**Pocono Farms East Association, Inc.**

**Board of Directors REGULAR Meeting**

**Saturday, APRIL 15, 2017**

**MINUTES**

**Board Members present:**

Margaret Miller - President, Jose Ramos – Vice President, Susan Anderson-Krieg – Treasurer, Tykieyen Moore – Director, Gloria Van Winkle – Kirschner – Director, Josefina Garcia – Director, Debra Youngfelt – Director.

**Board Members absent:**

Marisol Santos – Secretary, Marion Kelly – Director.

**Alternate Members present:**

Janice Smith – Hughes.

**Alternate Members absent:**

None.

**Staff present:**

Robert M. Zito, CMCA, AMS, General Manager, Ann Delaney, Citations Officer, Renee Villanueva, Secretary Pro-Tem.

**Members present:**

Sanford (5-1539/5-4810), Broxmeier (5-0335), Moore (2-2116),

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

**Since there was not a full complement of Directors present, a motion was made by Ms. Anderson-Krieg, seconded by Ms. Youngfelt to move Ms. Smith-Hughes up to Director for this meeting. All in favor. Motion passed.**

1. **Minutes**

The draft minutes from the March 18, 2017 Regular Meeting were presented and considered for approval.

* **Board discussion**
* Mr. Zito – Page 2 of the February minutes - He stated that both the notes and the tape were not clear on the vote for proposed revision on the January minutes relating to the time Ms. Smith-Hughes returned. He said that the vote was 4-3-1, and that he could identify all member votes, with the exception of Ms. Youngfelt. After discussion, it was determined that the 4-3-1 vote would remain (the motion did not carry, since a majority of the eight members present did not vote in favor).
* **Public comment**
	+ Mr. Sandford – Cautioned the Board on retaking a vote made at a previous meeting, stating that if members who were not at the previous meeting voted today, the new vote could be considered not legal.
	+ Ms. Youngfelt – Felt that her vote was not recorded correctly.
	+ Mr. Broxmeier – Said that the issue was already addressed in the minutes and should remain.
	+ Mr. Moore and Ms. Youngfelt – Suggested that the matter remain as is and that we move on with the meeting.

**At this point, it was determined to let the motion stand as recorded.**

**A motion was made by Mr. Moore, seconded by Ms. Youngfelt to accept the meeting minutes of March 18, 2017. All in favor. Motion passed. (Ms. Anderson-Krieg did not vote, as she left the room).**

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

The written maintenance report for the period of March 16, 2017 to April 11, 2017 was presented by Mr. Zito.

* Regular maintenance.
* Community Room light was changed.
* Office area was painted.
* Picked up and disposed of trash bagged by homeowner on Falstaff Drive.
* Had to retrieve trash from office area and wetlands across the street after the Easter event garbage was broken into by animals.
* Community Room, kitchen and bathroom floor tiles were stripped, cleaned and waxed by Sylvester Cleaning Service.
* New computer system was installed the previous Tuesday, and the updated TOPS software was installed on Thursday.

* **Board discussion –** None.
* **Public comment**
	+ Mr. Broxmeier – Commented that the tiled floor looked good.

**A motion was made by Mr. Ramos, seconded by Ms. Smith-Hughes to accept the maintenance report. All in favor. Motion passed.**

**Ms. Anderson-Krieg returned to the meeting.**

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

Mr. Zito presented the written permit report for the period ending April 14, 2017.

* Twelve permits are active.
* One deck permit (Coach Road) and one shed permit (Belgravia Drive) were issued since the previous report.
* Two tree permits were issued since the previous report.
* Two permits are on hold.
* No permits closed.
* Several permits from one builder will expire in May. Mr. Zito said that he would contact the builder and inform them that a C/O must be obtained from the Township prior to the expiration date or the builder will be subject to fines.
* **Public comment**
	+ Mr. Sandford – Asked how much the builders were charged for the extensions. Mr. Zito said there was no charge for an additional four months, although no extensions were issued until prior fines were paid.
	+ Mr. Broxmeier – Thanked Ms. Delaney for following up on Coach Road and said that he had gotten rid of the wrecked vehicle in his driveway.

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

1. **Compliance Report – as presented by Ann Delaney**

Ms. Delaney presented the Compliance Report. She said that there were 40 active infractions that need to be rechecked for compliance. Due to the three weeks the TOPS database was inoperable, any of those warnings issued would have 30 days to come into compliance. She said that due to this, there would likely be little or no violation appeal hearings on May 13th,

* **Board discussion**
	+ Mr. Zito – Commented that at this time of year, the community, overall, looks better than it has in previous years.
	+ Ms. Miller – Said that the milder weather has allowed homeowners to get out and clean their property earlier than in previous years. She also inquired about the Spring Township leaf pickup.
* **Public comment**
	+ Mr. Broxmeier – Asked about a property on Bristol Court having garbage in the back.
	+ Mr. Moore – Asked how the Association was handling vehicle registrations.
	+ Ms. Delaney – Said that since the Commonwealth is no longer issuing vehicle registration stickers, she is citing if there is no license plate at all on the vehicle. If a vehicle is backed in to the driveway and the back of the car not facing the road, registration cannot be verified and no citation can be issued.
	+ Mr. Zito – said that he, Ms. Deborah Moore and Ms. Darlene Sandford spoke about looking further at the unregistered vehicle rule after last month’s Citation Appeals hearings.
	+ Mr. Sandford – Commented on a snow plow on Association property on Belgravia Drive.
	+ Mr. Broxmeier - Noted the Township Ordinance regarding unregistered or junk vehicles and suggested that PFE use that as a guideline.
	+ Mr. Zito – Gave his understanding of the Township ordinance.

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

1. **President’s Report – Ms. Margaret Miller**

Ms. Miller thanked everyone present for coming out today. She expressed her regret for not being able to attend the community Easter party due to her being sick. She discussed the latest UCR report obtained from Pocono Mountain Regional Police, along with information she received from a seminar she attended for HOA Board of Directors sponsored by State Rep. Rosemary Brown. Specifically, a bill allowing for alternate dispute resolution between HOA Boards and homeowners was discussed. This bill, if passed, would allow for mediation rather than court action for these types of disputes. She also thanked Mr. Broxmeier for picking up a brochure on a “Feeding Families” program to help families in need.

* **Public comment**
	+ Mr. Sandford – Commented on a legislative bill sponsored by Rep. Brown last year.
	+ Mr. Moore – Said that this appeared to be a legislative effort to put mediation / arbitration into community by-laws.
	+ Mr. Sandford – Elaborated further on Rep. Brown’s bill saying it was an outgrowth of many residents of HOAs who felt their respective Boards were not meeting the needs of their respective communities, which allowed residents to take complaints to the State Attorney General. He said that the court system in NEPA is clogged with cases of disgruntled HOA residents who claim their Boards are spending money without proper authorization, spending more money than budgeted and not addressing the needs of residents.
	+ Ms. Miller – As a not-for-profit, PFE cannot hold onto money unnecessarily, but rather should maintain and upgrade what needs to be done.
	+ Ms. Miller – Introduced a bulletin she obtained pertaining to an HOA Board member model code of ethics.
	+ Ms. Miller - Stated that she had gone to the Coolbaugh Township Board of Supervisors meeting and that the issue of short term rentals was discussed.
1. **Management Report – as presented by Robert M. Zito**

Mr. Zito presented the Management Report. Being that the TOPS computer system is down, the report again this month was done in verbal form. He said that due to the system being down, the credit bureau reporting will need to be delayed, Based on the information available, Mr. Zito believed that approximately 86% of budgeted assessment income had been received thus far this year.

He also asked the Board for direction and guidance on how to proceed regarding PFE drainage work, which was budgeted this year. He said that two options were to hire an individual to manually clean the ditches, or subcontract the work out to a company. It was decided that this item would be placed on a future agenda.

* **Public comment**
	+ Mr. Broxmeier – Regarding drainage, he said that he, Mr. Sandford and Mr. Zito had looked at the problem last year and said that from Lamont Way to Leslie Way (Section 1) water does not run correctly.

**At this point (10:00am) Ms. Smith-Hughes left the meeting.**

* + Mr. Sandford – The $5,000 line item for drainage was created by Mr. Moore for this year’s budget as a starting point to address drainage issues. He said that Township was supposed to come back out to address the issue of Gordon Lane, Cambell Way and Leslie Way connecting to Whispering Glen, but never came out.
	+ Mr. Broxmeier – Said it was important to start a maintenance project for PFE’s internal drainage.
	+ Mr. Zito said he would get proposals for the Board’s consideration regarding the drainage project.
	+ Mr. Broxmeier – Said it was important to get someone with the proper credentials to do this project.

**A motion was made by Ms. Youngfelt, seconded by Ms. Garcia to accept the Management Report as presented. All in favor. Motion carried.**

1. **Committee Reports**
* **Rules and Regulations:** No meeting. Citation Appeals were held in its place.

* **Citation Appeals:** The results of the hearing of April 8th were discussed:
	+ Chelsea Circle – Two sheds on property. Agreed to remove one. No action as of yet.
	+ Uncovered boat – No show.
* **Board discussion**
	+ Ms. Anderson-Krieg –Stated that the Committee needed to work on the rules regarding unregistered vehicles, and a Board code of ethics.
* **Facilities:**  The following items were discussed. (Note from Ms. Smith-Hughes read by Mr. Zito).
	+ Party trash – Ms. Youngfelt commented that the garbage cans currently provided do not seem to be sufficient to handle the trash generated by each party. The possibility of a dumpster and paying a monitor whose cost would be added to the party rental was discussed at the Committee meeting.
	+ A list suggested cleaning supplies from Sylvester Cleaning Service for maintaining the Community Center.
	+ Ongoing tile maintenance.
	+ The Earth Day Community Cleanup to be held next Saturday 4/22.
	+ Complaints that chairs and tables are still being stacked up against the Community Room walls.
	+ Suggested adding a cleanup/setup chart with the room rental agreement.
* **Public comment**
	+ Ms. Moore –Suggested a chair rail in addition to a cleanup/setup chart and commented that she was against having dumpsters for party rentals.
	+ Mr. Broxmeier – Said that Mr. David Davis asked him to tell the Board he was not able to make this meeting, but would be at May’s meeting to discuss his issue. He also commented on a proposed chair rail and a generator maintenance contract.
* **Finance:** No meeting.
* **Social Activities:** No meeting.
	+ Ms. Moore – Discussed the “Spring “Eggztravaganzza” result. She thanked everyone who donated to the tricky tray. She thanked all the volunteers who made the event a success. She said that although the turnout was a bit lower than in previous years, all the families, especially the kids, appreciated the party and had a good time.
* **Public comment**
	+ Mr. Sandford – Commented on a realtor who was at the Easter party. He said she was soliciting business and that she said that she was given permission to be at the event. He said that the same person, who is a renter and not an owner, was here at the beginning of the meeting and left with a copy of the minutes, financials and the audit report, and that the Board should police itself.
	+ Mr. Zito – Addressed Mr. Sandford’s concerns. He said that he did not believe that there was anything precluding renters from coming to PFE events. He said that the realtor had approached him about sponsoring this and future events. Mr. Zito said that he felt that he could not police anyone from speaking to others at such an event. He introduced her to a Social Committee member and that is as far as it went. He said she was not given permission to set up a table, etc., at the event.

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

1. **Financial Report – as presented by Robert M. Zito**

Mr. Zito gave the report as per Ms. Anderson-Krieg.

* The details of checks disbursed from February 1st through March 15th were presented and discussed.
* Through April 11th, total revenue, unaudited, was approximately $147K.
* Through April 11th, total expenses, unaudited, were approximately $57K.
* Through April 11th, total surplus, unaudited, was approximately $90K.
* Cash positions as of April 11th total approximately $233K.
* **Public comment**
	+ Mr. Sandford – Commented on check 3613 to Young and Haros, which he said put PFE’s total legal bills for the year to over half of its expected budget for the year.
	+ Mr. Moore – Questioned a check relating to the new copier lease.

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

1. **Secretary’s Report – No report.**
2. **Old Business –**  None.

1. **New Business –**
* **Review and/or acceptance of 2016 Operational Audit –**
	+ Mr. Zito presented the draft 2016 audit, as compiled by Zavada & Associates, CPA. Since the report was just issued, he suggested that the Board review it and bring it back for acceptance in May.
* **Board discussion**
	+ Ms. Miller – Asked if the renter who was at the meeting earlier was given a copy of this draft report.
	+ Mr. Zito – Said that since the revised website was done in 2011, all annual audits have been posted for public view.
	+ Mr. Sandford – Said that the question was that this was given to her prior to it being reviewed or accepted by the Board.
	+ Mr. Moore – Said it was a question of procedure and that no information should be given to the public until after the meeting has started and their membership status has been verified. Further comments were heard by Mr. Broxmeier and Ms. Moore.
	+ Mr. Broxmeier – noted the use of “stalkish” or “stalking” language in prior month’s minutes.
	+ Mr. Sandford – Said that even though there was an apology issued in this incident, the Board did nothing to stop it when it occurred.
	+ Ms. Youngfelt – Commented that this discussion was off topic and we should return to the business at hand.

It was decided by consensus that the matter be tabled and reviewed in May.

* **Board discussion**
	+ Ms. Garcia – Asked about a $1,000.00 reimbursement from the Township to A Pocono Country Place. Mr. Zito and Mr. Sandford both explained that it was for maintenance of an emergency access road.
1. **Correspondence**
* **Dog issue on Northampton Road -**
	+ Mr. Zito explained that, as discussed prior, a generic letter was sent to all owners on that road that addressed proper animal behavior. The owner who complained told Mr. Zito he was “sick and tired” of the issue not being resolved. Both Ms. Delaney and Mr. Zito said that they have not observed the behavior the homeowner was complaining about. Mr. Zito suggested a trail cam to try to catch images of this behavior. A back and forth discussion with comments from Mr. Zito, Ms. Miller, Mr. Sandford, Mr. Broxmeier and Mr. Moore, Ms. Moore and Mr. Ramos took place.
	+ Ms. Moore - Suggested that any video should be captured by the homeowner.
	+ Mr. Sandford – Said that the community has had a long-standing practice of not involving itself in neighbor disputes.

At the end of the discussion, it was decided that the community had done what it could in this situation, and that no further action by PFE was warranted.

**Public Input –**

* Mr. Sandford - Commented on the by-law change of October 29, 2011 and the fact that the method of public input was recently changed, saying it was contradictory.
* Mr. Zito – Explained that the by-law change had to do with not allowing members not in good standing to speak at meetings, not the method of public input.
* **Resignation of Director Tykieyen Moore -**

Mr. Moore verbally tendered his resignation from the Board, effective immediately. He said that he had done what he wanted to accomplish as a Board member and would still stay active with committees.

* **Scheduling of Meetings -**

Mr. Ramos suggested that the Board reserve the right to change meeting dates if it conflicts with holidays, etc.

* **Referral Fee -**

Mr. Ramos referred to a program offered by Classic Homes.

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

**The meeting adjourned at 11:24pm.**

**NEXT REGULAR BOARD MEETING: May 20, 2017 @ 9:00am.**

**Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Robert M. Zito, Recording Secretary**

**Witnessed by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Marisol Santos, Secretary**

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