following correspondence was received and reviewed by the Board:

- Propane tank on Dorset Road – If corrected, no fine should be issued.
- Garbage can on Belgravia Drive – Hearing should be scheduled.
- Washing machine on Belgravia Drive - Hearing should be scheduled.
- Fence on Cambell Way - to be referred to Atty. Malaska.

Mr. Zito was instructed to forward requests for appeals (hearings) to the Citation Appeals Committee if received in a timely manner.

A motion was made by Mr. Broxmeier, seconded by Ms. Sandford to proceed with Attorney Malaska on the cases of the fence violations on Chelsea Circle and Cambell Way. All in favor. Motion passed.

- **Facilities:**

No formal report. Ms. Kelly said she intended to visit the Culture's Closet dance program to see how they were doing.

Mr. Zito updated the Board on the following:

- **Carriage Lane pipe:** Complete.
- **Area lights at Route 196 sign:** PPL still researching.
- **PAWC dumping material on PFE lots on Cambell Way:** Mr. Zito spoke to Mr. Altmiller of PAWC. He said he would get the contractor to re-soil this area. Mr. Zito was asked to see if PAWC had compromised a stream in the rear of this property.
- **Excavation/fill on Kensington Drive and Cambell Way:** Mr. Zito said that Mr. Joe Brady of Coibaugh Township and Monroe County Conservation District have been contacted. Properties on both sides of Cambell Way are affected.

Public Input was re-opened at this time.

Zengen-Smith (Lot 1-1732): Said that through the years she has rescued, spayed and neutered over 250 feral cats and that PFE needed to address this issue. She asked about using some of the funds left from the \$10.00 special assessment of several years ago to address this problem. Several Board members said that since this money was earmarked by membership for a specific purpose, this could not be done. Ms. Miller invited Ms. Zengen-Smith to make a short presentation at the PFE Annual Meeting. Ms. Zengen-Smith was invited to join Mr. Zito in calling APCPPOA property Manager Ms. Cathleen Dunn to see how their community deals with this problem. She also complained about the behavior of a neighboring rental family. Mr. Zito was instructed to contact the owner of the property to make sure he is aware of the behavior of his renters.

Belcastro (Lot 5-1575): Complained that a neighboring property that has gone into foreclosure is unsightly, with garbage and debris in the back of the home. She also raised the problem of speeding in the development.

At this point (12:00pm) Ms. Anderson-Krieg left the meeting.

A motion was made by Mr. Moore, seconded by Mr. Broxmeier to close public input. All in favor. Motion passed.

Committee Reports resumed.

- **Finance:**

Mr. Moore discussed the draft budget as presented and asked for thoughts on un-consolidating management duties next year. Mr. Sandford felt that this issue

was separate from the consideration of the budget and that the parameters of the next management contract should be discussed separately. Mr. Zito said that he thought, in prior meetings, that that was the direction in which the Board wanted to go. Mr. Sandford said he saw things differently, saying it was Mr. Zito's idea, not the Board's, to change management duties. A long discussion followed.

Mr. Zito was asked to explain several amounts, most specifically the higher than normal amount spent in 2016 for area maintenance, the proposed reduction in propane expense and capital expenditures for 2017. Mr. Broxmeier asked if we had a service contract on our HVAC equipment and said that the Community Room should be painted and possibly have a chair rail installed.

At this point (12:30pm) Mr. Ramos left the meeting.

Mr. Moore said that he felt an important project that needed to be addressed next year was the cleaning of drainage ditches. Mr. Sandford said that another priority was a new computer system for the office.

Mr. Sandford explained to those present the process between presenting the proposed budget to membership at the Annual Meeting and final approval by the Board. Discussion ensued.

Mr. Moore then suggested the following "tweaks" be made to the draft budget. The revised draft would then be presented to membership at the Annual Meeting.

- Reinststate \$750.00 to the Propane line item, restoring the total budget to \$3,750.00.
- Reduce the proposed 2017 Reserve contribution by \$5,750.00.
- Add an operating line item – Drainage cleaning – of \$5,000.00.

- **Social Activities:**

No formal report. Mr. Moore and Mr. Broxmeier will be testing out the projector screen the following weekend.

A motion was made by Mr. Broxmeier, seconded by Ms. Santos to accept Committee reports as presented. All in favor. Motion passed.

8. Financial Report – as presented by Tykieyen Moore and Robert M. Zito

Mr. Zito and Mr. Moore reviewed the written report as presented. Those present were asked to review the list of cash disbursements for August. Initially, no questions were forthcoming. Mr. Sandford subsequently asked about the PPL bill for the service at Route 196. Mr. Zito said he is still reviewing the situation with PPL.

Mr. Zito said that through August, over 100% of budgeted income was received, while approximately 70% of expenses have been disbursed. He said that the net profit (surplus) through September 9th was \$30,669.00, the Association had approximately \$1.66K cash on hand and that 76.02% of assessed dues have been collected.

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

9. Secretary's Report – No report.

10. Old Business –

- Final Revisions – PFE Rules & Regulations – Mr. Zito passed out the final revisions sent by Ms. Deborah Moore, which supplemented the version included in the meeting packet. The Board thanked Ms. Moore for her efforts in completing this project.

At this point, Ms. Moore joined the meeting. She said that she did not believe we were following the R&Rs as written regarding citations hearings and appeals. Mr. Sandford suggested that for timing purposes our current procedures should continue to be followed, but felt that the wording on the citations should be changed to "hearing" from "appeal", but no definite direction was forthcoming from the Board at this time.

- Illegal Driveway on Bristol Court – Mr. Zito presented three possibilities – the planting of cypress trees along the property line to block the driveway, the erecting of a post and rail fence along the property line to block the driveway, and the placing of boulders along the property line to block the driveway. Mr. Sandford was disappointed that a price for jersey barriers was not included and said that Coolbaugh Township should have been called to see who they buy their jersey barriers from. Mr. Zito will follow up with Coolbaugh. Mr. Broxmeier asked about what he felt was a second illegal driveway on Bristol Court. Mr. Zito will review this situation. Mr. Zito will try to get estimates on jersey barriers and present them at the October meeting.

A motion was made by Mr. Moore, seconded by Mr. Sandford to close Old Business. All in favor. Motion passed.

11. New Business –

- Neighbor Dispute – Carriage Estates – Ms. Kelly stated that she was told that two neighbors got into a heated argument regarding one of them

dumping garbage in a property that borders Carriage Lane. The PFE Rule awarding a reward to a witness leading to the **conviction** of a dumper was discussed.

- **No Soliciting Signs** – Mr. Broxmeier brought up the problem of solicitation by churches, vendors and politicians in PFE.

A motion was made by Mr. Sandford, seconded by Mr. Moore to purchase two "No Soliciting" signs. All in favor. Motion passed.

- **Closing out of PFE Permits after exterior work is done** – As per the discussion held prior during this meeting.

A motion was made by Mr. Sandford, seconded by Ms. Kelly to allow management to close out PFE Building Permits once exterior work is complete, even in the absence of a Township Certificate of Occupancy. All in favor. Motion passed.

- **Illegal Fences on Cambell Way and Chelsea Circle** – As per the discussion held prior during this meeting.

A motion was made by Mr. Moore, seconded by Mr. Sandford to begin court proceedings with Attorney Greg Malaska on the illegal fences on Cambell Way and Chelsea Circle. All in favor. Motion passed.

A motion was made by Mr. Sandford, seconded by Mr. Broxmeier to close New Business. All in favor. Motion passed.

12. Correspondence

- **Letter from Senator Mario Scavello regarding shared septic system in Carriage Estates** – Ms. Kelly asked about the ownership of the shared septic system. Mr. Zito looked up the ownership records of the Monroe County Assessment Office which showed ownership belonged to "Horse Center Community Sewerage". Mr. Sandford stated that the Association had never been involved with this system in any way, shape or form. He also said that he felt it was inappropriate for Senator Scavello, who is neither a homeowner nor represents constituents living in Carriage Estates, to write this letter, especially on State stationery. Mr. Broxmeier said he visited State Representative David Parker's office to express his displeasure with the letter.
- **Neighbor Dispute** – The Board, following past practice, felt it was inappropriate to interfere with this type of matter.

There being no further business, a motion was made by Mr. Sandford, seconded by Mr. Broxmeler to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 1:40pm.

NEXT REGULAR BOARD MEETING: October 15, 2016 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, OCTOBER 15, 2016
MINUTES**

Board Members present:

Margaret Miller - President, Bryan Sanford - Vice President (Left at 11:00am),
Susan Anderson-Krieg - Treasurer, Marisol Santos - Secretary (arrived at 9:45am),
Daniel Broxmeier - Director, Tykleyen Moore - Director (arrived at 9:05am),
Marion Kelly - Director, Jose Ramos - Director (arrived at 10:25am).

Board Members absent:

None.

Alternate Members present:

None.

Alternate Members absent:

None.

Staff present:

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

Members present:

Pascullo (H-0125), Prevete (H-0226), Belcastro (5-1575)

The meeting was called to order by President Margaret Miller at 9:00am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. **Minutes**

The draft minutes from September 17, 2016 were considered for approval. A few minor grammatical corrections were made:

- **Maintenance Report – Paragraph 2, line 10:** "He also said that Mr." should be "He also said Mr."
- **Permit Report – Paragraph 3, line 8:** "syncs" should be "sync".
- **Facilities – Line 10:** "Mr. Zito." should be "Mr. Zito".

A motion was made by Mr. Sanford, seconded by Ms. Anderson-Krieg to approve the September 17, 2016 Regular Meeting minutes as presented and corrected. All in favor. Motion passed.

2. Permit Report – as presented by Robert M. Zito

A written report detailing permit activities YTD was presented by Mr. Zito.

He discussed several long standing permits that have not yet received Township Certificates of Occupancy which are now, for PFE purposes, expired. Mr. Zito requested clarity from the Board for these permits. He said that the PFE Rules and Regulations state that PFE permits are good for a six month period and, when expired, an additional permit fee MAY be required, although it does not state that it is required. Mrs. Anderson-Kreig asked if this was another rule that should possibly be discussed and corrected. Mr. Sandford commented that the language as it is written indicates that it is up to the Board's discretion. He also said that once the expiration date arrives permits are considered expired and that an additional permit must be applied for. Therefore, he did not see anything wrong with the way the rule is written. Further discussion took place.

A motion was made by Mr. Sandford, seconded by Mr. Broxmeler to accept the Permit Report as presented. All in favor. Motion passed.

3. Compliance Report – as presented by Robert M. Zito

Mr. Zito presented a written Compliance Report reflecting activity through October 6, 2016.

He said that he had placed an ad in the Pocono Record for a Compliance / Permit officer and that a new employee, Ann Delaney, would be starting work on the following Tuesday. He said that he intended to have her tour twice per week and that he would have the final responsibility on citations issued.

Two ongoing issues of unsightly properties on Coach Road were discussed. Mr. Zito said he will tour with Ms. Delaney on Tuesday and that additional fines would be issued at that time, if warranted. Additional conversation ensued concerning removal of trash and loose dogs. Mr. Broxmeler said that although he would be leaving the Board at the end of October he thinks Attorney Greg Malaska should review the Horse Farm sewage system documents to make sure it is not connected to PFEA to protect the Association's interests. Regarding this issue, Mr. Zito stated that Mr. Prevete and Ms. Pascullo of Carriage Estates would be attending this meeting 11:00am to speak to the Board. Mr. Zito said he had previously spoken with Ms. Pascullo and that he briefly explained the Board's feeling that Carriage Estates Sewerage is a separate entity and that the Board appeared to not be inclined to have any deeper involvement. Mr. Zito said he offered to introduce Ms. Pascullo to Jake Schray, Coolbaugh Township Sewage Enforcement Officer, who could possibly explain to the affected homeowners that if the system is not properly maintained it could be condemned. A long discussion followed.

A motion was made by Mr. Sanford, seconded by Mrs. Anderson-Kreig to accept the Compliance Report as presented. All in favor. Motion passed.

4. President's Report – Ms. Margaret Miller

Ms. Miller gave a brief verbal report. She said that she had the latest Pocono Mountain Regional Police report if anyone was interested in reviewing it. She reiterated to the members to please wait to be called on to speak during the meetings and that crosstalk makes it very difficult to transcribe the audio tape when the minutes are being prepared. Mr. Zito said that going forward Ms. Renee Villanueva will attend the meetings, take the initial notes and write the initial draft of the minutes. He will then review, edit and produce the final draft that is sent to the Board for approval.

Mr. Sandford commented that the proposed PMRP 2017 budget included a \$380,000 increase and an additional officer. He said that Coalbaugh Township would be responsible for over \$150,000 of that increase, which totals 6.52%. It was suggested by the members who regularly attend Township and Police meetings that, if possible, more PFE people should attend as it a good learning experience.

5. Maintenance Report – as presented by Robert M. Zito

Mr. Zito presented a written report to the Board pertaining to maintenance activity for the month of September.

Mr. Moore and Mr. Broxmeier had concerns about the Community Room and bathroom not being cleaned on a weekend in September. Mr. Zito stated he had been sick and did not get a chance address the situation that weekend. He stated that he has hired Ms. Janice Smith-Hughes to come in weekly on Saturday mornings to clean the common areas of the office complex.

Mr. Sandford asked about the cost of the tree removal from the easement on Fergus Way. Mr. Zito said the cost was \$100. Mr. Zito also said that the modified stone that was spread along the shoulders of the mailbox pavilion was \$400 for labor and approximately \$212 for the stone. Combined, both projects were allocated a total of \$1200, and the aggregate costs came in much lower than expected.

A motion was made by Mr. Sandford, seconded by Mrs. Kelly to accept the Maintenance Report as presented. All in favor. Motion passed.

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

A written report was presented by Mr. Zito.

Mr. Zito reported collections as being slightly higher this year than in both 2015 and 2014. He also said that the fifth and final collection letters were being sent to delinquent accounts by Transworld Systems. He stated that there are no write offs this month because there were no sheriff sales or bankruptcies reported.

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

7. Committee Reports

- Rules & Regulations:

Mrs. Anderson-Krieg said a meeting will be scheduled for November 12th. Mr. Zito suggested that they wait until they receive comments from Attorney Greg Malaska concerning clarification of the rules and changes before a meeting date is set. He said that Attorney Malaska also requested copies of citations PFE issues to review the language to make sure it would hold up legally. Mr. Sandford said that he read the attorney's comments and that he, along with his wife, reviewed the rules and also found a number of inconsistencies.

Mrs. Kelly expressed concern regarding how votes would be counted at the upcoming annual meeting. Mr. Zito said that ballots will be opened at 11:00 am of the day of the meeting by the Judge(s) of Election. Mrs. Anderson-Krieg and Ms. Kelly volunteered to oversee this process. Mr. Zito stated that there was only one volunteer who expressed interest in being a Judge, Renee Labadie.

- Citation Appeals:

Ms. Miller reported no appeals were held. Mr. Zito said that Attorney Malaska thinks that when a homeowner receives a citation there should be a mandatory hearing scheduled, rather than PFE offering to schedule one if the homeowner requests one. Discussion followed.

- Facilities:

No formal report. Mrs. Kelly said she didn't have anything to report. Mr. Zito took responsibility for the lack of cleanliness of the facility on the weekend previously mentioned by Mr. Moore and Mr. Broxmeier, again noting that a contractor has now been hired to clean on Saturday mornings.

Mr. Broxmeier asked about a number lights not working in the Community Room. Mr. Zito will ask Ms. Smith-Hughes to keep an eye on the number of non-working light and report back to him. Mr. Zito explained (as explained to him by an electrician) that there appears to be 130 volts of current going through the lights instead of 120 volts which is overloading the circuits.

Mr. Zito updated the Board on the following:

- **Purchased 5 "No Solicitation" signs cost of approximately \$97.**
Locations to be installed: Intersection of Rob Roy Drive and Kings Way, intersection of Leslie Way and Rob Roy Drive, Carriage Estates sign on Rt. 196, Titania Road and Jester Court and one, possibly at the Administration Office or mailbox pavilion.
- **Area lights at Route 196 sign:** Mr. Zito researched the bill along with PPL and realized we were getting billed for two area lights on the Rt. 196 bill. However, it was determined that one of the lights is located at the mailbox pavilion. PPL re-positioned the area light near the Rt. 196 sign toward the sign. The remaining service at Rt. 196 will be cut off, saving approximately \$30/\$40 a month.
- **PAWC dumping material on PFE lots on Cambell Way:** Mr. Sandford asked about the property on Cambell Way that PAWC is using to store materials used in their ongoing pipe / road project. He said they are now dumping asphalt on the property that could contaminate creeks. Mr. Zito said that he has called Monroe County Conservation District and is writing a letter to Mr. Dave Altmiller, who is our contact at PAWC. He said he had also spoken to Mr. Altmiller and that PAWC would re-seed this area when the project is done.
- **Excavation/fill on Kensington Drive and Cambell Way:** Mr. Zito said that Mr. Joe Brady, Zoning Office of Coolbaugh Township and Monroe County Conservation District have been contacted. Properties on both sides of Cambell Way are affected.

Mr. Ramos arrived at 10:25 am

- **Social Activities:**

Mrs. Santos asked if PFEA will sponsor a Trunk or Treat this year. Mr. Zito said we never do anything formal but open the building and distribute candy to Trick or Treaters. This year he said he would not be able to attend.

Mr. Zito said that Ms. Moore could not organize Brunch with Santa on December 10th, but would be available on December 17th. After discussion, it was determined that a Pancake/Waffle Breakfast would be held on December 17th starting at 12:00 Noon.

A motion was made by Mrs. Anderson-Krige, seconded by Mrs. Kelly to accept Committee reports as presented. All in favor. Motion passed.

Public Input:

Pascullo (Lot H-0125): Ms. Pascullo said that she has lived in the Carriage Estates community for 28 years. Her rental home on Carriage Lane is one of the 16 that are connected to the leach field on Viceroy Circle. Ms. Pascullo gave a brief history of the shared septic system, stating 32 years ago homeowners of those properties entered into a collective agreement to maintain the leach field, and that each year a certain amount of money was collected from each homeowner for maintenance of the system. She said that over the years it has become more difficult to collect both information and the funds needed to maintain the field from homeowners. She said that the original owners do not know who the new owners are or their names and therefore are having difficulty collecting funds. She requested assistance from the PFE Board in collecting money or compiling contact information.

Previously, Senator Mario Scavella had written a letter to Mr. Zifo requesting assistance for the homeowners on this issue. Ms. Kelly asked if there was something written in the deed referencing the responsibility of maintenance of the leach field. Mrs. Pascullo was unsure of that information.

The homeowners administering the field requested some type of guidance or assistance. Mrs. Pascullo handed out copies of the original deed and she outlined the ways in which PFEA can aid:

- They are requesting help with perhaps knowing the names of the new homeowners.
- They request that PFEA send a special maintenance assessment to the related homeowners with the PFE annual dues billing for the maintenance of the leach field.
- Have the PFEA attorney send a letter as the Community has more clout than the individuals in charge.

Mr. Sandford questioned if an agreement entered into 32 years ago by 16 homeowners (when PFEA was not even an Association) could be the basis for any administrative responsibility of the field by PFEA.

Ms. Pascullo was given several suggestions for assistance:

- Names and addresses of current owners can be obtained from the Monroe County Courthouse.
- PFE Attorney Malasko could be asked for guidance during the annual meeting.
- Go before Township as an environmental issue.
- Attend supervisor township meetings.

Mr. Moore stated that each homeowner is responsible for their own septic systems located on their property. Mrs. Kelly said Mr. Zito did research into this issue, Mr. Zito said he had looked at the County records and had a printout of what is recorded on all current deeds. He suggested that Ms. Pascullo come by the office and that he would introduce her to Jake Schray (the Sewage Enforcement officer of Coolbaugh Township) so that he (Mr. Schray) could possibly inform all the homeowners affected that if the leach field is not maintained, homes may be considered inhabitable.

At this point (11:00am) Mr. Sandford left the meeting.

Belcastro (Lot 5-1575): Complained that a neighboring property, now vacant (5-1579), has six open pipes on the septic mound and that they are spewing out raw sewage. Mr. Zito did receive a copy of the letter Mr. Schray sent to the owner – Northeast Investment Group, located in Jim Thorpe - fining them for a sewage violation. She also mentioned a car parked in the road blocking traffic. She was told that since she lived on a Township road, Pocono Mountain Regional Police should be called.

Continuing conversation on Carriage Estates Sewerage:

Conversation on this topic continued. Mr. Broxmeier asked about a property that Mr. Zito said the records showed was owned by "Horse Carriage Community Sewerage". Mr. Moore stated that even though Carriage Estate is connected to PFEA by land for membership rights, the sewage issue was an agreement between 16 homes and had nothing to do with PFEA.

Mr. Moore reiterated that the involved homes should have paperwork that details how the maintenance management of the sewage system should be handled. The paperwork provided by Ms. Pascullo, in fact, detailed the administration and management of the leach field to a three person Board who would be in charge.

Committee Reports resumed.

- **Finance:**

Mr. Zito explained that there were not very many checks issued in September. In October expenses were much higher than normal due to several large, one-time expenses such as a \$6,000 insurance policy renewal down payment, and a \$2,000 final payment for the Carriage Lane drain pipe repair.

He said that normal expenses generally average around \$12,000 per month, meaning operating cash needed for the remainder of the year would be around \$24,000. He stated that current operating cash totaled approximately \$17,000, and it is anticipated that at least \$7,000 - \$8,000 more would be collected through year end.

Continuing, he stated that for the year to date, 105% of budgeted revenue had been reached and 73% of anticipated expenses had been spent. Mr. Zito reported at the end of October, Reserves will stand at over \$100,000.

Mr. Zito went on to suggest a possible increase in the Community Room rental fee and/or deposit to cover maintenance costs due to normal wear and tear and damage. He was asked to explain payable disbursements, most specifically the higher than normal amount spent in 2016 for area maintenance. Mrs. Kelly mentioned that it appears finances have improved over the last two years.

At this point (11:43 am) a homeowner came in to ask a question concerning responsibility of garbage removal when a tenant vacates the property.

A motion was made by Mrs. Kelly, seconded by Mr. Broxmeler to accept the Financial Report as presented. All in favor. Motion passed.

8. **Secretary's Report – No report.**

9. **Old Business –**

- **Concrete Barriers for Illegal Driveway on Bristol Court –** Mr. Zito gave a report on the Board's request to purchase jersey barriers / concrete barriers to block an illegal driveway. He said he spoke with a representative from Locust Lake Village who suggested plastic jersey barriers. He found them online at a price of \$220 each for 6 foot sections, which, when filled with water, weighed approximately 1,600 lbs. Mr. Zito said he tried to get information from some of the other Association managers in the area, but apparently no one else used jersey barriers. Mr. Broxmeler objected to the water barriers and questioned how we would fill them. Another objection raised was movability during winter snow plowing by Township. Ms. Santos reminded that last month Mr. Zito presented other options such as boulders, a fence and arborvitaes. Mr. Zito said he previously measured the area to be blocked at approximately 50 feet.

A motion was made by Mr. Moore, seconded by Ms. Kelly to purchase 20 boulders from Pocono Lake Supply at an approximate cost of \$975 plus tax. All in favor. Motion passed.

A motion was made by Ms. Kelly, seconded by Mr. Broxmeler close Old Business. All in favor. Motion passed.

10. **New Business –**

- **Appointing of Judges of Election for the Annual Meeting** – The only person to volunteer prior to this meeting was Renee Labadie (4-7131). Vote counting will start one hour before the meeting and needs Board member oversight. Ms. Kelly and Ms. Anderson-Krieg volunteered for oversight. Mr. Ramos mentioned that while the annual meeting is going on, the Parks and Recreation Commission for Coombaugh Township will be having a Halloween celebration at the Municipal Park on Rt. 423.

A motion was made by Mr. Broxmeier, seconded by Mr. Moore to appoint Renee Labadie as Judge of Election. All in favor. Motion passed

A motion was made by Mr. Broxmeier, seconded by Ms. Anderson-Krieg to close New Business. All in favor. Motion passed.

11. **Correspondence**

- **Lamont Way**, Homeowner wrote saying that he regrets to inform the Board that he will not pay his dues in 2017 as he feels he is not getting anything in return for his trouble.

There being no further business, a motion was made by Ms. Anderson-Krieg, seconded by Mr. Ramos to adjourn the meeting. All in favor. Motion passed. The meeting adjourned at 12:19pm.

ANNUAL MEETING: October 29, 2016 at 12:00 noon.

BOARD RE-ORGANIZATIONAL MEETING: November 19, 2016 at 9:00 am

NEXT REGULAR BOARD MEETING: November 19, 2016 following the Re-organizational Meeting.

Submitted by: _____
 Robert M. Zito, Recording Secretary
 Renee Villanueva, Recording Secretary Pro-Tem

Witnessed by: _____
 Marisol Santos, Secretary

Date: _____

**POCONO FARMS EAST ASSOCIATION, INC.
BOARD OF DIRECTORS REORGANIZATION
AND BOARD OF DIRECTORS REGULAR MEETING
SATURDAY, NOVEMBER 19, 2016
MINUTES**

Board Members present:

Margaret Miller - President, Susan Anderson-Krieg - Treasurer, Marisol Santos - Secretary, Tykleyen Moore - Director, Marion Kelly - Director, Jose Ramos - Director, Josefina Garcia - Director, Gloria Van Winkle - Kirschner - Director, Debra Youngfelt - Director

Board Members absent:

None.

Alternate Members present:

Janice Smith - Hughes

Alternate Members absent:

None.

Staff present:

Robert M. Zito, CMCA, AMS, General Manager, Renee Villanueva, Secretary Pro-Tem.

Members present:

Sanford (5-1539/5-4810), Broxmeier (5-0335)

The meeting was called to order by President Margaret Miller at 9:06 am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. Reorganization Meeting Minutes

A motion was made by Ms. Santos, seconded by Ms. Anderson-Krieg to appoint Mr. Zito as Parliamentarian. All in favor. Motion passed.

First order of business: the election of new officers.

- A motion was made by Ms. Anderson-Krieg, seconded by Ms. Santos to nominate Margaret Miller as President. All In favor. Motion passed.
- A motion was made by Ms. Miller, seconded by Ms. Anderson-Krieg to nominate Jose Ramos as Vice President. All In favor. Motion passed.
- A motion was made by Ms. Santos, seconded by Ms. Kelly to nominate Susan Anderson-Krieg as Treasurer. All in favor. Motion passed.
- A motion was made by Ms. Kelly, seconded by Ms. Anderson-Krieg to nominate Marisol Santos as Secretary. All in favor. Motion passed.

There being no further election business, a motion was made by Ms. Garcia, seconded by Ms. Santos to adjourn the Reorganizational Meeting. All in favor. Motion passed. The time was 9:10am.

At this point, the Regular Monthly Meeting commenced.

1. **Minutes**

The draft minutes from October 15, 2016 were presented and considered for approval. The following corrections were suggested:

Section	As presented	As corrected
Minutes, line 1	2016 and were	2016 were
Permit, line 9	that it would be	that it
Compliance, line 12	make it	make sure it
Compliance, line 15	meeting 11:00am	meeting at 11:00am
Maintenance, line 3	Baxmeier	Broxmeier
Maintenance, line 5	didn't get a chance	did not get a chance to
Committee R&R, line 5	make it	make sure it
Committee Citation, line 2	feels	thinks
No Solicitation, heading	cost approximately	cost of approximately
Public input, line 18	Mrs.	Ms.
Public input, line 23	owners	homeowners
Public input, line 23	of leach	of the leach
Public input, line 25	PFE	PFEA
Page 7, line 3	and that	Delete content
Page 7, line 4	owners	homeowners
Finance, line 4	drain pipe	drain pipe
Page 8, line 8	Baxmeier	Broxmeier
Old Business, line 9	Baxmeier	Broxmeier
Old Business, line 18	Baxmeier	Broxmeier

A motion was made by Ms. Anderson-Krieg, seconded by Ms. Kelly to approve the October 15, 2016 Board Meeting minutes as presented. All in favor. Motion passed.

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

Mr. Zito presented a written report for review. Ms. Kelly asked what was being done about garbage cans that were being left out on days other than days of collection, since animals are getting into these cans. Mr. Zito stated as per Attorney Maloska's recommendation, citations with revised language have gone out for these, and other, infractions. Ms. Santos questioned the status of the home on Dorset Road and Rob Roy Drive where the occupants seem to have moved out and left garbage, and left the garage door partially open. Mr. Zito went on to discuss several maintenance issues completed since the October

meeting – lights that were replaced in the Community Room, the cleaning of the building windows by a Goodwill client (through Janice Smith-Hughes); the boulaers that were installed on Bristol Court to block an illegal driveway and the "No Solicitation" signs that were installed. Mr. Zito suggested having an electrician inspect the wiring at the mai pavilion, since bulbs seems to be burning out too quickly. Ms. Smith-Hughes wanted to make known that the bathroom sinks are pulling away from the walls. Mr. Zito said he had a contractor come in and give an estimate concerning painting the Community Room, bathrooms, hallway and kitchen.

A motion was made by Mr. Moore, seconded by Ms. Santos to accept the Maintenance Report as presented. All in favor. Motion passed.

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

Mr. Zito presented a written report. He stated that in October one shed permit and three tree permits were issued. A new home construction permit on Chelsea Circle (Classic Homes) has expired and has received a \$500.00 fine for exterior work being done without a permit.

The violations (two permits and one vehicle) that have been sent to Attorney Malaska were discussed. His advice to the Board was that the Association should start fresh with the revised citation proceaures he outlined. Mr. Zito asked the Board's permission to send out fines to these properties and give them the opportunity to attend a citation hearing. Ms. Kelly made the comment that moving forward, PFEA should adhere to Attorney Malaska's advice. Ms. Miller mentioned that she, Ms. Anderson-Krieg and Ms. Deborah Moore reviewed Attorney Malaska's revised citation letters, and would only suggest several word changes.

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

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

Mr. Zito presented a written Compliance Report through November 17, 2016.

He said that on October 20th RMZ Property hired a dedicated Compliance Officer, Ann Delaney. A new weekly spreadsheet was presented to the Board, detailing what properties have been warned, fined or re-checked on any given week. Mr. Zito reported there were 115 citations or warnings issued. Unregistered vehicles was the violation with the most offenders; garbage can citations were also prevalent. The new reporting system the Compliance Officer is using will indicate if, and when, an issue has been corrected. Mr. Zito stated that as this process goes forth an understanding of the progression of reporting will be become clearer. Mr. Zito also stated it is his intention to have the compliance

report given by the Compliance Officer in the future. The Board members agree.

A motion was made by Ms. Kelly, seconded by Ms. Garcia to accept the Compliance Report as presented. All in favor. Motion passed.

5. President's Report – Ms. Margaret Miller

Ms. Miller reported that at the Regional Police meeting, one of the topics discussed was an increase in burglaries and DUIs in the area, with Coolbaugh Township ranking among the highest. She stated there was nothing new with the burned property on Hamlet Drive and Falstaff Drive. Also discussed was Tyler Associates, who is reassessing the properties on behalf of Monroe County. Ms. Miller reported that Coolbaugh Township will extend leaf pick up until the first snowfall. She mentioned Pocono Regional EMS now has a newsletter with information and important phone numbers. Ms. Kelly commented that she went to the Democratic meeting in Stroudsburg this past week and that our new 115th District Rep. Maureen Madden was in attendance. She said that Rep.-elect Madden thanked everyone for their support and mentioned that she received most her support from the Tobyhanna (APCP, Pocono Farms East, Pocono Farms) area and wanted to thank everyone. Ms. Miller suggested that it would be nice to have Rep. Madden come and speak to the Board at some point. Ms. Miller also commented it would be nice if one of the Regional Police K-9 units could visit the community.

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

A written report was presented by Mr. Zito. He asked if there were any questions. None were forthcoming. Mr. Zito reported on the status of collections and the ongoing relationship we have had with Transworld Systems Collections. He said that he has been working with Transworld for the past 10 years or so on behalf of PFE. He stated that over the past few years PFE purchased 500 accounts to be targeted. Since over there have been many repeat homeowners reported, Transworld consolidated the repeat accounts resulting in a balance of approximately 524 accounts that can be reported through 2018. PFE will now have an anticipated savings of \$4,000.00 - \$5,000.00 in 2017. Ms. Youngfelt raised several questions concerning the process of collections. Mr. Zito said there is now an 81% collection rate and that the collection rate has risen over the last several years. He stated that there will never be 100% collections due to uncollected monies on unworkable lots (which might be approximately 10% of the lots in the community) and monies lost when properties go to sheriff sale. Ms. Kelly asked if PFE would have a surplus this year. Mr. Zito said no, however he stated that the Association was on track to rebuild the Reserve account at the 2016 budgeted amount of over \$20,000.00.

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

7. Committee Reports

Due to the re-organization, there were no Committee reports to present. Discussion occurred at this time regarding Attorney Malaska's opinion that the Rules Committee be the one to hear citation appeals. Both Ms. Miller and Mr. Moore mentioned that at some point the Committees (Rules & Regulations and Citation Appeals) may need to be combined. Additional discussion of Committees assignments will be held during New Business.

8. Financial Report – as presented by Susan Anderson-Krieg and Robert M. Zito

Ms. Anderson-Krieg mentioned the October expenses. Mr. Zito stated that October expenses were higher than average due to some unexpected purchases and one-time invoices. That being said, there were \$26,000.00 of expenditures in October.

The current Profit & Loss statement showed that we have collected approximately 110% of budgeted income, or nearly 90% of dues budgeted through October. Mr. Zito stated that at year end, revenue will obviously be higher than budgeted and the dues collection should be in line with budget, and that operating expenses YTD were approximately 88% of budget. He said that after accounting for the majority of the anticipated November expenses, the Association had a YTD surplus of approximately \$8,400.00. Currently, there is a cash balance of approximately \$13,000.00 in the operating account which should carry the Association through December. In response to a question from Mr. Moore, Mr. Zito said that a few of the unanticipated expenditures in October were the down payment for the annual insurance policy, the purchase of the boulders for Bristol Court and the cost for the annual meeting. Cash balances for all accounts, in total, is approximately \$147,000. The three year collection analysis stood as follows: 2014 – 78%, 2015 – 79%, 2016 – 81%.

Ms. Youngfelt questioned the need for a detailed breakdown of the financial if there is a Finance Committee in place to handle this business. She was told that due to infrequent Finance Committee meetings, for transparency reasons it is better for everyone to have this information.

A motion was made by Ms. Garcia, seconded by Ms. Kelly to accept Financial Reports as presented. All in favor. Motion passed.

9. Secretary's Report – No report.

Discussion ensued as to the basis of the Secretary's report. Mr. Zito stated that years ago, correspondence was prepared and mailed by the Secretary. Mr.

Moore commented that at that time other duties also included correspondence sent on behalf of the President. Mr. Zito suggested to the Board that it might consider eliminating this section from the monthly agenda, although he was not sure if, as per the by-laws, it must remain.

10. Old Business –

Mr. Moore questioned if a decision had been made as to an increase in community room rental fee. Mr. Ramos agreed with an increase in the rental fee to include disposal of garbage and gave his account of experience of the challenges. He suggested the possibility of providing a garbage bin/dumpster, charging an extra \$25.00 per rental and using our current garbage service for removal.

If garbage disposal were to be provided, the question of transporting the garbage from the office to the shed and whose responsibility it would be came up. Ms. Kelly questioned the current garbage removal service for the office. Mr. Zito explained he currently takes most of the office trash home. Any additional trash left in the office and any trash picked up on the roads is taken to the shed for pickup by DM Palmisano. We are charged by the bag, which is more cost effective than having a weekly service. Ms. Miller commented garbage disposal has become an ongoing problem due to the increase in community room rentals. Further discussion ensued. Ms. Youngfield suggested purchasing service for an extra-large trash can from County Waste for an approximate monthly cost of \$32.00. A shed type building was discussed to hold the cans outside the building. Mr. Ramos suggested adding a key / lock to avoid dumping from non-party users. Mr. Ramos also mentioned that Waste Management has lowered their prices to be more competitive with the local market. He said that his service includes the largest can WM has, at a cost of \$25.00 per month. Ms. Kelly said that she would like a full cost analysis of a dumpster vs. cans. Mr. Moore reiterated that a price increase in party rental rates is likely warranted. Mr. Zito stated the current rental fees are probably too low, especially for the security deposits. Ms. Miller suggested perhaps Ms. Kelly or Mr. Ramos can find out how much other facility charge for rental. Ms. Youngfield raised concerns about a large, immediate increase in the fees, suggesting that a gradual increase might be better. While some present advocated for a price increase on par with the market rate of other area social halls, Mr. Zito cautioned against that, reminding that the building is owned by the members and they should receive some benefit of ownership.

Mr. Ramos mentioned that the Knights of Columbus offers a fundraiser movie night and are looking for a place to rent, and that they might be interested in renting PFEA community room.

Mr. Moore suggested that there be a "pre-movie night" of the new projector and screen before next year's launch.

Public Input:

Mr. Broxmeier (5-0335) asked if PFEA is sending Coolbaugh Township information on dangerous structures within the community to keep them aware of the situations. Mr. Zito offered, at the Board's prompting, to send to a letter monthly to the Township. Mr. Broxmeier mentioned an abandoned house on Oberon Road. Mr. Zito responded that the issues have been addressed by Joe Brady, Zoning Officer of Coolbaugh Township. Ms. Miller questioned the status of the fire building on the corner of Hamlet Drive and Falstaff Drive and stated that Mr. Sanford might have more information. Mr. Sanford said that at the Township meeting they were told that Township does not have an escrow check for that property. Mr. Broxmeier suggested instituting a quarterly assessment of all dangerous structures within the community. Mr. Zito offered the possibility of using funds from the property cleanup fund to clean properties such as these.

Mr. Sanford inquired as to the status of appeal letters from September. He was told that as per Attorney Malaska the process we had been following was not entirely valid and that he suggested to the Board that we should start the process anew.

Mr. Sanford continued to question the process and whether the violations still stand. The Board explained the discussion with Attorney Malaska at the conclusion of the Annual Meeting. Mr. Sanford pressed the issue further. He was told that the three violations presented to the attorney were legal matters and should not be discussed in public, therefore a closed session of the new Board was called at the conclusion of the Annual Meeting. Mr. Sanford argued that not announcing an executive session to be held was an ethical matter. Mr. Zito questioned if anything in the Rules specifically stated that an executive session must be announced to the public. Mr. Sanford continued to press the issue of wording on agenda under New Business - "Authorization to attorney Malaska to review Rules and Regulations Article 12". Mr. Sanford questioned the validity of a draft review that has been presented by the attorney as it is now on the agenda for approval. Mr. Zito responded that it was included on the agenda at the request of Attorney Malaska to formalize the review of the R&Rs asked for by the Board. As further discussion continued, Ms. Youngfeld stated that as a newly formed board they have not had a chance to discuss those issues and said that debating them now would be a waste of time because the Board could not give an answer at this time.

Mr. Sanford questioned if Board has discussed the management contract which expires on March 31, 2017, and asked if the Board had advertised for proposals for a new contract. Mr. Moore explained whenever a contract is extended there are always negotiations as to whether there would be any changes to the contract and at this time it has not been discussed as there are still four months left on the current contract.

Mr. Broxmeier questioned the validity of the citation he received for a trash can violation and asked to see the picture proving the warning at the next monthly Meeting.

Public Input closed at 11:36 am.

As the consideration of business resumed, Mr. Zito asked for clarification on what information going forward is to be given to the public attending the meetings (agenda, minutes, financials, etc.). Ms. Kelly asked for clarification on the public being present when discussing legal matters or financial issues concerning members. Mr. Zito responded that at this point he felt that what was being discussed was appropriate because it was general and not discussing a specific property, as some information currently in the Board's packet could compromise specific homeowner's right to privacy. The Board decided that an agenda, minutes and general financial information are appropriate to give to public at meetings.

Mr. Moore motioned that, at meetings, the public be given an agenda, minutes and general financial information.

Ms. Youngfelt suggested that since the number of people coming to meeting is unknown that the agenda could be made available on the PFE website and that those who would be attending be responsible for printing the information. Ms. Smith - Hughes asked who has the authority to call executive meeting and are alternates allowed to attend, Ms. Miller responded by saying the President can call an executive session and that she was requesting one now as there was sensitive information to be discussed.

Mr. Sanford made a formal protest of the call for an executive session.

Mr. Moore commented that there was a motion on the floor as what information is to be given to the public at meetings. Although no formal vote was taken, the consensus was that the agenda, minutes and financial report (Budget vs. Actual) be distributed to the public at meetings.

Mr. Broxmeier questioned how and if the website is being maintained. Mr. Zito stated that there is a third party contractor who maintains the website

A motion was made by Ms. Youngfeld, seconded by Ms. Kelly to call an executive session. All in favor. Mr. Moore opposed. Motion passed.

Mr. Sanford and Mr. Broxmeier made a formal protest a call for executive session.

An executive session was called at 11:48am for legal matters. The regular meeting resumed at 12:50pm.

11. New Business –

- **2016 Operational Audit** – A proposal to engage Zavada & Associates to perform the 2016 operational audit, at a cost of \$4,800.00 was presented and discussed.

A motion was made by Mr. Moore, seconded by Ms. Santos to accept the proposal made by Zavada & Associates to perform the 2016 operational audit, at a cost of \$4,800.00. All In favor. Motion passed.

- **Committee Assignments** – The following assignments were made by the Board for the 2016-2017 term:
 - **Rules & Regulations:** Ms. Miller, Ms. Anderson-Krieg, Ms. Deborah Moore, Mr. Ramos and Ms. Garcia.
 - **Citation Appeals:** Ms. Miller, Ms. Anderson-Krieg, Mrs. Deborah Moore, Mr. Ramos and Ms. Darlene Sanford.
 - **Facilities:** Ms. Smith- Hughes, Ms. Kelly, Mr. Ramos, Ms. Santos, Ms. Youngfelt and Ms. Garcia.
 - **Finance:** Mr. Bryan Sanford, Ms. Kelly, Mr. Moore, Ms. Anderson-Krieg, Ms. Garcia and Mr. Zito (non-voting member).
 - **Social Committee:** Ms. Moore, Ms. Sanford, Ms. Santos, Mr. Ramos and Mr. Garcia.
 - **Proofreading Committee:** Ms. Moore, Ms. Youngfelt, and Ms. Van Winkle-Kirschner.

The Brunch with Santa for December 17th was discussed. The time of the party will be 12:00 pm to 2:00 pm. Mr. Zito requested permission to allocate money for sending out a final newsletter for 2016 containing information for the upcoming party.

A motion was made by Ms. Kelly, seconded by Ms. Youngfelt to assign Committee members as discussed. All in favor. Motion passed.

- **Holiday Office Hours-** Mr. Zito asked to close the office for Thanksgiving Thursday 11/24, Friday 11/25 and Saturday 11/27, for Christmas on 12/24 and for New Year's on 12/31. All were in agreement.

12. Correspondence

- Mr. Zito discussed a letter sent to a homeowner on Bristol Court who appears to have encroached upon PFE property when backfilling his property. He said that this matter was brought to his attention by Mr. Sandford. It appears that the homeowner is now parking a trailer on the adjacent property, which is owned by PFE. The Board asked Mr. Zito to send a letter stating that as of now PFE will not exercise their right to fine him for the violation if he removes the vehicle and ceases and desists with any future activity on the property.
- Mr. Zito introduced and briefly discussed a proposal for management services. This matter will be discussed at a later date.

There being no further business, a motion was made by Ms. Kelly, seconded by Ms. Youngfelt to adjourn the meeting. All in favor. Motion passed.

The meeting adjourned at 1:27pm.

NEXT REGULAR BOARD MEETING: at December 17, 2016.

Submitted by: _____
Robert M. Zito, Recording Secretary

Renee Villanueva, Recording Secretary Pro-Tem

Witnessed by: _____
Marisol Santos, Secretary

Date: _____

**POCONO FARMS EAST ASSOCIATION, INC.
BOARD OF DIRECTORS REGULAR MEETING
SATURDAY, DECEMBER 17, 2016
MINUTES**

Board Members present:

Margaret Miller - President, Susan Anderson-Krieg - Treasurer, Marisol Santos - Secretary (arrived 9:45am), Tykloeyen Moore - Director, Marion Kelly - Director, Josefina Garcia - Director, Gloria Van Winkle - Kirschner - Director, Debra Youngfelt - Director

Board Members absent:

Jose Ramos - Vice President

Alternate Members present:

Janice Smith - Hughes

Alternate Members absent:

None.

Staff present:

Robert M. Zito, CMCA, AMS, General Manager

Members present:

Sanford (5-1539/5-4810); Broxmeier (5-0335), Fricke (7-3130).

The meeting was called to order by President Margaret Miller at 9:06 am in the Community Room of Pocono Farms East Association, 3170 Hamlet Drive, Tobyhanna, PA.

1. Minutes

The draft minutes from the November 19, 2016 Reorganizational and Regular Meetings were presented and considered for approval. No corrections were forthcoming.

A motion was made by Ms. Anderson-Krieg, seconded by Ms. Garcia to approve the November 19, 2016 Reorganizational and Regular Board Meeting minutes as presented. All in favor. Motion passed.

2. Maintenance Report - as presented by Robert M. Zito

Mr. Zito presented a written report for review that covered the period from November 1st - December 14th. He stated that in addition to the normal weekly maintenance of the Community Room and office areas, there were four snow

and ice events, covering six days, which were taken care of during this period. In addition, the filters for all HVAC units were replaced, three fluorescent light ballasts were changed in the office area and an estimate for properly re-installing the sinks in both the men's and women's restrooms was obtained. Discussion followed regarding the best course of action for repairing the sinks.

A motion was made by Mr. Moore, seconded by Ms. Youngfelt to accept the Maintenance Report as presented. All in favor. Motion passed.

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

Mr. Zito stated that 56 permits have been issued year to date. He discussed two houses on Chelsea Circle that are under construction by Classic Quality Homes. He said that one of the permits had expired, and that a fine had been issued to the contractor for exterior construction without a permit. He said that subsequently the contractor had applied for an extension of the permit. Ms. Kelly asked Mr. Zito if this company had caused problems in the past.

A motion was made by Ms. Kelly, seconded by Ms. Van Winkle-Kirschner to accept the Permit report as presented. All in favor. Motion passed.

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

Mr. Zito presented a written Compliance Report through December 8, 2016.

Ms. Ann Delaney, the new Citation Officer, was formally introduced to the Board. Mr. Zito then presented the report. He stated that since the end of October, 53 citations or warnings had been corrected, 60 citations were active and 39 warnings were scheduled to be rechecked by Ms. Delaney. He briefly discussed the citation appeals hearings that are scheduled for January 14th among which are three violations (two fence and one commercial vehicle) that had been previously sent to Attorney Greg Malaska for further action. He stated that three homeowners who had previously asked for appeal hearings had corrected their violations. After discussion, it was decided that under New Business the Board would consider whether these fines should be waived. Mr. Zito concluded the report by stating that Ms. Delaney was working approximately 10 hours per week, comprising both field work and the administration and paperwork of all citations. Finally, Mr. Moore asked that a column indicating total amount owed, in addition to the column indicating total amount of citations owed, be added to the monthly report. Mr. Zito said that would be done starting next month.

A motion was made by Ms. Anderson-Krieg, seconded by Ms. Santos to accept the compliance report as presented. All in favor. Motion passed.

At this point, Ms. Anderson-Krieg made a motion to move Ms. Smith-Hughes up to Director for this meeting. The motion as seconded by Ms. Garcia. All in favor. Motion passed.

5. President's Report – Ms. Margaret Miller

Ms. Miller thanked everyone for coming out to the meeting despite the snowstorm. She discussed the latest police report issued by Pocono Mountain Regional Police Department and said that in Coolbaugh Township several large communities accounted for a majority of police activity. She also discussed the previous attempts to form a "Community Coalition" with neighboring communities. Mr. Zito said he had recently been in touch with the managers of our neighboring communities and that the monthly managers meetings should resume in the New Year.

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

A written report was presented by Mr. Zito for activity through November 30th. He stated that as of that date, 729 accounts had paid in full, compared with 712 in 2015. He said that resale activity remains strong, with ten resale certificates having been issued in November. Total write-offs for the month were \$58.37, with a majority of those accounts having small balance of \$3.00 and under.

A motion was made by Ms. Anderson-Krieg, seconded by Ms. Youngfelt to accept the Management report as presented. All in favor. Motion passed.

7. Committee Reports

- Rules and Regulations:

Ms. Miller stated that there was no meeting held as the Finance Committee met in the time usually scheduled for the Rules and Regulations Committee meeting.

- Citation appeals

No meeting was held.

- Facilities:

No meeting was held. Discussion by the Board took place regarding the parameters that should be put in place for renting the Community Room. Several members indicated that they felt the fee should be raised to offset the ongoing expenses of maintaining the Community Room. The previously considered proposal, introduced last month, to allow homeowners who rent the

facility to leave their trash rather than taking it with them was discussed. Mr. Zito, as per the Board's request at the November meeting, presented three proposals for garbage pickup at the Office/Community Room facility from County Waste, Waste Management and DM Palmisano. Discussion continued relating to a shed or facility to store additional trash and recycling cans that would be picked up weekly at the office by one of the trash hauliers.

At this point, a motion was made by Ms. Smith-Hughes, seconded by Miss Kelly to revise the Community Room rental agreement, raising the fees to \$150.00 for the rental of the room and requiring a \$125.00 security deposit which would go into effect when weekly trash pickup commences. All in favor. Motion passed.

Mr. Zito was asked to contact County Waste to set up weekly trash pickup at the office area.

Mr. Zito said that he had solicited two estimates from Grecco Painting of Tobynanna and Affordable Painting of Greentown for the painting and spackle repair of the Community Room, bathrooms, kitchen and hallways. He said he thought that the time to have this work done would be the week between Christmas and New Year when school is not in session and Culture's Closet afterschool dance program would not be meeting. He said that Grecco submitted a proposal totaling \$1,675.00 and that the final number from Affordable was not received as of yet.

A motion was made by Ms. Youngfelt, seconded by Ms. Smith Hughes to have the Community Room, bathrooms, kitchen and hallways painted, accepting the lower estimate, at a cost not to exceed \$1675.00. All in favor. Motion passed.

Mr. Zito also discussed the ongoing problem with the lighting fixtures at the mailbox pavilion and discussed an estimate of \$625.00, submitted by VLD Electric, to retrofit all 10 current fixtures on the mailbox building so they would be suited for outside use and fitted with LED lightbulbs.

A motion was made by Ms. Youngfelt, seconded by Ms. Kelly to accept the proposal of VLD Electric to retrofit all 10 current fixtures on the mailbox building so they would be suited for outside use and fitted with LED lightbulbs. All in favor. Motion passed.

- **Finance Committee:**

Mr. Moore stated that the Finance committee had met with Mr. Zito on December 10th to discuss his proposal regarding renewal of his current contract, expiring March 31st. Discussion took place. Mr. Zito said that he was asking for just a slight increase (from \$77,167.00 to \$78,000.00) in compensation, a term of three years and a provision that in the event that any of the current subcontractors working under RMZ were to leave, the contract amount be

renegotiated, up or down, with PFE's approval, once a new subcontractor was engaged by RMZ.

After discussion, a motion was made by Ms. Kelly, seconded by Ms. Smith-Hughes to accept the management proposal from RMZ Property & Management Consultants for the term beginning April 1, 2017 and ending March 31, 2020 at a cost of \$78,000.00 per year to provide administrative, snowplowing, mowing, compliance, permit and housekeeping services to Pocono Farms East, with the provision that the total contract amount could be renegotiated, up or down, with the approval of the PFE Board, if any of the current subcontractors left and a new subcontractor(s) be engaged by RMZ. All in favor. Motion passed.

At this point Mr. Zito asked the Board if they would like him to open the office 25 hours per week as per the new agreement, immediately, rather than the current 23. It was the consensus of the Board that it would be appropriate for this change to go into effect at the start of the new contract, April 1, 2017. Mr. Moore said that the Finance Committee would like to begin exploring bids for snow plowing and landscaping as a fact finding mission in anticipation of the end of the new agreement.

Public Input:

Mr. Broxmeier (5-0335) told the Board that he thought the public should be able to discuss each matter as the Board is considering it rather than restricting the public's participation to the public input section of the meeting. Mr. Zito stated that at Coolbaugh Township meetings, discussion was accepted on each matter only after a motion was put forth on the floor. Regarding the possible purchase of a shed to store garbage cans, Mr. Broxmeier felt that the overhang on the left side of the building would be adequate and a good place to store the cans and that a shed might not be needed.

Ms. Santos left the meeting at this time (11:21 am).

Mr. Shawn Fricke (7-3130) discussed his intention of creating a non-profit organization that would collect scrap metal which would then be sold and the funds distributed to help needy families in the area. He asked the Board to allow him to put a notice in the next newsletter introducing his organization to the community.

Committee Reports continued -

- **Social Committee:**

The preparations for the Christmas event that would be taking place after this meeting were discussed.

Ms. Garcia left the meeting at this time (11:34 am).

Mr. Moore said that he hoped to test the projector screen out in the near future and hoped that movies and other events could take place in the New Year.

8. Financial Report – as presented by Susan Anderson-Krieg and Robert M. Zito

Ms. Anderson-Krieg asked Mr. Zito to give the report. A list of cash disbursements totaling \$8,480.47 for the month of November was presented. No questions were forthcoming. He stated that through November approximately 115% of budgeted income had been received and that operating expenses were at approximately 95% of budget. He also said that the Association had an operating surplus of \$5,266.00 through December 9th and that the dues collection rate stood at 82.91%, which is slightly higher than last year.

A motion was made by Ms. Anderson-Krieg and seconded by Ms. Youngfelt to accept the Financial report as presented. All in favor. Motion passed.

9. Secretary's Report – No report.

10. Old Business –

- **Attorney Malaska's Revision to R&R Article 12.** -- The following revision of R&R Article 12, drafted by Attorney Malaska, was considered for approval:

ARTICLE 12 – ENFORCEMENT

12.1 *Citations/Appeals Committee.* The President shall appoint and the Board shall approve, the members of a Citations/Appeals Committee, comprised of at least three members in good standing, who shall have primary responsibility for enforcement of these citations and appeals. At least one member of the Citations/Appeals Committee shall be a Director. A majority of the Citations/Appeals Committee must be present in order to establish quorum at the hearing.

12.2 *Complaint.* Enforcement Officer and/or member shall file complaints for violations of the Covenants, Bylaws or Rules and Regulations with the Management Office.

12.3 *Due Process Procedures.*

a. Upon receipt of a Member's complaint, Management shall send an Enforcement Officer to investigate the complaint. The Enforcement Officer shall issue a written report to the Management within ten (10) days of receipt of the complaint.

b. If the written report concludes that a violation is present, the Enforcement Officer or Management shall mail a citation notice to the property owner, via certified and regular mail, containing the following information: a) date of observation, b) conditions observed, c) PFEA provision(s) violated, d) proposed remedy, e) deadline for abatement of violation, f) proposed penalty for noncompliance, and g) an explanation of appeal rights.

(1) In lieu of a citation, an Enforcement Officer may also issue one (1) written warning requiring a violating property owner to abate the violation within twenty (20) days of receipt of the warning.

c. If the property owner fails to appeal the citation within ten (10) days of receipt and fails to abate the violation by the deadline, the proposed penalty or fine shall be imposed and the property owner loses all further rights to appeal.

d. If the property owner seeks to challenge the citation, the property owner must request a hearing before the Citations/Appeals Committee, in writing to the Management Office, within the (10) days of receipt of the citation. If the property owner misses this deadline, the property owner waives all appeal rights.

e. The hearing shall be scheduled for the next regular meeting of the Citations/Appeal Committee, yet not less than twenty-one (21) days after the receipt of the citation. A property owner may postpone or continue the hearing once, in writing.

f. Hearings shall be closed to the public and membership. The Enforcement Officer and/or Management must first present evidence and/or witnesses supporting the citation and be subject to questioning by the property owner and Committee. Property owners may then present witnesses and evidence in defense of the violation and be subject to questioning by the Committee and Enforcement Officer. Property owners may have counsel present upon three (3) days' prior notice to the Committee. If a property owner fails to attend the hearing, they cannot present any evidence in support of their defense. The Committee shall keep records of the proceedings.

g. Within five (5) days of the hearing, the Committee shall issue a decision: a) upholding the citation/penalty; b) rejecting the citation/penalty; or c) modifying the citation/penalty.

h. A property owner may appeal the ruling of the Citations/Appeals Committee to the Board of Directors, in writing, within ten (10) days of the Citations/Appeals Committee's decision. An appeal does not permit the property owner to present new evidence. The scope of the appeal is limited solely to the issues of whether the hearing was conducted properly and whether the property owner was provided with adequate due process. The Board must rule within ten (10) days, in writing, and may: a) affirm the Rules Citations/Appeals Committee's ruling; b) reverse the Citations/Appeals Committee's ruling, or c) remand the matter to the Citations/Appeals Committee for an additional hearing. The ruling of the Board shall be final.

i. Any penalties or fines must be paid within thirty (30) days of the last adjudication (missed appeal deadline, Citations/Appeals Committee decision, or Board ruling) or they shall constitute a lien against the unit owner's property.

Property owner shall be considered not in good standing until all citations and interest have been paid in full.

A motion was made by Ms. Anderson-Krieg, seconded by Ms. Van Winkle-Kirschner to accept Attorney Malaska's revision to PFE Rules & Regulations Article 12 as presented. All in favor. Motion passed.

- ♦ **Maintenance Issues -**

Ms. Smith-Hughes asked if there was a provision in this year's budget to finish the work started on the overflow parking lot. Mr. Broxmeier gave his opinion as to why the project was stopped.

Mr. Zito discussed the sinks in the men's and women's restrooms which need to be more firmly secured to the wall and said that with Ms. Miller's approval, he had a plumber, Michael Logan, come in to take a look at the problem. He said that the contractor felt that the sinks had not initially installed properly and that the best way to fix the problem would be to remove the wall behind the sinks, install studs into the wall and re-install the brackets securely. Mr. Zito said that Mr. Logan also provided a less expensive alternative which would be to install metal legs on the sinks which would properly brace them. However, Mr. Zito wanted to make sure that the Board understood that doing the latter might cause PFE to be in violation of ADA handicap laws. Discussion followed.

A motion was made by Ms. Youngfelt, seconded by Ms. Smith-Hughes to get estimates to install legs on one sink in each bathroom and have one sink re-installed and re-secured to the wall, making it ADA acceptable. All in favor motion passed.

Ms. Santos asked the Board if Mr. Jorge Amaya could provide an estimate for the sink repair. The Board agreed to the request.

11. **New Business -**

- ♦ **Formal Adoption of 2017 Budget -**

A motion was made by Ms. Santos, seconded by Ms. Anderson-Krieg to formally adopt the 2017 budget, with expenses and income of \$170,700.00, including a Reserve contribution of \$21,831.00. All in favor. Motion passed.

- ♦ **Permit Extensions -** Discussion took place to extend the time frame in which contractors have to complete outside work (currently six months). Various proposals to grant either a four or six month extension on permits, providing the permit holder requests an extension prior to the expiration date, were discussed. Mr. Sandford asked the Board why they would not just make the permit good for 10 months.

A motion was made by Ms. Smith-Hughes, seconded by Ms. Anderson-Krieg to grant permit holders a four month extension to the expiration date of permits, provided the extension is requested prior to the six month expiration date and if a Certificate of Occupancy was not issued before ten months of the date of the initial permit a new permit fee would be required. All in favor. Motion passed.

12. Correspondence

Mr. Zito discussed correspondence primarily dealing with citation appeals hearings scheduled for January 14th.

There being no further business, a motion was made by Ms. Kelly, seconded by Ms. Van Winkle-Kirschner to adjourn the meeting. All in favor. Motion passed.

The meeting adjourned at 12:16pm.

NEXT REGULAR BOARD MEETING: at January 21, 2017.

Submitted by: _____
Robert M. Zito, Recording Secretary

Witnessed by: _____
Marisol Santos, Secretary

Date: _____