

# UPPER GREENWOOD LAKE PROPERTY OWNERS ASSOCIATION

## Annual Easement Meeting Minutes

November 23, 2024

### Attendance

Burr, Rob	P	Gianniotis, Terry	E	Nicosia, Jessica	P
Culhane, Margie	P	Goebel, Emma	P	Nietzer, Laura	P
Cytowicz, Will	P	Grayson, Doug	E	Quirk, Andrew	P
Decina, Dennis	P	Hartig, Jason	E	Sarnowski, Karen	P
Denistran, Michele	P	Jones, Jim	P	Smith, Don	P
Ezratty, Steven	P	Lizotte, Travis	E	Tonnessen, Linda	P
Giannantonio, Anthony	E	Manzo, Rene	E	-----	

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

Attorney Present – James Romer Y/N

Attendance: 40 (14 board members, 26 easement members)

The meeting was called to order at 10:10am by Will Cytowicz

Pledge of Allegiance

Welcome Remarks by Will Cytowicz, Easement Committee Chair

The Board expressed its sorrow at the loss of longtime board member Paul Donoghue, who recently passed away. He gave years of service to our community and shared his expertise willingly and broadly to make our lake the beautiful treasure that it is. He will be deeply missed.

**Parklands**, Jim Jones – The straight-line wind event we experienced this summer toppled many trees and damaged Parklands in several areas. He commended the members of Parklands and Stumps Committees for their dedication and the many hours they spent on the barge and onshore doing cleanup. The barge took a beating from removing so many trees from the lake.

Blueberry Island camping will be up and running next summer.

Joe Elcavage publicly thanked Jim Jones for his service to our lake, seconded by Debra Morrison, who included Jay Hartig for thanks as well. She encouraged everyone to reach out and thank them for the hours and hours they spent on cleanup.

Joe also thanked Debra for her work as Insurance Chair. Andrew added that she put in hours of work on the claims, which included over 100 emails to our insurance company.

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**Weeds,** Rene Manzo – We continue to follow standard procedures as always, and the balance found by our contractor has been working well. Please email office if you have weeds concerns.

**Dredging,** Will Cytowicz (planned for fall 2025 – winter 2026) – We received the bathymetric study for sediment, and the sampling results came in on November 13<sup>th</sup>. Next steps will be the engineering plan and a topographical survey.

**Security,** Laura Nietzer – the main function of Security is to make ensure that only our members are on our lake. The request for an increase in the Security budget is because the current amount only covers weekends, but we would like to provide a sporadic presence at the boat launch during the week to prevent trespassing. Also, this past summer we had WMPD presence on the lake a several times, but we would like additional funds to have them come more often. Their presence is not just to write tickets, but also to advise boaters on laws and safety. We now have a PWC to assist with lake patrol. We recently purchased a new engine with the sinking fund for the boat, so it did not require a request for extra funds.

Ken Hall (Security) commented that the PWC has been very helpful, especially with enforcing the new PDF rules. Question about people ice fishing, drilling holes in the ice, and walking on the ice. Ken reported that sometimes Security will hire a WMPD special to back up our regular guys on patrol. Winter patrols are very weather dependent. A reminder that no two-wheelers are allowed on the ice, all persons on quads on the ice must wear a PFD and helmet, and all quads must be registered.

Question – Could there be a charge for a pass that Airbnb guests could purchase that would allow them to use the lake? Response by Jess – our R&R and Bylaws do not allow it, and to implement it would require a change to both the Bylaws and R&R, which would require a special meeting for a whole easement vote. A special meeting would incur legal costs for review and the postage expense. It also requires much advance planning to ensure adequate notice to members. She added that most of the cost of dealing with Airbnbs on our lake is Office Expense, not Security, because office staff time is required for monitoring them and handling the required paperwork from the Township. Ken commented that when Security gets notification of an Airbnb they monitor those properties too.

Question – Jay Zellman, 139 Point Breeze – how do we keep tabs and monitor Airbnbs?  
Answer - We check STR websites and new listings, and we get notification from the

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Township of the new permit requests in our area. Then the office lets Security know which houses they are. We are also looking for nonregistered boats, etc. Our procedures are intended to protect the rights of our deeded members. As a result, Security does not have to spend a lot of time on Airbnb guests, and the message we get from our members is that they are happy with what we are doing.

Question – Tracy Gorney, 135 Point Breeze thanks everyone for their service and asks about the fishing club members' status. Response - they are members who pay easement, and some also pay POA dues.

**Bulkhead and Erosion Control**, Andrew Quirk – Last year the committee requested money for erosion control/bulkheads up to \$70,000. Jess reported that we used funds from the interest on the accounts we opened at RBC, therefore we didn't need to increase the budget. Andrew gave a presentation and showed pictures of the anti-erosion projects completed on Parklands this past year. He presented information on Coir Logs and the Dover Cove project to create a rain garden in association with Rutgers.

A reminder that anyone who wants to fix/improve/replace a bulkhead during the 2025-2026 lake lowering must contact the office, make an application, and consult with the committee for their expertise and advice about what's possible in their location. The bulkhead application is posted on the website.

**Dam**, Andrew Quirk – there was no damage from the recent earthquake. The EAP needs to be changed again this year, and we must update the operation and maintenance manual from 2011. Jess remarks that an important part of the process is to plan the money far enough ahead to minimize or eliminate any effect on the budget.

**Environmental**, Andrew Quirk – shared photos of the various wildlife around the lake, how much rain goes into lake from hardscape during a rain event, updated the oil spill policy (we had 2 oil spills this summer), new bench on Parklands along the stream on Riverside, list of recommended native plants for our area, how nutrient testing works, photos of freshwater jellyfish and protozoan clumps.

Geese - we have 75-100 geese this season. Even with egg addling, we had more geese this year. Some areas use dogs in the spring to deter nest building. Each goose produces 40lbs of feces per year, 2 geese equal 1 septic, e coli bacteria is the issue for lake health.

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Question about how long after culling until new geese settle the area where we culled?  
Reports of 2-year bounce back in numbers after a cull.

Casual poll taken of members present:  
For culling: 12  
Against: 5  
Neutral: 9

Question – assuming that a professional cull is not in favor, can the lake act on its own?  
Andrew replied yes, but adds that there are pages and pages of permitting and work to do. A reminder that we have Spring and Fall lake cleanups, please join in. Please no blowing leaves into lake! If you see people doing this, please report it to the office.

Andrew described the HAB practices and reports – there is a machine that measures pigments. Andrew monitors and calls our vendor if we need treatment.

New township tree cutting ordinance - no more than 5 trees per acre per year can be removed.

Question – Jay Zelman, 131 Point Breeze about species of fish in the lake. Reports are that smallmouth bass are increasing? Jim Jones said he watches the fish and has observed that there is some kind of cycle between perch and crappie depending on vegetation available each season. Can we stock? We have in the past as part of the dredging requirements.

**Budget Vote**

The erosion control funds for 2024 were approved as a recurring \$35K sinking fund line item. We pre-funded it with \$35K from interest on RBC accounts. The \$35K will be included in each year's budget.

**Ballot Question 1** discussion – Elaine Fallek, 221 Point Breeze – will we not pay if this question is voted down? Jess explains our 2-budget system (POA and Easement). These legal matters are Easement, but we are required to get all legal expenses approved by the easement members, which would be cumbersome to do as they come in, since they come in throughout the year. So, POA pays the legal bills as they arrive and then Easement pays the POA back for ones that should be easement budget items.

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Bobby Milcheck, 38 Hanover – why wasn't the money taken from Easement initially? It's a matter of proper documentation and some requirements about how we can take the money. Our Bylaws state that legal expenses must be specifically approved. It happens sometimes that POA fronts the money and Easement pays it back later. Explanation of POA/Easement reimbursement. Easement expenses are much more restricted than POA in what can be used for what.

Jay Zelman, 131 Point Breeze – Question about the resolution of 111/115 Point Breeze lawsuit. Jess explained that most members did not want us to expend funds to gain access to that area. We did regain some access as part of the settlement (Elmer Court area). What we settled for was access, which is what a large majority of the members voted for.

**Ballot Question 2** discussion – Request transfer of funds for Bakalian lawsuit new discovery requirements - Jay Zelman, 131 Point Breeze - Does our Insurance cover it? Jess says funds will be coming from reserve in advance, so we can benefit from things like expert witnesses that insurance doesn't cover. What is not used will go back to the General Fund. Joe Elcavage commented that we should follow the recommendation of our attorney. Our attorney Jim Romer reiterates and agrees with Jess's comment.

**Ballot Question 3** discussion – Burrow Road property along Longhouse – Laura Nietzer commented that we should consider that our part-time employee could bring in money on property arrears, and if budget C is enacted we will not have a funds for that person to go pull deeds that we need for collections.

Cathy Demarco, 21 Laramie – did we already bid and buy it? Yes, it is now owned by the POA and can only be used for the POA currently. If we transfer it to Easement, it would be for all easement use, possibly a playground or other amenity. The money came from the General Fund. It affects the easement budget because real estate taxes will be owed. Will explained that part of our goal as a Board is to expand the opportunities for parks and amenities for the common easement, and it is even mentioned in our Bylaws to buy Parklands when they become available.

Ballot Counters: John Guinter, 136 Point Breeze Drive, David Sisco, 4 Demont Road

### Vote Results:

Question 1	Yes	73	passed
	No	2	

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Question 2            Yes    71    passed  
                             No     3  
Question 3            Yes    71    passed  
                             No     5

Budget A:     5  
Budget B:     59            passed  
Budget C:     12

A la carte Options:

	Proposed Increase	Mandatory
Marine Payroll		4
Security Expenses		4
Office Expenses	4	
Payroll	4	
Part Time		4
Legal	4	

The meeting was adjourned at 1:10pm Will Cytowicz.

Respectfully submitted,  
Margie Culhane, Secretary

Attachment: budget ballot

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How to vote: Choose Budget A, B, or C

OR If you select to vote per item, it is assumed those items will be added to mandatory Budget A.

2025 Upper Greenwood Lake Easement Budget vote November 23, 2024	Budget A Mandatory	Budget B	Budget C	Vote by Individual item - added to mandatory budget A	Check boxes for individual item	Explanation of proposed changes
<b>Dam:</b>						
Dam Escrow Account Held in CD form	\$ 37,380.00	\$ 37,380.00	\$ 37,380.00	-	\$ 37,380.00	
Dam Maintenance & Payroll	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	-	\$ 7,800.00	
<b>Security</b>						
Marine and Parkland Patrol Payroll	\$ 28,800.00	\$ 31,800.00	\$ 31,800.00	Check box to increase to: \$31,800.	<input type="checkbox"/>	Proposed: \$3,000 for additional security detail will be added for weekday patrolling at the boat launch.
Security Expense	\$ 7,000.00	\$ 12,000.00	\$ 12,000.00	Check Box to increase to: \$12,000	<input type="checkbox"/>	Proposed: -\$3,000 for additional gas as we now have a jet ski, need a radio for the jet ski, and do some work on the jet ski dock. -\$2,000 for additional police presence on the weekends.
Future motor purchase (security)	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	-	\$ 1,000.00	
<b>General Expenses:</b>						
Utilities	\$ 14,500.00	\$ 14,500.00	\$ 14,500.00	-	\$ 14,500.00	
Insurance	\$ 48,133.00	\$ 48,133.00	\$ 48,133.00	-	\$ 48,133.00	
Real Estate Taxes*	\$ 44,520.00	\$ 44,520.00	\$ 46,248.00	-	Either \$44,520 or \$46,428 dependent on Question 3.	If the Burrow Rd ballot question is approved, this amount will include taxes for the Burrow Rd acquisition. <b>Please note: Budget C is presented to show the property tax increase for Burrow Rd.</b>
<b>Lake Management:</b>						
Weed Control/Lake	\$ 60,000.00	\$ 60,000.00	\$ 60,000.00	-	\$ 60,000.00	
Barge-Maint (motor, decking, storage, prop)	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	-	\$ 1,500.00	
Parkland Expense	\$ 18,000.00	\$ 18,000.00	\$ 18,000.00	-	\$ 1,800.00	
Stumps/Tree Removal	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	-	\$ 10,000.00	
Stump/Tree Removal Sinking Fund	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	-	\$ 10,000.00	
Environmental	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	-	\$ 4,000.00	
Future motor purchase (barge)	\$ 500.00	\$ 500.00	\$ 500.00	-	\$ 500.00	
Future Dredging	\$ 37,000.00	\$ 37,000.00	\$ 37,000.00	-	\$ 37,000.00	
Dredging Loan – Final year to collect 2036	\$ 33,796.19	\$ 33,796.19	\$ 33,796.19	-	\$ 33,796.19	
Contingency Fund	\$ 45,000.00	\$ 45,000.00	\$ 45,000.00	-	\$ 45,000.00	
Erosion Control	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00	-	\$ 35,000.00	
<b>Administration:</b>						
Office Expenses	\$ 3,328.38	\$ 3,838.61	\$ 3,838.61	Check box to increase to \$3,838.61	<input type="checkbox"/>	Proposed: 6% increase due to rising costs/inflation
Payroll (70% of full time employee costs)	\$ 50,522.00	\$ 52,542.88	\$ 52,542.88	Check box to increase to \$52,542.88	<input type="checkbox"/>	Proposed: 4% increase to account for the Office Administrator's pay increase.
Payroll Part Time Employee	\$ 6,480.00	\$ 6,480.00	\$ 1,752.00	Check box to decrease to \$1,752.00	<input type="checkbox"/>	Proposed: Budget B is unchanged from Budget A. Budget C contains a sharp Part Time position cut to try to offset the Burrow Rd property tax, if Question 3 passes
Asst Employee	\$ 17,600.00	\$ 17,600.00	\$ 17,600.00	-	\$ 17,600.00	
Identification stickers	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	-	\$ 1,500.00	
Mailing, Printing & Postage	\$ 5,260.00	\$ 5,260.20	\$ 5,260.20	-	\$ 5,260.20	
Firehouse Maintenance	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	-	\$ 2,500.00	
Accounting (Audited Statements-mandatory)	\$ 5,490.00	\$ 5,490.00	\$ 5,490.00	-	\$ 5,490.00	
Legal Retainer	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	-	\$ 2,000.00	
Legal for minor actions and reviews	\$ 14,500.00	\$ 18,000.00	\$ 18,000.00	Check box to increase to \$18,000.	<input type="checkbox"/>	Proposed: The increase is taking into consideration current litigation matters, increased hourly costs, and increased administrative costs.
Web/IT Services	\$ 15,600.00	\$ 15,600.00	\$ 15,600.00	-	\$ 15,600.00	
<b>TOTAL EXPENSES</b>	<b>\$ 568,709.57</b>	<b>\$ 582,740.88</b>	<b>\$ 579,740.88</b>			
<b>2025 COST PER PROPERTY (as presented)</b>						
	<b>\$ 283.50</b>	<b>\$ 290.50</b>	<b>\$ 289.00</b>			
Cost per prop if Question 3 passes	\$284.35	\$ 292.35	\$ 289.00			
Cost per prop if Question 3 fails	\$283.50	\$ 290.50	\$ 288.15			
<b>How to vote: Choose Budget A, B, or C. OR If you select to vote per item, it is assumed those items will be added to mandatory Budget A.</b>						
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>*Real Estate Tax changes:</b>						
If the Burrow Rd property is approved (Q3) taxes will be \$46,248 on all budgets. If it fails, taxes will be \$44,520 on all budgets.						