

Minutes of the Regular Meeting of the Board of Directors
Bay Indies Homeowners Association
Friday, January 9, 2009

The meeting was called to order by President, Anthony Pinzone at 1:30 p.m.
Roll Call: William Butts, Merle Landau, Richard Welch, Henry Curran, Glenn Eastman, Sharon Michel, Anthony Tremonto, Donald Archer, Joan Sass.

The minutes of the December 12th Board meeting and Executive Session were approved after a motion by Dick Welch and Merle Landau.

Sharon Michel gave the Treasurer's Report from Dec. 1, 2009 to Dec. 31st, 2009 as follows: Money Market balance of \$87,341.22 including a transfer of \$3,000.00 to the checking account. Checking account balance \$5,416.67 less Disbursements in the amount of \$ 183.69 leaving a checking account balance of \$5,232.98 –this rendered a combined balance of \$92,574.20. Sharon also reported 235 tickets to the BIHOA show in February have sold in the amount of \$3,525.00. A total membership of 218 residents have paid dues to date.

The Treasurer also submitted the year end Treasurer's Report for the period Jan. 1, 2007 to Dec.31, 2008. There was a question regarding the \$6,435.00 for show tickets. The amount included \$2,910.00 for the '08 show, and \$3,525.00 for 09 show. The report of December 1 to December 31 and the report of the total year was moved to be accepted by Don Archer and Merle Landau. The motion was carried.

CORRESPONDENCE:

The annual audit is being handled by Steve Budai and Sharon will turn over everything to him on Monday. The deadline is February 1. Sharon will set up a meeting with Mr. Archer and Mr. Pinzone next week to review the figures.

A community update brochure from our Attorneys regarding accounting procedures was passed on to Sharon for her information.

Tony spoke of a Spaghetti Dinner 3/11/09 to benefit the 49 year old son of Leo and Bev Fiorini, park residents for 15 years who has brain cancer and has had three brain surgeries—he is unemployable and has a 12 year old daughter and an 18 year old daughter and bought a house just prior to his last surgery. Prior to the opening of the annual meeting, Anthony would like to announce details of the benefit. All of the Board members had no objection except for Joan Sass who stated she was ambivalent to mention it at the annual meeting, not because of the cause, which she supports. She stated that she and her husband have volunteered to assist with the benefit, her only objection is the presentation of the fundraiser at the annual meeting. A suggestion was made that on the ticket there should be an avenue for people to donate. Bill Butts

volunteered to make the presentation regarding the benefit rather than Mr. Pinzone. Bill Meiter suggested that it is the same as asking for donations in church if there is a need.

Anthony stated that his computer has finally crashed. He took it over for a diagnosis – and they can retrieve as much as possible from the hard drive. If the cost is 1/2 of the cost of a new one then it would probably be the best thing to do it. However it didn't work. Tomorrow he will plan on buying another computer and have the software installed. He backed up all the files before he left for RI on Thanksgiving. He has the back up on the fast drive- Karl Kristenson said that he was advised by the Computer Club that people should have a small fan to keep the battery cooled down. It extends the life-of the laptop.

COMMITTEE REPORTS:

Information Coffee Hour: Bill Butts gave a positive spin on things in the Park that the Association has been working towards.

Legislative Committee: Anthony Pinzone reported our 723 proposal is moving. FMO has almost an identical proposal – Mike Fasano and Nancy Detert have suggested a powwow with Mr. Gallagher and the lobbyist to finalize the proposal. FMO is failing and APR is increasing its membership. Anthony said he will meet whenever and wherever to get this finalized.

Service Committee: Mr.Archer reported there was a meeting on Jan. 6, 2008. The next meeting will be Feb. 3rd at 9:30. He has written up and sent notes to all the members of the committee-and marked things that have been completed – and things still to be done. Ken Taylor seems to be doing what he can –the water problem in Curry Creek has been taken care of- wires on the Bike Path that were exposed have been cut down and are less visible –and a moisture problem in Bay House kitchen he has looked at, so things are getting attention.

Election Committee: Tony Tremonto reported we have five candidates at present to fill the four positions open on the Board as of February. He also will speak at the Information Coffee Hour in February.

Communications Committee: Joan Sass had a meeting and discussion regarding the newsletter. There will be one forthcoming but no exact date has been set.

Comprehensive Plan Review: January 15th at 5 p.m. City Planning Commission Meeting to be held. Hopefully all of the Board members can attend. Mr. Welch and Mr. Archer will drive.

By-Laws Committee: Mr. Welch said we have intentions of getting together soon but first have to make sure that everyone has a copy of the By-Laws. We must see that we are in compliance with 723- and we need to revisit the By-Laws. Anthony suggested that committee members read 723.077, 723.078 and 723.079 prior to the meeting.

Show Ticket Sales: Mr. Welch reported that as of today we have sold 293 tickets, \$4395.00- we have met the expense of \$3045.00. Flyers and posters to be put around in surrounding parks and he will post one in the downtown area and has contacted both newspapers. Reserved seating done through the Recreation office is a minor problem for selling tickets outside the Park.

Holiday Tree Decorations: Tony Tremonto said he has everything stored in the shed on his property.

Negotiations and Executive Committee Reports: Anthony Pinzone said he has nothing to report.

OLD BUSINESS:

Mr. Pinzone met with Mr. Taylor who assured him that he would be here today around 2 PM. He has been extremely busy with the Regional Manager and the Regional Vice-President with meetings and conference calls. One of the things that may be being discussed is the three hardship cases which need to be resolved.

Alliance of Park Residents: Hank reported they are signing up Travis Moore as their lobbyist. Feb. 21st is their annual meeting at Colony Cove –it was asked if they could move the time to 11 AM and Hank said that he would have Anthony Pinzone call and see if the time could be advance from 10 AM to 11 AM.

ELS Sign Violations: Joan Sass spoke of continual violations of the sign problems. ELS asked the Inspector if they could put up the signs at the Guard house and they also have a sign (in clear violation) near the first lake. ELS were told they could have small signs in front of the houses which were for rent and at the various clubhouses. Discussion followed regarding whether we should pursue this further. Anthony Pinzone stated that if the desire of this Board is to pursue this----then we must go one step further – to get it on the agenda of the next Code Enforcement meeting. A problem in doing this is that we have an excellent relationship with Inspector Paytek and if we go over his head- it may end the relationship with him. A discussion ensued as to the merits of doing this. Joan suggested we ask Ken Taylor about the sign at the first lake as it is in clear violation and if Ken Taylor does nothing then we should send a note to John Paytek regarding our knowledge of the violation. Mr. Pinzone will follow up with a meeting with Ken Taylor.

Reminder to all Board members to attend the Information Coffee Hour.

Question from the audience: Karl Kristenson asked if the Jazz Band coming on 2/7/09 would have their own sound system or need ours. Mr. Welch will check into that question and get back to Karl. Anthony Pinzone said the singer on the Spaghetti Dinner benefit is self contained.

NEW BUSINESS:

Sharon Michel laid out plans for the Solicitation of Dues. She passed out two drafts of information one for the Solicitors – one for the homeowners. The Training Session for solicitors – January 16th at 10:00 a.m., Board members are asked to come at 9:30. –the packets will be put together by the Committee on Thursday afternoon, the 15th at 1:00 p.m. at Curry House. On the 16th - Sharon will explain the packets to the solicitors. There were many suggestions to Sharon about the letter “Why Should I join the Association” for revision. She will take the suggestions and revise the draft with positive notes.

ELS Communication Problems: Mr. Butts said he feels we need to let the residents know that we no longer have a sales force in the Park. There are several outside realtors with listings in the Park- Boynton and Mt. Vernon. Anthony brought up a communication problem. Ken Taylor has been told not to discuss individual cases- he is to discuss only matters of service at the Service Committee meeting. It is a serious problem because the upper management has told us they do not want to meet with us either and that is a violation of the law. If we are unable to meet on other problems not service related –then we need to contact our attorneys. We have tried to resolve this issue for several years---- Mr. Butts brought up a particular case in which there was a meeting with the homeowner and the Park Manager and ELS accountant both agreed that there was an error in calculation of this individual’s lot rent.

When the matter was taken further up to Regional etc. –the accountant was told another statement like that and she would be out. So we do have a serious problem and Mr. Butts said we should support this individual resident and if it is not resolved then we should certainly go to small claims court because the case is cut and dry. Anthony Pinzone told Mr Taylor that if this matter is not resolved quickly we will go to court. Mr. Taylor told Anthony that he agreed with our case but was told not to pursue it. Mr. Butts moved that we assist the individual resident in small claims court both procedurally and monetarily, seconded by Mr. Curran. All approved the motion. Mr. Butts said again that it is necessary to include the information about the lack of sales force into the next Newsletter.

Web Site: Joan Sass asked for a consensus of the Board about the website. The majority said it was worthwhile keeping. Discussion followed about ELS reading information on the Web. Joan asked that Board members talk among people they know and clubs they belong to- to encourage people to look at the website.

Anthony Pinzone stated there would be a meeting Saturday morning, the 10th with Travis Moore and the Alliance of Park Residents. If there is anyone else interested in going please let Anthony know.

Litigation Process: Mr. Pinzone said it will be taken up in Executive session.

Annual Report: Anthony said he received notice the annual report is due and following the meeting of Feb. 11th Anthony will meet with Don Archer to fill out the papers.

ELS Rental rates: Anthony passed out a sheet regarding annual rental rates.– 1/7/09 he met with Ken Taylor- several items were questioned. Document 2009 Market rents chart – the annual rental rates are the same as 2009 Market lot rents – the signs are incorrect and the higher ups in ELS will not change the signs.

Anthony reminded all of the Scheduled Meetings through to, and including May 1, 2009.

Public Comments: Nancy Marquez asked about the new homes renting for 699.00. She said she does not fully understand how this is happening.

Harry Riggs spoke as a retired realtor regarding sales of local homes- if you list your house in Venice- it does not go on the multiple listing if you do not own your land. You can list it with any outside realtor and unless the realtor is licensed to sell mobile homes only three sales can happen – through an Attorney, Owner, or Realtor. There is state licensing for a broker to sell mobile homes and he was asked to submit proof to Anthony if possible.

The public session meeting adjourned at 3:30 p.m.

The public session meeting reopened at 3:55 p.m.

There was a brief discussion by Board members concerning filing for mediation regarding the incorrect 90 day rent increase notices to Board members.

It was moved by Henry Curran, seconded by Richard Welch that the President be authorized to pursue and file for mediation regarding the illegality of the 90 day rent notices to the Board. The motion was carried.

There being no further business, a motion was made by Donald Archer, seconded by Tony Tremonto to adjourn the meeting. The motion was passed. The meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Cynthia Shepard
Recording Secretary

Joan Sass
Secretary