

**UPPER GREENWOOD LAKE PROPERTY OWNERS ASSOCIATION
BOARD OF TRUSTEES REGULAR MEETING MINUTES
January 12, 2021**

Attendance

Abbruzzese, Michael 7:52	P	Larsen, David	E	Sarnowski, Shelby	P
Becker, Heather	E	Manzo, Rene	E	Zielinski, Gary	P
Culhane, Margie	P	Marino, Joseph	P	Zemsky, Eric	P
Decina, Dennis	P	Marzinke, Tim	E	Open seat	
Donoghue, Paul	P	Morrison, Debra	E	Open seat	
Grayson, Doug	P	Quirk, Andrew	P	Open seat	
Jones, Jim	E	Sarnowski, Karen	P		

P = Present E = Excused A = Absent R* = Remote – non-voting/quorum

Attorney Present – Chris Miller Y/N

With a quorum present, the meeting was called to order at 7:20 by Dennis Decina

A motion was made to approve the December 2020 Regular Meeting and Executive Session Minutes at 7:21pm by Paul Donoghue, seconded by Karen Sarnowski. 9 In Favor, 1 Abstention, 0 Opposed.

A motion was made to approve the December Financials at 7:22pm by Karen Sarnowski, seconded by Doug Grayson. 10 In Favor, 0 Abstentions, 0 Opposed.

A motion was made to move the following funds to the contingency budget line item due to unforeseen circumstances at 7:24pm by Paul Donoghue, seconded by Karen Sarnowski:

- \$1,211 from Dam maintenance to contingency for critical dam work.
- \$5,155 from Weed Control to contingency to help prevent harmful algae blooms.
- \$4,083 from Parkland Expense to contingency due to significant tree removal from storms.
- \$1,060 from Payroll to contingency due to inability to utilize part time help due to COVID restrictions.

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- \$13,150 from Stumps to contingency for increased stump removal resulting from the lake drawdown.
 - \$1,855 from Legal for minor actions for needed for non-litigation legal work due to COVID policy review, fatal accident review, lake dumping incident review, and several easement violations reviews.
 - For a total moved to contingency of \$26,514.
- 10 In Favor, 0 Abstentions, 0 Opposed.**

Correspondence:

1. The following letter was read into the minutes by the Secretary:

January 5, 2021

Dear Board Members,

My family have been members of the UGLPOA for more than 30 years and, until now, we have always thought that the Board has done a good job protecting the lake. However, this past year the Board has failed in its duties because it has allowed multiple violations of the rules and regulations of the UGLPOA at the lakefront properties located at 111 and 115 Point Breeze Drive.

When the lake was lowered to permit work to be done at the launch area, the owners those properties hired the Battinelli Company to do landscape and bulkhead work. This work resulted in the following violations of the UGLPOA rules and regulations:

- Vegetation, including bushes and trees, was removed from parkland.
- The bulkhead was reconfigured into an 8 foot high wall.
- Parkland was back filled to the height of the newly constructed bulkhead/wall.
- Two cantilevered docks were installed that exceeded the dimensions permitted and they displayed no dock plates.
- An existing dock at the end of Elmer Court was removed without permission during the bulkhead work.
- The lake bottom fronting the properties was graded.

Members of the UGLPOA receive frequent reminders that they cannot alter parklands by erecting barriers, cutting trees, repairing bulkheads, and building and repairing docks without submitting plans and receiving approval. Members are also told that parkland must remain accessible to all members and that it is not the private property of lakefront owners. Yet the owners of the properties located at 111 and 115 Point Breeze Drive and their contractor appear to have ignored these clearly stated regulations with no apparent action being taken by the board to stop them.

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There is no excuse for this lack of action from the Board since the construction took place over a number of months. It is noteworthy that a Board member, Linda Balan, owns the property adjacent to the properties where the violations took place. As a Board member, it should have been incumbent upon her to bring these violations to the Board's attention while they were taking place. If she did, why did the Board not take immediate action to halt the construction. If she did not advise the Board, then she failed in her responsibilities as a Trustee.

The following questions need to be addressed:

- Were plans submitted and if so, why were they approved?
- What was the composition of the fill used to raise the level of land to the height of the wall? Was it tested for contaminants that could leach into the lake?
- Were permits secured from state or local agencies to allow for altering the lake bottom in front of the bulkhead/wall?
- What actions has the Board taken or is the Board taking to deal with these violations?
- Why has the Board not sent out a newsletter advising members of the situation?

Robert Panchyk

Treasurer's Report:

UGLPOA December 2020 Non-treasurer report provided by Paul Donoghue. We have been operating without a treasurer for over four months and the Board is actively seeking a qualified candidate to join the board and fulfill this critical role.

Overview:

We are still awaiting the 2019 audit by our outside auditor which has been delayed due to COVID. Despite the challenges posed in 2020 with a global pandemic and the ensuing economic conditions, the UGLPOA, Inc. was able to continue to operate in a financially sound manner.

Easement:

Even though expenses were less than income, we were over budget on several line items due to circumstances beyond our control. Due to a prior legal settlement, it is important for the easement to operate within the constraints of the individual budget categories. A contingency budget line item was approved by the easement holders a number of years back by reducing the funds allocated to parklands and weeds, as both line items can fluctuate widely from year to year based on conditions. By using contingency funds from current year operations, the funds in the stump reserve fund will be preserved for doing additional stump removal in the coming years.

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- Easement current year collections were at 78% and we achieved 101% of budget revenue when past due collections were added.
- Expenses were at 91% of budget, leaving an operating surplus of \$47,398.
- Budget line items that are over and should be covered by contingency funds include: Dam maintenance, weed control, parkland expense, legal for minor actions, and potentially stumps.
- Several line items were significantly under budget: marine & parkland patrol, security expenses, payroll part time employee, mailing & printing, and environmental.
- Line items that were slightly below budget: Utilities, insurance, barge maintenance.
- The remaining line items were within or very close to budget.

POA:

POA income was severely impacted due to our inability to rent the clubhouse for events. Despite the loss of clubhouse rental income, the POA achieved 99% of budgeted income due to increased POA membership and past due collections. Expenses were offset by not expending funds on clubhouse payroll and steward expense that are driven by clubhouse rentals. Unlike the easement, the POA is not tied to individual budget line items. The POA membership votes on the annual POA dues, and the board sets and manages expense line items and has the flexibility to move funds from one budget to another as needed.

- Total income was at 99% of budget despite clubhouse rentals being only at 6% of budget
- Total expense was 93% of budget
- Expenses that were significantly down include: clubhouse, steward, and part time employee.
- Expenses that were slightly over: clubhouse maintenance, beach payroll, admin. payroll, and docks.
- All other categories were down slightly, or over by an insignificant amount.
- Net the POA had a \$10,963 surplus for the year.

Membership Secretary Report:

Current Membership as of end of December 2020, compared to 2019's numbers noted in parentheses:

POA – 655 (650)

Double Docks – 12 (11)

Tenants –12 (16)

Specials – 9 (9)

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Total POA – 688 (686)

Total Easement – 1591 (1577)

- POA numbers ended higher than 2019. Tenants remain less from last year, four less.
- Dock Applicants assigned in late Oct/early November were not required to pay for 2020 POA membership so we will have a larger dock base next year which should increase overall membership accordingly.
- Membership dues and late fees from 2020 and past due dues from prior year brought Membership in at 105.8% for collections. It was a very good year for us especially with the fact that we were in a pandemic!
- Easement Collections were also higher in 2020 and were at 78% collection rate which, while not bad, would have been better to see at a minimum of 80%. But, given our Covid world, we were not aggressive with past due amounts simply because we knew there were people out there struggling financially.
- We also did exceptionally well in collections of past due, due to Real Estate transfers of property, ending the year with a past year collection amount of \$104,366! Approximate past due amounts collected in December were \$12,000.
- The Association has managed remarkably well with membership for both POA and Easement only members for 2020.

A motion was made to enter Executive Session at 7:45pm by Paul Donoghue, seconded by Eric Zemsky. 10 In Favor, 0 Abstentions, 0 Opposed.

Mike Abbruzzese joined the meeting at 7:52pm.

A motion was made to exit Executive Session at 8:48pm by Paul Donoghue, seconded by Doug Grayson. 11 In Favor, 0 Abstentions, 0 Opposed.

Committee Reports:

B) Beach:

Thank you to Doug Grayson for getting a quote and managing the repair of the soffit at the Pavilion.

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C) Clubhouse:

The committee reported on upcoming maintenance including inside and outside painting/staining. Meetings are planned to evaluate the HVAC system for maintenance and possible upgrades.

F) Dam:

Ferraro Construction is anticipated to be on site at 8:00am on Tuesday Jan.12th to commence the installation of the new operator and stem. Jerry Cross will be there to ensure that the work plans are correct.

A motion to adjourn was made at 9:25pm by Paul Donoghue, seconded by Karen Sarnowski. Motion approved by acclamation.

Respectfully submitted,
Margie Culhane, Secretary