

**LAKE WALKILL COMMUNITY, INC.**

Management Committee Meeting

**June 26<sup>th</sup>, 2021**

TRUSTEE		OFFICERS		DISTRICT REPS	
Mike Curry	*	Bob Smith	President	*	#1 Rosemary DenBleyker *
Carmel Greico	E	John Farrelly	VP	*	#2 Dottie Ward *
BT Thompson	*	Tim Olsen	VP Insurance	*	#3 Kerri Summa E
Jeanne Nilsen	*	Bob MacLean	VP Lake Management	*	#4 Anthony Silecchia *
Chris Merck	*	Denise DeSimon	VP Safety & Sports	E	#5 Jeanette Becz *
		Lynne LaCarrubba	VP Security	*	#6 Larry McGannon *
		Jennifer Costello	Secretary	E	#7 Vacant
		Peggy Merck	VP Community Relations	*	#8 Alexis Phalon U
		Paul Foucaud	Treasurer	E	#9 Laurie Hohnarth *
					#10 Vacant

\* = in attendance    E=excused    U=unexcused

**MINUTES OF MEETING**

Bob Called the Executive session to order at 10:00 AM.

Peggy led the meeting in the Pledge of Allegiance.

Bob asked everyone to remain standing for a moment of silence in memory of Nathalie Brill.

The minutes of the May29th meeting were distributed to the Management Committee. Bob asked for any comments/questions on the May 29<sup>th</sup> Minutes. There being no comments or questions Bob asked for a motion to accept the minutes.

1<sup>st</sup> – Jeanne Nilsen

2<sup>nd</sup> – Lynne LaCarrubba

Motion Passed

Treasurers report – Paul sent the attached Treasurer’s report.

Commentary – income from Dues is tracking to budget. We planned for 298 members to pay in 2021. We expect to reach 298 in July with an opportunity to exceed 300 Dues paying members this year...a positive trend for our community!

As a follow up to the Maty meeting Tim Olsen completed some research on Low Speed Vehicles and how these relate to our Rules and Regulations and the NJ Traffic Statutes. Key findings: Lake Wallkill's roads (even though they are private) are governed by NJ Traffic Regulations known as Title 39. Title 39 allows for Low Speed Vehicles (LSV) that have specific attributes and capabilities/limitations to qualify as an LSV. ATV's and utility vehicles as well as standard golf carts do not meet these requirements.

The Rules & Regulations prohibit unregistered and uninsured vehicles to operate on our roads.

The board determined that any Member that acquired a vehicle that met the State requirements of a Low Speed Vehicle and had that vehicle registered with the state of NJ AND insured would be in compliance with our Rules and Regulations. Such a vehicle could ONLY be operated by a licensed driver.

It remains a violation of the Rules & Regulations for any other unregistered/unlicensed vehicles to operate on the private roads of Lake Wallkill.

Kelly Law (Snow Removal Reimbursements from Vernon) This week a lawsuit was filed by a group of Private Communities including Lake Wallkill objecting to the process Vernon is using to calculate the reimbursement amounts for the private communities as it is contrary to the requirements of the Municipal Services Act. The Community will be updated as the litigation progresses.

The board discussed rentals of the Clubhouse. Over the past couple of years we have learned a lot about the way members want to use the facility. While all of the events have been a success for the renter and the Community we understand that our process for booking and controlling the various aspects of the renting of the Clubhouse could benefit from some additional review and proposals to the Management Committee for any policy or contractual updates we should consider. Peggy will lead a committee to work on improvements to this process. The committee will include : Rosemary DenBleyker, Lynne LaCarrubba, Laurie Honarth, Jeannette Becz, John Johanssen.

Lifeguards (Update from Denise): We currently are experiencing a shortage of Lifeguards. Many of the local lakes are facing the same challenges. As a result, we will operate as an "Exempt Facility" Monday through Friday and staff Lifeguards on the Weekends. Operating as Exempt is not new, we have done this the past couple of summers at the end of August when lifeguards left for school/sports commitments. There will be signs posted at the beach and towers outlining the rules that must be followed.

Security – Lynne, Comet Security will be working on weekends at the Guard Booth and patrolling the community. Judy Kelly returns as our Badge Checker.

Joh Farrelly – Has been appointed the Chair of the Election Committee. The call for nominations was sent out in June and Nominations are back and in the review process. The Election will be held in July and results announced at the Annual Meeting on July 31<sup>st</sup>. John is looking for member so serve on the Election Committee. They must be in good standing and not related to someone on the Ballot.

Chris Merck – The Community looks great and Shawn is doing a great job...Thanks You!

BT – opening season BBQ at beach today at 6PM

Tony – Needs a listing of houses in his district.

Bob M – Lake Management, Aquatic Analysts has been retained to manage Lake Water quality. They are coming in weekly to assess and/or treat the lake as needed. Algae has been particularly prevalent this year and reminds us that we all play a part in making sure nutrients do not enter the lake. Make sure you are not using fertilizer with phosphates, not detergents with phosphates, maintain your septic and report any failing septic you see...all of these can contribute to algae growth. Other wise water clarity is good, fishing is good with large bass reported...maintain catch and release.

The Dam project will require lowering the Lake as part of our every 3 year lowering schedule. Our Dam Engineers do not expect excessive lowering that would affect the fishery. We will know more once the contractor selection process is complete and they can finalize the approach for maintaining the lake level during the construction process.

Mike C – Trustees held a work session last night and discussed the Low Speed Vehicle proposal.

Bob – Follow ups from the May Meeting

Windmills – a member inquired if the community could consider putting in Windmills as a source of electricity. The cost of one wind turbine is \$2-4Million depending on size. The economics are not feasible for us to consider such a project.

Desilting the Dog Pond – a member requested desilting to better facilitate dogs swimming in the pond. We inquired of our Dam engineers if we could do this as part of the dam project. They advised that our current permit allows up to 5,000 Sq Feet area of disturbance. The current project is near the 5,000 sq foot limit. To move to the next level of disturbance requires extra permitting and studies that would cost \$20,000 plus the cost of silt removal. As a result we cannot undertake the project this year. There will be a road built through the pond to access the spillway...when that road is removed we will try and have the silt removed from that area only (within the current bounds of the project).

Silt removal in the Lake- while the Lake is lowered we will be trying to remove accumulated silt as a maintenance project. This is a separate permit which we have applied for. The permit cost is \$9,000 and we will contract with an excavator to remove silt at six locations: Beach by docks where runoff enters lake, Public Dock between 32 and 34 Lakeside, Public Dock between 38 and 40 Lakeside, Public Dock at Union Rd, Public Dock at Spring Lane, Lane 6 at Swim Lanes.

Septics = at the last meeting it was asked to inquire if we could require Septic test on sale of a property or to have a mandatory septic pumping policy. We conferred with our attorney and learned the following:

Septic Testing – not advised. Requiring a septic test at sale of real estate is not in our authority or jurisdiction (it is on the jurisdiction of the County Board of Health who does not require such a test). Mandatory Septic Pumping is within our authority and consistent with the Purpose enumerated in our By-Laws related to the care and maintenance of the Lake. The Trustees as the policy review part of our governance will look at the different aspects of a mandatory pumping approach.

General Membership Comments/Questions:

Jack Grandview Rd – Thanks the community for the use of the Clubhouse for his Sons wedding.

Dee Owens Hillside Terrace – When the new garbage contractor goes to the new cans will they pick up on both sides of the street? We don't know all the details yet. The asset sale between Gaeta and Blue Diamond still has to be approved by the State of NJ and then a transition plan implemented. At the same time, Blue Diamond is working on recycling and bulk pick up proposals that we can

consider once they take over. More to come on this in the future.

Kim Muller 8 Lakeside Drive

Question about the sign on the Slide being closed. This is a result of our needing to open as an Exempt Bathing Facility. The State requires that any slide on a bathing beach is supervised by a lifeguard...no lifeguard, no slide. It is imperative that member's and their children obey these restrictions. The County Health Department periodically inspects our facility and the same people that do that inspect septic construction sites. If they see bathers using the slide with no lifeguards on duty they can close the entire bathing facility.

Also people bringing dogs on the beach is a problem. Every one has to help out with this...if you see it say something to the people doing it. It is a state law that dogs cannot be in the bathing beach area.

Terry Spurlock 20 Lakeside Drive

Concerned about Lake Water Quality. Can we have septic pumped?

First, know that in season the lake water is tested weekly to the State's standards for Sanitary Bathing Facilities by a third party testing lab (Garden State Labs). If you suspect a failing septic you can report that to a member of the management committee or directly to the Board of Health. They will come out and inspect and test any standing water.

Bob called for a motion to adjourn the Meeting at 11:15AM

1<sup>st</sup> – Mike Curry

2<sup>nd</sup> – Jeanette Becz

Motion Passed

Minutes by Peggy Merck for Jennifer Costello

Treasurer's Report:

June 26th 2021 meeting

Balance Sheet –

We ended May with \$530,921.41 in the bank.

Within this total are liabilities and committee funds totaling \$52,722.86

This leaves a community fund balance of \$478,198.55

Income –

Our 2021 budget plans for 298 dues paying members. Through June 23rd we have 295 members that have paid or have signed a payment plan. We have 27 members-with membership privileges suspended that have been referred to Dolan & Dolan for collections.

The outstanding dues balance is \$ 622,533 including:

xx MPS (suspended)	\$ 477,588
x Late/Unpaid payer	\$ 28,154
x Unimproved Lots	\$ 5,858
xx Paid/Pay Plans	\$ 109,819

With regard to achieving the 298 dues payers, in addition to the 295 we have today we have a collections account (73 Lakeside) that is in the process of paying off to D&D so they can complete a sale, another property at 6 Birch is under contract to sell and dues will be paid at closing. There is also an unimproved lot that built a new house and got their CO last week that will rejoin the roles as an improved property...that will bring us to the 298. There are another 7 properties on the MPS list that are likely to complete the foreclosure process and be resold during the course of 2021 that once paid would bring our total above 300!

Over all income is on track to the budget and once we receive the 2<sup>nd</sup> Quarter Collections remittance from D&D we expect to exceed income in the "Back Dues" account.

Expenses- Roads and Bridges is \$4,800 over budget due to slightly higher cost of road work from Morris Asphalt. All other expense accounts are tracking to budget.

Paul Foucaud , Treasurer

Hi Bob,

I was able to get someone to put out the lifeguard equipment at 10am and put it away at 5pm for this weekend, so we should be covered. I also have someone committed to putting out/taking in the equipment daily Monday - Friday through July 9 and beyond, if we cannot expand the lifeguard hours during the week after the new certification course on July 10-11.

For the meeting tomorrow:

Sports Club:

- Begins Monday, June 28th under the direction of Terence Boyle
- Hours of Operation: Monday - Friday
  - Mornings: 8am - 10 am - Ages 5 and up
  - Evenings (except Tuesdays for Game Night): 6pm - 8pm - Ages 10 and up

Lifeguards:

- Currently only 3 certified lifeguards have been hired
- Operating under Special Exemption on the weekend of June 26 - 27
- Weekend coverage with lifeguards on duty through July 12
- Operating under Special Exemption during the week (Mon - Fri) through July 9
  - Lifesaving equipment and first aid will be made available for members
  - Swim lessons will be available at 11am Mon - Fri
- Red Cross Lifeguard Certification course will be offered at the lake by Melissa (Olsen) Gillespie on July 10 - 11
  - Requirements: Must be at least 15 years old and able to swim 500 yards continuously
  - Those interested can email me or Melissa ([mag@middletownymca.org](mailto:mag@middletownymca.org))
- We will reassess the lifeguard schedule after the certification course to see how many days we can cover with guards on duty during the week
  - Goal is to have all hours covered, however will be dependent on the number of new guards certified
  - Updates will be communicated to members via email blast and on Facebook
- SWIM TEAM
  - Swim team will designate one of their certified coaches to lifeguard during swim practice. The Lake will provide a shirt and pay for the lifeguard to cover swim practice.

Please don't hesitate to call me with questions. Thank you!

Denise

Lake Wallkill Community INC.

Management Committee Meeting

SIGN - IN SHEET Date: 6/26/2021

Name	Lake Address
Ch. Merck	106 Summit Pr.
Bob Smith	45 LAKESIDE DR.
Janne Tilsen	14 Birch Rd.
Laurie Hohnen	6 Decker Pond Rd.
Anthony Slesnick	206 VALLEY RD
Carol Lynn LaGarretto	43 Lakeside Dr
B. Thompson	11 CSS
Rosemary Don Bleyker	6 Grandview Rd.
Peggy Reich	104 Summit Dr
Patricia Ward	12 Hilltop Pl.
Mike Curry	58 Lakeside Dr
Bob MacLean	48 Lakeside Dr
Janette Beez	42 Lakeside Dr.
Liz Oh	13 Pochock Rd.
Amy M	51 Lakeside Dr

Lake Wallkill Community INC.

Management Committee Meeting

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Name	Lake Address
<i>Dottie</i>	
<del>SHAWN</del> Gino Ferrone SHAWN	204 Valley Rd Glenwood
Susan Caron	78 Cedar
Kim Mulick	8 Lakeside Dr
Northen Owens	5 Hillside Terr
John Kelly	27 CEDAR CANY
Star A. Byrne	10 Lakeside Dr
Jim Smith	17 Wallkill
Mark Boyle	9 Grandview
Wioletta Finte	4 Wallkill
FRANCES O'LEARN	64 LAKESIDE.
Terry Sparlock	20 Lakeside
John Johnson	5 Rockock Dr
Ruth Palmer	4 Hillside Dr

Lake Wallkill Community INC.

Management Committee Meeting

SIGN - IN SHEET Date: 6/26/2021

Name	Lake Address
Bernadette Olson	15 Pochock Dr.
JACEK JER-SCHINA	12 GRANDVIEW

Lake W<sup>allkill</sup> Community

## Low Speed Vehicles



## What is a Low speed Vehicle

- A Low-Speed Vehicle (LSV) is a street-legal, four-wheeled electric vehicle with a top speed of 25 mph and a gross vehicle weight rating of less than 3,000 lb. ... Low-speed vehicles are typically electric, with a range of about 30 miles.



## Low Speed Vehicles

- Are they legal in Vernon?
  - Vernon does not have an ordinance against Low Speed Vehicles. They follow the NJMVC rules summarized on the subsequent slide. As per a conversation with Vernon Chief of Police Dan Young; Lake Walkill is a private community and it is up to the HOA to allow or not allow. We would not bother them from a legal perspective if they comply with the NJMVC.



## Low Speed Vehicles



- **Summary of Notes from NJMVC website** <https://www.state.nj.us/mvc/vehicletopics/lowspeed.htm>

**Important note:** Municipalities can impose a LSV ban on ALL roadways within their jurisdiction. Vernon Does not

If you operate a LSV:

- You may not drive LSVs on roadways with speed limits that exceed 25 mph. (In limited cases, if deemed appropriate by a municipality, county or the NJDOT, LSVs may be permitted on roadways with speed limits that do not exceed 35 mph). Lake Roads are 10MPH
- You should watch for and abide by road signs prohibiting use even on lower speed roads. Good Advice
- Child restraints in LSVs must meet the same standards as those used in passenger vehicles. Good Advice
- You must have a valid driver license to operate an LSV. Good Advice
- You may lease or rent properly titled, registered and insured LSVs for temporary use. OK
- An LSV may be registered in the name of an individual, business or government entity, but may not be used as a commercial vehicle. Good Advice
- You are subject to the same violations as other vehicles (except for the regular inspection requirements). OK
- All LSVs shall have a safety information decal provided by the manufacturer on the rear of the vehicle. OK
- If you have only one license plate, you must put it on the rear of the vehicle. OK
- LSVs must meet Federal and State requirements. OK

These are notes to operate an LSV on a public roadway. LWK's roads are private so we have latitude if we want but I don't think we should. There is more information on the next slide

## Low Speed Vehicles

In accordance with N.J.S.A. 39:4-31.2, LSVs operated on any public road or highway in the State shall be maintained in proper condition and comply with the following equipment requirements and standards:

- Adequate brakes to control the movement of the vehicle;
- An odometer;
- A speedometer; and
- The original manufacturer's VIN die-stamped on the body and/or frame, engine or motor of the vehicle.

A safety information decal provided by the manufacturer which must be in a conspicuous place on the rear of the vehicle displaying "25 mph Vehicle".

LWK's roads fall under this statute as per the attached document at the end of the presentation

## Low Speed Vehicles

- Federal Safety Standards
  - [Reference https://www.law.cornell.edu/cfr/text/49/571.500](https://www.law.cornell.edu/cfr/text/49/571.500)
- Attached in presentation



## Low Speed Vehicles Safety

### Golf Cart Safety Fundamentals

Just like professional baseball players who annually attend spring training to work on the fundamentals of the game (ground balls, run down drills, sliding, hitting the cutoff man), drivers of golf carts will benefit by brushing up on the fundamentals.

#### THE FUNDAMENTALS (16 WAYS TO BE SAFE)

1. Never drive recklessly or joy ride. Drive courteously. Obey all vehicle traffic laws and rules of the road.
2. Never drive intoxicated or under the influence of any drug or narcotic.
3. Avoid distractions while operating the golfcart just as you would in an automobile. Be safe and attentive -- avoid talking, texting, or reading while driving, reaching for objects, applying makeup or eating.
4. Golf carts should be equipped with seat belts for driver and all passengers. The driver and all occupants should utilize available seatbelts anytime the vehicle is in use.
5. Only carry the number of passengers for which there are seats.
6. Drivers and all passengers should keep all body parts (arms, legs, feet) inside cart while vehicle is in motion, except when signaling a turn.
7. Do not allow anyone to ride standing in the vehicle or on the back platform of the vehicle. Do not put vehicle in motion until all passengers are safely seated inside vehicle.
8. Operate the vehicle from the driver's side only.
9. Always use hand signals to indicate your intent to turn due to the small size and limited visibility of the turn signals on a golf cart.
10. Check blind spots before turning. When making a left hand turn, yield to the thru traffic lane and merge into that lane before turning left. Never make a left hand turn from the golf cart lane.
11. Carefully turn and look behind golf cart before backing up.
12. Avoid sharp turns at maximum speed, and drive straight up and down slopes to reduce the risk of passenger ejections and/or rollover. Avoid excessive speed, sudden starts, stops and fast turns.
13. Reduce speed due to driving conditions, especially hills or other inclines or declines, blind corners, intersections, pedestrians and inclement weather.
14. Do not leave keys in golf cart while unattended and make sure the parking brake is set.
15. Always yield to pedestrians and be cognizant of motor vehicles.
16. Use extreme caution in inclement weather! Although a golf cart may shield you from the rain, it may not protect you from a lightning strike.

<http://www.golfcartsafety.com/questions-answers>

Resource



## Low Speed Vehicles

LWK would need to modify the rules and regulations Section VII Paragraph 6

Lake Wallkill Community Rules and Regulations

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6. The operation of any unlicensed and/or uninsured gas or electric powered vehicles of any type on Community property is prohibited, not only under the Community's Rules and Regulations, but also New Jersey State Law. Specific examples falling within the strictly prohibited category are, BUT NOT LIMITED TO: Trail-bikes, Mini-bikes, Mini-cars, Snowmobiles, All Terrain Vehicles, Mopeds, Golf carts and the like. As this is a violation of New Jersey Motor Vehicle Laws, all violations will be reported to law enforcement authorities.

The logo for Lake Wallkill Community is displayed on a dark grey rectangular background. The text "Lake Wallkill Community" is written in a large, dark, rounded, sans-serif font. The letters are closely spaced, with the "L" and "W" being particularly prominent due to their size and the way they overlap slightly with the "a" and "a" respectively. The overall appearance is that of a stylized, hand-drawn or blocky typeface.

Lake Wallkill Community

## Low Speed Vehicles Summary

- Vernon does not have an ordinance preventing LSVs. They comply with the NJMVC
- Our Roads are private and comply with the NJMVC and Section 39. Our speed limits are 10 mph
- From my investigations this decision is up to us as a community. A modification to Paragraph 6 of Section VII of our rules and regulation would be required



# 49 CFR § 571.500 - Standard No. 500; Low-speed vehicles.

• [CFR](#)

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## **§ 571.500 Standard No. 500; Low-speed vehicles.**

S1. *Scope.* This standard specifies requirements for low-speed vehicles.

S2. *Purpose.* The purpose of this standard is to ensure that low-speed vehicles operated on the public streets, roads, and highways are equipped with the minimum motor vehicle equipment appropriate for motor vehicle safety.

S3. *Applicability.* This standard applies to low-speed vehicles.

S4. [Reserved]

S5. *Requirements.*

**(a)** When tested in accordance with test conditions in S6 and test procedures in S7, the maximum speed attainable in 1.6 km (1 mile) by each low-speed vehicle shall not more than 40 kilometers per hour (25 miles per hour).

**(b)** Each low-speed vehicle shall be equipped with:

**(1)** Headlamps,

**(2)** Front and rear turn signal lamps,

**(3)** Taillamps,

**(4)** Stop lamps,

**(5)** Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear,

**(6)** An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror,

**(7)** A parking brake,

**(8)** A windshield that conforms to the Federal motor vehicle safety standard on glazing materials (49 CFR 571.205).

**(9)** A VIN that conforms to the requirements of part 565 *Vehicle Identification Number* of this chapter, and

**(10)** A Type 1 or Type 2 seat belt assembly conforming to Sec. 571.209 of this part, Federal Motor Vehicle Safety Standard No. 209, *Seat belt assemblies*, installed at each designated seating position.

**(11)** Low-speed vehicles shall comply with the rear visibility requirements specified in paragraphs S6.2 of FMVSS No. 111.

**(12)** An alert sound as required by § 571.141.

S6. *General test conditions.* Each vehicle must meet the performance limit specified in S5(a) under the following test conditions.

S6.1. *Ambient conditions.*

S6.1.1. *Ambient temperature.* The ambient temperature is any temperature between 0 °C (32 °F) and 40 °C (104 °F).

S6.1.2. *Wind speed.* The wind speed is not greater than 5 m/s (11.2 mph).

S6.2. *Road test surface.*

S6.2.1. *Pavement friction.* Unless otherwise specified, the road test surface produces a peak friction coefficient (PFC) of 0.9 when measured using a standard reference test tire that meets the specifications of American Society for Testing and Materials (ASTM) E1136, "Standard Specification for A Radial Standard Reference Test Tire," in accordance with ASTM Method E 1337-90, "Standard Test Method for Determining Longitudinal Peak Braking Coefficient of Paved Surfaces Using a Standard Reference Test Tire," at a speed of 64.4 km/h (40.0 mph), without water delivery (incorporated by reference; see 49 CFR 571.5).

S6.2.2. *Gradient.* The test surface has not more than a 1 percent gradient in the direction of testing and not more than a 2 percent gradient perpendicular to the direction of testing.

S6.2.3. *Lane width.* The lane width is not less than 3.5 m (11.5 ft).

S6.3. *Vehicle conditions.*

S6.3.1. The test weight for maximum speed is unloaded vehicle weight plus a mass of 78 kg (170 pounds), including driver and instrumentation.

S6.3.2. No adjustment, repair or replacement of any component is allowed after the start of the first performance test.

S6.3.3. *Tire inflation pressure.* Cold inflation pressure is not more than the maximum permissible pressure molded on the tire sidewall.

S6.3.4. *Break-in.* The vehicle completes the manufacturer's recommended break-in agenda as a minimum condition prior to beginning the performance tests.

S6.3.5. *Vehicle openings.* All vehicle openings (doors, windows, hood, trunk, convertible top, cargo doors, etc.) are closed except as required for instrumentation purposes.

S6.3.6. *Battery powered vehicles.* Prior to beginning the performance tests, propulsion batteries are at the state of charge recommended by the manufacturer or, if the manufacturer has made no recommendation, at a state of charge of not less than 95 percent. No further charging of any propulsion battery is permissible.

S7. *Test procedure.* Each vehicle must meet the performance limit specified in S5(a) under the following test procedure. The maximum speed performance is determined by measuring the maximum attainable vehicle speed at any point in a distance of 1.6 km (1.0 mile) from a standing start and repeated in the opposite direction within 30 minutes.

[63 FR 33216, June 17, 1998, as amended at 68 FR 43972, July 25, 2003; 79 FR 19249, Apr. 7, 2014; 81 FR 90521, Dec. 14, 2016]