

# *Big Sandy Homeowners Association*

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## 2003 Annual Association Meeting – Minutes July 12, 2003 Cottage of Donna & Charlie Brown

### Attendance

Sandy Prince, Cynthia & Joe Jackman, Warren & Bonnie Mattiello, Sandy & Bruce Meader, Ted Gibbons, Maria Civita, Bickie & Bill Webster, Claudette & Dick Dailey, Dick Yost, Paul Paget, Joe Walsh, Patricia & George Dehner, Jim Myers, Rachel Carrier, Linda & Paul Mishkin, Donna & Charlie Brown, Debbie & Al Villanucci (Proxy votes: Adele & Jim Forman, Thomas Emmertz, Deborah Bushway and George Osgood).

### Treasurer's Report

Warren Mattiello presented the Treasurer's report indicating a balance of \$1905.54 as of July 12, 2003, which included three yet undeposited dues payments. He did indicate that there were 15 Members who had still not paid dues for 2003 and explained that many Members were actually unsure of what the dues are for this year (2003) – as a result of major confusion evolving over the two different "2002 Annual meetings". He then went on to say that he still felt the second 2002 meeting was "illegal" due to the manner in which it was called and especially in the wording of the announcement for that 2<sup>nd</sup> meeting – which included verbiage that it was a "continuation" of the first 2002 Annual meeting. Also, the vote that was taken regarding setting the Annual Association dues for 2003 (Made by Dick Yost) was listed in the "Minutes" of that meeting – as a "STRAW VOTE" – which obviously is NOT a legal vote. Warren went on to say that he had most definitely covered ALL the points of the agenda for that (first 2002) meeting and had repeatedly requested any further comment regarding "old or new business" and when NO ONE replied, he CLOSED the meeting properly. If the Directors had wanted to call another meeting – under our 'By-Laws' it would have had to be called as a "SPECIAL MEETING" – which it was NOT. The question was then brought up as to whether to approve the minutes of the FIRST 2002 Association meeting or the SECOND meeting.

Warren Mattiello questioned how the Association could accept BOTH meetings minutes, as the second one obviously changed the dues structure. However there was never any consensus on that point. Lively discussion then followed and it was finally passed by a majority vote to accept the "minutes" of BOTH the first and second 2002 meetings.

Dick Daley then moved to approve the 2003 Treasurer's report - seconded by Charlie Brown. The motion was passed by a majority - with Jerry Carrier and Maria Civita opposing.

### Road Report

Warren Mattiello began the discussion regarding the main Roadway report by expressing his surprise and pleasure that the Roadway had come through the winter in exceptionally fine shape – in fact better than it has in many years. Dick Yost expressed his view that as the Roadway was in such good shape there wasn't any need to do any work on the Roadway this year. Warren retorted that considering all the monies that have been spent on the Roadway over the past several years – which has certainly resulted in a vastly



improved Roadway – it would be fiscally irresponsible not to continue to do work every year, to “maintain and protect” that investment. Several members inquired as to Warren’s estimate of what would be a “reasonable” amount to “maintain” the Roadway. Warren’s recommended that \$3500. should be allotted – though all that amount would not necessarily have to be spent each year.

### One vote for each Home

Warren Mattiello began a discussion as to whether or not to change the “By-Laws” of the Big Sandy Association to allow each “dues paying” Member of the Big Sandy Association to have ONE vote for EACH home they have. This matter was prompted by the Lavery’s, who now have TWO homes, on two separate lots AND have been paying dues on BOTH homes/lots. The existing By-Laws calls for EACH “dues paying” Member to have ONE vote ( with NO clarification as to what would happen if they had MORE than ONE lot or HOME). A majority vote passed the motion of Dick Dailey, seconded by Jerry Carrier, that the By-Laws be changed to read that a Member would be allowed ONE vote for EACH lot or home they owned – as long as they “paid dues” on the respective lot or home.

### Insurance

The matter of whether to carry liability insurance on the Big Sandy Association – including “D & O” (Directors and Officers) coverage was then discussed. Warren Mattiello made the point that as our society is so “litigious” today, it really is mandatory to have that insurance. Without the “D&O” coverage, Directors and Officer’s could be personally held liable, if any Member of the Association sued the Association. If a suit ever did arise, it would more than likely be initiated by a Member – as they are the ones that most frequently use the Roadway. Joe Walsh moved to have the liability insurance AND “D&O” coverage – seconded by Paul Paget – which was passed by a majority of the Members.

### Problems at Big Sandy/Dues

Warren Mattiello began a lengthy discussion of the dissention that has arisen over the past year, instigated by the controversy over whether or not the “Association” should pay for “snow plowing” of the Big Sandy Roadways. Again he reiterated the two sides positions and again a very lengthy discussion ensued with each side reiterating their positions – with virtually no new points being made on either side.

Warren Mattiello had presented a motion that would set the 2003 Association dues at \$250. – with \$25. of those dues going towards snow plowing. The remainder of the yearly cost of snow plowing to be borne by those Members wishing to use Big Sandy in the Winter. A Winter Snow Plowing committee would be setup to handle the coordinating of that plowing – as has been done in past years. Also – the \$25. portion of the Annual dues could NOT be increased in the future, without a vote of 80% of the Members.

This proposal again being taken from that suggested by the Webster’s last fall – as a “compromise” solution to this terribly divisive matter.

Considerable discussion followed which ended when Sandy Prince made a motion to set the dues at \$275. with \$50. going to “snow plowing”, with no further increases to be allowed without a vote of at least 80% of the Members – in the future. Seconded by Paul Paget. The vote was passed by a majority vote of 11 to 10.

### Other Concerns

Warren Mattiello made a statement that someone had maliciously scrapped off the words "NO JET SKIS" from the Association sign on Big Sandy Beach – obviously in opposition to the ban which has been in place at Big Sandy for at least the past ten years. Mara Civita responded that she wasn't sure who did it but that she was not in favor of that ban. Sandy Prince then made a recommendation that a committee be setup to reevaluate that ban – as well as to again reconsider having "docks" at Big Sandy Beach. A committee of Al Villanucci, Jerry Carrier, Paul Paget and Maria Civita was setup to bring recommendations to the 2004 Annual Association meeting. No other concerns or recommendations were made.

### Election of Officers

Dick Yost expressed a concern that he might not be able to fill out the year as a Director – due to the possible sale of his home but indicated he would continue until that time. Charlie Brown and Warren Mattiello indicated a desire to continue as Directors. A unanimous vote passed the election of those three Directors for another two year term.

Charlie Brown then made a motion to have Warren Mattiello continue as President for another year. Seconded by Paul Paget and passed by a majority with TWO opposing votes.

The position of Treasurer was then discussed. Mara Civita then stated she would like to be Treasurer and that she wanted a complete AUDIT of the Big Sandy books when she took over. Dick Daley made a motion to have Warren as Treasurer. A vote then followed with Warren Mattiello being elected Treasurer for a one year term – by a majority vote of 12 to 9.

### Meeting Closed

After Warren Mattiello then again asked those in attendance if there were any other "concerns or recommendations" and no one replied, he then called the meeting CLOSED.

### P.S.

As has been evident at past years Annual meetings, many votes are decided by only one or two votes. It is unfortunate that all Members don't attend the Annual meetings - which obviously impacts all Members. Your Directors would like to again recommend that if you're not able to attend, that you at least give a PROXY vote to someone – so that your vote can be counted!

Respectfully submitted



Warren G. Mattiello  
President/Big Sandy