

BIG SANDY ANNUAL MEETING MINUTES
JULY 9, 2011

Attendance: Paul & Linda Mishkin, Brenda Dumas, Eric Miller, Al & Debbie Villanucci, Lauren Gilbert, Sandra & Bruce Maeder, Maria Civita, Deborah Bushway, Paul Paget, Ed Lewis, Bill and Bickie Webster

Proxy Votes: Fisher, Forman, McDonnell

Meeting commenced at approximately 9:45 AM in the beach area at Big Sandy. Paul Mishkin, President of Big Sandy Association, declared that a quorum was present for the meeting.

Copies of the 2010 Annual Meeting Minutes, the 2011 Annual Meeting Agenda, the Treasurer's Report, the Snowplowing Policy, Common Courtesies, a proposed No Hunting sign, and Maine Hunting Laws and Regulations were distributed to members.

President's Report: Paul Mishkin

The meeting was called to order by Paul Mishkin, President of the Association. Paul first introduced the various officers of the Association, including Board Members Eric Miller and Brenda Dumas, Secretary Lauren Gilbert, Treasurer Debbie Villanucci, Dock Manager Al Villanucci, Road Managers Bruce Maeder (present) and George Osgood (not present), and Snow Plowing Manager, Eric Miller. He thanked Lauren Gilbert for her work on the Big Sandy website, which now contains most of the key Association documents, and encouraged people to visit it. The website is www.big-sandy.org. The login is bigsandy and the password is bridgton. He also thanked Tony and Maria Civita for their work on Big Sandy Beach. Paul announced that the state of Big Sandy was good, and that everyone in the Association had paid their annual dues and that all slip-holders were up-to-date in their dues as well. He added that, with regard to the dock, each year the Dock Manager is to arrange with North Country Docks for the dock to be installed prior to the Memorial Day Weekend and removed no earlier than the Wednesday after Columbus Day with two weeks written notice to the slip-holders. He also announced that Big Sandy Road had never looked better due to the work of Bruce Maeder and George Osgood. He announced that we would be discussing New Business at the end of the meeting, particularly the proposal to post No Hunting signs.

Acceptance of 2010 Minutes

The first order of business after presentation of the President's Report was acceptance of the 2010 minutes. A motion to approve the minutes was made and seconded and the 2010 minutes were unanimously approved.

Treasurer's Report: Debbie Villanucci

Debbie Villanucci provided copies of several different financial reports, including the status of invoices submitted to association members, the Profit and Loss statement, Total Expenses by Payee, a Reconciliation Detail, and the most recent bank statement. She indicated that all Association members were up to date in their dues payments and that all bills had been paid. Total expenses for 2010-2011 came to \$9,539.47. Sandra Maeder asked her to review the total expenses by payee. Debbie explained each of the line items on that report, including payments to Arcadia Insurance Co., Four Seasons Maintenance, Go Daddy (the website), Hanover Insurance Co., Maine Department of State, Mark's Lawn & Garden, Muddy River Signs, North Country Dock, Snow's Excavation, Staples, the U.S. postal service, and reimbursements to Debbie and Leigh Fisher. Several of these expenses, including the payment to North Country Docks, were related to the dock, and were born entirely by the slip holders. There was a \$13 "no name" expense, which was due to a one time bank fee from Bank of America, but Debbie had determined how to avoid that expense in the future. She indicated that we had a net income of \$1557.94 from last year, as indicated on the Profit and Loss Statement, and that, as of that date, July 9, 2011, with no outstanding invoices, we currently had a balance in the Big Sandy checking account of \$4,237.70.

Road Report: Bruce Maeder

Bruce described the work done on the road in both the fall and the spring, including the grading done in late May. He provided the Association with the bill for the roadwork done in 2010-2011, which was \$2100. He described the spring work that had been done on the culvert, and the gravel that had been brought in and graded. He also recommended that it might be prudent to have the road re-graded for \$210 in the fall, after most of the summer folks had departed. This would better prepare the road for the winter. Association members agreed that it should be up to Bruce and George to decide whether this re-grading in the fall was necessary.

Paul Mishkin emphasized the outstanding work that Bruce Maeder and George Osgood had done on the road, and that the Association had a road that was in exceptionally good condition thanks to their hard work. Other members of the Association concurred.

Some concerns were raised regarding persons digging up the road and doing donuts at the top of the hill. This increases the costs of maintenance for all members, and while no one was specifically identified as responsible, parents were advised to speak to their kids about avoiding this kind of malicious destruction.

Eric Miller raised a question regarding the closing of the road during the spring thaw. Bruce Maeder explained that it is generally George Osgood's decision to close the road during mud season, and that this year they decided to have Lauren Gilbert send out an email advising members of the imminent closing so that members could make arrangements to have their gas tanks filled and other measures taken care of before the road closing. As it turned out, the thaw was gradual and the road only had to be closed

for a few days. During the road closing, members are not permitted to drive down the road, and are expected to park their cars at the top and walk. In the event of an emergency, George Osgood should be contacted to open the road.

Plowing and Snow Report: Eric Miller

Eric Miller indicated that the Association's relationship with Michael Ward, who did the snowplowing, was still going smoothly, and that the cost for individual members contributing to plowing had gone down considerably because 14 members were now participating in cost-sharing, as opposed to 10 or 11 members the year before. For the past two seasons, Ward had charged \$3,025 for the season. The Association, after extensive discussion, had voted in 2010 to let the Board decide how much the Association would contribute to the snowplowing. The Board had voted to have the Association contribute 25% to the total amount, with families paying for plowing contributing the other 75%. In order to deal with the free rider problem, incidental users would be charged a \$50 assessment/use, but association members would not be charged for emergency visits, including having someone come down once or twice per winter to remove snow from roofs or porches. With 14 Association members contributing, the cost for each individual had gone down from \$171/family to \$147/family. The Lombards at the top of the road pitch in \$200. Persons who, in addition, wanted Ward to do their driveways had to make individual arrangements with him, which, depending on the length of the driveway ran somewhere in the range of \$300 for the season or \$25-\$50/storm. One issue that came up this past winter was how to deal with unexpected surcharges. Because of the large amount of snow, Mike Ward had to bring someone in with a plow wing to knock down some of the large snow banks. This was an unexpected expense for him, and he had charged the Association \$150 to do this on a one time basis. How to split this expense among Association members was discussed, and it was agreed that, pursuant to our policy, the Association would continue to pay 25% of any surcharges with the families paying for plowing incurring the other 75%. The possibility of setting up a slush fund was discussed to avoid nickel and diming members. In the event that these surcharges became a recurring problem, the Association voted to give Eric Miller the authority to decide how to deal with it. Also, there had been some property damage the winter before due to the heavy snow drifts, but Mike Ward had come down to Big Sandy to help repair a damaged fence. In order to maintain good will with Mike Ward and avoid any major increases in plowing charges in anticipation of snowy winters, Association members agreed that it was important to be both vigilant and flexible regarding these unexpected costs and events.

Dock Manager's Report: Al Villanucci

Al Villanucci indicated that there were still two vacancies on the dock and that it was holding up very well. He said that the dock needed to be stained generally every other year, and that they would look at the dock at the end of the season to see whether it needed to be stained. All slip-holders were up to date with their dues and all had signed slip-holder agreements.

New Business: Hunting at Big Sandy and the Proposal to Post a No Hunting Sign

Concerns had been raised by a number of families at Big Sandy that hunters in the area were hunting at Big Sandy, using members' property to hunt, and shooting close to members' homes and to Big Sandy Road. One family had complained earlier in the year about a hunter on Lauren Gilbert's porch in orange hunting gear; it was later established that he had not been given permission to hunt on Gilbert's property and that it was probably just the contractor, who had also built the Maeders' garage, who had rebuilt her porch and was probably just there to check on his handiwork.

Several individuals expressed concern that the hunting issue had not been specifically included on the agenda that was sent out in June, and thus members did not have notice that this issue would be discussed.

Discussion ensued over whether we should post a No Hunting sign on Big Sandy Road. This issue had been discussed among the officers at a Board Meeting on July 3 the Sunday before, and it was decided at that meeting to bring the issue to the Association at the Annual Meeting. Debbie Villanucci, at Paul Mishkin's request, had obtained a proposal for a sign from Muddy River Signs which was distributed at the meeting. Paul Mishkin proposed that we post the sign to the right of the green gate at the top of the road, just after the Lombard family's driveway. Discussion ensued of whether the road belonged to Big Sandy and whether we could post a sign on a road that crosses through several owners' properties without obtaining their permission. Debbie Bushway indicated that several property owners are not dues paying members of Big Sandy. Others indicated that it is not clear who owns the property between the top of the road and Big Sandy. Lauren Gilbert pointed out the provisions in the hunting regulations that prohibit the posting of signs on the property of others. 17-A MRSA, §402. She also indicated that Maine hunting laws, customs and regulations create an opt out system, where a property owner must affirmatively forbid a hunter from using the owner's property in order for trespassing to be actionable. See Civil Trespass, 12 MRSA, §10657. This can be done either by directly notifying the hunter, by fencing in an area, or by posting two silver horizontal paint marks on trees, rocks or other objects no further apart than every 100 feet on the owner's property. 17-A MRSA, §402. Brenda Dumas disagreed with Gilbert's interpretation of the hunting and trespass laws, arguing that owners should be able to call the police or the warden any time a hunter came on to their property.

Several individuals raised concerns about excluding hunters from Big Sandy Road, since this is a way of life during hunting season. Paul Padget and Maria Civita both indicated that perhaps we should consider posting the No Hunting sign at the culvert near the top of the first hill, which is where Big Sandy property is believed to begin. It was also recommended that a No Hunting sign be posted in the Big Sandy beach area. Paul Padget also indicated that if we decided to post No Hunting signs, that this shouldn't mean that folks couldn't come down and park with permission of an owner and then go off into woods and hunt. Someone suggested that we only own property going back 100 yards from the road and that a lot of the woods behind our properties are not part of Big

Sandy. Also, some people mentioned that if we post, it may lead to some bad will with hunters who've used the woods in the past. Some people said that there is nothing we can do about people who are off in the woods, even those who are close to the road, since we only have a right of way to the road and don't own the surrounding property.

Lauren Gilbert indicated that people need to be proactive and take steps to indicate that they don't want hunters on their property, including posting No Trespassing or No Hunting signs on their property or, ideally, painting the two silver bars to put hunters on notice that they are unwelcome. Unless owners make it clear that they don't want hunters on their land, it is likely that the warden will do nothing if called. This interpretation of Maine's hunting laws and rules was later confirmed by Dave Ross, a game warden for the State in the Fryeburg District.

The Association voted to let the Board deal with the hunting issue, taking into consideration the property issues that were raised, and to vote on whether and where the Association can post No Hunting signs.

State of Maine Hunting and Trapping Laws and Rules can be found on the Big Sandy website on the Message Board or at http://www.maine.gov/ifw/laws_rules/pdf/2009-2011HuntingLawbookCompleteRevised093010.pdf.

Voting of Officers:

Paul Mishkin – President & Director
Eric Miller – Director
Brenda Dumas – Director
Treasurer – Debbie Villanucci
Secretary – Lauren Gilbert

As the current officers of Big Sandy had all agreed to serve for another term and there were no nominations from the floor, a unanimous voice vote approved all for another 1-year term and all accepted.

Dues. A motion was made to keep the dues at \$250 for 2011-2012. The motion was seconded and approved by voice vote.

There being no other business, the meeting was adjourned at approximately 11:00 a.m.

Next annual meeting will be held on:

July 14, 2012 at 9:30 AM
Beach Parking Area

APPENDIX TO 2011 BIG SANDY ANNUAL MEETING MINUTES

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