



MBA BOARD MEETING Minutes
July 11, 2015

The meeting was convened at 9:30 AM at the WSFS BANK

Present were Jeff Sella, Jim Dempsey, Steve Larsen, Sharon Adams, Judy Bennett, Judy Myers, Natasha Reatig, Dave Wiecking,
Others present were Todd LePage, Dennis Branstad, Ginny Heier (RPM)

Presidents Report:

Todd LePage appeared to respond to fines that had been imposed for work on his property (18 Errett). As to the first fine for work on Martin Luther King Day, Mr. Page indicated he was moving in HVAC platform outside his house. There was no contractor on the property and no power equipment was in use. The outside work involved digging holes for the posts for the platform with a posthole digger and was not noisy.

As to the second fine, involving a construction dumpster on MBA property, Mr. LePage noted that the dumpster was situated due to puddling on his lot. Upon learning of the violation he contacted Peninsula to move the dumpster, which they did the following day. After Mr. LePage's presentation and Board discussion, it was moved to waive the first fine relating to work on a holiday weekend. As to the second fine, it was noted that under the construction rules in place at the time of the violation (before the new covenants had passed) the Board is authorized to remove all except one fine in the case where multiple fines are imposed. As a consequence the Board voted to retain the second fine.

Next, the Board discussed ongoing complaints (discussed at the prior board meeting) relating to the noise emanating from the Resort Quest location. Jeff indicated he had corresponded with Jack Burbage regarding these complaints, noting potential violations of hours of operation nuisance requirements and prohibited activities, and that Natasha and he had met with Jack Burbage regarding the dryer vent noise and hours of operations, as well as outstanding issues with Dollar General, including trash in the parking lot and open racks in the back of the building.

Dennis Branstad again described the nature of his complaint relating to high-frequency noises from the location resulting from a change in 2012 to the configuration of the vents. The Board also noted that Michael Murphy had corresponded with the Board raising complaints regarding violations of the hours of operation as to Dunkin' Donuts and McDonald's.

It was moved and approved to get an opinion letter from MBA counsel regarding legal issues raised relating to these complaints.

Jeff next noted a concern from owners on 5 Short Road involving a drainage problem believed to be the result of runoff from the adjoining property owner. The adjoining property owner at 3 Short had, according to the complaint, raised the elevation of the lot and downspout/run off was now directed at 5 Short. Because the covenants prohibit the creation of a nuisance within MBA property, there was a request to the legal committee to outline for the board what constituted a nuisance as it related to the redirection of water

Ginny described the status of several construction projects. At 34 Dune Rd. there was a request to move the Porto-John off of MBA property. At 41 Dune there was a concern expressed regarding the homeowner working with the construction crew to do work that may be prohibited if performed only by a construction crew on the weekend.

Natasha asked Ginny for a report on the status of the trash rebates; Ginny reported that all of the rebate checks have been sent out and most of them have been cashed, but that there were still a few Commercial Property holders that had not yet responded.

Building Committee:

Regarding the project at 14 Bridge Rd. the Board discussed the fact that technically the construction was "enclosed" as is required by MBA construction regulations after June 30. However the Board noted that the intent of the regulation was to require enclosure with building materials that would prevent or diminish sound from escaping during any continued construction. The Board discussed the need to clarify the regulations for the next season.

Jeff and Judy noted that they had expressed their thanks for the owners at 34 Dune for reducing the height of the chimney which appeared to be in violation of NBA rolls.

Treasurers Report:

Jim indicated the financials were under review.

Security Committee:

The Board discussed the communication and review by head of security Rick Sandlass with each of the security guards and the security/incident logs. The Board discussed that they had heard complaints from members at the North and South end of the beach regarding infrequent security checks, and concern over people jumping the gate from Route 1 at Evergreen Road. The Board discussed the need for 2–3 badge checks a day. Dave noted that there are only two guards on duty during the day – one for manning the guard house at the Bridge Road entrance, and one for checking badges. Dave and Jeff agreed to meet with Rick regarding the state of enforcement and responsibilities of the security guards.

Beach Committee:

It was noted there had been a skim boarding incident at the beach. The individual involved was backboarded off the beach.

Legal Committee:

It was noted that the owners at 3 Addy acknowledged receiving correspondence regarding proposed fines relating to the condition of the property, and an invitation to a Board meeting to respond to the proposed Board actions, but that the certified letters had been retrieved after the date of the Board meeting. The owners also indicated that they could not attend a subsequent Board meeting to also respond to noise complaints due to travel plans. These issues will be reviewed by the legal committee.

Community Facilities:

Dave noted he would evaluate the spring on the door at the gate between Bridge Road and Kent. Complaints have been received by Bridge Road residence that the gate was frequently open, and not closing on its own, potentially creating a safety or security issue.

It was also reported that recent landscaping around the community had been watered and was responding well. The Board also received an update on the Little Free Library. The Board was advised of an effort to raise \$1200 for another bench for the location on Beach Plum Road where the free little library is located.

Sharon suggested that the letter to the members regarding the updated covenant should include a paragraph on Board openings that were occurring in the upcoming election at the community meeting in September,

With no further business the Board adjourned at 12:10 PM.