**BOARD MEETING – September 20, 2018**

**PRESENT:**

JOSEPH ASPELUND

GREGG BUNCH

Roger Crook

PAT DEGNAN

~~Robert fehon~~

MICHAEL ILARDI

GLen katz

MARK KEMPNER

STU KIPILMAN

JOANNE MACHALABA

BEVERLY NEMIROFF

kristen neu

russell nolan

RUSS PENCAK

KIM STECHER

Robert TORCIVIA

JOY WEINREICH

**ADMINISTRATION:**  DAWN SULLIVAN, Esq. and ROBERT ROSSMEISSEL, Esq.

**ABSENT:** ROBERT FEHON

Michael Ilardi, President, called the meeting to order on Thursday, September 20, 2018 at 8:04 p.m.

Kim Stecher Roll Call

Michael Ilardi

**MOTION #1**: Motion to approve the minutes of the August 22, 2018 Board Meeting.

**2nd by Gregg Bunch**

Michael IlardiDoes any one have questions or changes to the minutes?

**Motion Carried**

**CORRESPONDENCE** None

**GOOD & WELFARE**

Debra-Ann Chait – 20 Calumet Avenue

* Anyone here at the last meeting knows that I had a problem with the digital recorder and could not finish recording the meeting. I’d like to give a shout out to Charlie and say thank you for reaching out, calling me and offering to see if he could help see what was wrong with the recorder. Charlie spent about an hour, after hours, to trouble shoot and was able to reformat the recorder to clear the memory issue and get it recording again. Thank you again.

Jim Smith – 8 Apache Trail

* I notice that we do not have a Treasurer’s report again.
* For the 2nd Annual meeting I’d like to put a number in the Collection Reserve. It’s not the kind of number you can just pull out of thin air. You have to justify it.
* I need two pieces of information I was kind of hoping would be on the Treasurer’s report.
* Every year when the auditors report is done he tells the Board how much surplus there was for the year.
* Do we have a surplus this year?
* **Response**: Audit is not complete.
* That would give us an indication of how much padding was in the budget.
* The other number I kind of need is … are we down 8%, 7%, 6%? What’s the number?
* **Question to Jim**: Are you’re talking about collections and past collections combined or just collection of new dues?
* They all go into one account? **Response**: Correct. Jim: So I mean combined.
* **Response**: It was $89,500 for collections and about another 4% for past dues.
* We’re down 7% net. **Response:** Yes, maybe a little less.
* My concern is that 7% … the budget looks real tight. It has hardly changed from last year except for like $9,500 in repairs. You are going to need/make some tough decisions on like $30,000 … I think if push comes to shove like the windows could come from Equalization, the bridge could come from Equalization, some windows from Country Club.
* **Response**: We have not had a collections shortfall in like 6 years.
* Everyone spends hours on the budget. I have been on the Board and I know it happens. The questions aren’t where they are supposed to be, where expected and you look at the p.o. in front of you and say let’s not do that right now, let’s see if collections improve, and a lot of times it does not happen anyway.
* I have no doubt I will put a number in there and it will be voted down. I just want a real number.
* When I first started to come here, every year the swim club would ask for an electronic score Board. It was always approved and it never happened.
* The same projects kept coming up year after year. There was a 15% shortfall and the projects just could not get done. I do not think that is right. People lie. The A-field people …, the tennis people bring their people to make sure the courts get repaired, the fishing people all make sure the lake is stocked, and there is no guarantee that is going to happen and come out of the budget.
* I would like to put a number there. Do you think by next month’s meeting we will know what the number will be?
* **Response:** The audit will not be done by next month. Not by our voting, our public meeting. As of the July report we had a 94.95% collection. Last year it was comparable, over 95%.
* 6% is not really much to talk about.
* **Response**: It is 5% through July and there is a good chance we will get a few more dollars and it will be less than 5%.
* Mark Kempner
  + We had a lawyer here who represented many lakes and when she heard about our collections percentage she said it was incredible.
* 6% is really nothing. When you talk about you are only $105,000 short - $95,000. You will not have to make very hard decisions.
* I’m hoping when I see the next Treasurer’s report that that is what it says.
* Pat Degnan
  + One of our employees is constantly working on getting delinquent dues. The amount of delinquent dues is getting less and less every year.
* I’m amazed she’s kept it up.
* Mark Kempner
  + The way our lawyers are working with our collections people, that $100,000 shortfall we go after that immediately after 6 months.

Joy Weinreich – 7 North Brookside Drive

* Through Civic Affairs we are running a program called “Stop the Bleed.” It is on October 25th at 7 p.m. I went to the first one at Copeland. It is exceedingly interesting and exceedingly informative. The man that is running the event would like people to register so that he knows how many nurses and doctors to bring. I think Russ is getting the information out there and hopefully it will be a success. It is program where you can help your kid, neighbor, husband who gets shot with a gun, gets cut, whatever, and they show you to pack wounds, etc. until emergency services get there. They are trying to educate the community. It is a free program.
* I noticed that there is a lot of lights out in here.
* WML belongs to an organization called CAI NJ. This month they are having a conference, which I thought some people may want to attend. There will be three individual seminars.
  + The 1st one will be on “The Importance of Financial Planning for Community Associations including planning of improvement projects both replacement and new.”
  + The 2nd one is on “What you need to know about preventative roof maintenance, frozen pipe maintenance and leak maintenance.”
  + The 3rd one is on “Legislative updates from last year through the current time.”
  + Breakfast and lunch served.
  + There will be five raffle drawings of $1,000 each.
  + Since we pay for us to be members of this, it would be a shame if Pat and I were the only ones going.
  + No cost to go. Our membership covers all the meetings.
  + The meeting is on Thursday, October 18th from 9 a.m. – 3 p.m. in Freehold.

**PRESIDENT’S REPORT**

* Lauren will be here Saturday September 29, 2018 from 9 a.m.-12 p.m. if anyone has questions regarding the audit or financial things she could answer some questions.
* The Boy Scouts, since we sponsor them, asked me to sign whenever they get a new troop leader and I did ask them if they do background checks prior to me signing that and they do. I have a copy of the background check from them. We do that with our employees and wanted to make sure that is done.
* People on Wage & Salary – Russ, Roger, Stu – we have to have a meeting because we have to go over the handbook which is getting close to coming back to us from the attorneys and the health care issues that is split between POA and employee’s contribution. We need to start working on that so we can move on that as the year comes to a close.
* I have two things to give out. One to Roger Crook and one to Beverly Nemiroff for going above and beyond with their committees. Beverly this year basically was an unpaid employee for Beach and Camp. Roger has contributed to House Activities and Bar & Rental gift cards, umbrellas, T.V.’s, refrigerators and goes above and beyond what a committee member or Board member is obligated to do.
* I do not want to take away the contributions from others, but those two did stand out and I wanted to recognize them.
* I want to now turn over to Joanne Machalaba who has a presentation to make.

Joanne Machalaba

* We were talking at the Lake Committee a couple of months back now and it was brought up by Ed Clark - why don’t we recognize good deeds that we see people doing around the lake and on the lake.
* We said all right. Let’s see if we can get some endorsement for that.
* We came up with four folks and only one of them is here tonight. We’ll look forward to seeing more of these.
* We are identifying again in the spirit of positive enforcement, finding positive things.
* Certificate to Kurt Regenthal: For your devotion and tireless efforts to keep the lake aeration/alum system in good working order during the 2018 season.
* We know this system is the life and blood of this lake in many ways. Keep it running. Thank you so much on behalf of the Lake Committee.
  + **Response**: I am only one small part of a collective effort.

**OFFICE REPORT**

* September 2018 report distributed by email.

**SITE MANAGER’S REPORT**

* September 2018 report distributed by email.

**MAINTENANCE REPORT**

* September 2018 report distributed by email.

**TREASURER’S REPORT**

* We do not have a Treasurer’s report this month.
* The computers were down for three weeks.
* Everything has to be reentered because a lot of the stuff prior to the shut down got lost. So some of that back work has to be put in.
* Hopefully we will have it shortly. Roger did offer to come in and help with putting some of the stuff in. It’s been quite hectic.
* Asked if there is a lot of data entry that has to be done? **Response**: Yes.
* Suggested we get a temp to do the data entry. We should not be sitting at an Annual meeting without our financial data.
* Discussion was had about not having financial reports since July 2018, the computer crash, and the need to get the information re-input as soon as possible. Consideration was given to possibly hiring a temporary person to help the accounting manager input lost and backlog information. The matter will be dealt with in closed caucus.

**LEGAL COUNSEL’S REPORT**

* NJ Administrative Code, a law that basically mandates that property owners associations have an alternative dispute resolution policy. The law basically provides, very, very vaguely that they have an alternative dispute resolution policy. As oppose to like the parallel law for condominium associations there are all kinds of details, exemptions, and requirements. For example, like you must adjudicate them this way but Board members cannot be the people that hear the disputes, etc. The law that governs property owners associations basically gives you free reign. We took a look at a lot of the policies that have been implemented by property owners associations around the state and we settled on language where WML will have an alternative dispute resolution policy that satisfies the requirement but it won’t turn the Board into some tribunal or anything like that. It won’t require the Board to hear disputes. It basically permits the property owners in the association to request a hearing. The Board can decide if it wants to basically provide a mediator for the meeting. People can submit a claim that certain … basically the language says “as pertains to the enforcement of the rules, regulations, and restrictions of the community, people can file a statement with the property owners association alleging a violation of those things.” The Board can decide how it wants to handle things basically. If there is a dispute that becomes big enough and the Board wishes to appoint a mediator that is fine. Maybe with the service that you guys were discussing you will be able to refer people who have disputes to an outside mediator that won’t cost the Board anything. But essentially we put together a policy that allows people to request a hearing, allows people to file a statement where rules and regulations are not being obeyed and the Board can decide what it wants to do.
* It won’t functionally put any new burden on the Board but it will satisfy the alternative dispute resolution requirement of the law.
* Michael Ilardi asked when this requirement takes effect?
* **Response**: We have the ADR policy ready to be voted on tonight.
* **Reply** by Michael Ilardi
  + I don’t think everyone got this and I only got it this afternoon too.
  + Can we get copies for everyone?
* Since in essence we are already out of compliance, if the Board feels more comfortable we can make sure this gets to everyone and vote on it at the next meeting.
* Maybe that would be better than people voting on it sight unseen. We know it got to you late.
* Joanne Machalaba asked what it is meant by alternative dispute resolution policy? Do we have a primary resolution dispute policy?
* **Response**: Your primary method of resolving a dispute is ordinarily the courts.
* Joanne Machalaba asked what disputes are you referring to?
* **Response:**
  + Referring to disputes that have to do with WML policies.
  + Would not involve like neighbors civil disputes against each other that are totally unrelated to WML.
  + They only have to do with the policies of WML.
  + It only involves the Board as far as the Board’s discretion. Even as far as that is concerned the Board would never be hearing things unrelated to the policies of WML basically.
  + It’s not so much like they are here kind of challenging the policies or questioning the policies.
  + There are two different types of disputes.
    - One would be basically a dispute between two disputants as regards a conflict that arose pertaining to the policies.
    - The other would be saying that someone reported on someone for not being in compliance with policies. Not challenging the policies but saying this is like this is WML policy about guest’s use of a boat or something like that or of a boat slip ad we noticed that such and such person was using it and not authorized to use it. You are basically reporting it. That dispute can then be heard by the Board, if the Board so chooses.
  + It’s more along the lines of a way to resolve a dispute over how the policy is being applied.
    - Example: Guest use of facilities is a perfect example. If a particular guest is not permitted to use a boat slip and feels aggrieved, then you can file a complaint and then the Board can choose to put it into ADR with a mediator who is a neutral third party who will listen to both sides and make a determination as to whether the Board did the right thing or the guest is correct in feeling aggrieved.
  + It’s not something that is used often but due to the new laws and regulations we have been incorporating lots of things due to the new policies and this is one more avenue that needs to be addressed.
* We basically drew up the policy to impact the status quo the least possible.
* If someone is very aggrieved and they really push you to make a decision as a Board as to whether a mediator should be appointed to deal with their concerns you can vote to decide to do it.
* Joanne Machalaba asked if it is the intent to reduce litigation?
* **Response**: Yes, to avoid.
* Joy Weinreich asked about the two minor disputes with the guy with the boat and the guy who hit the pole and his boat and pole were damaged – if they come before the mediator?
* **Response**: If the issue with the damaged boat had escalated and not been resolved as amicably as it was we basically told him this is what you sign, you don’t hold the POA responsible and he said okay thanks. If it had turned into something that could have been an issue that could go to a mediator.
* Both parties have to agree to go to ADR.
* Keeping busy on other various researches, assignments and projects.

**COMMITTEE REPORTS**

Michael Ilardi

* Minutes, minutes, minutes.
* I look at that sheet, I emailed everybody a few days ago and there are an awful lot of committees waiting for minutes.
* I do not know how to enforce it. I can give out demerits but they really have no penalties.
* We sat here for hours earlier in the year on how we were going to put minutes online and keep everyone informed. Thank goodness they are not coming out here asking where the minutes are. We have the meetings and people take notes. They do not have to be elaborate minutes. Just a quick overview of the meeting so people could look back and know what’s going on, even ourselves.
* I would really appreciate the minutes coming in.

Women’s Club - Kristen Neu

* Make sure you order Krispy Kreme donuts by tomorrow. Pick-up is at Fall Festival.
* Fall Festival is October 7th. That is free and for members only. There will be wristbands I believe.

House Activities – Kristen Neu

* Night of Bruce Springsteen “B-Street Band” November 3rd.
  + Tickets are on sale to members only at $20.
  + In the month of October they will go up to $30 and to others.
  + Make sure you get your tickets because the band has a following.
  + Asked how many tickets will be sold? **Response**: In the 300 range, well below the capacity of the room.
* There are kiddie and beansprout Halloween parties.
* We are adding an adult Halloween party for $10 the Saturday before Halloween. We want to keep the cost low.
* Falls is a busy time of events and if you can come out and support any of them.

**OLD BUSINESS**

**Phone Vote: House Ops/Maintenance**

Motion to spend up to $3,500 from Line 525.02 to purchase trees, shrubs & plants appropriate for areas outside the clubhouse along White Meadow Road, the shuffleboard area, and Beach 3.

**Motion Carried**

**Phone Vote: House Ops/Maintenance**

Motion to hire Superior Wirework to repair the electrical panel on the pole by the clubhouse boat ramp. Cost up to $3,000 to come from Country Club.

Discussion:

* This was the pole that was damaged by a driver. It will be sent to the driver and we will be looking for reimbursement. They offered.
* Send them a letter letting them know we have a contractor, the Motion passed, and here is the estimate unless something comes up unforeseen when they get into the job.

**Motion Carried**

Michael Ilardi President, for Planning Committee

**MOTION #2**: Motion to spend up to $15,000 from Equalization Fund to cover final expenses for the dam.

**2nd by Mark Kempner**

Explanation:

Discussion:

* Looks like $11,169, which includes a $1,500 deduction.
* Needed a 2/3 vote, not majority, which we got. **Motion Carried**

**NEW BUSINESS**

**APPLICATION FOR HOUSEHOLD MEMBER**

* Application dated 9/13/18 – **Consensus**: Yes

**Discussion:** About Repeat/Renewal Application for Household Member

* Asked if they have to come back every year?
* **Response** by Suzie: Yes.
* Asked if Suzie follows up on a yearly basis?
* **Response** by Suzie: I enter when someone gets approved, persons name & that it’s in an application in TOPS so that when they are looking up the next year they should really say something.
* **Michael Ilardi** – It seems like we have done quite a few of these and we have never had a repeat from year to year.
* **Response** by Suzie: That’s the policy. Whether they are being told I can’t vouch for that.
* Michael Ilardi– If they are coming in with a badge with a sticker from last year they are getting a sticker this year. That needs to be brought up in the office.
* **Response** by Suzie: They are supposed to be filling it out every year.
* Russ Pencak – There needs to be a policy change in the office then.
* Suggestions to identify those that applied and were approved for household membership:
  + Different sticker, hole punch, or something that will make them stand out.
* Asked if any of us would recognize it is a repeat?
* **Response** by Suzie: The only way they get away from being a repeat is if they got married and now do not have to apply.

Robert Torcivia Chair, Legal & By-Laws

**MOTION #3**: Motion to accept the attached new wording of the Absentee Ballot Procedure into the Administrative Guidelines Section S under the Absentee Ballot Procedure. This replaces existing text numbers 1-4 with new numbers 1-3. #5 will now become #4 with no text changes.

**2nd by Joy Weinreich**

Explanation:

Discussion:

* Most important change over the years is that people would pick up absentee ballots, not use them and show up on the day to vote. That’s a problem because our Constitution specifically says you forfeit your vote if you request a ballot and do not use it.
* Our choices are to either to amend the Constitution or amend the Guidelines.
* It’s much easier to amend the Guidelines and of course we do not want to be changing the Constitution for every little thing.
* We want to insure that our current practice matches the Constitution and that the Constitution, the By-Laws and Guidelines all match.
* We agreed with what the Constitution said and changed everything else to match it.
* Asked about Challenger – You can come and observe the absentee ballot count and not all the other ballot count?
  + **Response**: Revised.

**Motion Carried**

Stu Kipilman Chair, Planning

**MOTION #4**: Motion to pay HQW Architects LLC a balance of $3,850 for architectural plans for the bar renovation. Money to come from Planning Line 507.

**2nd by Russ Pencak**

Explanation:

Discussion:

* Initially we thought it was in the 2017 budget and that we would pay for the whole thing in advance but that did not happen because of the change of guard when Lauren left.
* It did not happen. Only $1,000 was paid in 2017 and the balance has to be paid in 2018.

**Motion Carried**

Glen Katz Chair, Athletics

**MOTION #5**: Motion to contract with A&J Olivera Construction, LLC for $2,500 to lay a concrete pad for the building of an equipment shed for the swim team behind the concession stand at Beach 1. Money to come from Line 501.02.

**2nd by Pat Degnan**

Explanation:

Discussion:

* Charlie Bogusat – I want to make a couple of suggestions:
  + You will definitely need wire mesh in there.
  + You will definitely need two control joints just because of the surface area.
  + You do not need 6”, you only need 4” and not shallower than 4”.
  + You should have ¾” crushed stone in the sub base. He has “prepare the sub base as needed.”
  + Should be more specific. Have depth and concrete.
* Asked about three bids?
* **Response**: Only got two bids. Could not get another guy to come over.
* Asked if you needed a pad for code? Or can it be stone? Why do we need a concrete pad?
* **Response** by Pat Degnan: Town said we had to do the concrete pad if it’s over 10’x10’.
* **Response** by Robert Torcivia: From personal experience with having two sheds, if it’s over a certain size you have to have a concrete pad.

**Motion Carried**

Glen Katz Chair, Athletics

**MOTION #6**: Motion to contract with APM at a cost of $3,745 to reconstruct the horseshoe pits at the A-Field. This includes keeping the concrete slabs intact, raising the clay beds & having them better drained to prevent the current flooding problem they have. If the slab should break, it will cost us an additional $800. Money to come from Line 501.12.

**2nd by Michael Ilardi**

Explanation:

Discussion:

* Online there is a quote for $1,250, what is the difference between the two?
* **Response**: There was another bid for $1,250 and one higher than this one. We felt the other one was too low considering what the quotes were from the horseshoe men to do it ourselves without labor - $2,700. We felt this one was more in line and the other one was too expensive.
* Asked if the one for $1,250 offered the same as the one for $3,745 pretty much except that you thought it was too cheap?
* **Response**: We did not think it offered the same amount of what the actual horseshoe gentlemen’s proposal came to us with.
* It’s a different scope of work.
* Russ Pencak said that the way he sees it if any one of the eight slabs break, is it $800 for all slabs or per slab?
* **Response**: Needs to be clarified.
* If we raise the clay beds, then the concrete will be below?
* **Response**: No. They will lift/raise the slabs, level out, and put the slabs back down. **Tabled**

**GOOD & WELFARE**

Barry Mendelsohn – 53 Oakland Avenue

* Backup systems for the computer – don’t we backup and keep a separate drive somewhere else?
* **Response**: Yes, we have two.
* What is taking so long then?
* **Response**:
* - The first one backed up the bad stuff. The second one did not.
* The second one backs up on a monthly basis and the first on a more frequent daily if not weekly basis.
* The determination is it either came in from someone bringing in a memory stick or the possibility someone was on the Internet and opened or downloaded something or looked at something on a website that caused the issue. It was not through email and it was not a phishing attack.
* Certain aspects of the accounting were already slightly behind and I am going to round it off to 2 weeks behind. With that we are now about 5 weeks behind.
* Some of the catch up that we have to do is not purely and solely related to the crash.
* We will be able to recover faster in the future.
* We lost about 4-5 days of time because of schedules and timing and certain office personnel availability. One of the things I might suggest, as in my office, I cannot stick a FOB in if it has not been approved by the company. Maybe we should do that?
* **Response**: We can do it. With money we can do everything. That’s called Media Encryption and Port Protection and there are several companies that sell those licenses. That would eliminate or greatly reduce the chances of having an issue in that aspect.
* There is one other way to eliminate the potential aspect of someone going to a known bad site, opening something and downloading it – that’s called URL filter. It protects you from going to bad things but does not protect you from going to unknown bad things.
* For Pat, even though we are back on the Treasurer’s reports, where do we stand on Funds that might be in excess of FDIC coverage? Do we have money not insured?
* **Response**: There is still an amount that is not covered but because we spent a lot of money we are investing more of it. Mike and I met with a banker and they will get back to us with investing into CD’s. Money will be separated into different banks again so that it is all not in the same bank.
* There are accounts they currently have that you can go into that will provide you with about $8 million in FDIC coverage even if it’s in just money deposits and I don’t understand why we are not putting that money to work?
* Merrill has accounts where you can put in several millions of dollars, in either CD’s or money funds, and as you write checks it all comes out of different accounts all on one statement.

Michael Ilardi Motion to adjourn meeting at 9:26 p.m.

**2nd by Joy Weinreich**

Next Board Meeting is Wednesday, October 10th @ 8:00 p.m.

Respectfully submitted,

Debra-Ann Chait

Recording Secretary APPROVED BY: Michael Ilardi, President Michael Ilardi, President