



## **RBYCCPOA Meeting – January 10, 2021**

**This meeting of RBYCC POA Board was held as a Zoom session because of the restrictions from the State of Delaware limiting meetings. Thanks to Samantha Setzer for arranging the “GoToMeeting” session for this online meeting.**

**Board members** John Cikota, President; Andy Staton, Vice President; Howard Cyr, Secretary; James Mease, Treasurer; John Bator; Doreen DiLorenzo, Mark Lane and Will Freshwater. Eddie Engles was absent. Samantha Setzer of Seascape also participated in this meeting.

### **Approval of Minutes of the November 5, 2020 Online Executive Session**

Minutes for the meeting of December 14, 2020 were approved.

**June Kiely and John Matthews, community property owners, addressed the Board regarding water runoff issues.**

### **The problem summarized by Mark Lane**

A month or two ago I was approached by June Kiely who lives at 14 Suffolk Rd. She informed me that Mr. Pat Brogan (her neighbor to the rear of her property who lives on Stafford Rd) had buried his house downspouts and ran them to the rear of his property causing drainage on Ms. Kiely’s yard. Mr. Brogan also dug a trench along the rear fence which caused additional runoff to Ms. Kiely’s property . Mr. Cikota asked Seascape to send a letter to the Brogans asking them to redirect his drainage to the front swale and to be more considerate of his neighbors. The response from the Brogans was dismissive and rude per Seascape. I was also approached by Mr. John Matthews who lives at 13 Sherborne Rd. Mr. Matthews

complained of the same water runoff onto his property and has serious concerns about damage to his hard scape pool deck from runoff water erosion. Both Mr. Matthews and Ms. Kiely approached Mr. Brogan about working with him to help solve the problem. They were told that he would not. They requested to attend a board meeting. They want to join our zoom call/ meeting this week.

**June Kiely, 14 Suffolk Road**, described the water runoff situation, as also described above by Mark Lane. The water collects in the back yard and can stay there, stagnant, for a week or so. The house is owned by June's mother, J. Byers, but June handles her mother's affairs. We told June that a letter was sent to Mr. Brogan, 13 Stafford Road, and that we had contacted Sussex County Natural Resources about the situation. We recommended that she also contact Sussex County, specifically Jessica Watson at (302) 856-2105 ext. 107.

**John Matthews, 13 Sherborne Road** also described the water runoff adding that some of the flooding gets into his pool. The water that stays in June's and his back yard sometime stays around long enough for vegetation to grow and causes foul odors. John said that one of the reasons he moved to RBYCC was because of our covenants and his belief that the Board would enforce these covenants. He said that he now views the problem as a public health issue. He wants the Board to be more aggressive in dealing with Mr. Brogan.

Will Freshwater asked Board members and the property owners to work together “off line” in trying to reach a settlement, saying that there just isn't enough time at our monthly Board meetings to cover this situation without ignoring important work on our revised covenants, new budget items, proposed contracts, etc. Mark Lane, John Cikota and Will Freshwater conferred to revisit alternative solutions.

### **Covenant Committee Report**

No report was given due to a delay by our attorney.

### **Treasurers Report**

James Mease provided the following summary.

We closed out 2020 on December 31 with the following balances:

Checking \$23,820.34; Reserve: \$29,112.48; Bond \$5,967.00

As of Feb 8, 2021 our balances are -

Checking \$58,660.93; Reserve \$29,113.72; Bond \$8,940.00

Our 2020 Federal tax return was completed and signed on Feb 8, 2021.

Some POA members paid dues by credit card in early January because that capability was not turned off prior to the e-mail delivery of our 2021 POA invoices.

Consequently, some members were able to use this method to pay dues prior to the problem being discovered.

An email was sent out on Jan 5 explaining what had happened, advising that dues could not be paid by credit card at this time, but no fees would be charged to any property owners who paid their dues by credit card. As a matter of background, this service was first offered to the POA by Seascope in the fall of 2019. The Board chose not to use it because of the added cost and timing.

We did not revisit that decision for 2021 due to limitations imposed as a result of COVID-19A and the fact we had no annual meeting with the members, but rather just an informational meeting.

If the Board chooses to offer this capability we must first address who will assume payment responsibility for the additional fees associated with this capability which are:

- A flat fee of \$16.00 per month for the use of the service
- A flat fee of \$0.25 per transaction regardless of amount
- a 2.75% charge of the total amount processed on the credit card

Additionally, we may want to do this in time to present to the community at our annual POA meeting in June.

As of February 8, 2021, 56 of 278 households have not paid their 2021 association dues. This represents 20% of our members for a total of \$8,985.00. Additional late fee charges associated with prior delinquency letters brings the total outstanding dues payments to \$9,969.25. It was decided that rather than issuing Delinquency letter beginning on or about Feb 15, 2021 and recurring each month after until paid we would first send an e-mail notice to delinquent members for February. One (1) member/household continues in arrears for multiple years now totaling \$859.25 (Martin Cannon III, 5 Somerset Road).

Our Budget vs Actual report as of Feb 8 shows no over budget line items.

Executive Lawns Landscape contract expired on Dec 31, 2020. We had additional

landscape costs last year for Arbor Care \$80.00, Storm Cleanup \$433.00, and \$112.50 for removal of box woods from the Kingsbridge entrance island to make room for the New Sign.

We have insured our new sign at the Kingsbridge Rd. entrance for \$20,000 on our existing insurance policy. Our current insurance policy expires December 13, 2021.

## **Management Report**

The dog station that was located on the property located at the corner of Country Club Road and Kingsbridge Road was moved closer to the adjacent home and that owner objected to the move. The Board voted to relocate that dog station to the island in the center of Kingsbridge to the south of the new entrance sign.

Subsequent to our Board meeting, some Board members suggested that having the dog station in the middle of the road might cause safety issues, particularly when one is walking with a dog or two and has to maneuver crossing the highway. Mark Lane will talk with the owner of the property being developed and come up with another location for that station. Mark will get back to the Board with his suggestions.

The Board expressed concern about storm drains that repeatedly get covered with mulch, leaves and, in some cases, have been covered with rocks, or even a plastic sheet. The Board asked Samantha to contact Sussex County to see if we can get a map showing the locations of all the storm drains in our community. It was suggested that the Board seek proposals, or add on to our existing proposals, to cover regular inspection of the storm drains and regular maintenance to assure that the drains are open. Andy, Will and Doreen will work on this issue and get back to the Board.

Foxx Electric has told Mark Lane that changes to the lights that illuminate our new sign will be done, saying that it's on their list to do, but just haven't been able to do it so far.

## **Committee Reports**

- **Building Approval Committee**

Mark Lane reported that a homeowner had requested a discussion with a Board member to locate a shed on his property. Mark has agreed to meet with him.

- **Common Area Oversight Committee**

Two property maintenance proposals have been received. Total Landscaping's bid was for \$5808 and included 28 mowings. Minni Mowing's bid was \$5100 for the same number of mowings, but included more mulch than did Total Landscaping.

The proposals will not include mowing the grass along the Country Club roadway in back of 2 Sheffield and 4 Sheffield Road. This property is not community property, but belongs to the State of Delaware with the provision that the home owners at 2 Sheffield and 4 Sheffield Road have the responsibility to care for that land.

The Board approved a motion to rewrite the proposals and resubmit them with language to cover additional mowings, if needed, and to cover the regular inspection and maintenance of the storm drains if possible.

- **Welcoming Committee**

Doreen showed us a copy of a “welcoming” booklet. Samantha said that all new homeowners get this when they first settle in our neighborhood. A motion was approved to table further discussion on details of the Welcoming Committee.

### **Covenant Committee Report**

Eddie Engles was absent and will address the changes to the covenants at our next Board meeting. In Eddie's absence, Will Freshwater volunteered to contact Bonnie Benson tomorrow, February 11, to determine if she is able to deliver her written advice on the legal issues with regards to our covenants, or whether we must seek that advice from a different source.

### **New Business and Board Suggestions**

Unfinished business from our last meeting - John Bator is working on a document dealing with our communication needs. He will present this at a future Board meeting.

Discussion of “Succession Planning” should take place at our next meeting.

The next meeting will be on Wednesday, March 24 at 6 pm.

No date was set for our meeting in May. There may be a need for an additional meeting in preparation for our annual meeting for all members. Jim Mease said that the May meeting should cover our finances in some detail, also in preparation for our annual meeting.

Respectfully submitted,

W. Howard Cyr  
Secretary, RBYCC POA

RBYCC POA is managed by:

