

**UPPER GREENWOOD LAKE PROPERTY OWNERS ASSOCIATION
BOARD OF TRUSTEES Regular Session Minutes
August 9, 2022**

Attendance

Becker, Heather	P	Gianniotis, Terry	P	Quirk, Andrew	P
Culhane, Margie	P	Jones, Jim	E	Sarnowski, Karen	P
Decina, Dennis	P	Klimek, Kylie	P	Zielinski, Gary	E
Donoghue, Paul	P	Manzo, Rene	P		
Engleman, Lauren	P	Morrison, Debra	P	Open seat	
Grayson, Doug	E	Nicosia, Jessica	P	Open seat	
Giannantonio, Anthony	P	Pyle, Selena	P	Open seat	

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

Attorney Present – N

With a Quorum present, the meeting was called to order at 6:40pm by Dennis Decina.

**A motion was made at 6:42pm to approve the July 2022 Regular meeting and Executive Session minutes by Paul Donoghue, seconded by Jessica Nicosia.
 In Favor 11 Abstentions 1 Opposed 0**

Correspondence:

1. Kuklova – August 8 email follow-up about dead trees with falling branches on Parklands near his boat and dock
2. Spotted Lantern Flies – news reports of greater infestation in New Jersey this summer

Membership Secretary Report:

Current Membership as of end of July 2022 (compared to 2021 numbers in parentheses)
 POA – 758 (708)
 Double Docks – 10 (10)
 Tenants – 8 (17)
 Specials – 9 (9)
 Total POA – 775 (734)
 Total Easement – 1560 (1487) – Easement Only – 785 (753)

July has probably been as busy as June was. As our numbers reflect, we continue to gain new POA members. Collection of our fees and dues has been nonstop and of course requests for boat and licensing documents has been never-ending. We also sent out letters to all delinquent Easement members and Dock holders. This month we will be

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moving those members with delinquent past Easements to our collectors or to our Collection Attorney. Our collection rate for on-time easement payments is at 78%. Our total collection rate is a bit different in that it includes the collection of past due amounts, either through recent property sales, collection efforts, or a household now wanting to use the lake for beach or to have a dock, so they paid up past dues to become a member of the POA. This rate is at 89.86%. Our goal is to be over 80% of our population of 2,015 community households, so with 78% we are very close.

To date, we have collected over \$58K in past due Easement Fees (as compared to almost \$52K last month). POA Membership numbers are very high and interestingly, we have 174+ of those members who are beach users only (they do not currently have a dock). Some of these members are on the Dock Waiting List, but the bulk of them are not. Today we are at 775 POA members, the highest that I have in my records!! Quite amazing!

We are still working on the additional tags and stickers that we ordered in June, and fingers crossed we will make it thru the year.

Membership / Security Issues over the past few weeks

There have been multiple Membership/Security issues that have come up where lake users are not documented for approval for motorized watercraft use, either for failure to provide the required documentation to the office and therefore not having POA stickers, or in some cases being fully delinquent in Easement or POA fees and dues and not a Member in Good Standing.

1. PWC parked at a member's dock with member having no documentation in office; when contacted denied knowing whose it was and told us to remove it. Removed to Security dock. We were then contacted by PWC owner who was in process of getting documentation in order. Owner grew up in UGL, although she has been living with her boyfriend's family and all documentation including boat license is for that off- lake address. PWC was removed from lake. As reported by Owner she was told that she could park at this member's dock by the member. She said the member called her to notify her that the PWC was being towed away. She and the boyfriend were away for the week but came back to UGL to take care of this issue. Letter sent to Dock Owner regarding dock sharing not allowed with outsiders and non-members.

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2. Another PWC which happened to be owned by the above PWC owner's brother was found at a dock that did not have any documentation for it to be parked there. This PWC owner has a history of launching his watercraft without approval on an annual basis. When it was determined that he had done so once again a couple of weeks ago, Security began to be on the outlook for his PWC. Family has never paid Easement or POA membership. Security did speak with the parent about setting up a payment plan because son's actions could result in her son being charged with trespassing. Letter sent to Dock Owner where non-member PWC user was parking his boat.

3. A pontoon boat was found at another member's dock that was open because they were temporarily sharing with someone else. It was noted as odd since the dock owner's themselves own a Pontoon boat and this would appear to be a second pontoon for them to own. There were no current POA stickers on the parked boat. The boat was owned by a different member in the past, but had not been at that members' dock for some time.

Dock owner was contacted by office regarding this undocumented boat. They were not happy that they had to do something about this. The owner of the pontoon boat is not in the UGL deeded easement area. The dock owner couldn't understand why it made a difference that this boat was out on the lake because pontoon owner used to live in UGL. At some points she was yelling at Tanya. In the end she apologized, although it was not felt that she understood or agreed that this was an infraction of our lake rules. It was explained that because she was allowing a non-member to use her dock, she was putting her own membership in jeopardy.

4. On the weekend of 7/30-31 two PWC's were noted to be in the Dam area not observing the No Wake Buoys and without POA stickers. Those operating were older teens/young adults. Pictures were taken and we were able to identify the dock owner who also had a motorboat at the dock. This member had no documentation in the office. It was also reported that the PWC users were boating in the "stump field" area at high rates of speed, something most experienced UGL users know is not a safe action. Dock Owner was notified and stated that it was her granddaughter and possibly a friend on the PWC's. The boat was owned by the daughter who resided up on the mountain but outside of the UGL deeded rights easement area. Since notifying her of the noted activity and what is allowed and not allowed, all watercraft have been switched to the DO's name. Further correspondence has been held back until we discuss this situation.

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5. Security had WMPD out on the lake on 7/30 and together they noted a pontoon boat driving on the lake with PA registration and no POA stickers. This was a dock member who never submitted documentation or received stickers. He has been known in the past to have “self-assigned” himself a dock, and launched the same boat last year without the proper documentation. It is believed that the boat operator was told to dock his boat. WMPD went to his home and advised that he needed to obtain a proper NJ Registration (PA registration was not in DO’s name) and submit it to our office before he could use the lake. DO complied and has since submitted all the proper documentation.

6. Incident with a PWC towing two children and having a spotter on board totaling 4 passengers for a 3 person PWC. This is prohibited by NJ Boating laws -- there must be a seat for those on the PWC *and* those being towed, and one cannot exceed the official seat count for the PWC. The driver was unpleasant to our Security and drove off while still towing the two children. This was not the first time that this person has been aggressive with Security. Not wanting to exacerbate the situation and knowing the PWC owner, Security chose to drive to his lakefront home. They found him available on the Parklands and spoke with him regarding this activity. The PWC did not have 2022 stickers and was not on the approved boat list that Security uses when out on the lake. The office did not have this documentation or current licensing in the office. The driver of the PWC has never provided a copy of a Boat Operator’s license to our office. Even after being told to get the documentation to the office, we still do not have it. E PWC owner has been sent a letter.

7. Prior to the buoys being reset to closer to the eagles’ nest, there was an incident reported of members being very loud and aggressive with our Security team member after being stopped for not following the no wake restrictions for Firehouse Cove. These residents were personally spoken with last season regarding these restrictions, and at that time they had no issue with them nor with following them. That was not their stance with our Security this time, they were loud and nasty. That was one of the incidents that prompted our board president to send out the email blast earlier this month.

Members need to understand that our staff are simply doing the things that the Board of Trustees has asked them to do. They don’t make the rules that our members must follow, they just implement the tools for enforcing the rules. Some of those items may be: requiring beach badges for beach use, submitting NJ Boat Registrations and licenses for all motorized watercraft, having a life jacket when kayaking, following our Eagle

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protocols, and following NJ Boating regulations, etc. Having the necessary documentation that the State of NJ requires for Boat Operators will help keep our lake as safe as possible for all users. Those who do not comply will not be allowed to use our waters. We want our lake to be safe and to remain private. Collecting this information from the membership is the only way that we can do that. Members who want to use motorized watercraft must submit the current registration and current household members NJ Boat endorsed licenses to receive an annual sticker.

Treasurer's Report:

Tanya and Jessica have been working on getting the RBC accounts opened and reorganizing where cash is held, to keep all POA and Easement funds under the FDIC insurance limit at each bank. The project is just about completed – RBC account paperwork is complete and Lakeland should be done next week.

Our 2021 audit is now underway. The auditing firm expects it be complete by September.

We currently have 772 POA members this year. This is above our budget of 670, giving the POA nearly \$30K in extra funds.

A motion was made at 6:56pm to approve the July Financials by Jessica Nicosia, seconded by Paul Donoghue.

In Favor 11 Abstentions 1 Opposed 0

A motion was made at 7:02 to enter Executive Session by Paul Donoghue, seconded by Karen Sarnowski.

In Favor 12 Abstentions 0 Opposed 0

A motion was made at 8:06pm to exit Executive Session by Paul Donoghue, seconded by Debra Morrison.

In Favor 12 Abstentions 0 Opposed 0

A motion was made at 8:08pm to approve a contract with Appfolio for an integrated, cloud-based financial and community management system for a not to exceed price of \$19,000 for the first year, inclusive of implementation costs and taxes, by Paul Donoghue, seconded by Terry Gianniotis.

In Favor 12 Abstentions 0 Opposed 0

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Committee Reports:

A) Activities: Heather Becker

B) Beach: Kylie Klimek

On Tuesday, July 26, the town health inspector visited our beach for her unannounced and unplanned visit, which happens every summer. We were cited for multiple items and conditionally approved. We have corrected all items, had an additional in-service, and have passed re-inspection.

We are in a unique and unfortunate situation this summer because everyone that was in a leadership role (beach manager, head lifeguard) abruptly stopped working for us. Though we do have some experienced lifeguards, none were ever given the opportunity to shadow the head lifeguard or beach manager roles. I do feel this is directly related. I want to express how grateful I am that Tanya and Katie have been willing to fill knowledge gaps and directly help at the beach.

Jimmy is doing a great job ensuring adequate staff, balancing the schedule, arranging in-service, and supervising the lifeguards. Emma has handled multiple incidents with beach patrons, repaired equipment, instituted awesome ideas, is eager to learn, and has really shown incredible potential for the next beach manager.

C) Boathouse: Doug Grayson

D) Clubhouse: Gary Zielinski and Doug Grayson

E) Dam: Andrew Quirk

The water level has remained below crest in July and into August. Snapping turtles are frequently seen in the outflow pipe at the pump house.

F) Bylaws, Rules & Regs: Paul Donoghue

The executive board discussed codifying our long-standing policy of requiring that all powered watercraft be registered to the property owner and that the property owner has a boating license and safety certificate on file with the office. It has been our long-standing policy that only permanent household members of the property are allowed to operate powered watercraft. We are seeing increasing cases where relatives/friends who do not live in the household on UGL are registering their boat(s) to the property and operating the boats, even though they are not the property owner or a member of the

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PO's household. The Bylaws committee will draft a rule codifying our long-standing policy that all powered watercraft must be registered to the property owner, and only the property owner or a permanent resident of their household may operate boats on the lake. Guests may not operate powered watercraft on the lake. It was also suggested that we require that every member of the household who will operate a powered watercraft have credentials on file. We ask for this, but do not receive it from many properties. We expect to present a draft change to the Rules and Regulations at the September meeting.

Since PWCs seem to be the biggest offender of illegal watercraft on the lake, it was mentioned banning PWCs. The board should discuss if this is something they want to consider.

G) Docks: Karen Sarnowski
July through 8/6/22

Assigning has been bogged down with reassigning and other dock related issues. Scheduling resumed during end of July and beginning of August.

Assigned this month:

3 Applicants assigned a relinquished dock

1 Request to be moved completed

1 Repair approved to be done

1 Replacement approved to be done

1 person assigned an area new for a dock, at Pickwick Court near the Living Word Church, they are catty-corner to this location and can just walk across the street to it. They will need to build stairs as well as the dock. Will be working with them through this process.

1 person assigned a spot where a dock was removed (by Phil)

1 person assigned a dock that is occupied by a trespassing tenant. Owner is selling property and gave up dock but tenant installed his boat anyways, even after being told by office not to launch because it would be considered trespassing. He launched regardless. PO is having to go through eviction process to get him removed from home, also. Working with Security to get him off lake. Plan was for boat to be confiscated if a call from Security does not induce him to remove boat. Update at board meeting will be given. Assignee was told essentially this story and is fine with waiting since she is sharing parent's dock.

2 people assigned a dock in disrepair or non-compliant and needs to be corrected.

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Current Dock Waiting List Includes:

20 to be assigned to Accessible location

3 to be approved to adjacent parklands' lakefront

Will be many repairs/rebuilding to inspect in the upcoming weeks from all of the past reassigning.

Only 5 new applicants plus 3 applying for repairs or replacement in July and August.

Miscellaneous:

- Thank you from Dock Owner for removal of dead tree hanging over his newer dock and new boat!
- Thank you to Phil Barbaris who operated our barge and removed two dilapidated docks from the main channel which people have been pointing out for years. He also took care of a concrete stanchion next to a dock that some past owner left in place. The dock owner had tried to do it but just wasn't successful in pulling it out. The dock owner was thrilled to be able to use that side of his dock now!
- Phil also went to another dock area that had reported that an old post was in the lake and interfering with the DO from parking on one side, awhile he had his other side unavailable due to the neighbor dock parking a new pontoon boat there and not having enough room. When Phil went to remove the pipe, he notified me that the pipe was actually the DO's dock support and was bolted to the dock. This DO had already informed me that he wanted a new dock because he did not feel it was his responsibility to fix the dock (which was cock-eyed and why his dock pipe was blocking a boat to park), that maintaining a dock in upright, useable condition should be the POA's responsibility! Yes, you read that right. For \$300 / year which includes a member to also use the guarded beach, we should be maintaining all of the docks in UGL. I was embarrassed that I sent Phil over to fix something that the dock owner should be fixing. This DO has received notification to fix his dock in 14 days or it will be assigned to one of the willing people on my dock waiting list. And no, he will not be assigned another location. The dock is from seven years ago and no repairs have been done since assigned which probably was 5-6 years ago....
- TY to Jim Jones for setting up with Phil to take care of all of the above. One of the channel spots is already assigned!

Received an email from a newer resident who is on the Dock Waiting list and took pictures of docks in disrepair and offering to take one of the docks that need repair. Some are known to the committee, others not. Will be on the lookout.

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At this point in time dock spaces are scarce. Running count of what is currently available to be assigned are 3 maybe 4 on the Island Section, 1 on Passaic, and possibly another in Firehouse. That is pretty much it for established dock locations. Working on people who have not installed a dock in their assigned location, or never replaced the dock when it fell apart. Either they install or they lose the spot. One dock owner did reinstall. I am waiting on another to do the same. (At the time of notification there was a death in the family).

Security reported disturbed parklands in Sewell Cove. We were able to determine that it was a dock assignee/adjacent PO. Have requested that the area be seeded to avoid erosion in the fully disturbed area. No Dock Repair Application was submitted, and if the means of repair had been communicated in advance, we would have made it clear that disturbed areas would need to be restored.

Working with a prior owner of home who sold because his father had died and he was to inherit that property, but we were not informed so his dock was reassigned after his house closing. At the time he had nothing in writing to say he was the new owner of his dad's property and we couldn't allow him to keep the dock without any kind of documented ownership. He was told once he could give us something we would put him on the Dock waiting list. He recently sent some copies of tax payments and was asked to submit to us a Letter of Testamentary to indicate he is the executor of the estate. He is getting us this paperwork. Apparently, the courts and government are so backed up that the final paperwork is taking up to two years to receive. The letter will allow us to permit him to move forward at least here on the lake. It has been a couple weeks and we still have not received the letter.

As a side note, a list of 27 people was sent to Tanya to confirm 1) paid Easement of dock applicants (only assign people who are up to date in their Easement fees and once assigned they have to pay POA) and 2) those that were already POA so we know what to tell them once assigned (re: beach amenities, tags, etc.). Usually at least half would owe Easement; sometimes because they are newer and not even aware because they throw our invoices away, and sometimes because they just ignore. Not this time. Out of 27 applicants, 4 had paid Easement Only, 2 were unpaid (1 newer member who just ignored, and 1 extremely delinquent member) and the rest were all POA paid members!! That has never been seen in the past over all of the years assigning docks!

H) Dredging: no chair, no report

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I) Easement: Terry Gianniotis

The Committee is working with the Treasurer and Legal on a draft budget for the Easement meeting in November.

J) Entertainment: no chair, no report

K) Environmental: Andrew Quirk

The 2022 Lake Capacity boat count took place during the week of July 15th. Boats at docks and in gardens around the Lake were counted. Figures for 2021 are in parentheses:

Lakefront homes, 304 (304)

Docks, 579 (584)

Pontoon Boats 212

Non-pontoon Boats 134.

Total number of powered boats this year is 346 (339)

Jet skis, 64 (63)

Sailboats, 12 (11)

Kayaks, canoes, rowboats etc., 565, (518)

Drone pictures showed 54 boats at 3pm on a Sunday afternoon, with 9 kayaks. The previous year's number was 36 boats. The question now becomes what to do with this information.

On Saturday August 6th, Security and the Environmental Committee were dealing with a boat that sank and was leaking fuel/oil into the Lake at 506 Warwick Turnpike. WM Police and Fire Departments responded, and Phil and Neal Barbaris were there within 5 minutes of my call and were able to pump the boat out. Booms are in place.

L) Insurance: Debra Morrison

M) Legal: Paul Donoghue *Confidential – for executive session*

N) Master Plan: Paul Donoghue, no report this month

O) Parklands: Jim Jones

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Bulkheads: Heather Becker

Encroachments:

P) Publicity & Public Relations: Lauren Engleman

The announcement board continues to be updated, generally biweekly, to keep the community up to date on all the summer activities. Come fall/winter it may only need to be updated once a month.

Dennis proposed the new digital announcement board options for discussion. I mentioned trying to find a new manual board option in case we don't find the money or get approval for the digital option.

Facebook and Instagram @UGLPOA continue to be updated and the community has responded positively to all our efforts to get the word out and keep everyone informed! Keep spreading the word!!

Q) Security: see under Membership

R) Stumps: Jim Jones

S) Weeds: Rene Manzo

The last Secchi depths have been good and better than last year. Audubon Cove treated for lyngbya algae. Will continue to monitor lake for a potential algae bloom. Another four weeks and we should be over an algae threat.

T) West Milford Lakes Association: Andrew Quirk, representative, no report this month

NJCOLA: no report this month

A motion to adjourn was made at 9:27pm by Paul Donoghue, seconded by Kylie Klimek.

In Favor 10 Abstentions Opposed 0

Respectfully submitted,
Margie Culhane, Secretary