



Board Minutes
March 23, 2023
6:30 PM

Zoom Meeting

President Paul Bradley called the meeting to order at 6:30 PM

Board Members in Attendance: Paul Bradley, Margie Cyr, Kerry Hall, Jerry Kafka, Holly Fluty Dempsey, Ron Thomas, Don Deraska, Nora Alter, Bob Wood, Hope Wagner (CAS)

Community Members: Mark Reilly, George Rayburn, Chuck Taylor, Joe Woolman, Marty Shecter, Dick Barrett, Kent Rayburn, Greg Pichler, Judy Bennett, Chris Powers, Kate Mounteer, Nancy Glasgow, Ilene Cohen

Paul moved and Bob seconded that recording of any type of the meeting except for the Board initiated Zoom recording is not allowed. All were in favor.

Meeting Minutes:

- Paul moved and Ron seconded approval of the February 18, 2023 Board meeting minutes. All were in favor.

Property Manager's Report:

Hope Wagner (CAS) Property Manager's Report was provided in writing to the Board. She specifically mentioned her work in reaching out to Republic regarding missed yard waste pick-ups. Republic said their scheduling problems have been corrected and moving forward pick-ups should occur as scheduled.

The new Polaris was delivered to L&D Cycles. Upon arrival, it was noted that the windshield was broken so a new one was ordered. The Polaris should be ready for pick-up sometime next week. Payments have been made to Aquatic-Marine for the perpendicular dune work and Matt's Family Management for the speed bump project.

In conclusion, she stated that she has continued supporting the transition efforts to the new property management company.

President's Report:

- Paul took time to recognize Hope and CAS for their support to MBA since taking over as Property Manager for the community.

- Based on prior discussions, MBA financials will be posted to the community website upon conclusion of each Board Meeting for the community to read.
- Paul encouraged those on the call, Board and Community Members, to reach out to him via email or cell with any questions, comments or concerns with respect to MBA matters.

Treasurer's Report: No update provided other than a brief discussion that we remain on budget and upon the conclusion of the 2023 fiscal year, it is projected that an approximate \$75K operating surplus will result.

Committee Reports: Written reports were provided with the following additional comments:

- Community Facilities – Ron stated that he has been working on maintenance of the Route 1 fencing to repair and replace loose or damaged boards on the fence.
- Landscape – Holly stated that Coastal Plant Care completed all the spring pruning approved for this fiscal year.

Unfinished Business:

FYE 2024 Budget:

- It was raised by the Treasurer that a copy of the draft Budget was leaked to someone in the community by a Board member. The allegation was followed by discussion by Board members during which it was noted community members were able to discern budget details during open Board meetings on Zoom.
- Holly asked how feedback from the Town Hall would be incorporated into the budget and whether we should revisit and adjust the budget accordingly. Paul and Jerry responded by saying that one option would be to start the budget process over if we so chose but believed that given there is a Board approved budget, that will be used to support the proposed assessment for the May 6 community meeting. Concern from other Members of the Board was expressed that doing nothing after holding the Town Hall would view poorly on the Board as not taking into consideration the thoughts of our community members.
- Don suggested that a survey be sent to the community specific to the budget to better gauge the sentiment of the community based on a sense that only 25% of community members were in attendance of the Town Hall. There was disagreement by Members of the Board on the efficacy of a survey and requested that any survey sent to the community will need to be approved by the Board prior to distribution to the community.

Trash Enclosures:

- Margie provided an update on the status of non-compliant enclosures which has declined to 31 homeowners in the community. Of those 31, 9 are currently being addressed with the remaining 22 homeowners silent on any recognition of their non-compliance. Capacity and height of enclosures will need to be evaluated as trash receptacles are used once homes become more frequently occupied.
- Jerry stressed again that actions must be taken by the Board to non-compliant homeowners if our rules are to be taken seriously.

Guard Shack:

- Paul recused himself from the discussion given his relationship with one of the contractors (Champs General Contracting) bidding on the project. Margie facilitated the conversation commenting that bids have been difficult to receive given both the size and timing of the project. Before making any motion, Margie asked if there were any questions/comments from the Board based on the estimates provided:
- Bob asked if the estimates were in addition to the costs incurred to date on the project. The costs incurred to date were non-construction costs and related architect design fees, permits, and to installation of the sewer lateral and connection. The financial estimates from both contractors were consistent in terms of scope of effort.
- Don stated that he would like to see greater detail in the proposal of work so that a better understanding of materials, labor, etc. could be evaluated. Furthermore, the cost/sq ft seemed to be high based on the cost of homes and other construction projects. Jerry agreed with Don regarding the lack of detail in the bids and emphasized the need for a contract with standard construction language (e.g., list of materials and steps to complete construction, deliverables, insurance, etc.) to better align efforts of the contractor with those of the MBA.
- Kerry provided his thoughts that while he agreed that more granularity is prudent for a contract, the cost MBA may need to incur may be higher due to the ability for a contractor to deliver the new shack by the start of the summer season. If additional bids would help, maybe the design company (Hastings) could assist in that effort.
- Upon conclusion of the discussion, Jerry motioned and Don seconded that we take a bit more time to solicit additional bids from contractors that contain the necessary details to enter into a contract, including Champs. Next steps by members of the Board include: (1) Margie will reach out to Hastings to see if he is aware of other suitable contractors for the project while also contacting

Champs to provide the desired level of detail on his estimate and (2) Ron will reach out to Solutions Property Management to get their thoughts on contractors that may not have been solicited by MBA. This will put the Board in a position to vote on efforts to proceed.

New Business:

- Signage at 20 Beach Plum – The landlord has requested approval for signage to be installed on the commercial property for the two tenants of the building. Margie motioned for approval and Ron seconded the motion. All were in favor.
- Bank Account Resolutions – Jerry made a motion to open new bank accounts at M&T bank and Fulton Bank to facilitate the transition to the new Property Management company. Approved signatures on the accounts will be the MBA President, MBA Treasurer and a member of Solutions Property Management. All were in favor.

Community Comments:

- Many members of the community provided their thoughts and view on the current challenges of the community and the visible divisiveness it is having both on the Board and the community. Feedback was provided regarding the negative tone in which messaging has been received from members of the Board and expressed their hope that MBA is a community that thrives on collegiality amongst its community members. With that said, an expression of gratitude was made to the Board for their volunteerism.
- Strong opinions opposing the continuation of the drainage project without an agreed upon solution to a decades old problem. One participating member of the community shared his personal observation that the ditch work appears to be making a positive impact.

Adjourn to Executive Session for discussion of: Paul moves and Margie seconds to adjourn to Executive Session for the discussion of:

- Executive Session Minutes of February 18, 2022
- Contracts

All were in favor

Meeting Adjourned

The meeting was re-opened with the following business taking place.

Guard Shack - discussion continued related to the selection and funding of a contractor to complete the construction of a new Guard Shack located at Bridge Road. While actions continue to finalize the terms and conditions of the contract with a contractor, funding of

this project was addressed. It was agreed that any operating surplus derived from the 2023 fiscal year would be used toward the funding of the Guard Shack project.

Bob motioned to approve a payment of \$75K subject to a formal contract from a properly insured contractor for the construction of the new Guard Shack. Margie seconded with unanimous approval of the Board.

No further business took place as Paul moves and Ron seconds to adjourn the meeting. All were in favor.