

Date/Place/Time:

December 12, 2016 6:00 p.m. to 8:40 p.m., Cranberry Pines Elementary School

Upcoming Meeting Dates:

Working Session January 9, 2017 Location TBD

General Meeting, February 13, 2017

Board Members in Attendance:

Leslie Cromie

Kate DiBenedetto

Lauren Kochan

Stacey Krastek

Karin McDonald

Bill Moritz

John Sweeney

Residents:

Linda Mason

Matthew Mason

Chris Brough

Kevin Sparkman

Mike McClane

Meeting with Attorney (6:00 p.m. to 7:00 p.m.)

- Clarification on what our personal liability is as board members and volunteers (i.e. if something were to happen, what is covered under our waivers, insurance riders, board insurance and what may be left as personal liability):
 - A board members of a private organization is protected as long as they are acting within the scope of their position. In addition to legal immunity, a board member is also covered by DNO (Directors and Officers Insurance) through our insurance carrier.

- Our ability to enforce rules, for example: Non-member, not deed restricted, has not paid dues for 2016. Very regularly seen walking dog on TLA trails since Memorial Day. Letter sent over the summer reminding homeowner is trespassing unless dues are paid. No response to letter. Still, seen regularly walking dog on trails.
 - We have the authority to impose reasonable rules and regulations based on three sets of documents: Certificate of Incorporation, Declaration, and By-laws).
 - Our declaration is recorded in county land records and would come up in a title search by a mortgage company when purchasing a home in our development.
 - Our by-laws are not recorded in county records but we will be filing them.
 - Recommend updating our by-laws via a committee. However we need 2/3 of homes to turn out and vote for new by-laws to be established.
 - Recommend that we adopt an enforcement policy procedure (attorney can draft for us). In the example regarding dog walking by non-member, we would notify resident that they are in violation of the rules and can enforce such by taking them to court. Recommend a fining procedure for repeat violations.
 - Recommend establishing a Architectural Control Committee to help oversee these types of issues (adding of new structures on property, encroachment on greenspace etc.).
 - Recommend considering hiring a property management company to handle these types of issues. Based on attorney's recommendations, Karen contacted four management companies to begin vetting process. She also contacted the Lake Pine HOA and learned that they had used a property management company for their financial services which cost approximately

\$26,000/year. They were not satisfied with these services and opted instead to hire an accountant for \$4000/year. They also hired a retired police officer to handle some enforcement issues.

- Reviewing process regarding the reporting of safety issues.
 - We have an obligation to review safety issues that come to our attention in a timely manner (what is considered reasonable under ordinary circumstances, typically within 48 hours of our notification).
 - Discussion regarding hiring a tree management company.
- Protocol for property encroachment issues, for example: 88 Tallowood Drive deed restricted, dues paid. Took out section of TLA fence and disposed of in woods. Then added his own private gates to fence line. Did not come to board with proposal and did not have permission to remove TLA property and replace with 'eyesore'.
 - Covered during earlier discussion on ability to enforce rules.
- 115 Indian Pipe Trail, non-deed restricted, dues paid. It was reported a couple of months ago that they put in a fire pit next to the lake. 15' inland from high water mark is TLA property and no structures are permitted in this area. Based on documents in archive boxes we took previous owners to court for putting in a dock and won. Also note numerous other homes that we may or may not know about are currently encroaching on our greenspace.
 - Covered during previous discussion on Architectural Control Committee.
- Our development was built in 13 stages or sections. In the first two sections and parts of sections 3 & 4, all of which included approximately 170 homes, joining the HOA was optional (we call these Non-Deed Restricted). As such, every year, some of these homes pay, and some do not. We have a contract, written up by an attorney previously, that we can have these Non-Deed Restricted homes sign, which then makes the property permanently Deed Restricted (meaning they have to pay dues). We've had about 52 people sign this contract.
 - Need to identify those residents who do not pay and are not authorized or permitted to use common space. Notify them via certified letter that if board becomes aware that they are using these areas, we will take appropriate action against them. Remind them of the ongoing invitation to join our association and have full access to all of our amenities.
- Our ability to assist with foreclosure.
 - Issue at 8 Tallowood, a home that has been abandoned for approximately 7 years but is not in foreclosure. Township has been notified and has enforced all ordinances. Property is currently bank owned. Take pictures of property and send to George. Can get a court order for bank to pay assessments if this is a deed restricted property.
- Are we required to maintain our sports fields as referenced in documents by our developer? Attorney needs to review documents.
- Electronic voting
 - At this time, we are not permitted to use electronic voting as it is not in our governing documents nor allowed via NJ laws.
- Third Party Events / Volleyball
 - Tabled to new business

Call to Order (7:00 p.m.)

Homeowner Comment:

- Matthew Mason brought a proposal on behalf of his Troop 26 Eagle Scout Project. He would like to build and set up a purple martin bird house in the green space off Knotty Oak. The house would have 14-18 compartments. Purple Martins are naturally social birds which rely on manmade habitats for survival.

Estimated cost would be \$400-500 which could be supplemented via fundraising. Matthew would be responsible for the maintenance (houses need to be checked every three days in the nesting stages) and his troop would help with installation and some general clean up in the area. He needs to submit his proposal to the Boy Scout Council for approval and would like the project to be completed by the 2nd week of April which is the beginning of the migratory season. Karen to follow up with Matthew regarding board's decision.

Secretary's Report:

- November minutes approved and entered into record.

Correspondence:

- NTR

Homeowner Comment:

- NTR

Treasurer's Report:

- Main checking account: \$ 43,685.56
- Life Guard account: \$ 5,931.29
- Lakes Accrual Fund: \$ 86,588.59
- General Improvement Accrual Fund: \$ 50,591.68
- Robert Storrel, the contractor who provided sand reclamation at the beach this past fall, does not carry workers compensation insurance. Do not use him in the future for any contract work on TLA property. Reminder that all contractors must provide certificate of insurance before they complete any work.
- Tax exempt status for TLA capital improvements. Per our accountant we should use the ST-5 form (not ST-8) which must be applied for on-line.
- Prepping invoices on December 17th or 18th and also on December 27 - 29th if necessary. Stacey to contact Junior Board members to see if anyone would like to assist and earn service hours.
- Any outstanding 2016 invoices/bills must be turned in by December 27th.
- Please cash any outstanding checks.
- On track to transfer \$10,000.00 to General Improvement and Lakes Accrual Funds. May have extra money available to designate to accrual accounts. Added to new business

Committee Reports:

Reminder to have agenda items, next meeting dates, and if the committee needs volunteers by the due date requested prior to each meeting. Many hours are wasted reminding and reaching out. Liaisons need to work with the committee chairpersons to be finding out if there are any issues and figuring out how to resolve what is happening and alerting the board of problem areas.

Athletic:

- Meeting scheduled for January with organizers of volleyball event to discuss options for better organizing event this year. Bill forwarded proposal for hosting this event as a third party sponsored event.
- Currently have volunteers in place for all sponsored events.

Beach:

- Chris Moore would like us to look at condition of bike racks and possibly replace next year.
- Kate is meeting with Verizon this week to discuss options for fiber optic issue. According to NJ law, we are still required to have land-line access at the beach.
- Reviewing the way we take pavilion reservations and will bring any proposed changes to board for approval.
- Next meeting in January.

Children's:

- Next meeting February 2nd.

Civic:

- Chris Brough has volunteered to be Chairperson. Corrinne Schreiber has volunteered to attend monthly council meetings.
- Next meeting January 16th.

Membership:

- All content has been revised.
- Next meeting December 13th.

Property:

- Work completed in gazebo park.
- Beginning bid process with landscapers.
- Property at 28 Woodthrush has multiple trees that need to be looked at as possible safety issue.
- Need to schedule next committee meeting.

Tidbits:

- Reminder that next issue does not come out until February.

Social:

- Deposit given for holiday party in January.

Water:

- Reviewing proposals for water treatment and water depth study.
- Main lake is filling up slowly after being lowered.
- Next meeting in January.

Website:

- Next meeting February 5th.

Junior Board:

- Next meeting January. Possibly hosting a career night for community youth to attend.

New Business:

- Discussion regarding beach and volleyball tournament. Attorney recommendation to take a poll of residents regarding issues surrounding this event. Stacey and Karen to work on wording of poll questions to be reviewed by board. Plan to send out electronically by end of month for discussion at January working session.
- Discussion regarding encroachment issues. Our documents are not clear about our common areas usage. There is some language in our certificate of incorporation that may be applicable and we can also refer to the greenspace area designation on our site plans.
- Allocation of extra money to accrual accounts.
- Need to develop and communicate specific policy on workers compensation/liability insurance for contractors.

Adjournment: