



MINUTES
MBA BOARD MEETING
August 22, 2015

The meeting was called to order at 9:35 AM and WSFS Bank

Board members present:

Jeff Sella, Ellen Throop, Steve Larsen, Jim Dempsey, Sharon Adams, Judy Bennett, Judy Myers, Natasha Reatig, Dave Wiecking

Others: Ginny Heier (RPM), Coryann Stefansson, Kevin Clarke

Presidents Report:

The draft minutes for the July 13 Board Meeting was reviewed, corrected and approved. The draft minutes of the community meeting from May were also reviewed and approved.

The owners of 3 Addy appeared to contest the proposed noise violation and fine that was based on a complaint of multiple barking dogs left on the property unattended for over an hour. The owners indicated that this would not happen again and they would do their best to keep the dogs quiet. Based on the owners' representation that the situation would not occur again, the Board agreed to not issue the fine. The owners did not contest a notice of violation and proposed fine based on complaints regarding the condition of the property.

Ginny reported on conversations with the recycling company. There have been numerous instances over the summer where recycling trucks missed either particular houses on streets or entire streets. The explanation offered to Ginny was that there were staff turnovers, new people doing the routes who were inexperienced, and also staff on vacation who were familiar with the procedures for Middlesex Beach.

The Board discussed the vandalism to the temporary rope fence that MBA had positioned at the MBA property adjacent to the Sea Colony beach border. The rope had been cut several times and the posts had been vandalized on numerous occasions. Ginny spoke with the property manager at Resort Quest, and Resort Quest will work their security staff to monitor the beach – they have 24/7 security - and would have their guards at the gates to the property inform people of the need to respect the beach boundaries.

Jeff indicated that a member had expressed concern that a possible violation of MBA rules was occurring at 41 Dune. The member believed that the shed on the property was being used as sleeping quarters or temporarily living quarters during construction, in violation of MBA Covenants. Jeff noted that while a noise complaint had also been received in relation to construction at the property, the owners upon receiving the complaint had closed doors and windows to limit the noise.

In regard to ongoing and open complaints relating to noise from laundry operations at Resort Quest, Jeff advised the Board that he had followed up with the property owners on the status of the request to redirect toward Route 1, and he expected further discussions with the property owner.

It was also reported that a proposed letter of violation and fine was sent to Dollar General based on the presence of garbage on the property and racks, pallets and trash behind the building.

Steve noted that the ongoing concern with the gate being left open at Bridge and Kent roads had improved since he had spoken with management at Resort Quest. The gate was being left open by Resort Quest employees cutting through from Kent to Bridge Road on their way to work at the Resort Quest building on the commercial strip at Middlesex.

The Board went into executive session to discuss legal and enforcement issues relating to the new covenants as they apply to hours of operation, existing structures, and general nuisances. The Board concluded the executive session discussion and it was determined to continue to investigate the complaints, and examine enforcement options relating to the laundry operations at Resort Quest, and deliveries and other activity at McDonalds and Dunkin' Donuts.

Jeff also reported on the progress in resolving noise complaints from construction at 34 Dune. After a meeting he convened with some board members, the property owners, contractors and a neighboring property owner, there was an agreement in which a revised construction schedule would be followed that would minimize noise for certain weeks until Labor Day. No further complaints had been received since the meeting and revised schedule was implemented.

Building Committee:

Judy reported that there were six open construction permits, and problems or complaints had been reported on four of the six projects

She noted that there would be a Building Committee meeting to discuss revisions of the hours of construction for the coming year, based on the experiences this summer.

Sharon suggested that summer construction not be permitted if the construction vehicles cannot be contained within the property on which the construction is occurring and not on the street. Dave noted that this is a current requirement.

The Board engaged in a general discussion around the number of complaints relating to construction projects that had extended into the summer season – after June 30. Although the issue would be further discussed at the Building Committee meeting in August, there was agreement that at a minimum, meetings should be held with owners and contractors on June 1 to discuss the status of the project and likelihood of enclosing and finishing by June 30.

Treasurer's Report:

Jim advised the Board that all assessments have been received.

Commercial Property:

Natasha indicated there were no new updates.

Security Committee & Community Facilities:

Jeff recited for the Board a series of incidents in August involving a group of young men from Sea Colony who were encroaching on the MBA beach property, were disruptive and rude and on two occasions required that the State Police be called. This group was running on the MBA beach and entering the water, in some cases doing backflips and stunts that created safety and liability concerns for the lifeguards and security officers. The group ignored requests from MBA Security to stay off MBA property. The State Police were called and responded. The Trooper advised the group and some adults (believed to be parents) that the individuals could pass through the beach, but that they could not trespass on MBA property. The groups and parents argued with the Trooper and MBA staff and members, and MBA staff and members found the group to be rude and abusive.

Two days later, the incident repeated itself and Justin and Randy from Security approached the individuals, again asking them to stop. Staff from Sea Colony also approached the individuals advising them that they could not trespass on MBA property. The State Police were called although they did not respond on this occasion. The individuals later walked down the MBA beach, and made rude gestures to the Beach Patrol and entered the water in front of MBA beach patrol stands and pretended to drown and yell for help.

The Board discussed the possible connection between the episodes of vandalism of the temporary fence and posts and the youths involved in the beach incidents.

The Board discussed the fact that in light of these incidences and staffing requirements, MBA may wish to consider enhanced security staff for the 2016 Summer season. The Board agreed to discuss this in the future.

Beach Committee:

The beach competition among local beach patrols was held at Middlesex Beach and The beach patrol members performed well.

Beautification Committee:

It was noted that there were weeds in the number of flowerbeds and this was brought to the attention Sposato.

Sharon advised the board that there were four individuals running for four open positions on the board. The elections would be held at the community meeting in September. The four individuals running are Jeff Sella, Judy Bennett, Tris Krueger, Margie Cyr.

Having no further business, the meeting was adjourned at 11:58 AM.