

BLUE HERON WOODS; BOARD OF DIRECTORS MEETING
SUNDAY SEPTEMBER 8, 2019, 10 AM

LOCATION: Scagliotti Home (Minutes recorded by Coach Lou Lombardo)

BHW BOARD Attendance

President: John Scagliotti

Vice President: Rich Klein

Treasurer: Alissa Weiss

Sgt Arms: Lou Lombardo

ABSENT: Secretary Carolyn Szalski and Alternative Bob Geiss

ARCHITECT COMMITTEE Attendance

Will Rivera, Rebecca Rivera, Ryan Neenan

SOCIAL COMMITTEE Representative

Isabelle Klein

Alissa Weiss brought NYPDES permit packet (RENEWED)—it expires June 18, 2024

ISSUE: Air B&B rentals; John Scagliotti reviewed the response from our attorney; recommendations, and potential inclusions in the BHW regulations.

The BHW POA Directors have the following authority:

1. Only members in good standing can rent properties. No back dues, assessments, etc.
2. Establish an annual fee based on usage (no grandfather clause).
3. Require renters to register. We can mandate badges, parking stickers, passes, etc.
4. Restrict renters to parking on driveway/no street. Ban B&B renters from using ATV, Snow Mobiles, dirt bikes on BHW roads.
5. Restrict the number of renters per residence at the same time to the number of bed rooms or....2 people per bedroom. This should be listed on the B&B website.
6. The landowner (home owner) is responsible for damages/violations/fines caused by the renter.
7. Amenities----none offered at BHW.
8. Landowner must provide the renter with a copy of BHW rules/regulations/by laws/declarations. This would be posted on our web site, the B&B website.
9. A landowner with multiple violations will forfeit the right to rent.
10. There will be “noise restrictions” and “noise complaints” as violations.

---Lou L: Can we contact Air B&B and various listed websites, request that they list the BHW fee? (NJ shore points post local rent fees)

---Alissa W: I will check the websites.

---John S: I will contact Lackawaxen Township.

---Rebecca R: Are we offending the owner, “Slap on the wrist/face”?

---Alissa W: You can put bunk beds in 1 room. Can we only charge a per rental fee if it is booked via website?

---John S: Should we charge a per-rental fee or an annual fee?

---Will R: Must state seasonal/vacation short term.

---Lou L: I recommend that we state---6 month rental is considered long term.

----Will R: Cannot operate snow mobiles, ATV, dirt bikes on BHW roads. These vehicles must be trailered for travel to locations.

****Isabell Klein passed out minutes from the Social Committee meeting of August 7, 2019 which was chaired by Maryann Lewis

****Captain Bob Geiss has offered to build a kiosk (enclosed bulletin board) or install a purchased kiosk. This would be located at the mailboxes area at BHW North.

----Will R: There should also be a kiosk at the BHW South mailboxes area.

----Rebecca R: Relocate the shed....repair, and post on the walls.

----John S: We must inspect the shed and see if it is salvageable.

----Alissa: I recommend a double door plexiglass panel kiosk for the north and a single panel for the south.

----Will R: BHW has a PO Box; there are joint lot property owners; can we take an unused box for the BHW POA?

----Alissa W: I will investigate with Hawley PO; during a transition time mail can be forwarded.

----Alissa W: I can offer pay online dues or mail checks. I will email invoices.

----John S: There is usually a fee for online services.

----Alissa W: Presently, BHW has a free PNC checking account. We need an interest bearing account for reserve capital. Have a BHW "Pay Pal" account.

----Rich K: Do we need to audit our accounts?

----Alissa W: Yes

----John S: We must hire an outside CPA. We will get a quote.

----John S: Attorney John Spall has added Kyle Krajkovich, Esq to his firm.

----Alissa W: Advise to Isabell Klein, Do not use color borders on flyers for the Social Committee. It uses too much ink.

----Will Rivera: Welcome Basket for new BHW residents, seek coupons from area businesses/services.

----Rich K: Any thoughts on BHW Tee shirts?

----Rich Klein: Cat Man Do \$1,700.00 and \$900.00 estimates to repair the drain/driveway at road. CMD will fix slope, install mesh matting, then place stone.

----Lou L: I photographed and videoed the excavation activity at lot 114.

----John S: A special thanks to Ryan Neenan for upgrading the BHW website.

----Ryan N: BHW South, there are numerous road cracks.

----Rich K: I will call Pocono Spray Coating and request a drive through inspection.

----Alissa W: I need the 2019-2020 winter snow plow fee in writing from Cat Man Do (Dwayne Smith)

Meeting Adjourned 11:17 AM

BLUE HERON WOODS; BOARD OF DIRECTORS MEETING
SUNDAY MARCH 15, 2020, 10 AM

LOCATION: Scagliotti Home (Minutes recorded by Coach Lou Lombardo)

BHW BOARD ATTENDANCE

President: John Scagliotti

Vice President: Rich Klein

Treasurer: Alissa Weiss

Sgt Arms: Lou Lombardo (via phone)

Alternate: Bob "Captain" Geis

ABSENT: Secretary Carolyn Sazalski

Guest: Steve Gersbach, Home on lot 100 Blue Heron Way

Architect Review Committee: Rebecca Rivera; ABSENT-Will Rivera and Ryan Neenan

PROJECTS: Bulletin Boards (Kiosks) and Entrance Lights

Bob Geis has researched prices....upward of \$900.00. Steve Gersbach can build kiosks.

44 inch wide by 36 inch high, wood, plexiglass hinged door, post, mounted in concrete at the BHW North mailbox vicinity. Steve will build a smaller kiosk to install at the BHW South location (Route 402 entrance).

---Alissa W: We can rent a back hoe. We can reimburse or pay in advance for materials. Save the receipts.

---John S: I changed the street post light bulbs at the Route 6 North entrance. The sign light is not functioning. It has a ballast. It is not efficient. It lasted 10 years. The cost is \$900.00. We can replace with an LED bulb for \$300.00. The Route 402 solar light is still functioning.

---Alissa: I will put the \$300.00 cost in the budget.

---John S: In the future we can install a solar light on the Route 6 BHW South side entrance.

ISSUE: B&B Rentals

---Lou L: I texted information regarding Air B& B and developing regulations.

---John S: It is legal. BHW has the authority to charge a fee and enact regulations. The Lackawaxen township office is working on regulations/policy.

---Alissa W: Read my texts regarding B&B.

---John S: Maybe institute a per night fee, however, who will enforce it? Our roads will get more usage (not allow ATV, Snow Mobiles, Dirt Bikes, etc); The number of bedrooms determines the septic system size (Lackawaxen Township policy).

---Lou L: It may be best to charge an annual permit fee.

---John S: BHW POA owns a few common grounds areas.

---Alissa W: Contact homeowners and give them a list of BHW regulations that can be posted at the B&B home.

---John S: Lackawaxen Township hopes to have regulations in place by this spring. Everybody be aware of information from newspapers, web sites, etc regarding regulations. We must have an attorney review our proposed regulations.

- Alissa W: I have asked the BHW Social Committee to submit a budget that will enable them to schedule 3 events per year. (Ellen Geis and Maryanne Lewis). It was the social committee who recommended the kiosks. The fall 2019 cleanup was and the follow-up picnic were successes.
- John S: Exel Builder is presently constructing 2 homes; 1 across from Stonehenge Steve and one next to the former Bunero home. PCCD director Ellen has maintained communications with me.
- Rebecca R: The Architect Review Committee made an appointment with a BHW property owner named John regarding building plans. The man did not show.
- John S: We have all invested in the BHW community. We must have basic rules. The Architect Review Committee (Rebecca, Will, Ryan) needs to see building plans. The PCCD notifies John when they receive the application paperwork to build on a BHW lot.
- Alissa W: I will contact Attorney John Spall.
- Rich K: We should implement a fee for builders' heavy equipment that travel on our roads.
- Alissa W: Agree, it is called a "capital permit" fee. This should be attached to the resale Certificate.
- John S: BHW does not have a security check in gate. How do we monitor contractors?
- Rich K: Are there plans for another community Yard Sale at the mailbox area?
- Alissa W: The social committee is working on a date.
- Alissa W: Last week a bear pushed over our fence and BBQ smoker. It was attracted to the meat aroma. I will remind property owners via letter—hide AC unites, propane tanks, etc.
- Rich Klein: I contacted Blooming Grove FC regarding a June date for the annual BHW POA meeting.
- Rich K: I am requesting stone or river rock to be laid in the ditch at my property street border. Hopefully this will solve the water problem. I contacted Pete Fox of Provisions.

BLUE HERON WOODS: ANNUAL POA MEETING
SATURDAY JUNE 13, 2020, 11 AM

Covid 19 Virus Situation; Pike County is in the Yellow Phase. We were not permitted to conduct the annual BHW POA meeting at the Blooming Grove Fire Company on route 739. The BHW Board of Directors conducted a Budget Review (June 1, 2020 to June 1, 2021) via conference call. (FreeConferenceCall.com)

Minutes recorded by Coach Lou Lombardo

BHW BOARD ATTENDANCE

President: John Scagliotti

Vice President: Rich Klein

Treasurer: Alissa Weiss

Sgt Arms: Coach Lou Lombardo

Alternate: Bob "Captain" Geis

Architect Review Committee: Ryan Neenan

Social Committee: Mary Anne Lewis

ABSENT: Secretary Carolyn Szalski

ABSENT: Architect Review Committee-Rebecca Rivera, Will Rivera

MEETING PROTOCOL: John Scagliotti: Our attorney (John Spall) has recommended that we call the Annual BHW POA meeting to order, then adjourn due to the lack of a quorum.

Therefore, I am calling for a vote to take 'said' action.

VOTE: John S-Yes; Rich K-Yes; Alissa W-Yes; Lou L-Yes

---John S: We will commence with an official meeting of the BHW Board of Directors by reviewing the budget.

---Alissa W: I emailed a spread sheet that covers the 2019-2020 budget and the 2020-2021 future budget (SEE ATTACHED BUDGET). I will check with PNC bank to set up an account for the "BHW Social Committee". Ryan Neenan operates the BHW web-site; there will be a new light at the entrance; possible rock/stone project at the street. Cat Man Do is under a 3 year contract for snow plow services. We upgraded the Kiosk (2 mounted bulletin boards) funding to \$1,000.00.

---Ryan N: You usually pay me in February or March. That is when the bill arrives.

---Alissa W: The total balance in the BHW account entering the 2020-2021 fiscal year (June 1 to June 1) is \$149,650.87. I will re-submit the budget to cover the 2 mounted bulletin boards.

---John S: Steve Gersbach built the kiosks for \$400.00. We will send him a refund check; Bob Geis will install at the 2 BHW entrances at a cost of \$505.57, covers screws, shingles, plywood, backhoe/trailer rental, concrete, and pressure treated posts).

---Mary Anne L: Do the guys have the go-ahead for the install?

---John S: Yes, they can install immediately. Where exactly do we want to locate the kiosks?

---Ryan N: There is a clear area opposite the side of mailboxes at the Route 402 entrance (BHW South)

---Rich K: We must place out of range of the snow plow trucks.

---John S: We should install at BHW North to be at the mail box parking lot area.

---Mary Anne: I am concerned about installing on the paved area. Should we place at the entrance on the right or the exit on the left?

---John S: It must be free of traffic flow.

- Lou L: Should the install be on the pavement or on the grass area?
- John S: The grass area is most logical. We will not need to disrupt the paved area.
- Mary Anne: I volunteer to be the curator of the kiosks bulletin boards.
- Lou L: I assume you were an elementary school teacher.
- Mary Anne: I have a background in outdoor education.
- Lou L: I dub you the “Kiosk Curator”. (Unanimous board approval was granted)
- John S: The Covid 19 virus has caused some delay of our maintenance plans. My friend George will help me replace the light at the Route 6 entrance BHW North. It is an LED light with a 10 year warranty. The cost is \$400.00 which replaces the original (burned out) light that has a \$1,000+ replacement cost.
- John S: When can we reschedule the annual BHW POA meeting? Rich will communicate with Blooming Grove FC to see if a September or October date is available. This is pending the Covid-19 regulations. If it is allowable we must give a minimum notice of 30 days to BHW property owners.
- Mary Anne: Can we do a Zoom meeting?
- John S: It is a possibility. I will discuss with our attorney. Obviously, all POA members must have access. I do prefer an in person meeting. We must progress to the Green Phase. Our attorney’s office is presently closed.
- John S: Since the NPDES permit issue is complete I wish to schedule executive board meetings at least every 4 months.
- Lou L: I agree
- Bob Geis: Checked in at 11:28 AM.
- John S: Thank You for volunteering for the kiosks installations. We must contact PPL for digging approval. Call “811” and mark the area with white paint, The service will place red flags to locate underground utility lines.
- Lou L: We can meet after this session. I will supply the field paint. We can mark the requested install sites with 811.
- Rich K: I prefer October for the annual POA meeting. It will be further from the Green Phase and hopefully normal.

Bed n Breakfast Rental Issue

- Lou L: The B n B matter should be on record as per Lackawaxen Township Guidelines.
- John S: I will mention this matter to our attorney. Presently, there is no specific policy in Lackawaxen Township. We will also check with Blooming Grove Township and Palmyra Township.
- Rich K: Check with Palmyra Township regarding a home at the Decker Drive cul-de-sac being a possible B n B.
- Lou L: The BHW covenant does not allow businesses. However, there is no specific mention of home rentals. We are a private community.

ATV Trespass Issue

- Ryan N: This summer I have seen many ATVs on the logging pathway at BHW South. Some ATV drivers have stated there is no sign. We should install a sign at the chain area.
- John S: We will check that area today and identify a location for a sign.
- Rich K: We can get a deal for a sign on Amazon.com.

ADJOURN: 11:40 AM

Bob Geis, John Scagliotti, and Lou Lombardo marked the 2 Kiosk installation sites with white paint “811”. We evaluated the ATV trespass access area. We will need more than a sign to deter.



Board Minutes

11:00 AM November 1, 2020

Minutes recorded by:
Ryan Neenan

Members Present:

President - John Scagliotti;

Vice-President - Rich Klein;

Treasurer - Alissa Weiss Wade;

Sgt Arms - Lou Lombardo;

Alternate - Bob Geis;

Architect Committee: Wil Rivera, Rebecca Rivera, Ryan Neenan

**Due to COVID concerns, the meeting was held outside and followed social distancing and mask guidelines.*

Item 1: Secretary Resignation

Caroline Sazalsky Hart has resigned her position as Secretary for the board. The board thanked her for her service and wished her well. The board agreed that a temporary replacement is necessary. Ryan Neenan has volunteered to fill that role. The board voted 5-0 to approve Ryan as Acting Secretary. Formal election of a full replacement will take place at the next annual meeting.

Item 2: Snow Plowing

Due to a personal loss by its owner, the board has contacted Catmando Snow Plow Service to verify he would continue our snow blow service for this season. Rich made the call and confirmed that they will continue service.

Item 3: Bulletin Boards

The Bulletin boards have been placed. Landscaping needs to be done around the bases, and will be done in the spring. The Social Committee will continue to take care of what the bulletin boards display. John has been given the extra key.

Item 4: Trespassing on Property

Ryan had expressed concern over a growing number of outside ATVs driving on our roads and in the area between Springwood and Wedgewood where the retention pond is located. Any damage to the drainage in the retention pond area could bring fines and/or be costly to fix. Many of the ATVs seem to be non-BHW residents, and many have trespassed on BHW home owners land.

- Rich has talked to the state police who have said it is our responsibility to get pictures of trespassers and report it to the police so they can follow up. The board agreed to research the use of trail cameras to document trespassing incidents. More discussion is needed on placement and purchase. Discussion will continue at the next meeting.
- It was agreed by the board that signage is necessary to deter trespassing. Rich and John discussed cheaper aluminum signs vs. "municipal grade" signs. More research on cost and exact wording will be forthcoming and discussed at the next meeting. Placing signs may require poles if one does not exist or if a tree is not in a good location to hold it. It was agreed that it seems 5 signs may be needed: one at the cul-de-sac on Springwood, one on the cul-de-sac on Wedgewood, one in between these cul-de-sacs at the Retention Pond, and 2 in the Cul-de-sacs off Blue Heron Way with public property.

Item 5: Violation of Use Restrictions

The board will draft and send a letter to two homeowners that are in violation of Section 6.02 from the Declaration of Protective Covenants.

Item 6: Trespassing Warning

The board will draft and send a letter to a non-BHW resident who has repeatedly trespassed on BHW roads with unleashed dogs. Electronic leashes are not the same as real leashes.

Item 7: Student Drivers

Rich noted that he has spoken to a driver from an outside private company who has been using our roads for students who are practicing driving. Rich commented that the driver agreed not to use the roads and he has not seen them since.

Item 8: Vacation Rentals

The ongoing discussion about what rules BHW needs to establish to police vacation rentals was continued. The board agreed that rules need to be set now before rentals become a big problem in the community. Communication with Lackawaxen township has not yielded any progress on a township wide rule. Thus, the following ideas were put forth for discussion to establish BHW specific rules:

- For our purposes, "Vacation Rentals" encompasses short term rentals, usually less than 1 months' time.
- Only members in good standing (e.g. dues up to date) are eligible to rent
- A fee will be charge yearly to anyone who wishes to rent their home throughout the year. The fee will be nonrefundable. The amount is TBD.
- Potential Renters must register with BHW before renting. This registration will be renewed every year.
- Tenants may not park on the street.
- Restrictions will be put in place to limit the amount of tenants – most likely 2/bedroom of the house.
- Land owner is responsible to any damage or fines caused by the tenants.
- Noise restrictions will be put in place for tenants. This includes fireworks.
- ATVs will not be used by any tenants on BHW roads.
- Land owners must give a copy of the Rules and Regulations of BHW to all tenants.

More discussion on these rules will be happen at the next meeting, with a formal write-up and adoption in the near future. Dissemination of these rules when adopted will be through some kind of mailing or email to all land owners.

Item 9: Road Maintenance

Rich has set-up once again Pocono Spray Patching to patch our roads at some point before the end of the year. Discussion about future road maintenance briefly followed. Alissa commented that future budgets will have to start putting aside more money for future repaving necessities.

Item 10: ARC Update

Wil and Rebecca commented that there are two houses almost complete, and one that has started recently but has a foundation pad already installed. They commented that the established building permit procedure outlined in the ARC Handbook is not being followed by many builders. One builder may also go over the one year limit on the permit, causing a renewal. The question of enforcing our procedure was discussed.

Item 11: Future Meetings

As schedules allow, a future board meeting will be scheduled at some point in the near future to revisit some of the above items.

There being no more business, the meeting was adjourned at 12:02 PM.

Ryan Neenan

BHW Directors Meeting with Attorney John “Jack” Spall

Saturday April 24, 2021; 9:30 AM
Spall, Rydzewski, Anderson, Lalley, Tunis
2537 Route 6, Hawley PA 18428
570-226-6229

(Minutes recorded by Lou Lombardo)

SUBJECT: Short Term Rentals; Bed n Breakfast Policies and Trespassers

- ATTORNEY: Jack Spall
- BHW Representatives:
 - President-John Scagliotti
 - VP-Richard Klein
 - Treasurer-Alissa Weiss
 - Sgt Arms-Lou Lombardo

--John Scag: We want to create a B n B policy. Lackawaxen Township does not have a policy.

--Jack Spall: The municipalities are not pursuing it. Paupack Township is putting the onus on individual communities. Reason-fear of lawsuits. Lackawaxen Township told the Tink Wig community the B n B issue is your responsibility.

--John Scag: BHW covenant “Residence is a single detached building allowed for one family”.

--Jack Spall: The BHW covenant has decent language.

--John Scag: A household includes extended members The B n B is not renting to a family unit. Our concerns are noise, road wear, trash, ATV’s, fireworks, firearms. We are seeking your guidance to write a policy.

--Jack Spall: You can only regulate the property owner. Palmyra Township requires the property owner to report to the home within 2 hours of a complaint. The BHW directors can write a rules and regulations policy which can be enacted. A by-law change will require a 67% vote from the BHW property owners. I recommend the rules and regulations method.

--John Scag: Previous meetings with the BHW Board have the following proposals: The B n B property owner must register, pay a yearly fee, must be a reliable property owner, parking guidelines, number of people allowed, noise.

--Jack Spall: Advice; the building permit dictates the number of bedrooms and the septic capacity. This determines the number of people allowed. Health and Safety is your reliable argument.

--Jack Spall: The property owner must post the BHW regulations in the house.

--Jack Spall: Some private communities have declared that no short term rentals are allowed. I am not sure they can enforce it. Renting a home is a property owner right. There is a B n B home at Rough Grouse Ridge that charges \$1,000.00 per night. The BHW covenant has better wording for controlling short term rentals. It is probably better to make 3 night rentals the minimum.

--Lou L: What is the norm for a yearly registration fee?

--Jack Spall: The fee amount is up to the BHW directors.

--Lou L: Our fee will be earmarked for road repair and the maintenance of common grounds.

--Jack Spall: Hang your hat on the septic system rule, accidents, and forest fires.

- Lou L: Can we rule that renters are not permitted to operate ATM's, snowmobiles, etc on BHW roads. Does this clear us from lawsuits in the event of a violator having an accident?
- Jack Spall: BHW will not be totally immune to a lawsuit. The association is responsible for road issues. Even though they violated the ATV rule and there is an accident, trespassers are protected, BHW has some responsibility. You cannot be the community police. If you see a violation report it to the B n B property owner. I recommend a graduated fine structure.
- John Scag: The BHW covenant fines are very low.
- Lou L: Can we require a minimum home owner insurance liability coverage and be a certificate holder.
- Jack Spall: You can require that the property owner provide the insurance information when they register for a yearly permit. Blue Heron Woods Property Owners Association should be listed on the certificate to the policy.
- John Scag: What if a home owner circumvents our rules? BHW does not know they are renting.
- Jack Spall: BHW is not free of responsibility if there is an accident on your roads. You should write the B n B policy and send it to all BWH property owners before the June annual meeting.
- John Scag: Due to the Covid 19 restrictions we have only had board meetings.
- Alissa W: I will set up a virtual meeting "Zoom". Presently, we cannot rent a rental building due to covid policies.
- Jack Spall: Say that it is not economical and practical to have an outdoor meeting (tent rentals).
- John Scag: Settlers Inn was \$700.00; Blooming Grove FC was \$50.00. None are available.
- Jack Spall: The Annual Meeting announcement should indicate that there are no available venues. Virtual Meetings did not exist when the BHW covenant was written.
- Alissa W: There are 2 options for a virtual meeting: Dial in or Zoom.
- Jack Spall: Your annual meeting deals with reports, questions and answers. This can be accomplished with a virtual method. Record any questions that you cannot immediately answer.
- Rich K: Does the school rent out rooms?
- Jack Spall: Yes! The LW HS gym seats 2500 and the football stadium seats 3200 (1500 people are allowed for the 2021 graduation). Call LW HS Principal Jim Cane. They may say no because they disinfect every night.
- A Weiss: A virtual meeting is more convenient and safer.
- John Scag: We have a TRESPASS problem at BHW south (off of the route 6 entrance) ATVs are riding on the old logger trail and in the BHW north wetland space.
- Jack Spall: Report this to the Department of Conservation. Their people will investigate the wetland area violations (retention pond area). POST SIGNS that state CRIMINAL VIOLATION. You can use generic postings or custom signs.
- Rich K: You can use purple paint
- Jack Spall: Few people know the meaning of purple paint markings.
- Rick K: Some BHW Board slots were up for election for 2020. Can we skip 2021?
- Jack Spall: Put all 5 candidates on the ballot.

--John Scag: We sent a letter to a property owner who had commercial vehicles parked on Decker Road. We mentioned the violation of firetruck, ambulance, and police access. The person moved the vehicles.

--John Scag: Jack, we have yet to receive a bill from your law firm.

--Jack Spall: We will get you a BILL asap.

--Jack Spall: I will draft Recommendations for B n B Rules and Regulations within the next 2 weeks. The BHW board can enact the policy immediately.

--Jack Spall: Put a RSVP date on you Zoom Meeting announcement.

BLUE HERON WOODS POA DIRECTORS MEETING
PHONE/VIDEO THURSDAY DECEMBER 16, 2021, 7 PM

Minutes recorded by Lou Lombardo

BHW BOARD ATTENDANCE

President: John Scagliotti

Vice President: Rich Klein

Treasurer: Alissa Weiss

Secretary: Ryan Neenan

Sgt Arms: Coach Lou Lombardo (Sandy Lombardo)

Alternate: Bob "Captain" Geis

Alternate: Tom Regenski

Architect Committee: Rebecca Rivera

TOPIC: Short Term Rentals in the BHW Community

---John S: I met with our attorney (Kyle Kovich, Spall Associates) on Friday December 10, 2021. I notified the firm that BHW will not allow short term rentals. We will allow 30 day minimum rentals with regulations and fees (payable to BHW).

---John S: Pike County communities who have banned short term rentals:
Fawn Lake, Hemlock Farms, Ting Wig (presently in litigation)

---John S: Our attorney has recommended that the BHW Board establish a NO SHORT TERM RENTAL policy in our Rules and Regulations. Send notification of the policy by official letter to Lackawaxen Township, Blooming Grove Township, and Palmyra Township. Lackawaxen Township enacted ordinance #114 in April 2021 which requires a permit for landlord home renting effective 2022. The ordinance states that private HOA's have the authority to ban short term rentals. Lackawaxen Township will not accept applications from BHW for short term rentals.

---John S: If BHW allows rentals of 30+ days we will need to establish regulations/fines, and fees. This will require a management service (ie. real estate agency). The collected fees must cover this expenditure rather than BHW POA dues.

---Alissa W: Should the policy be in the by-laws or rules/regulations. By-Laws require a 2/3 vote of approval from the entire BHW property owners. Rules and Regulations can be passed by the BHW board.

---Ryan N: My in-laws live in Hemlock Farms. I will investigate if their policy is a by-law or a rules/regulations.

---John S: Hemlock Farms allows 30+ days rentals with the following requirements:

- A copy of the lease must be submitted.
- There are occupancy limits.
- Names of all tenants must be submitted.
- Vehicles must be registered.
- There is a fee based on number of days rented (30 day minimum).
- There is a fine schedule for violations.

---Tom R: What if there is a 1 year rental?

---John S: All rules/regulations will be in effect. The landlord must be a BHW property owner in good standing.

---Rebecca R: Currently there are two rental properties in the BHW community. They probably have reservations for 2022. Should we give the landlords 90 days.

- John S: First, we send a registered letter to the 3 townships. Anyone from BHW will be denied a permit. We should consider temporary regulations. Lackawaxen pulls permits from landlords with 3 grievances. There may be some pushback.
- Ryan Neenan: I will draft the letter within 48 hours.
- Alissa W: I recommend short term rentals stop effective March 31, 2022.
- John S: We can give a 3 month period of grace. We will need another meeting to establish rules and regulations. Then we send a notification letter to all BHW property owners.
- Tom R: Has anyone ever contacted the BHW Board announcing that they rent out their Home?
- UNISON BOARD MEMBERS RESPONSE ----- **NO!**
- Alissa W: I have received numerous calls from prospective property buyers who asked if BHW allows renters. I tell them that we are developing a NO RENT policy.
- Sandy L: I recommend that we send letters to the 3 townships via Next Day certified delivery.
- John S: Yes, such as Priority Mail Express.
- Tom R: I will personally deliver the letters to the 3 township buildings
- Lou L: Kudos to Currier Tom.

**THE BHW BOARD OF DIRECTORS CALL FOR A BAN ON SHORT TERM RENTALS
(WHICH IS DEFINED AS LESS THAN 30 DAYS)**

DIRECTORS VOTE: 5-0 to ban short term rentals

ATTENDING BHW MEMBERS VOTE NO

John Scagliotti

Rich Klein

Alissa Weiss

Ryan Neenan

Lou Lombardo

Bob Geis

Tom Regenski

Rebecca Rivera

Sandy Lombardo

ADDITIONAL MATTERS:

John S: Lou and Sandy L reported a dumpster at the home under construction (across from their property) is overflowing and the porta john is overturned. Debris has drifted to their property. I contacted the owners. The dumpster was filled by trespassers. There is household trash including an exercise bike. The owners will have it removed.

John S: The Post Office has requested lighting at the mailboxes lot. Keith Depew is researching lighting options.

Rich K: There was a black vehicle sitting on 4 jacks at the mailboxes lot. This was a dangerous situation. I spoke with the owner. The vehicle has been removed.

Next Video/Phone Meeting Tuesday December 28, 2021 at 7 PM.

AGENDA: Draft Policy regarding Short Term and Long Term rentals.



Board of Directors Meeting Minutes

7:00 PM December 28, 2021

Minutes recorded by:
Ryan Neenan

Due to continued COVID-19 issues, this meeting was held online.

Board Members Present:

President - John Scagliotti;
Vice-President - Rich Klein;
Secretary – Ryan Neenan;
Sgt Arms - Lou Lombardo;

Not Present:

Treasurer - Alissa Weiss;
Alternate - Bob Geis

Others Present:

Rebecca Rivera, Sandy Lombardo

Item 1: Short Term Rental (STR) Ban and Long Term Rental (LTR) Rules and Regulation Overview

1. Review: Vote to ban STR was accepted last meeting. Notified attorney of vote. All three townships have been notified.
2. Updated Rules and Regulations for Renting have been distributed via email. They have been recently revised by our attorney. What further questions or issues do we need to discuss?
3. Ryan: question about STR and LTR wording and length of time. John has forwarded to attorney.
4. Fine Structure. New rules state “fines set by board” but right now by-laws establish a fine structure. Need to ask the attorney – what can we do to change? Does the statement in the LTR regulations contradict what the by-laws say?
5. If we do change the fine structure, how much do we change it by. Does the attorney have suggestions?
6. Our fine structure talks about first offense. What does that entail? One rental, or one day of rental? For example, Hemlock Farms mentions fines per DAY rather than instance.
7. Need fine structure to be punitive and as easy as possible. Everyone is in agreement!
8. Lou: need to maintain and enforce that property owner is responsible for everything tenant does.
9. If renters are continually drawing fines, can we establish a procedure to take away their right to rent? This would involve setting up a “so many fines in a certain time” limit. John will ask Attorney how to add this.
10. Fee structure: One fee per instance of lease. Fee would be charged again at renew of lease.
11. What should fee be? How much? This needs to be further discussed.
12. Motor vehicle definition (Lou) should we be specific with campers, trailers, and boats.
13. Typos corrected in document (Sandy)
14. Who signs off on the lease application? – treasurer since they have to check if they are in good standing?
15. What are avenues to go about if STR people do not stop? John: immediately consult attorney and go from there.
16. John: Want a complete mailing to go out with fee and fine structure.
17. Thanks to John for all his hard work!

18. John will forward questions to attorney. He will compile final results and send to board via email for comment. He request all board members reply via email about the changes. Once all questions are answered, it will be sent to Ryan to compile and Alissa to mail out to the association.

With no other business, the meeting was adjourned at 7:45 PM.

Respectfully Submitted,

Ryan Neenan

Secretary



Annual Meeting Minutes

7:00 PM January 17, 2022

Minutes recorded by:
Ryan Neenan

Due to continued COVID-19 issues, this meeting was held online.

Board Members Present:

Vice-President - Rich Klein;
Secretary – Ryan Neenan;
Treasurer - Alissa Weiss;
Sgt Arms - Lou Lombardo;
Alternate - Bob Geis

Not Present:

John Scagliotti (President - Resigned)

Others Present: Rebecca Rivera, Sandy Lombardo, Tom Regenski

1. Call to Order: 7:04 PM.
 - a. The meeting was scheduled due to the resignation of President Scagliotti.
 - b. The meeting was called to order by Treasurer Weiss
2. Lou: Some Notes from John:
 - a. Would like everyone to consider that we have Tom R. be the BHW liaison dealing with the attorneys and other officials due to his experience and knowledge of the area.
 - i. Tom: is willing to fill this role to keep things moving forward.
 - b. Also wanted everyone to know he is available for advice.
 - c. At June in our annual meeting, some board members are up for election again. We will have to decide who is up and who will serve a full two years.
 - d. Kyle was sent copy of most recent by-laws and made them aware of where we stand. Fine schedule needs to be established strictly applicable to long term rentals only. We are waiting on feedback from Kyle
3. Tom will reach out to attorneys to see where we stand on our final recommendations and questions about the short term and long term rental policy.
4. Application for LTR must be created.
 - a. Contact Hemlock Farms for LTR application ideas by Ryan. Tanglewood Lakes Tom will try and get.
 - b. If a form is necessary, Ryan will create with guidance from other places.
5. Fee structure for the application needs to be decided. Board recommends a \$100 fee per instance of rental lease.
6. Fine structure – Question do we need a separate for these new rules, or just keep or modify the original in our by-laws?
 - a. How do we assess fines? Take pictures and/or videos.
 - b. Fine schedule will need to be made up for LTR before sent out
 - c. Can a way for landlord to lose his/her permit if excessive fines be established? Questionable legal grounds.
7. General Mailing with new rules, fees, and possible fines needs to be sent asap as soon as we hear from the lawyer.
 - a. Need to remind everyone about general rules and regulations.

- b. If possible, Send stuff out before February.
8. John has resigned as President, effective January 5th, 2022. The remaining board members thank John for his service over these many years and wish him well.
 - a. The Board unanimously votes to appoint alternate Bob Geis as the fifth member of the board. He will fill the remainder of John's term until the next annual meeting.
 - i. Bob: I agree with the new Rental rules that will be put into effect.
 - b. The board will not reorganize at this time, and will leave the officer of President open, with VP Rich Klein taking over the Presidential duties. Reorganization will happen after the next annual meeting in June.
9. The Board will reconvene as soon as we hear back from our lawyers on the latest revisions and questions.
10. Rich: Update on signs - Signs for community (speed limit etc) have been in the works and going forward.

With no more business, the meeting was adjourned.

Respectfully submitted,

Ryan Neenan

Secretary



Board Meeting Minutes

1:00 PM March 6, 2022

Minutes recorded by:
Ryan Neenan

Due to continued COVID-19 issues, this meeting was held online.

Board Members Present:

Vice-President - Rich Klein;
Secretary – Ryan Neenan;
Sgt Arms - Lou Lombardo;
Member - Bob Geis

Not Present:

Treasurer - Alissa Weiss;

Non-Board Members Present:

Rebecca Rivera (ARC Committee)
Sandy Lombardo

1. Call to Order: 1:25 PM
 - a. The meeting was called to order by VP Klein
2. Rental Update and Discussion
 - a. The rental rules were distributed, and so far, the board has received only positive comments.
 - b. Question: do we have confirmation of receipt for those few copies of the rules we set certified? Need info from Alissa
 - i. No response from Abby Pittenger regarding the new rules and the property she manages.
 - c. Question: When people do start applying for long term rentals, will the upkeep be too much for a volunteer?
 - i. Opinion: Any budget needed to possibly pay some kind of property manager for this should come directly from the rental application fee, and not be part of our annual budget pie.
 - ii. More discussion is needed.
 - d. Current Short-Term Rentals up until 5/1/22: How does our insurance cover this situation? What are our insurance risks right now with these STR situations?
 - i. Would this be a lawyer question, or do we need to **talk with a rep from our insurance**
 - e. VP Klein plans on visiting the Lackawaxen Township Building to report a possible sewage violation in a current STR. This renter has not filed for a permit from the township.
3. Future Attorney Questions – the board discussed numerous scenarios which need to be brought up with our attorneys:
 - a. What is BHWPOA liability (if any) if a member or guest or renter violates: (Such as: tree removal, dumping, destroying of property etc):
 - i. Department of Conservation and Natural Resources/Pike County Conservation District/Environmental Protection Agency regulations
 - ii. PA state game land regulations
 - iii. township ordinance/regulations

- b. What is the protocol for reporting violations? Who does a BHW owner notify if there is a discovery of a violation: police, township official, DCNR, PCCD, EPA, authorities? Is this the duty of the BHW POA Board of Directors or the BHW Attorney?
 - c. What does our insurance cover in these situations? (maybe an insurance question)
 - d. Many members have backed dues for more than 5 years. The POA is losing out on interest on this money. Is it possible to fine a member who does not pay dues (in addition to the lien)? If so, how would we establish this?
 - e. Is it legal to distribute a list to all BHWPOA members of all members and their dues status, either by email or on a public website?
 - i. Alissa needs to provide an updated list of those who are not current on dues to the board.
 - f. Is there a more efficient wording or higher amount for our fine structure that may serve the community better and produce better results from violations?
4. Possible Future Rules and Regulations – the board briefly discussed possible topics for future rules and regulations. Discussion was tabled until a time in the future when the full board could fully discuss the matters.
- a. Limiting Building contractor time (eliminate late hours, limit Saturday hours, and eliminate all Sunday hours)
 - b. Banning the posting of Real Estate signs in the community.
 - c. Rules about colors of large tarps for things like boats, trailers etc.
 - d. Directives on Fireworks – banning them on public property (such as roads and cul-de-sacs)
5. Signs and Barriers
- a. VP Klein commented on the plan to install speed limit signs in various places in the community later in the spring. While he has several people to help, more volunteers would be welcome.
 - b. Sec Neenan commented that at the same time, No Trespassing/No ATV Signs and metal barriers blocking the access road between Wedgewood and Springwood should be installed. This has been a topic for some time and needs to be done before the summer.
6. Future Meetings
- a. VP Klein commented he intends to hold a meeting in both April and May to prepare for the annual meeting.
 - b. The annual meeting will be either the first or second Saturday in June (June 4 or 11), place TBD.
 - i. Two board positions will be up for reelection, serving only one year due to the blip of no meeting in 2020. The position previously held by John Scagliotti, occupied by Bob Geis until the election, will be one position up for election. The second board member up for reelection is TBD.
 - ii. John Scagliotti has agreed to continue to help the board in their communication with the Pike County Conservation district.
 - iii. When the mailing happens for the annual meeting, a reminder note about the current rules about guns and ATVS will be included.

With no more business, the meeting was adjourned at 2:48 PM.

With respect,

Ryan Neenan

Secretary

BLUE HERON WOODS POA DIRECTORS MEETING

PHONE/VIDEO TUESDAY APRIL 19, 2022; 6:30 PM start

Minutes recorded by Lou Lombardo

BHW BOARD ATTENDANCE

President: OPEN

Vice President: Rich Klein

Treasurer: Alissa Weiss

Secretary: ABSENT (Ryan Neenan)

Sgt Arms: Lou 'Coach' Lombardo (Sandy Lombardo)

Alternate: Bob 'Captain' Geiss

Alternate/Attorney Liaison: Tom Regenski

Architect Committee: Rebecca Rivera

Social Committee: Maryanne Lewis (Dave Lewis)

TOPICS:

- Select a June date and venue for the 2022 BHW POA Annual Meeting.
- Discuss an email that Alissa W received from a BHW POA homeowner. A request for indenture information that may be in the By-Laws.
- Update on the BHW rental policy and fine structure.
- Unpaid BHW POA dues, late fees, liens, etc.

---Alissa W: The fiscal year starts on June 1, 2022. I recommend Saturday June 4, 2022 for the meeting. It can be located at a venue or virtual or both.

---Sandy L: Have Pike County POAs returned to 'in person' meetings?

---Maryanne L: We should meet in person.

---Lou L: Ryan Neenan has communicated with Wallenpaupack school officials for a room.

---Rich K: I am awaiting a return call from the Blooming Grove FC.

---Alissa W: Virtual will be the backup plan.

---Alissa W: RE: I received an email request for By-Law indenture details from a BHW property owner. The by-laws appear on the BHW web site. Tom Regenski will speak with our attorney (Spall and Associates) for guidance.

---Lou L: The BHW homeowner is probably seeking "grandfather" status regarding the BHW rental policy.

---Maryanne L: Was 'grandfathering' ever discussed with the attorney.

---Tom R: No

---Alissa W: BHW has not denied the right to rent. We established rules for Long Term Rentals. The BHW homeowner in question is in violation of the Lackawaxen Township Ordinance (114) regarding rentals.

---Sandy L: The VRBO web site has a section for filing complaints.

---Lou L: Complaints have been texted, emailed, and phoned to the local project manager who oversees the rentals for this particular property owner.

---Tom R: POA rental restrictions in Pike County is trending. We must make Lackawaxen Township (also Palmyra and Blooming Grove Townships) aware of violations.

---Rich K: BHW By-Laws do not allow property owners to run a business from their houses.

---Lou L: The person may have the business registered at a non BHW address.

- Rich K: I have communicated with the Lackawaxen Township official regarding septic systems. There is a formula for occupancy based on bedrooms, bathrooms, septic size, and allowable gallons of water flow.
- Lou L: There is an investigation regarding encroachment/destruction/damages on the property of a BHW property owner. A surveyor and legal counsel have been secured.
- Alissa W: Pike County, the EPA, and BHW By-Laws have regulations regarding the maximum amount of clearance that can be done on a property. Permits and inspections are required.
- Lou L: We must review the BHW Long Term Rental Regulations. Outlaw subletting by the owner and outlaw subletting by real estate agencies. I have been advised that there should be no more than three 30 leases permitted in a year.
- Tom R: The BHW fine structure is a per diem rate. The attorney advises that the BHW Board of Directors review and refine the fine structure.
- Sandy L: Do we have information on the fine structure of other Pike County POAs?
- Maryanne L: I have spoken to people from neighboring POAs. They shared violation issues (loud late parties, drugs, alcohol, vehicle speeding, trespassing, etc). There are fine structures that are set at \$1,000.00 per day.
- Alissa W: We can set the fine structure under the category of BHW Rules and Regulations.
- Lou L: Motion for Discussion of Fine Amounts under BHW Rules and Regulations for rental violations. Unanimous vote to discuss.
- Tom R: Short Term rentals are not permitted. Lackawaxen Township requires a STR permit. The per diem fine amounts must be increased.
- Maryanne: The Tink Wig POA has a fine structure for illegal renting. We should communicate.
- Rich K: I have communicated with the Tink Wig president. I will call the Tink Wig office this week. I will also inquire about their court case.
- Tom R: I will get the fine structure from the Hemlock Farms POA president. I will contact our attorney regarding the no subletting clause (BHW LT Rental Regulations)
- Lou L: How many BHW POAs are in arrears regarding dues? I am aware that the lot 44 owner is in arrears. Have the liens been renewed (liens are valid for 4 years).
- Alissa W: Lot 44 owes \$1,175.00 plus late fees. There are 4 properties (no houses) in arrears. Two liens have expired. I will renew the liens.
- Alissa W: Alan Weinstein (lot 50) has never paid dues. I will renew the liens.
- Sandy L: Construction on the house across from us on Blue Heron Way has been delayed due to a supply chain problem and a contractor change.
- Alissa W: RE: titles and closings; I handle the resale certificate. Often the buyer pays the late fees of the seller.
- Lou L: What is the process for foreclosures?
- Tom R: There is a Pike County Land Bank website. There are auctions and sheriff sales. The buyer pays the delinquent property taxes, etc.
- Alissa W: Contact the Pike County Administration building (properties for sale).
- Maryanne: Can we mount 'NO SHORT TERM RENTAL' signs at the BHW entrances.
- Alissa W: We can consider it.
- Sandy L: I like the 'NO ST Rental' sign idea.
- Lou L: We can mount on some existing speed limit and stop signs.

- Rich K: I purchased 5 signs (25 MPH) and 2 signs (TRUCKS SLOW DOWN). I will organize volunteers to do the installs.
- Alissa W: Send me the invoices for reimbursement.
- Alissa W: How do we enforce vehicle speeding violations? Reality...we don't.
- Maryanne L: SOCIAL COMMITTEE UPDATE. (Ellen Geiss and Isabel Klein)
- Twenty people are attending the dinner this weekend at the Watering Hole on Route 6 Hawley.
 - Two welcome baskets delivered to owners at BHW north.
 - We are planning a BHW Community Yard Sale.
 - Can Alissa include a request in the Annual Meeting notification letter? BHW POA members please update your email addresses.
- Alissa W: I request updated emails in the Dues Notification letter.
- Sandy L: RE: The agenda for the June 4, 2022 Annual Meeting. The Long Term Rental Rules, item #13 should have a fine amount.
- Tom R: The amount can be fluid. I will email our attorney.
- Lou L: BHW has yet to receive a bill from the attorney.
- Tom R: We will get a bill once we take action.

Miscellaneous Business

- Maryanne: Is the board membership number locked.
- Lou L: No, we can increase the Board of directors as long as it is an odd number. It is currently at 5 members; we can move to 7 members.
- Rich K: We must mark all cracks and fissures on our roads. These must be sealed ASAP.
- Alissa Weiss: I will take on-line payments for 2023 BHW dues.
- Rich K: We will need a meeting to prepare for the June 4 annual BHW POA meeting.
- NEXT MEETING:** Wednesday May 11, 2022 at 7 PM.
- VENUE:** The home of Maryanne and Dave Lewis 320 Blue Heron Way and via ZOOM.



Board Meeting Minutes

7:00 PM May 11th, 2022

**Minutes recorded by:
Ryan Neenan**

****Due to continued COVID-19 issues, this meeting was held online.****

Board Members Present:

Secretary – Ryan Neenan;
Treasurer - Alissa Weiss;
Sgt Arms - Lou Lombardo;
Alternate - Bob Geis

Not Present:

Vice-President - Rich Klein;

Non-Board Members Present:

Mary-Ann Lewis (Social Committee)
Rebecca Rivera (ARC)
Sandy Lombardo

1. Call to Order: 7:02 PM.
 - a. The meeting was called to order by Lou Lombardo
2. Annual Meeting paperwork was sent out and is all set-up. Budget is in order for meeting. Meeting is set at the Wallenpaupack Area Middle School for June 4.
 - a. Sign for attendees should be put up. Ellen has signs that will work.
 - b. Ryan will make an agenda for the meeting for attendees.
 - c. Will the Kleins bring refreshments – need to verify
 - d. Nametags – Mary Ann will bring name tag holders.
 - e. A reminder via email should be sent out to remind people to RSVP for the meeting. Ryan will send out.
3. Short Term Renter situation
 - a. Possible Renters this weekend on Friday – Sunday. Different license plates (NY and PA)
 - b. The moratorium on short term rentals has expired.
 - c. Not on VRBO anymore.
 - d. Requested documents sent to owner.
 - e. More info is needed and will be investigated, including contacting the property manager.
 - f. Lackawaxen Township will possibly be notified.
 - g. Owner is not current on dues.
4. Investigation of illegal tree clearing.
 - a. Property owner is investigating illegal tree clearing on their property
5. Road Maintenance
 - a. Bob would like to mark issues with road cracks.
 - b. Bob will purchase marking paint.
6. Front Entrance Bulbs need replacement – board will reach out to Keith who knows more about bulbs needed.
7. Taking over the PCCD contact.

- a. Rebecca has agreed to take over as the contact.
8. Lou suggested that we should reach out to younger members of the community to get involved.
9. Intended change to the rules to add "Subletting" clause to the new renting rules. This change will be announced at the annual meeting.
10. Lou wonders if/when our lawyer will send us a bill. We should contact and see where we are standing.
11. With no other business, the meeting was adjourned at 7:53 PM

Ryan Neenan

Secretary