

LAKE WALKILL COMMUNITY, INC.

Meeting
Management Committee

September 3, 2022

TRUSTEE		OFFICERS		DISTRICT REPS	
Mike Curry	*	Bob Smith	President	*	#1 Jack Jerchina *
Chris Merck	*	Peggy Merck	VP Community Relations	*	#2 Terence Phalon E
Carmel Greico	*	Tim Olsen	VP Insurance	E	#3 Kerri Summa *
Bill Thompson	*	Bob MacLean	VP Lake Management	E	#4 Gloria Bolino *
Rosemary DenBleyker	E	Denise Desimon	VP Aquatics & Sports	*	#5 Jeannette Becz *
		Lynne LaCarrubba	VP Security	U	#6 Larry McGannon *
		Jennifer Costello	Secretary	E	#7 John Brill E
		John Farrelly	VP History/Social Media	*	#8 Alexis Phalon U
		Paul Foucaud	Treasurer	*	#9 Laurie Honarth *
					#10 Vacant E
		Manager, Shawn, Reardon E			
* = in attendance E=excused U=unexcused					

MINUTES OF MEETING

Meeting called to order 10:03AM

Peggy leads Pledge of Allegiance

Review Minutes of July 30th Annual Membership Meeting Minutes. No comments or questions. Call for a motion to approve minutes. Carmel makes motion, Denise seconds. Motion Passes.

Paul Foucaud delivers treasures report (Attached to these minutes.) no comments/Question.

Update on Vacancy Elections – John Farrelly, Chair of the Election Committee reported that a call for nominations was mailed to property owners in District 8 & 10 that were vacant after this year’s even numbered District Elections. There were no nominations received for either district. We will reach out to members in those districts to try and fill these vacancies.

Resolution for By-Laws Amendments. Lake Wallkill has taken several actions over the years to compel property owners to pay their fair share of the expenses to operate the Community. Our collections program started in 2012 has been successful at reducing the number of delinquent accounts, however, we have 14 accounts that have been delinquent for 5 or more years (Persistent Delinquent Accounts). At our June meeting the Management Committee discussed inquiring our attorney to find out what the next steps would be to compel the Persistent Delinquent Accounts to pay. This Resolution is the answer to that question and would authorize the Management Committee to evaluate each account and select those that are appropriate for foreclosure action. The By-Laws amendments also address the requirements for Community Property sales/Dispositions. In the event Lake Wallkill took position of a property through the foreclosure process we propose these properties not be treated like other Community property. A foreclosed property would not require a vote of the Membership to sell/dispose of the property. This would be done by Management Committee Vote. Chris Merck commented that this amendment to the by-laws would increase our leverage to compel these persistent delinquent accounts to pay. Bob calls for a motion to accept the resolution: Jeanette Makes the motion, Mike Curry second. Motion passes with 11 votes.

Clubhouse Rental Update – Peggy. Committee was formed to review current policies and practices as well as experience with rentals. The committee has proposed a number of clarifications to our agreements and documentation. Those will be updated and posted on the Website for use going forward. We expect that the committee will continue review our rentals periodically and make updates as needed.

Board Round Table –

Denise – great year for Sports Club run by Terence Boyle and covered by Christian Gallagher at the end of the season. Thanks to both for all their efforts to support the kids.

Lifeguards have been a challenge with staffing over the course of a full summer and this year was unusual with the number of call outs due to illness. Denise appreciates the understanding of the Community on the challenge of Lifeguard Staffing. Bob – Thanks to Denise for all of her efforts to manage all of the aspects of Sports Club & Lifeguards...very much appreciated.

BT – Cancer Walk tonight at 5, BBQ at 6 with movie on the beach to follow. Regatta – reminder that there are two people, the Chairs of Regatta that do a tremendous amount of (unseen) work and sacrifice their own Regatta to make sure we can all enjoy Regatta Weekend. If you see Kerri Thompson or Debbie Lynch let them know how much you appreciate all they do!

General Membership Comments –

Janet Smith 45 Lakeside Drive – Speaking on behalf of the Garden Club...a great group that is keeping the gardens around the Lake looking great! Their next project is to refresh the circular garden by the well. They plan to incorporate pavers (similar to what is in the Clubhouse) and provide an opportunity for members to purchase an engraved brick. The brick income will be used to fund the project. We'd like to send the brick ordering information with the Dues bill in January. No comments or questions from the Management Committee, they support the project as presented.

Bill McCool 1 Clubhouse Sq S – Thanks to Shawn for getting the water up and running after a water main leak this week. Thanks to Steve and Gloria for their work getting the reflective number signs installed around that Lake. Will be a big help for Emergency Services to find/locate houses. Some of our street signs have seen better days...are we planning to repair these? Shawn – we have volunteers that have engraved the signs and other volunteers that are painting them...we should have them up by next season.

Fran O'Leary 64 Lakeside Drive – Meeting Minutes need to be posted on the website in a more

timely manner. Asked how many properties have signed the Release of Deed Restriction. Bob – We'll have to get that number. Fran interested in properties that might be sold to adjoining property owners including paper roads. When negotiating new contract with attorney regarding foreclosure are we asking for a split fee? Bob not sure what you mean by this. 3-minute timer concludes commentary

Motion to Adjourn 10:49

Mike Curry makes the motion.

BT Seconds

Motion Passes

Lake Walkill Community INC.

Management Committee Meeting

SIGN - IN SHEET Date: 9/3/2022

Name	Lake Address
Bob SMITH	45 LAKESIDE DRIVE
LARRY McANNON	51 LAKESIDE DRIVE
Janette Beez	42 Lakeside Dr.
Carmel Guerrero	44 Lakeside Dr.
JOHN FARRERLY	46 LAKESIDE DR
Laurie Holmwood	Cedar Pond Rd.
JACER JERSCHINA	12 GRANDVIEW RD
Chris Merck	106 Summit Dr.
Mike Curry	58 Lakeside
Denise DeSimon	92 Lakeside Dr.
Peggy Neesh	104 Summit Dr
PAUL FOUCARD	60 LAKESIDE
B.T. Thompson	11 CSS
Gloria Bolino	2 Cedars
Kerri Sumner	34 Cedar

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Name	Lake Address
Peg Black	40 Lakeside
Doog Cotten	11 WALLKILL
Steve A Byrne	10 Lakeside
Sharon R	22 Glenwood
FRANCES O'LEARY	64 LAKESIDE
LORRAINE SCHUBERT	7 LAKESIDE DR.
Michelle Smith	14 High PT Rd
Gloria Bolino	2 Cedar Lane
Janet Smith	45 Lakeside
Bunny Hoffmann	6 Duck Pond
Stephen Lupo & Marlene	95 LAKESIDE
Ellen + Tommy Frank	37 Cedar
EILEEN & JIM GALLAGHER	93 LAKESIDE
Bill McCall	1 CHSq S
Jeanne Nelson	14 Birch

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Name	Lake Address
CHUCK + CAROL SNYDER	70 LAKESIDE
JOHN KENNEDY	63 LAKESIDE DR
John Johansen	5 Pochuck Dr
Terry + Chris + Spurlock	20 Lakeside
SAMANTHA MCCOY	62 Lakeside
Wioletta Finke	4 Wallkill Dr.
Ellen Nietsch	14 Grandview Rd.

RESOLUTION
of the
MANAGEMENT COMMITTEE
of
LAKE WALLKILL COMMUNITY, INC.

WHEREAS, Article II of the By-Laws as amended through May 2018, recites the purposes and objectives for which the Lake Wallkill Community, Inc. ("Lake Wallkill") was formed which, among other things, is to acquire, hold, own and provide for the care, maintenance and control of the common properties of the Lake Wallkill community; and

WHEREAS, Article V, Section 1 of the By-Laws, provides that the Management Committee is the legislative and policy making body of Lake Wallkill; and

WHEREAS, Article III, Section 1 & 8 of the By-Laws provides that membership in Lake Wallkill is automatically granted and the obligation to pay dues and assessments are effective upon legal conveyance of title to a property within the Lake Wallkill community; and

WHEREAS, Article X, Section 1 of the By-Laws provides that all property owners within Lake Wallkill share equally in the expense for maintaining the community; and

WHEREAS, the By-Laws were recorded at the Sussex County Clerk's office on August 8, 2018 at Deed Book 3488, p. 452, et seq. and indexed on all properties in Lake Wallkill; and

WHEREAS, The recorded Declaration of Covenants for Lake Wallkill, Article 4, specifically provides that unpaid dues and assessments are a continuing lien on the land and premises of the member for the amount due, as well as late payment charges and attorney's fees, which may be foreclosed in the same manner as a foreclosure of a mortgage on real property, which is consistent with statutory provisions governing community associations and *N.J.S.A. 2A:50-1 to -68*, which establishes the basis for foreclosure of mortgages. The Superior Court and Appellate Division Court have also affirmed that consistent with the Declaration and the By-Laws, all residents in Lake Wallkill are required to pay for the use of the community's resources, and the Management Committee was acting within its authority to require all residents be members of the association; and

WHEREAS, the Management Committee has taken action previously to encourage payment including the creation of a payment plan process and, in 2013, a program to provide discounts, these programs had limited success and additional action is required to compel payment. In 2014, the Management Committee initiated a Collections Program that resolved a significant number of delinquent accounts, however there are still a number of persistent delinquent accounts; and,

WHEREAS, the Management Committee recognizes the inherent inequity of non-paying Members using the private roads of Lake Wallkill that are maintained on the backs of paying members' dues payments; and,

WHEREAS, the Management Committee has determined that as a result of any member's failure to pay their dues and assessments, the present and future fiscal well-being of Lake Wallkill may be put in jeopardy and for the benefit of the community at large all available actions should be initiated to compel payment; and

WHEREAS, the Management Committee, upon the advice of counsel, has determined that it is in the best interests of Lake Wallkill, and the entire Lake Wallkill community that this Resolution be made to recommend an amendment to the By-Laws Article X Section 1, to authorize the Management Committee to direct Lake Wallkill's Attorney to advise and pursue remedy's including obtaining judgments through civil action, wage garnishment, bank levy, car levy and/or foreclosure action; and

WHEREAS, the Management Committee upon the advice of counsel, has determined that it is in the best interests of Lake Wallkill, and the entire Lake Wallkill community that this Resolution be made to recommend an amendment to the By-Laws to update Article XI, Section 1 to provide the Management Committee to timely disposition/sell property acquired by Foreclosure:

NOW, THEREFORE, BE IT RESOLVED by the Management Committee that proposed By-Laws Changes shall be implemented as follows:

1. Amend Article X, Section 1 (add the following Language at the end of Paragraph 2):
The Management Committee is authorized to take enforcement actions to compel payment of persistent Delinquent Accounts, those accounts that have been delinquent for greater than five (5) years; such actions may include: obtaining judgments through civil action, wage garnishment, bank levy, car levy and/or foreclosure action.
2. Modify Article XI, Section 1 (add the following paragraph to Section 1):
Property acquired through foreclosure or other actions related to Collections shall not be considered Community Property for the purpose of sale/disposition. The Management Committee shall make all efforts to sell properties acquired through foreclosure to minimize the cost of ownership and maintenance. The Management Committee shall propose a resolution and hold a Management Committee Vote to approve the sale of properties acquired through foreclosure or other Collections Actions as timely as practical; sale of property pursuant to this provision shall not require membership approval. Proceeds that result from a sale of property foreclosed for non-payment shall be deposited in the general fund.
3. Under this Resolution, the Management Committee is authorized to negotiate a change of terms with Lake Wallkill's Collection Agent to authorize the agent to research applicable law and to pursue remedies to the persistent delinquent collection accounts of Lake Wallkill. All efforts should be made to shield dues paying members from the cost of collections and costs to pursue actions detailed in Paragraph 1 of this Resolution.

4. Administrative By-Laws Change – The By-Laws include a definition of the 10 Geographic Districts of Lake Wallkill and reference the Lot & Block numbers from Vernon’s tax records. Vernon has updated the Lot and Block after the last town wide assessment and as such, the By-Laws will be amended to the New Lot and Block numbers. No change of any geographic district is expected with this administrative update. (Amended Block & Lot attached)
5. In the event this Resolution is adopted by the Management Committee, the Management Committee shall put the proposed changes to the By-Laws to a Membership Vote in accordance with Article XIII of the By-Laws.
6. In the event the Membership approves these changes to the By-Laws, the Management Committee shall communicate these By-Law changes to the persistent delinquent accounts to provide fair notice of the actions planned by the Community to compel payment of arrears.

ADOPTED this 3rd day of September, 2022 by the Management Committee of Lake Wallkill Community, Inc., in the presence of a quorum.

Peggy Meral FOR
Peggy Meral
Jennifer Costello, Secretary

**Definition of the Ten (10) Geographic Districts
By Lot and Block Numbers as Shown on the
Township of Vernon Tax Maps for Lake Walkill Properties**

DISTRICT I

Block	Lots
234	6,7,8
234	13-23
234	26-37
234	42-44
234	50-52
234	54-56

DISTRICT II

Block	Lots
234	25,41
234	45-49
234	57-72
234	74
234	83-95

DISTRICT III

Block	Lots
234	67-69
234	75,76
234	78-82
234	140-142
234	145-164
234	166-169

DISTRICT IV

Block	Lots
234	96-115
234	117-136

DISTRICT V

Block	Lots
266	2-11
266	13-15
266	17
266	36-44
266	46
266	48-52
266	54-57

DISTRICT VI

Block	Lots
266	18-25
266	27-35
267	1-5
267	7-11
267	18-25
267	27-35

DISTRICT VII

Block	Lots
267	61,62
267	64-75
267	77-91

DISTRICT VIII

Block	Lots
267	47-51
267	72
267	74-78
267	98-102
267	105-112

DISTRICT IX

Block	Lots
267	39-42
267	44-45
267	52-59
267	63-71
267	79
267	81-88
267	90-93
267	95-97

DISTRICT X

Block	Lots
267	13-30
267	33,34,36,38
267	113-119