



# **Minutes of the BLPOA Fall Membership Meeting**

## **Association Park**

### **Saturday, August 24, 2024**

#### **Agenda:**

- Pledge of allegiance
  - Board member introductions
  - Opening remarks - Kerry Vachon, President BLPOA
  - Motion to approve Spring Meeting Minutes
  - New Nominee Introductions
  - Election/Voting
  - Bylaws Amendments
    - Proposals
    - Voting
  - Dam Update - Jeff Marshall, Chairman, Dam Assoc.
  - Reports - from Directors
    - Including new Roads Committee findings & BH Beach updates
  - Reserve Requirements & Spending Proposals
    - Roads, BH Beach, Other
    - Voting
  - Budget 2025
    - Expense requirements
    - New dues levels
  - Election Results
  - Motion to Adjourn
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- Most board members were available before the meeting started for questions and/or concerns. In attendance were: Kerry Vachon, Mark Tucker, Mary Vinagro, Lisa Gianelli, Laura Melanson, Ellen Benson, Gary Provencal, Christine Gallaher, Karen Consoli, Steve Consolmagno, Sheila Amero, Steve Bischof, and Tim Booth.
  - Secretary Laura Melanson, At Large Karen Consoli and Beaches Sheila Amero signed in members in as they arrived. 133 households signed in and we had 12 households submit a proxy form and 10 submitted absentee ballots before the cutoff date/time.
  - Amongst the handouts were the meeting agenda, Spring 2024 Membership Meeting Minutes, new suggested by-laws changes, budget and finance info, ballots and position descriptions for positions open for reelection. Meeting agenda, minutes and ballot info were emailed and published on Facebook prior to the meeting.
  - Mark Tucker was available if anyone wanted to purchase BLPOA merchandise.
  - Coffee and muffins obtained by board were served.



## **Call To Order by President Kerry Vachon at 10:12 AM**

The meeting kicked off with the Pledge of Allegiance.

An introduction of the current BLPOA board members and opening statements were made Kerry Vachon, BLPOA President.

We asked membership if there were any questions about the minutes of the Spring Membership Meeting Dated Jun 1, 2024. None raised. Motion to accept was made and seconded to accept the Spring Membership Meeting Minutes. None were opposed and the minutes were accepted.

All the people running for office had an opportunity to introduce themselves. These included: Mary Vinagro, Ellen Benson, Peter Moulton, Jeff Marshall, Rick Dill, Steve Consolmagno, Russ Bookholz, Sheila Amero, Paul Petelle and Kerry Vachon. Rick Dill requested to retract his nomination. We took a short break to allow the membership to vote for their nominees.

Ballot results counted by general member Dave Consoli and board member Chris Gallaher were presented near the close of the meeting as follows:

- **Communications:** Steve Consolmagno won the election. We had a write-in for Brian Strange.
- **Treasurer:** Mary Vinagro ran unopposed and was voted in.
- **At Large:** Sheila Amero received majority of votes, there were also votes for Russ Bookholz and write-in Corey Brown.
- **Beaches:** Jeff Marshall ran unopposed and was voted in.
- **Milfoil:** Paul Petelle ran unopposed and was voted in.
- **Asst. Secretary:** Ellen Benson ran unopposed and was voted in.
- **Boat Launch Keys:** Peter Moulton received the majority of votes, some absentee ballots voted Bob Goodwin who then decided not to run.
- **President:** Kerry Vachon ran unopposed and was voted in.

Kerry presented the by-laws changes. Frank Rago and Sheila Amero agreed to assist in counting the votes.

### **Proposed bylaws amendments were discussed.**

First, we reviewed the addition of a rule #2 under Article III, Section X, Rules as follows:

Regarding access and the availability of gate keys to the BLPOA private boat launch area:

- A) One key per owner of any household(s) or lot(s) will be distributed with a deposit of \$50 and a signed agreement stating the deposit will be forfeited if the key is lost or stolen. The key may not be loaned to any other person than family and specifically not to renters. The key will not be duplicated. One key per owner regardless of the number of properties or lots owned. Only members in good standing may possess keys.
- B) It is expressly forbidden to indicate in an advertisement, on-line or other, for a rental property, that renters may have access to the BLPOA's boat launch.



- C) If a violation of A or B is confirmed, owners will be charged \$500 per occurrence immediately after discovery. On the third violation the key will be returned to the Association and only re-issued upon Board approval.
- D) All boats launched on the lake must be compliant with NH State Laws and must be operated within the guidelines of NH state laws. As such, all power boats registered outside the state of NH must display an Aquatic Invasive Species Decal per NH statute 487:43 within 3 inches of the registration decal. Violations subject to state fines.

Kerry discussed why we were proposing this change. We had received concerns from members that renters were allowed to use the members boat launch key which is in violation of key agreement, and they were posting on their rental sites that it was available for use. The rental properties were notified and have removed posted info that renters have would have access.

It was then opened to Questions:

- Jerry Croco and another member wanted clarification if a member lost their key would they be charged \$500. Kerry confirmed it is a \$50 dollar fee for key replacement.
- Pam Gelardi agrees with the bylaws changes and like that we sent out letters. Is that the only fine we have? Kerry indicated, there is no plan for additional fines, it grew out of the situation at hand.
- The boat launch key also opens the port-a-potty and if you don't have a boat but want a key, you can obtain a key.
- Clarified it's only 1 key per owner, even if you have multiple houses/lots.

**Vote** was called and seconded, then passed by majority; 8 votes were opposed. Amendment approved to be modified as defined to make it clearer regarding lost keys - the loss of \$50 deposit plus another \$50 deposit for replacement keys, but no \$500 fines for lost keys.

Next, we reviewed the addition of a section within Article V, Section II Dues and Assessments as follows:

**Assessment and Payment of Common Expenses.** The total amount of the estimated funds required for the operation of the Association set forth in the budget for the fiscal year adopted by the Association shall be assessed against each Member based on the following categories of Ownership:

- (a) **Unimproved Lots and Lots without Access through Association Roads** A Lot shall be designated as "unimproved" only if the land is by and large kept in its natural state, devoid of alterations and permanent structures which include plumbing and septic, and shall not contain at any time any temporary dwelling units such as campers, recreational vehicles (RVs), tents, Quonset huts, sheds, and any other such apparatus. These lots, and lots without access to association roads, meaning access to said lot is solely by way of roads that are not owned or maintained by the association, unimproved or improved, both have deeded access to association common area, such as beaches, park and boat launch.



- (b) **Improved Lot:** A lot shall be designated as "improved" if it has been altered from its natural state in any way such that it has been subject to any man-made change, including, but not limited to, residential structures as defined by the town of Wakefield, mining, dredging, filling, grading, paving, excavating or drilling operations.
- (c) **Short Term Rental Lots:** A Lot shall be designated a Short Term Rental to the extent that the Owner(s) offer their Lot for short term stay rentals; either directly, or through a property rental service, for periods of less than one month.

The rate of assessment for each of the above categories of Lot Ownership shall be determined by the Board of Directors, in its sole discretion, and shall be published with the proposed budget. Because unimproved lots and lots without access through association roads have less impact on the roads and common property, these lots shall be assessed at the lowest rate. Improved Lots shall be assessed at the next highest rate. Short Term Rental Lots have more impact on roads and common property and shall be assessed at the highest rate, which shall be capped at five (5) times the rate assessed to Improved Lots.

Kerry discussed why we were proposing this change. Board gets complaints about rental properties and the renters. Board is trying to address with the proposed by law amendment. We considered three things to charging higher dues to renters: people want this to be a community neighborhood and not overwhelmingly a rental community, people say many of these rental properties are filled to the maximum with lots of cars, and rental properties are like businesses and making profits all at the expense of the rest of the membership. A review of rental rates runs between \$1300-4200/week. The average of this is \$2750. For context, we are proposing less than 1 week rental for the 5x dues increase. If this passes, in year 1 it would be 3x, then 4x in year 2, then to 5x. Our intention is to take any incremental funds received from this and put it in capital reserves for the first two years minimum.

In addition, the lawyer suggested we categorize the types of dues. Today we have 3 types of dues: \$350 if you have a home on the lot, \$180 if you own a lot maintained by association roads, and \$102 if you own a house or lot where roads are not maintained by the association. We identified the benefits of being part of the association: boat launch, beaches, park and a voice as a member. Looking at our overall budget, half goes to the roads. Since we are categorizing them as paying less than half, we felt it fair to combine the lots on association roads with lots/houses not on association roads as one category. It was then open to questions.

#### Questions:

- How would we define renters? Kerry indicated we would send a questionnaire to self-identify. And we have a volunteer on the board to evaluate via internet checks.
- A few members had a problem with how the rationale was written up identifying wear and tear. One member indicated rents some of the time and when his family is all there, they add way more wear and tear.
- Doug Dodge, Lisa Lyons and John Lyons all expressed concern because they both use their properties and sometimes rent it out. They have never had a person causing any problems. Doug also expressed concern that even with his stay and his renters he is only using his property half the time of year-round residents. There all expressed concerns there may be a couple of bad apples that do rentals and we shouldn't just go after everyone who does rentals.



You should talk to the neighbor who rents if you have a problem. Also if you sell, you'd need to disclose they are subject to a surcharge.

- Corey Brown is a year-round resident. He has dealt with issues with people travelling to fast.
- Julie Barras also rents her property. Is there another way achieve what the board is trying to do.
- Tim Booth indicated it's not an impact problem, it's the bad behavior. Also suggests everyone should pay the same amount of dues instead of the various levels.
- Betty Sparks does not want to pay the same dues as everyone else. She lives on Fisher Rd which is a road not maintained by the association. Happy to pay more dues if we include Fisher Rd as a road we maintain.
- Rick Dill suggesting the board should bring in membership and create a committee to help define the by-laws amendments for the rental properties. He also suggested try capping properties allowed to rent at 10% of membership and not allowing it to go above.
- Doug Dodge would like to volunteer work with the board as a subcommittee to come to a good suggestion. John Lyons said he would help too.
- Jerry Crocco suggests we put up signs, will be prosecuted if they don't obey rules.
- Steve Bischof sharing there is a covenant that you cannot run a business. Courts say airBNB is not a business. Is it right that they are making money off our common properties that the entire membership pays dues for?
- Brian Strange suggested we look into people running a business out of their home.
- Biggest concern is people who only rent here and there vs. people who rent full time. It was suggested to take taking c off and keep a and b for now.

**Vote:** Friendly amendment was requested to see if we should vote on not keeping letter c and simply voting on keeping the description, and paragraphs a and b. Majority passed to approve the modified amendment for vote with 12 people who opposed. The 2<sup>nd</sup> vote was whether to update the bylaws: the majority voted to include the update, and there were 10 opposed. Modified change was passed.

Now as is for paragraph c: 19 were in favor with the majority not in favor. This does not pass. Board will create a committee to include some owners who rent properties along with others to find solutions to deal with the rental issues, and present findings at the earliest possible time to the membership.

### **Reports from our BLPOA Officers & Directors & Dam Committee President**

- Tim Booth shared we put together a road committee. We been out, measuring roads to identify numbers and conditions of roads. Have had heavy downpours and dealing with washouts constantly. Have been out trying to fix roads: Belleau, Robinhood, Gold Coast. The smaller roads don't get enough attention. With the committee we are trying to find a different way to address these. When people move here, they are supposed to come to roads before they put in a driveway.
- Rick Dill suggesting can we ask the building inspector to add a sign off from the association.
- Jeff Marshall shared a Dam update. All work that needed to be done and the dam is in great shape. State still evaluating but we want to do boards this year as after 15 years there is some leakage. Boards planned to come out Oct 18 but member requested to keep them in a little longer. Will consider and share on Facebook.
- Kerry added: We brought in an outside consultant to review our roads. He did say the roads were in better shape than he anticipated. We need to focus on the drainage and build up



some of the main roads. We have \$380 or so in the reserves. We still don't know the number for any additional dam repairs. For BH Beach we needed a new design. We are asking to spend up to \$25k for correcting BH Beach and \$25k for roads improvements. Road committee also looked at the paper road for the west side of the lake but agreed to put this off while we continue to evaluate, especially since the rough estimate to put in place is \$200k which would leave us with not enough reserves to deal with potential dam expenses and emergencies. However, we will need to address another access point/road for the west side of the lake as a priority soon. Kerry requested a proposal to spend up to \$50k from our reserves on Beverly Hills beach repairs and roads. **Vote:** All members were in favor, and none opposed.

- Regarding budget: Roads budget was increased \$10k to \$90k. We need to clean out plunge pits and keep the sides of the roads cleaner for drainage which may need a different solution. In addition, we'll be talking with Rody about how we want the roads graded. Milfoil budget went down a bit because we had successful pulling and treatment.
- The dam boards will be replaced and the walking bridge will be fixed.
- If we don't increase the dues to cover the operating budget the reserves will go down year after year, or services and maintenance for the lake community will be reduced. The budget raises the dues to \$450 for category b (houses) and \$225 for category a (lots on association roads & houses/lots on roads not maintained by BLPOA). **Vote:** Majority was in favor of the dues increase with 3 opposed.

**A Motion to Adjourn was received at 12:05 pm. Motion was accepted.**

Respectfully submitted,  
Laura Melanson  
Secretary