

**UPPER GREENWOOD LAKE PROPERTY OWNERS ASSOCIATION
BOARD OF TRUSTEES Regular Meeting Minutes
September 14, 2021**

Attendance

Becker, Heather	E	Jones, Jim	P	Zielinski, Gary	P
Culhane, Margie	P	Klimek Schmidt, Kylie	P	Zemsky, Eric	P
Decina, Dennis	P	Larsen, David	A		
Donoghue, Paul	P	Manzo, Rene	E	Open seat	
Engleman, Lauren	P	Morrison, Debra	P	Open seat	
Gianniotis, Terry	P	Quirk, Andrew	P	Open seat	
Grayson, Doug	P	Sarnowski, Karen	P	Open seat	

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

Attorney Present – James Romer Y/N

With a quorum present, the meeting was called to order at 7:31pm by Dennis Decina

Nominations for Executive Committee:

President – Dennis Decina nominated by Jim Jones, seconded by Gary Zielinski

Vice President – Paul Donoghue nominated by Karen Sarnowski, seconded by Margie Culhane

Secretary- Margie Culhane nominated by Paul Donoghue, seconded by Eric Zemsky

Membership Secretary - Karen Sarnowski nominated by Paul Donoghue, seconded by Margie Culhane

Treasurer – Terry Gianniotis nominated by Dennis Decina, seconded by Jim Jones

After discussion, Dennis withdrew his nomination.

The Executive Committee nominees were approved by acclamation.

A motion was made to approve the August 2021 Regular Meeting and Executive Session Minutes at 7:46pm by Paul Donoghue, seconded by Eric Zemsky. 7 In Favor, 5 Abstained, 0 Opposed

A motion was made to approve the August 2021 Public Meeting Minutes at 7:47pm by Paul Donoghue, Seconded by Doug Grayson. 7 In Favor, 5 Abstained, 0 Opposed

Correspondence:

1. 195 Point Breeze Drive, report of fallen tree in the cove
2. 493 Lakeshore, phone call re parklands trees being removed, see discussion below
3. Dover Cove, email asking about the oil spill containment measures
4. 9 Schmidtke Lane, request for buoys, boats too near shore

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493 Lakeshore - PO was cutting down trees on Parklands without permission. Two board members were available to visit the scene and spoke with the PO and the tree expert. They reported to the Board that three or four trees had been cut. One tree was clearly rotten and another was an ash tree that had to go. The board members explained that the UGLPOA understood the need for removal of bad trees, but PO still needs to get permission for work on our property. Many people use the common excuse that they didn't know they needed permission. This PO has a history of cutting things down on parklands to improve his view.

PO lists the house as a Short Term Rental (Airbnb) and is also violating the UGLPOA rules for these properties. He allows his customers to trespass on the lake, has a fire pit on Parklands, and advertises lake use in his rental listings. He has an illegal dock and boat. Short Term Renters are not easement holders and do not have rights to use the lake. This is very clearly stated on the website and in the bylaws (easement rights are not transferrable.) Violations like these can result in becoming a Member Not in Good Standing and jeopardize one's membership.

A motion was made to enter Executive Session at 8:24pm by Paul Donoghue, seconded by Andrew Quirk. 12 In Favor, 0 Abstained, 0 Opposed

A motion was made to exit Executive Session at 9:04pm by Paul Donoghue, seconded by Debra Morrison. 12 In Favor, 0 Abstained, 0 Opposed

A motion was made that the dock committee allow 42 Point Breeze to install a dock not to exceed 24 feet in length at the recommendation of the dock chair at 9:17pm by Paul Donoghue, seconded by Eric Zemsky. 12 In Favor, 0 Abstained, 0 Opposed

A motion was made to accept the recently published Covid policy as approved by our counsel at 9:29pm by Paul Donoghue, seconded by Doug Grayson. 12 In Favor, 0 Abstained, 0 Opposed

Treasurer's Report:

In the absence of a treasurer, Paul Donoghue provided an update on the POA committee budgets and discussed planning the Easement budget for 2022.

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Membership Secretary Report:

Current Membership at the end of August 2021 (as compared to 2020 numbers in parentheses)

POA – 713 (645)

Double Docks – 10 (12)

Tenants – 19 (12)

Specials – 9 (9)

Total POA – 751 (678)

Total Easement – 1506(1465) – Easement Only - 755 (714)

We gained another 73 POA memberships this month, so we are 96 POA memberships over our budget goal of 655 (includes Tenants, Specials & Double Docks), which is great! It's been a banner year and the office never really "slowed down" this summer until the beach closed.

Unpaid members have received notifications and most have paid. We have one outstanding special who is being informed that without payment by 9/27 the dock will be reassigned. (Dock is in a public area). Another unpaid member in an accessible location is being sent final notice on dock reassignment. This property is someone who is repeat offender and it is time to end the relationship at this point.

Evaluating our POA numbers versus Easement is interesting in that total Easement paid percentage wise has not changed all that much. Compared to the last two years we gained only 41 additional easement members compared to 2020 and only 15 compared to 2019 while we had 73 and 74 new POA memberships, respectively. Most of this is in all likelihood due to new ownership of properties that in the past were easement only members and are now full POA memberships. Regardless, it was a great year for POA membership that allowed us to reach our projected budget, even without any revenue from Clubhouse rentals up to this point in the year.

The second notice for Easement payments will be sent out in the upcoming weeks (2) and thereafter accounts will be moved to collections for anyone in three years of arrears. Due to Covid we were very vocal about people reaching out to us if they are having financial difficulties, and anyone that did has been accommodated. Therefore, we need to move forward with the delinquent accounts.

We continue to receive past due amounts, sometimes on large amounts that have been due for some time. Many properties that are significantly delinquent have been sold during this great real estate boom year, and we have collected their past due amounts. But, as has been said all along, eventually all of the past due amounts will be collected and we will no longer see these great thrusts of extra collections. This year's amount has currently reached \$78,131, and we will see where we end up at year's end.

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Committee Reports:

F) Bylaws, Rules & Regulations:

The committee is working on a draft for a new regulation requiring paddleboarders to wear a PDF when using the paddleboard (to be in line with possible changes coming to NJ boating law for SUPs). We are also looking at lowering the age at which a child is required to wear a PDF when on the water to be stricter than NJ law. This will require legal review to confirm we can make these changes, should the board decide in favor.

G) Docks:

(1) Assigned PO waiting for something near to home
(3) Assigned and in process, there are additional some of which I am pushing to build and they are struggling with contractors.

(3) Lakefront in process

(20) Current Applicants:

(5) new since last month

(3) Lakefront to be Assigned

(1) Repair to be done

(1) Lakeside – To be processed

(15) Applicants off the lake

Repeat FYI

Dock Assigning generally follows the order of application, the location of PO, the requested location of PO and the available dock locations. High in consideration is parking and the adjacent neighborhood structure, ie. Is it a narrow dead-end road that additional cars will create hardship for those that live there? Very often assignees are given specific instructions to parking, number of cars to minimize individual area impacts. Keeping the roadway open for emergency vehicles. Keeping neighbors happy with new dock neighbors is a balancing act. In some cases, nothing will make some neighbors happy other than keeping the area all to themselves and in those areas, respect is stressed and an assignee is told of the past neighbors' reactions.

I) Easement: It's time to prepare the 2022 Easement budget for the November meeting. The POA members approved their portion of the new integrated membership, billing and website software that we would like to implement in 2022. The easement holders will get to vote on their portion in November, assuming the board votes to add this to the budget at the October meeting.

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K) Environmental:

1. Lake Capacity Study - The results were reviewed. 304 Lakefront or Lake adjacent homes, 584 docks and 339 powered boats. Jet skis were 63, sailboats 11, kayaks/canoes etc. 518. A drone picture taken on Sunday July 5th at 4 pm revealed 36 boats. It was planned to repeat the count this week, but that will be postponed as it is believed that several boats have already been removed, possibly due to Hurricanes Henri and Ida that came through our area and caused the lake to rise approximately 10 inches.
2. Algae Count - Cyanobacterial count was low again for the third August in a row with 15,153 cells/ml reported by Aquatic Analysts.
3. Watershed Implementation Plan - The Town plan and budget allowed for 2 inflows to be tested, so the Committee paid for two additional sites in Boat Launch Cove and Firehouse Cove. With the heavy rain recently, another stream was noticed at Asbury Road, and this should also be tested as it flows near to a fairly dense residential area.
4. Erosion Control measures during drawdown, Sinking Fund - No contractors have been secured for work to be done if a drawdown occurs this winter. The Committee strongly recommends that a bulkhead dedicated or sinking fund be set up and funded every year and used to repair or place bulkheads or other measures to control erosion and runoff. The fund will be used for both UGLPOA property and the most compromised residential property lakefronts.
5. Inspections during drawdown - Photographs will again be taken of all Township outfalls and will be labelled in a different format from the last attempt.
6. Bathymetric Study and meeting with Township - The study has been delayed by Princeton Hydro. The Committee debated the relative benefits and disadvantages of a drawdown this year and an annual draw of 18 inches or less starting this year. The Committee looked at peer reviewed articles and voted 7-2 against. It was felt that the Board should keep to its previously stated policy of drawdowns every five years and be prepared with projects and work to be completed during the draw down.
7. Eagles - The Committee believes that the strategy developed by Karen Sarnowski with help from the DEP was a tremendous success and should be the model for future years if we are graced by the return of breeding pairs. Many thanks to Karen for her work and dedication.

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8. Letter from resident regarding Fish - Dave Surman will provide a response and circulate for final approval.

9. Wildlife/Environmental Fund contributions - A line for Easement holders to contribute to a fund for the protection and enjoyment of our wildlife and natural resources is proposed and should be included on the annual bill mailed each year. Projects such as a bird blind, survey of animals in our lake community, nesting boxes, and boardwalk could be funded. The voluntary contribution suggestion would appear and be administered in the way the voluntary fireworks contribution is handled.

10. Hazardous Waste Policy - Jim Jones will comment on the boat that sunk and the measures employed to contain leaking fuel and oil from the engine. He will also prepare a file to be kept in the clubhouse office detailing the procedure to be followed for any future spills. The Board should consider requiring proof of boat insurance for cleanup and cost of retrieving sunken boats for Easement holders applying for boat stickers.

11. Snakes - Kris Schantz, Biologist at NJDEP has been contacted for a possible presentation about snakes to residents. Other guest speakers will be contacted for a potential wildlife educational seminar in early 2022.

12. Contaminated soil - Tests performed by Accredited Analytical Resources on Parklands property topsoil that was deposited by a local contractor are positive for petroleum products and metals, including mercury. The latter exceeds NJDEP limits but a second test failed to show that it was leaching. The testing Company recommends that the Committee share the results with the Township Health Department, and the Committee concurred with this response.

13. DPW dumping grits into Lake – Our attorney has contacted the State Attorney Generals’ Office Environmental Crimes Unit for an update.

14. Kathy Straubel will explore the idea of having an educational outreach program during the Vendor’s Fair on Sept. 25th and will arrange our Fall clean up date and coordination with the Township.

15. Geese - A private company will be employed to addle eggs in the difficult to access area of the southern end of Yardville cove in 2022. It is believed that most of the

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goslings that survived 2021 addling were raised in this area and may number about 15 to 20.

P) Publicity & Public Relations:

A thank you letter was drafted to a member and is awaiting approval.

New Business:

The board had an extended discussion regarding erosion, infill, remediation, bulkheads, dredging, etc.

Heather Becker was appointed Bulkhead subcommittee chair.

Kylie Klimek was appointed Beach Committee chair.

Doug Grayson announced that the Activities Committee is planning an Oktoberfest on the beach in October. Please remember that glass bottles are not permitted on the beach.

A motion was made to lower the lake 12" this winter at 10:02 by Eric Zemsky, seconded by Debra Morrison. 6 In Favor, 5 Opposed, 0 Abstained

A motion to adjourn was made at 10:08pm by Paul Donoghue, seconded by Jim Jones. All in Favor

Respectfully submitted,
Margie Culhane, Secretary