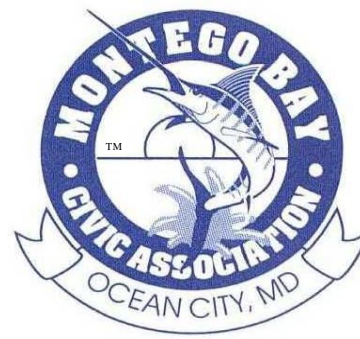


MBCA Board of Directors Meeting
MBCA Meeting Room
May 14, 2011
Agenda



9:00 am	Call to Order and Pledge of Allegiance	President																																																														
9:02 am	Meeting Protocol – Reminders	President																																																														
9:05 am	Roll Call <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="6" style="text-align: center;">President Vera McCullough</td> </tr> <tr> <td colspan="2" style="text-align: center;">Voting Members</td> <td colspan="2" style="text-align: center;">P – Present</td> <td colspan="2" style="text-align: center;">A = Absent</td> <td colspan="2" style="text-align: center;">E – Excused Absence</td> </tr> <tr> <td>Sue Frankowski, VP</td> <td>P</td> <td>Sandy Kvech, Treasurer</td> <td>P</td> <td>Tony Kendrick, Secretary</td> <td>P</td> <td></td> <td></td> </tr> <tr> <td>Eileen Furnari</td> <td>P</td> <td>Bill Hastings</td> <td>P</td> <td>Linda Herzberg</td> <td>P</td> <td></td> <td></td> </tr> <tr> <td>Larry Holdren</td> <td>P</td> <td>Dennis Julian</td> <td>P</td> <td>Bob McCluskey</td> <td>P</td> <td></td> <td></td> </tr> <tr> <td>John McDermott</td> <td>A</td> <td>Bill Neimiller</td> <td>P</td> <td>Barbara Reniak</td> <td>P</td> <td></td> <td></td> </tr> <tr> <td>John Shifflett</td> <td>P</td> <td>Alin springer</td> <td>E</td> <td>Paul Svoboda</td> <td>P</td> <td></td> <td></td> </tr> <tr> <td>Bill Trumpler</td> <td>P</td> <td>Al Weber</td> <td>P</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	President Vera McCullough						Voting Members		P – Present		A = Absent		E – Excused Absence		Sue Frankowski, VP	P	Sandy Kvech, Treasurer	P	Tony Kendrick, Secretary	P			Eileen Furnari	P	Bill Hastings	P	Linda Herzberg	P			Larry Holdren	P	Dennis Julian	P	Bob McCluskey	P			John McDermott	A	Bill Neimiller	P	Barbara Reniak	P			John Shifflett	P	Alin springer	E	Paul Svoboda	P			Bill Trumpler	P	Al Weber	P					Secretary
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9:07 am	Guest Presentation: Mike Levy, OCPD Public Affairs and Mounted Police Officer - Security & Security Cameras	President																																																														
9:30 am	Guest Presentation: Reese Cropper, Insurance Management Group, Inc., will answer questions relative to MBCA's liability insurance coverage (Aerobics Instructor, Summer Patrol, etc.)	President																																																														
9:50 am	Review/Approval of April 9, 2011, Board Minutes	Secretary																																																														
9:53 am	Treasurer's Report	Treasurer																																																														
10:00 am	President's Report	President																																																														
10:10 am	Good of the Association – (Owner participation)	Open																																																														
10:20 am	Old Business <ul style="list-style-type: none"> • Montego Bay Yard Sale – yes/no, if yes, when 																																																															
10:30 am	Committee Reports – <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Committee</th> <th style="text-align: center;">Announced</th> <th style="text-align: center;">Conducted</th> </tr> </thead> <tbody> <tr> <td>Advisory & Strategic Planning (Standing) – Bill Trumpler</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Architectural Review (Standing) – Barbara Reniak</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Budget & Finance (Standing) – Kathie Kendrick</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Bylaws & Declaration (Standing) – Tony Kendrick</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Communications (Standing) – Tony Kendrick</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Parks & Pond (Standing) – Alin Springer <ul style="list-style-type: none"> • Beautification Update – Linda Herzberg </td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Permit Process (Standing) – Tom Seibold</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Pools & Recreation (Standing) – Barbara Reniak <ul style="list-style-type: none"> • Putt-Putt Update </td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>City Hall – John McDermott</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Contracts – Barbara Reniak</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> <tr> <td>Neighborhood Watch – Bill Neimiller</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">n/a</td> </tr> </tbody> </table>	Committee	Announced	Conducted	Advisory & Strategic Planning (Standing) – Bill Trumpler	n/a	n/a	Architectural Review (Standing) – Barbara Reniak	n/a	n/a	Budget & Finance (Standing) – Kathie Kendrick	n/a	n/a	Bylaws & Declaration (Standing) – Tony Kendrick	n/a	n/a	Communications (Standing) – Tony Kendrick	n/a	n/a	Parks & Pond (Standing) – Alin Springer <ul style="list-style-type: none"> • Beautification Update – Linda Herzberg 	n/a	n/a	Permit Process (Standing) – Tom Seibold	n/a	n/a	Pools & Recreation (Standing) – Barbara Reniak <ul style="list-style-type: none"> • Putt-Putt Update 	n/a	n/a	City Hall – John McDermott	n/a	n/a	Contracts – Barbara Reniak	n/a	n/a	Neighborhood Watch – Bill Neimiller	n/a	n/a																											
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10:50 am	New Business <ul style="list-style-type: none"> • Smoking Policy for Association Properties & Amenities – Eileen Furnari 	Open																																																														
10:55 am	Closing Comments	Open																																																														
11:00 am	Adjournment	President																																																														

**EXECUTIVE SUMMARY MINUTES
Board of Directors Meeting
May 14, 2011**



Approved by the Board: May 23, 2011

[Full Minutes of the meeting, including the discussion of the motions, will be approved at the June 11, 2011, Board meeting.]

President Vera McCullough at 8:58 A.M, called the meeting of the Board of Directors of the Montego Bay Civic Association to order. The President led the Pledge of Allegiance.

Roll Call: The President and 15 (of 17) voting members were present. 18 owners attended.

President Vera McCullough – Present					
Voting Members		P – Present	A = Absent	E – Excused Absence	
Sue Frankowski, VP	P	Sandy Kvech, Treasurer	P	Tony Kendrick, Secretary	P
Eileen Furnari	P	Bill Hastings	P	Linda Herzberg	P
Larry Holdren	P	Dennis Julian	P	Bob McCluskey	P
John McDermott	A	Bill Neimiller	P	Barbara Reniak	P
John Shifflett	P	Alin Springer	E	Paul Svoboda	P
Bill Trumpler	P	Al Weber	P		

Motion: Tony Kendrick Seconded: John Shifflett	That Alin Springer's absence, through no fault of her own, is excused.	Passed
Voted in Favor: 13	Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Bob McCluskey, Bill Neimiller, Barbara Reniak, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 2	Sue Frankowski, Sandy Kvech	

DISCUSSION: Through an error, Alin Springer was informed she had missed four meetings and, therefore, is not present today. The website has been down and it came back on Thursday. Using the minutes on the web to determine attendance, it appeared that Mrs. Springer had missed four meetings. However, links to some of the webpages had become corrupted and the attendance for February 12th was duplicated in March (which Mrs. Springer did not miss) and the error wasn't noticed until after Mrs. Springer was informed she had missed four meetings. Through no fault of her own, she is not present today. As was done in the past for Bill Neimiller and Paul Svoboda who received excused absences, a motion is made to excuse Mrs. Springer for her absence today.

Guest Presentation: Mike Levy, OCPD Public Affairs and Mounted Police Officer, and Brandon Reim, Crime Analyst

- Highlights of the presentation:
 - Over ½ of single family homes in Ocean City are in Montego Bay.
 - Crime rate in Montego Bay is less than 1% of all crime in Ocean City.
 - The low crime rate is not an accident, it is because of:
 - Community involvement in reporting suspected crime
 - Neighborhood Watch
 - Plain clothes police patrols (because you don't see police in uniform doesn't mean they aren't patrolling Montego Bay throughout the day and night)
 - Absent owners requesting residential checks by the police (which results in marked police car and uniformed random patrols per shift)
 - During the summer months, Ocean city becomes Maryland's second largest city.
 - Video surveillance is a significant and dramatic deterrent to crime. (The police pointed out recommended locations for video cameras.)

Guest Presentation: Reese Cropper, Insurance Management Group, Inc.

- Highlights of the presentation:
 - Reese Cropper – Insurance Management Group, Inc. A brief overview of the coverage the Association carries. The insurance carrier, Hartford Insurance, has been the insurer of MBCA for many years.
 - The MBCA insurance policy with Hartford Insurance does not cover personal homes and personal property in Montego Bay. The homeowner must obtain their own personal and property insurance.

- If the Association decides to hire a summer patrol company or individual, the Association policy will not cover the summer patrol. The summer patrol will need to have the level of insurance that MBCA requires and their policy should name the MBCA as an additional insured to their policy.
- Any contractor providing services to the MBCA should carry their own certificate of insurance.
- Hartford Insurance will not cover aerobics instruction. If the Association hires someone to teach aerobics who does not have their own insurance, Hartford will cancel the insurance policy. The remaining choice for the Association is to pick up the risk or transfer the risk to an insurance carrier – other than Hartford.
- Would signing a waiver absolve the Association from any harm? The agent responded that it would not.
- Do community volunteers need to have their own liability insurance? The agent responded that the Association’s policy would cover low risk volunteer (no payment) activity. However, he encouraged such discussions to be with the Association attorney.
- We do not have a deductible with our insurance carrier. As a long term client of the Insurance Management Group and with a policy with Hartford; if the Association elects to go with a different carrier – will we have to pay a deductible? The agent responded that it would be up to the new carrier.
- The Board is not against aerobics, the board is for the person to have insurance. The bottom line is not to put the Association at risk.
- The agent pointed out that the Association has tennis courts, swimming pools, and other amenities. And, “if you are going to increase your risk” and start offering things like aerobics, or swimming lessons, etc., “just remember that someone among the 1,523 owners is going to say – ‘I have something that I would like the Association to offer and pay for’ and the Association will have to respond to that.”
- An owner expressed the sentiment that they would hate to see us taken out of Hartford.

Motion: Tony Kendrick Seconded: John Shifflett	The Budget and Finance Committee will look into the issue of aerobics; to include contacting the Association Attorney, the pool services contractor, and the cost of insurance that would cover offering aerobics. The Committee will report back to the Board at the June board meeting.	Passed
Voted in Favor: 15	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Sandy Kvech, Bob McCluskey, Bill Neimiller, Barbara Reniak, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

Secretary’s Report:

Motion: Tony Kendrick Seconded: Linda Herzberg	Waive the reading of the minutes of the April 9, 2011, Board of Directors meeting and accept them as written.	Passed
Voted in Favor: 15	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Sandy Kvech, Bob McCluskey, Bill Neimiller, Barbara Reniak, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION: The minutes were provided for in advance for review on April 18, 2011. No responses or corrections were received.

Treasurer’s Report:

Motion: Sandy Kvech Seconded: Linda Herzberg	Approve the Treasurer’s Report, as corrected.	Passed
Voted in Favor: 15	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Sandy Kvech, Bob McCluskey, Bill Neimiller, Barbara Reniak, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION: The amount of annual dues collected for the 2011-2012 fiscal year (in the income column) should also be placed in the “% Over Budget” column of the 2010-2011 report so that the total for the column is correct.

[NOTE: Barbara Reniak departed]

Good of the Association:

- Owner’s request that the community be informed not to walk through people’s property.
- Owner’s request that the community be reminded not to put grass clippings in the bay or on the streets (which end up with untreated storm waste water in the bay).
- The MBCA has purchased a small trailer for the MBCA boring machine. The machine saves time and costs when it is needed for use by contractors. The trailer will be titled and tagged to the Association.

Committee Reports:

- Advisory & Strategic Planning, Bill Trumpler, Chairman: There will be a joint meeting with the Budget & Finance Committee on May 27, 2011, at 10:00am at the MBCA Office.
- Parks & Pond.
 - Reported by the President on behalf of Alin Springer. By this coming Monday the three fountains, with lights, will be in operation in the pond. The bay pump will be installed by May 17, 2011.
 - Beautification, reported on by committee member Linda Herzberg. Four new benches have been installed around the pond. Two have been purchased in memory of family members. The planting area outside the office has been updated.
- Pools and Recreation.
 - Reported by Eileen Furnari on behalf of Barbara Reniak. The sense of the Board approved the recommendation to have designated smoking areas inside the fenced areas of the pools. Signs will be obtained and posted.
 - The refurbished putt-putt course will have signs, approved by a sense of the Board, of “No Smoking” and “No Pets” within the fenced area of the putt-putt course.
 - The addition of a six-foot Pirate Captain statue will be added to the putt-putt course and paid for with donations.

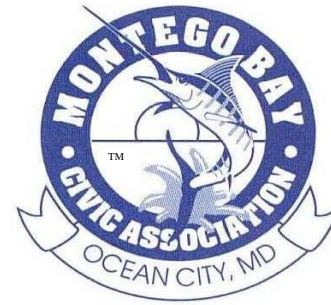
Adjournment

Motion: Bill Trumpler Seconded: Linda Herzberg	Adjourn	Passed
Voted in Favor: 14	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Sandy Kvech, Bob McCluskey, Bill Neimiller, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

The meeting adjourned at 11:27 a.m.

Submitted By:
Tony Kendrick, MBCA Secretary

MINUTES
Board of Directors Meeting
May 14, 2011



Approved by the Board: June 11, 2011

President Vera McCullough at 8:58 A.M, called the meeting of the Board of Directors of the Montego Bay Civic Association to order. The President led the Pledge of Allegiance.

Roll Call: The President and 15 (of 17) voting members were present. 18 owners attended.

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Guest Presentation: Mike Levy, OCPD Public Affairs Officer and Mounted Police, and Brandon Reim, Crime Analyst, Criminal Investigation Division, and Captain Bokinsky of the entire Criminal Division.

- Officer Levy provided an introduction: Over the past years, Criminal Division has made strides and expanded their capabilities. They have a Forensic Services Unit that has already done some new things such as having the first palm print identification system in the state of Maryland. And they added a crime analyst through a public grant. The presentation is to show the MBCA the past three years (2008, 2009, and 2010) of crime statistics, answer questions, a talk about security cameras. *(The handout provided at the meeting is attached at the end of these minutes.)*
- Highlights of the presentation:
 - Over ½ of single family homes in Ocean City are in Montego Bay. There are about 3,500 single dwellings in Ocean City and Montego Bay accounts for 1,523 of them.
 - Definitions:
 - Call for Service – “anything that requires an officer to respond”
 - Incident – an officer determines that criminal activity did take place and a police report is generated.
 - The statics were broken down by the summer-season and off-season, day of the week, and time of day.
 - The summer-season is from May 1st to September 30th
 - Crime rate in Montego Bay is less than 1% of all crime in Ocean City.
 - Calls for Service increase in the summer-season because of the increase in the tourist population. *(Refer to the handout for location of calls for service in Montego Bay for the three years.)*
 - The top-5 Calls for Service during the off-season are: animal complaint, residential check, EMS assistance, 911 hang-ups, and traffic stops.
 - The top-5 Calls for Service during the summer season are: animal complaint, 911 hang-ups, EMS assistance, residential check, and disorderly.

- Suspicious Person or Activity made it into the top-5 for the 2010 off-season.
- Calls for Service and Incidents are spread out throughout the community and no particular location in the community has any more incidents than any other.
- There were 4,080 incidents throughout Ocean City in 2010 for thefts, vandalism, burglaries, assaults, and drug violations. Only 39 of the incidents occurred in Montego Bay, which is less than 1% for all of Ocean City.
- The weekend is when most incidents occur on the weekend (for 2010: 4 on Friday, 6 on Saturday, and 8 on Sunday for the entire year). Sunday begins at midnight on Saturday and "Saturday" incidents after midnight are recorded as a Sunday incident.
- The most active months in 2010 were July and August (9 incidents in each month).
- Days of the week – the bulk of the calls are on Saturday and Sunday, which is not unique to Montego Bay. It's the same throughout Ocean City.
- Ocean city has, overall, including hotel rooms, over 44,000 rooms. Montego Bay has 1,523 single family residences. The city counts single family residence like a house, not a house. There are about 3,500 single family residences in Ocean City. There are about 27,000 condos and those are not counted as part of the hotels; 4,500 rooming houses and bed-and-breakfasts and condos only for rent. There are 7,900 full-service hotel rooms. That becomes significant when you look at crimes that are being reported. You are less than 1%. Montego Bay is doing very, very well with such a low crime rate.
- The low crime rate is not an accident, it is because of:
 - Community involvement in reporting suspected crime
 - Neighborhood Watch
 - Plain clothes police patrols (because you don't see police in uniform doesn't mean they aren't patrolling Montego Bay throughout the day and night)
 - Absent owners requesting residential checks by the police (which results in marked police car and uniformed random patrols per shift)
 - During the summer months, Ocean city becomes Maryland's second largest city.
 - Video surveillance is a significant and dramatic deterrent to crime. (The police pointed out recommended locations for video cameras.)
- Question: The location of the sex offense didn't change for any of the three years.
 - Answer: That is not indicating a crime that is indicating where a registered sex offender is residing.
- Question: Animal offenses have to be trapped?
 - Answer: Not necessarily. Some traps are set by homeowners and some capture-traps are set by animal control. Some animals are captured under porches or homes, etc.
- Question: Assaults are shown as going up in 2010, do you know if that occurred in the summer season?
 - Answer: That would have to be checked on what the monthly occurrence was. However, assaults went up across the board in Ocean City in 2010. Owners were advised to interpret the statistics provided in percentage as well as by the number. Assaults in 2009 were 13% and in 2010 it was 23%. The number of assaults in 2009 was 7 and the number in 2010 was 9.
- Question: Is the demographic of those coming to Ocean City changing?
 - Answer: There is no accurate answer [the presenters] can give. There are more festivals and special events that the City promotes and sponsors.
- Question: Are there more transients in Ocean City?
 - Answer: There is no information available like that. However, the crime rate in downtown Ocean City has risen during the off-season and what used to be seasonal rentals now remain open and there are off-season units that have cheap rent.
- Question: What are the plans for policing Montego Bay between the hours of 11pm and 3am?
 - Answer: Three things instituted last year that helped reduce the statistics for Montego Bay. There are a lot of plain clothes patrols. Because you don't see an officer in uniform doesn't mean they are not in Montego Bay. This sector [Montego Bay] has residential security checks in it. It is a free service of the police that is much underutilized. Those who ask for a residential check will result in a police officer making a check on the residence three times a day. They have mandatory checks, including during hours of darkness, so they are in your community. There are 27,000 residents eligible to ask for residential checks when they are out of town or other reason, and right now there are 38 requests for residential checks.
- Question: What is the timeframe for leaving the house to ask for a residential check?

- Answer: If you are going to be out of the area for more than three days. You give a call and you will be interviewed on the telephone, get your information, it will be entered into the database system, and the automated dispatch system will send an officer out to check your residence during their patrol. If there is a problem they have all your contact information and will give you a call directly.
- Question: We were told to leave our outside light on. That bothered me. You are raising a red flag that you are alerting people you aren't home when it is on throughout the day, day after day.
 - Answer: Actually, if the officer goes to check your residence and the light is off he will immediately know that there is a problem there. They will get out and they will check. Plus, a lit location by your door is a deterrent.
- Video Surveillance Systems. More and more are being put in place throughout the City. The Boardwalk is one location, there are others at key locations throughout the City, and they are on every entrance/exit road to Ocean City.
 - A video surveillance system in Montego Bay would be absolutely phenomenal.
 - Montego Bay is unique – almost like a military installation. You have one way in and one way out. If you put cameras to cover the 130th street entrance/exit and the entrances/exist along Atlantic, you will have video of anyone who leaves or enters the community on foot or in a car. OCPD police officers do a very, very good job being able to identify individuals from surveillance cameras and the Forensic Unit has the ability to identify individuals very definitively.
 - Videos can also be viewed on the police website where individuals captured on surveillance video can be posted to help identify who they are.
 - Surveillance systems are a huge deterrent. Most communities that have them see a dramatic drop in their crime rate and it drops quickly.
 - Video surveillance is a force multiplier. Everything can't be covered by a police officer 24/7. But a camera that is monitored can provide the information to deploy the police to an incident.
- Question: The way we have "Neighborhood Watch" signs throughout the community, would we post, "This Community is under Video Surveillance" signs?
 - Answer: I would encourage that.
- Captain Kobinsky advised if a surveillance system is being considered, select the best system that you can afford. If a system takes video's that look like everything is in a fog – you can't clean up fog.
- Question: Can the police department assist in selecting a system?
 - Answer: Yes, the police can weigh in on what you are considering. We can tell you what features you would need to consider. We can also assist when the cameras are being installed to have them positioned so that the pictures. However, the decision will be yours.
- Question: Are grants available to help pay for installation.
 - Answer: For private communities that answer would have to be researched.
- Question: Other than the tennis courts, the highest points in the community are people's roofs. Owners would have to agree to have a camera installed on their roof.
 - Answer: That would be an option.
- Question: Would the City object to having our cameras installed on the city lamp posts?
 - Answer: In the past that has not been an issue. That specific question would need to be asked of the City Engineer.

Guest Presentation: Reese Cropper, Insurance Management Group, Inc.

- Reese Cropper, President of Insurance Management Group, Inc., began his presentation with a brief overview. IMG has been the insurance agent for MBCA for a number of years. The MBCA insurance carrier, Hartford, has been in business since 1890. Hartford is a very stable company. And Hartford has historically stuck with the risks they ensure here in Ocean City. Insurance at the beach is easy to get but not always easy to afford. MBCA has been with Hartford for many many years. MBCA has its building's insured, some of its equipment insured, has Director and Officer liability coverage, workers compensation insurance, and umbrella coverage for slips and falls and accidents that may occur in the common areas. He stated his purpose for coming was to answer questions that the Board or community might have. Additional highlights of the presentation include:
 - The MBCA insurance policy with Hartford Insurance does not cover personal homes and personal property in Montego Bay. The homeowner must obtain their own personal and property insurance.
 - Question: Tony Kendrick, Secretary, asked if the Association decides to hire a summer patrol company or individual, under an independent contractor under a 1099 form, would the Association

policy cover the summer patrol. In case they hold or apprehend someone and the criminal sues the Association?

- Answer: The Association policy will not cover the summer patrol. The summer patrol will need to have the level of insurance that MBCA requires and their policy should name the MBCA as an additional insured to their policy. Mr. Cropper stated that the MBCA wants to insure their operations and not anyone else's operations.
- Question: Sandy Kvech, Treasurer, asked "if any contractor provides services to the MBCA the contractor should carry their own liability insurance with MBCA named?"
 - Answer: Yes. And they should also provide you proof of their insurance.
- Question: Ms. Kvech, asked, "We have some people that are paid volunteers. We have people who volunteer to do work for the Association and they are paid a nominal amount. Would the same thing apply to them?"
 - Answer: When you say a paid volunteer it is a contradiction in terms.
 - The Board asked for an example of the type of volunteer Mrs. Kvech was referring to. Mrs. Kvech said, "Recently, we had a number of people that have helped out with the restrooms and people like Tony Cenci and Brian Broussard." Mr. Kendrick responded that they were doing that because they were getting paid to do it, if they were not getting paid they would not have volunteered. Mrs. Kvech agreed, "Right. For those kind of individuals they are not necessarily quote unquote 'contractors' but for those types of individuals that we are paying to do work would we require the same of them as well?"
 - Answer: No. If you are paying them they become under your direction as an employee. You may be paying them and not taking out the taxes, but if you don't have an independent contractor contract they become your employee.
 - Example: If it is a gardening company, they are going to give you a contract saying they are accepting the liability for what they do. And the MBCA signs to hire them as an independent contractor. But if you have John Jones who lives in here and says, "I'm willing to change light bulbs," and you pay them to change light bulbs, they become an employee.
 - The other thing to be careful about is workers compensation and liability. If you have somebody come and do stuff for you that is an independent contractor, like a gardener, and they hurt themselves and they don't have workers compensation insurance - guess what happens? They will be coming after MBCA. You want to make sure they have their own workers comp and their own liability insurance.
 - Now, if it is somebody you want to bring in to work here at a desk and to clean up around the pool, then they would become an employee if you are paying them.
- It doesn't hurt to put in writing clearly what you are trying to do. It is a lot better to have something in writing that notes the intent. If you want to make sure everything is okay and they'll be covered under your insurance, call IMG to ask. Because if they change light bulbs and they fall off the ladder you want to be sure they are covered by your workers compensation.
- Question: Mrs. Kvech asked, "We have had an individual that has for several years come in and conducted water aerobics. She is not a contractor. She is an individual that we hire seasonally to come in and we pay her as a quasi-employee on a 1099. She is not a contractor. She's just an individual that comes in that is willing to, for the summer season, for eight weeks, conduct water aerobics. How does that hiring of that individual for that differ from an individual that comes in to do painting or, that is not a contractor, to do painting or....?"
 - Answer: The difference is in the level of risk. That is why the recommendation is to call IMG when you are dealing with these things to make sure the carrier is okay with it. An insurance carrier understands that you are going to have a maintenance type person, probably on payroll, and they also don't see it as a high level risk.
 - Example, if you have an individual that is going to do maintenance and shimmying up a tall flag pole to the top, the carrier is going to have a problem with that and may tell you that they will not insure that exposure. That is why I'm suggesting that the MBCA call IMG and ask.
 - The risk exposure of the water aerobics the carrier, this particular carrier, will not insure.
 - I am not saying that it can't be insured. But the Association will need to decide whether to pay the liability coverage premiums that would be charged by a carrier that is willing to pick up that risk exposure.
 - An insurance agent is there to help you get the coverage for the risk exposure. If you don't know about the exposure and you don't know all the ins and outs it can be a problem for you and a problem for the insurance carrier.

the way we thought, if we go back to Hartford, Hartford might say that it is a different ball game. Is that correct?"

- Answer: That is correct. You may or may not end up having to pay a deductible. I don't know what the results will be. The next step will be if the Association wants to take on the additional liability and then you have to look into the cost of the additional liability. There are no guarantees.
- Question: John Shifflett, member of the Board, stated and asked two questions: "You have our master policy. Do you insure the pool company we have right now?" The answer was no. "It is a completely separate company. It is very possible that the people we have the pool contract with, I know they have to have a million dollars in insurance, they may already have that [water aerobics] in their policy." Mr. Shifflett asked his second question: "If someone drowns in our pool. Would our master policy pick up anything or would we rely on our [pool] contractor's policy?"
 - Answer: Right now, forget the aerobics, let's say I'm swimming with this lady and we're doing our laps because we want to have a competition between ourselves – it is not an organized event, she and I organize it together, and I drown. And the lifeguard can't get me back. There is going to be a lawsuit. This [Hartford] liability will protect you. When it comes to aerobics, they are going to decline it and not even insure you anymore.
 - Mrs. Kvech asked, "Even if the instructor has her own insurance?"
 - Answer: I didn't say that. If the instructor gets their own insurance then you have a different story. Because it is then their liability.
 - Mr. Shifflett stated that the Association needs to ask the pool contractor what kind of insurance they have.
 - Answer: You can. But they don't insure that.
 - Mrs. Furnari agreed that the pool company's insurance would not cover someone the Association hires and pays someone. It wouldn't be their employee.
 - Barbara Reniak, member of the Board and Contract Committee Chairman, stated that the pool company has their own insurance for their own employees and their instructors who teach swimming lessons. The pool company does not pick up insurance for anyone else.
- Question: Phyllis Mosmiller, member stated: "I am all for safety and don't want anyone to be sued. But let me give you a scenario. I belong to the senior center, which is sponsored by Worcester County. They put in a small exercise room with exercise equipment. In order to use that, you have to sign a sign-in sheet that has a waiver. There is no way they are going to be responsible for somebody having a heart attack when they are exercising. So they sign this waiver. They are not going to put themselves in jeopardy and neither will we if we have people sign a waiver, 'I'm doing this of my own recourse.' Let me tell you, the water aerobics that we have been doing for years – nobody lost weight, nobody is getting better muscles; we are doing this for fun. It is all for fun. It is not strenuous. It is not anything but a bunch of ladies having fun. And to stop it would be cruel." [Applause.]
 - Answer: I understand your point. It is my understanding that one person puts this together? [The answer was yes.] If I were that person, there is no way that I would organize that event and not make sure somebody isn't picking up liability for me. Because as much as it can be a friendly little get together – when you have someone come over to your home, everything is fine until the child gets hurt."
 - Mrs. Mosmiller interjected that that would not be a problem if you sign a waiver [before entering the pool.]
 - Answer: I understand. All I am saying is that I wouldn't want my estate handling the liability that you would have if somebody got injured.
- Question: Sue Frankowski, Vice-President, asked: "Your company has known that we have had this water aerobics for all these years. And every time we would question them every year and every year it would come back, 'Yes. You're okay.' Why all of a sudden is it not okay?"
 - Answer: "I have not known that my company knew about this." He said when his company, his manager, specifically found out then they went to the carrier and asked, "What do you think?" and they said, "Absolutely not. Let the person get their own liability and name the Association as an also insured." So, this has now been brought up to the carrier. The carrier is very adamant they are not going to insure water aerobics.
- Question: Bob McCluskey, member of the Board, asked: "Why wouldn't a signed waiver absolve the community from liability?"
 - Answer: "A lawyer will tell you that you can sign waivers all you want and they are still going to file a lawsuit. And there is still going to be a need for defense. I am not going to say the Judge is going to say the waiver works."

not recommend that this Association pick it [the liability] up. I highly recommend that any independent contractor pick it up and let them describe the exposure and then name the Association as an additional insured on their policy.

- Question: Linda Herzberg, member of the Board, asked: "Would the fact that the aerobics instructor is not certified have anything to do with anything?"
 - Answer: It may be a problem for her to get insurance. In that case, do you want someone who is not certified working for the Association giving aerobics?
- Question: Phyllis Mosmiller, member, asked: "I'm a little bit confused. There may be a kid in the pool with a bad heart and has a heart attack in the pool. What is the difference?"
 - Mrs. Furnari responded, "We are not teaching them."
 - Mrs. Mosmiller stated she understood what Mr. Cropper was saying, and continued, "If the Board would listen to us ladies. We have an interest. You have a duty to your community to listen to what your community wants. And go out and find out how much it costs and tell us."
 - Answer: If the Board asks me to I will be glad to have my office go out and get that information. He continued that he understood her personal interests and the concerns of others and continued by providing an insurance perspective on the world today. He recounted various insurance scenarios.
 - Comments were made that those had nothing to do with the aerobics instructor issue.
 - Mr. Cropper responded that those scenarios had everything to do with the aerobics instructor issue "because it is about exposure and it is liability and you don't want to be paying an assessment when this Association says that there is a lawsuit that wasn't covered by insurance."
 - Mrs. Mosmiller repeated her request that the Board look into what it would cost.
- Question: Andrea Albrecht, member, stated and asked: "I would like to, beyond the water aerobics, which appears we were not covered even though Susan White might still have the e-mails where she said that we were, a misunderstanding I understand, we have a lot of volunteers in this community, some of whom are Board members, are out doing maintenance kind of projects in the community like standing on stepstools to change light bulbs, and I personally witnessed one Board member with a pair of pliers to the lamppost. We have been doing shoveling snow with heavy equipment. These people are volunteers. Now, what is our liability should somebody get hurt there."
 - Answer: The Association has [omitted] dollars of liability.
 - Ms. Reniak also responded that she was one of the volunteers and that she does not get paid and she is a member of the Board. She also said that she has a pair of pliers. She said she does change light bulbs. And that she does some of the things the Association once paid a maintenance person to do.
 - Mr. Cropper recommended that the Association speak with its attorney on these same issues of liability. If someone gets injured it isn't known whether the injured party or their heirs or family will come after the Association for compensation. It is a good idea to be on the offensive instead of the defensive and look into whether volunteers should sign a waiver or that they get included on the workers comp.
- Question: Dennis Julian, member of the Board, commented that in his line of work, which is accounting, that contractors sign a statement that is a waiver of liability.
 - Mr. Cropper responded that there was a recent case, in Ocean Pines, that a worker signed a waiver of compensation. The worker got injured and sued the company. The company argued the worker had signed a waiver. The Court said the company had workers compensation insurance and was told to pay the claim. Other court decisions are following suit. That is a new trend.
- Question: Joan Kutcher, member, stated that she volunteers to work at the library. "I have been doing this since 1997. I was informed when I first went there that I am not covered under workman's comp. If I fall while I'm shelving or a patron decides take a dislike to me and punches me in the mouth, I'm on my own. And I checked with the Director of the library and I am definitely not covered. Are you saying that if something happens I can sue them anyway?"
 - Answer: Absolutely.
- Question: Andrea Albrecht, member, asked: "Have you been asked to look into the Association's liability related to the new ADA required lift that we have to install for the pool?"
 - Sandy Kvech, Treasurer, responded that Susan White had not been asked to look into this.
 - Mrs. Albrecht continued, "So, this is a major issue that you [IMG] should have been contacted about and the Board is going to have to get that on our policy."

- Answer: Usually if it is an ADA requirement, typically your insurance carrier is not going to have a problem with that.
- Question: [Name unclear], member, asked: "If you have two certified lifeguards and say thirty women decide to meet at the pool at the same time and if someone says 'let's do jumping jacks' and another says 'let's do sit-ups' or this, that, and the other. Basically, you are doing aerobics but there is no instructor. Is that acceptable? If you drop dead then, you're [the Association is] covered?"
 - Answer: That is a good question. Again, here is the key – if the Association makes the statement that aerobics will be allowed from 10am to 11am, an organized thing, the Association ends up picking up some liability. If, for example, you go swimming with your family or neighbors, and you're in the pool and suddenly decide to do exercise, that is fine and you can do it all you want. But, if you go to the MBCA Office and ask, "Can we do this?" Just because the Office says "okay" takes on some liability. And that is the difference.
- Question: Harriet Pilert, member, stated and asked: "There is a budget line-item of seven-hundred dollars the Association will pay towards this, under her scenario you were just discussing with her, that would have to go away and the Association will not pay for that but the individuals might, but you don't know that, and you get together as an unnamed group and have that activity."
 - Answer: I want to be clear and I suggest that you all be very careful in how you are trying to wiggle your way through the legal system. This Association definitely cannot say you are organized and you can go. I said before and I'll say it again – if anyone organizes such a group thing and if something happens they are going to come back to you and say that you organized it, outside of the Association, so the organizing individual suddenly picks up the responsibility. Just like you invite people to get into your car and you go down Coastal Highway and you have an accident and two people are killed. You organized them getting together so you are going to be held liable.
 - Linda Herzberg, member of the Board, commented that the person would be liable even if they had organized the car trip for 8 or 9 years and never had an accident.
 - Answer: That's right.
- Question: Mary Jane Maxwell, member, stated: "This whole discussion has come up because the instructor they have does not have a license and has no intention of getting certified. I don't know if they told you that. I just don't understand."
 - Answer: Again, my point in coming here is to say to you as a community, the same way I would say to you as an individual, when you have someone coming and doing work for you ask them for an insurance certificate. That is just good business practice. It is up to the community if you want to increase your liability.
- Question: Barbara Balodimos, member, said: "Most of the people who go to the aerobics are elderly. We enjoy it. Some of us have gone to Parks and Planning and taken low-impact aerobics. We have had to quit because it was so strenuous. Several of us have gotten sick from it. But what we do in Montego Bay is a large group that gets together three times a week. The instructor is not pushing you. If you don't feel like running across the pool, you don't do it. If you don't want to hang on the side of the pool and do her instructions, you don't do it. It is just an enjoyment that the Association has benefitted from all these years. But right now because several of the people who are against it do not participate, they have never put their foot in the pool."
 - Answer: All I am saying is if I am the person asking you to do it, I wouldn't do that unless I had insurance.
- Question: Dennis Julian, member of the Board, commented: "A lot of people are saying the Board is totally against water aerobics, we are not against it. It is all legality and if we don't do the same thing across the Board for everyone, that they all have to have insurance, then we are liable."
- Comment: Barbara Reniak, member of the Board, commented: "Andrea, you have done a very good job of bringing everybody in today. I have no problem with aerobics, none. I was even going to come this year if we had them. But you have to remember, everybody on this Board has a responsibility not to put this Association at risk. From what we are hearing that is what is happening. That is the bottom line."
- Question: Andrea Albrecht, member, asked: "Let me say something about the insurance, having been the Treasurer for a number of years. I know the [omitted] dollar liability is an arbitrary amount. I know because I raised it from [omitted] to [omitted]. I'm not arguing with that because I know it is an arbitrary amount and, consequently, the cost of the insurance is based upon that. I am asking you and the Board to go back, as quickly as possible, and see how much it would cost us to include aerobics, because if it is not in that general Montego Bay insurance I can't imagine even if the instructor with their own insurance Montego Bay would still have liability because it is allowing the use of the pool for the activity."

- Answer: Here’s the thing. In the minutes of this meeting, if at the time of the Board of Directors meeting they said they want to look into having more insurance or that the Association doesn’t need more exposure, and the Association says we are not going to have Aerobics unless this person (a) shows us they have insurance of \$1 million or more, or (b) that we purchase additional coverage for the Association, that way it goes on record. What happens is if it goes to court and the Association shows in the minutes that they were not allowing it until (a) or (b) happens, then there may still be a lawsuit but there will be less liability and culpability because we drew the line.
- Mrs. Albrecht responded, “That is what I am asking the Board. To get the numbers as quickly as possible and get together and make this decision so that, if it is to the positive of having aerobics, it can start in July.
- The President commented that she had spoken with the attorney, and that she had not even mentioned that the instructor was not certified, “and the attorney said, ‘if I were a member of Montego Bay, paying assessments, that I would be mad as hell that you are in the aerobics business.”
- Mr. Cropper provided some closing comments: There are many things that people can be passionate about. When you are running a business, which Montego Bay is, and you’re also running a community with that business, one thing I suggest you all think about is the Association already has tennis courts and swimming pools, which have some inherent dangers. If you are going to increase your risk for one other thing just remember that there is going to be somebody out there is this 1,523 unit community who is going to say, ‘I have something I would like.’ And then you are going to have that to deal with. Just keep that in mind as you are going through this process. It makes it easier to shift the liability to those who want those things. [Note: Mr. Cropper departed.]
- Tony Kendrick, Secretary, made the following motion:

Motion: Tony Kendrick Seconded: John Shifflett	The Budget and Finance Committee will look into the issue of aerobics; to include contacting the Association Attorney, the pool services contractor, and the cost of insurance that would cover offering aerobics. The Committee will report back to the Board at the June board meeting.	Passed
Voted in Favor: 15	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Sandy Kvech, Bob McCluskey, Bill Neimiller, Barbara Reniak, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION:

- Eileen Funari, member of the Board, requested those who know the aerobics instructor have her go to the Aquatic Association and ask them what she can do for insurance.
- Bob McCluskey stated, “I think in addition to looking at other insurances we should also get back in touch with Mr. Almand because I read the letter carefully and he doesn’t express any deep concerns in that letter. In fact I jotted down some of his comments in that letter and he states in that letter that he is not concerned by the liability aspect and he also wrote that he wasn’t sure there was much exposure to a claim. And he states also that the absence of a license doesn’t concern him. So, I think. We have to remember that insurance companies have a vested interest in selling us insurance. If we put too much faith in what this gentleman just told us, we may be subjecting ourselves to his particular sales pitch. I think we need to go back and talk to the lawyer as well and get a legal opinion on this.”
 - The President responded that it is the insurance company saying that they will not insure us and not the agent, Mr. Cropper.
 - Bill Hastings responded that the insurance company has an obligation to tell the Association what kind of insurance the Association needs. They would be subject to malpractice by not giving you the information to make an intelligent decision. So, it is not just a sales pitch on his part. It is to make sure you are adequately covered to protect you and to protect them.
 - Mr. Kendrick stated that the attorney was speaking about volunteers in general and not about the aerobics instructor.
- Bob McCluskey responded that, “That there seems to be a discrepancy between what we heard today and Mr. Almand’s letter. And I would like to have that rectified.”
- The President recognized Anna Neimiller, member, who stated, “I would hate to see us take all of our insurance out of Hartford. It is a good company and they have been great. Is there any way to get insurance just for the two or three months of water aerobics with another company?”

Secretary’s Report:

Motion: Tony Kendrick Seconded: Linda Herzberg	Waive the reading of the minutes of the April 9, 2011, Board of Directors meeting and accept them as written.	Passed
Voted in Favor: 15	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Sandy Kvech, Bob McCluskey, Bill Neimiller, Barbara Reniak, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION: The minutes were provided for in advance for review on April 18, 2011. No responses or corrections were received.

Treasurer’s Report:

Motion: Sandy Kvech Seconded: Linda Herzberg	Approve the Treasurer’s Report, as corrected.	Passed
Voted in Favor: 15	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Sandy Kvech, Bob McCluskey, Bill Neimiller, Barbara Reniak, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

DISCUSSION:

- Profit and Loss review generated no questions.
- Operational review generated a clarification comment that the amount of annual dues collected for the 2011-2012 fiscal year (in the income column) should also be placed in the “% Over Budget” column of the 2010-2011 report so that the total for the column is correct.
- Overall, the expenses budgeted for 2010-2011 are 9% less than budgeted.
- Mrs. Kvech said, “I just want to thank everybody on the Board for their very strong efforts at spending the money that we approved for expenditures to get as much spent before the close of the fiscal to get those invoices in and they did an outstanding job. And to compliment the pool committee and the putt-putt. The putt-putt if you haven’t seen it, go by, it is fantabulous. And so is the ladies bathroom.”

[NOTE: Barbara Reniak departed]

President’s Report:

- I am ecstatic over how the community looks. I hope you have a chance to go up and down the streets and see how well people are taking care of their lawns. It is a pleasure to go through. We have such a good team working here and it is a pleasure to work with them. Barbara Reniak and I go through the community and I write down the address of a property where the grass needs to be cut. I am the one who communicates with the property owner. And the best thing that has happened is now we have e-mail addresses for so many people. I can send someone an e-mail and 10 minutes later I get a reply back from them saying they’ll take care of it right away. It has worked real well. I am thrilled with e-mail because it is saving us money.
- I am going to talk about Tony Kendrick. This man has done such a fantastic job. You should see what he has done with the shed. He has cleaned it up. It was impossible to walk in there. He has some before and after pictures. I do thank you.

Good of the Association:

- Genevieve Hartline, member, reported that one of the trees by the office was leaning and needed to be propped up. She also said that the bronze plaque honoring past and present Board members had never been replaced. She also reported a dead tree by the pond that has never been replaced.
 - Linda Herzberg, Parks and Pond committee member, reported that the plaque has been replaced with a black marble and brick. And that she will look into the dead tree that Mrs. Hartline mentioned.
- Harriet Pilett, member, reported that the algae bloom in the pond is back. She asked what the plans are to address that.
 - The President responded that that will be part of the Park and Pond report later in the agenda.
- Owner’s request that the community be informed not to walk through people’s property.
- Owner’s request that the community be reminded not to put grass clippings in the bay or on the streets (which end up with untreated storm waste water in the bay).

Old Business:

- Yard Sale: Bob McCluskey reported that Debi McCluskey will run the Yard Sale this year and that she is working with Phyllis Mosmiller. The date has not been decided yet.

Committee Reports:

- Advisory & Strategic Planning, Bill Trumpler, Chairman: There will be a joint meeting with the Budget & Finance Committee on May 27, 2011, at 10:00am at the MBCA Office. Decisions will be made on allocating Reserve Funds to the line items in the Reserve Budget.
- Parks & Pond: Reported by the President on behalf of Alin Springer.
 - By this coming Monday the three fountains, with lights, will be in operation in the pond. The bay pump will be installed by May 17, 2011.
 - Algaecide chemicals were applied in March and April. And most recently it was applied yesterday. What you are seeing in the pond now, for the most part, is dead algae. It will sink.
 - Harriett Pilert, member, asked if paying to have the dead algae scooped out would be possible. The President said that the last time they did that it took 3 workers in a boat two days to remove it – and the more they removed the more came up.
 - Bob McCluskey stated he also observed the large amount of algae and he also commented that the water level in the pond is low. The President acknowledged the low water level and explained that May 17th was the earliest the company could come out to install the pump.
 - Beautification, reported on by committee member Linda Herzberg. Four new benches have been installed around the pond. Two have been purchased in memory of family members. The planting area outside the office has been updated. One memorial tree was replaced.
- Pools and Recreation: Reported by Eileen Furnari on behalf of Barbara Reniak.
 - The putt-putt course will be open soon. She recommended that a No Smoking, within the fenced putt-putt area, sign be posted at the putt-putt course because it is a place for children. And she also recommended the sign say No Pets and No Bare Feet. The sense of the Board was to have a No Smoking and No Pets sign.
 - The sense of the Board approved the recommendation to have designated smoking areas inside the fenced areas of the pools. Signs will be obtained and posted.
 - The addition of a six-foot Pirate Captain will be added to the putt-putt course and paid for with donations.
 - Bob McCluskey expressed concern that it would be a potential source of vandalism.
 - Kathy Trumpler stated that the \$700 is not going to be spent on an aerobics instructor so why not use it to pay for the statue. It was clarified that a decision on aerobics had not been reached yet.
 - Members began making donation commitments. The statue will be purchased through donations.

New Business:

- Smoking Policy: Eileen Furnari recommended to the Board that the issue of smoking at the pools be placed on a referendum so that the owners can decide whether there should be smoking at the pools. The pool is a lot of children and a lot of seniors, that's all we have in here and they don't need second-hand smoke.
 - Sue Frankowski said that there had always been smoking areas at the pools. Mrs. Furnari clarified that she is recommending smoking take place outside of the fenced areas of the pools.
 - Paul Svoboda said that people do smoke there and one lady was offended when smoking was taken away for a while. The lady said that she is there to watch her grandchildren and that she also smokes, she has the smoking habit and she can't control it. If she has to smoke outside the fence she cannot watch her grandchildren. He stated that he would be opposed to a smoking ban and that there should be areas inside the fence for smoking.
 - John Shifflett agreed that smoking should be allowed at designated areas inside the pool fencing.
 - Bill Hastings mentioned that Ocean City just banned smoking in public parks and only in designated areas of the beach.
 - Bob McCluskey remarked, "I am a little leery of putting too much out on referendum because of the cost for doing that. Couldn't we just put up signs 'We thank you for not smoking?'"
 - Mrs. Furnari responded that that would mean no smoking.

- Bob McCluskey continued, “That would be the connotation, but at the same time, like Paul said, if they can watch their kids or grandchildren they could still do so. We wouldn’t actually be banning it but we would be planting a suggestion in their minds that we would prefer they wouldn’t do it.”
 - Mrs. Furnari sated she would prefer to see the smoking area back in a corner.
 - Tony Kendrick clarified that every time there is a referendum doesn’t mean that there is a mailing. What is being done is grouping these referendum items to go out with the election ballots for the August meeting and the assessments for the April meeting. We are only talking about a referendum ballot in August and April.
 - Bob McCluskey said that the swimming season would almost be over if the referendum wasn’t sent out until August.
 - Mrs. Furnari and Mr. Kendrick said that the decision of the owner’s wouldn’t be implemented until the follow year.
 - Harriett Pilert, member, asked if referendum items allowed for discussion or is the owner just voting on the ballot. How will owners know what others have to say about it?
 - Mr. Kendrick referenced the new Bylaws (Operational and Procedures Manual section) that the referendum items will contain a statement of the in-favor position, a statement of the opposing position, and a recommendation of the Board.
 - The President said it was no different than the ballot for election Directors and Officers.
 - Linda Herzberg said that they could come to a Board meeting and express an opinion.
 - Mr. Kendrick pointed out there was no motion on the floor to place the smoking issue on a referendum ballot. The President asked if anyone wanted to make the motion. No one made such a motion and, therefore, the recommendation dies for lack of a motion.

Closing Comments:

- Mr. Kendrick presented the title to the small trailer purchased for moving the MBCA boring machine. The machine saves time and costs when it is needed for use by contractors. The contractors said that the borer machine was too heavy to life since we got rid of the van. The trailer cost \$200 and the van was sold for \$5,300. The trailer will be in the shed. It can be hooked to the trailer hitch of the electrician’s vehicle. It can be used for other purposes as long as the borer is taken off the trailer and then placed back on the trailer. The trailer is 4 feet by 4 feet. It was assembled and wired by Mr. Kendrick and he also constructed sides for it. The trailer is highway certified. The sense of the Board was to title and tag the trailer to the Association.
 - Linda Herzberg commented about the before and after condition of the shed. And the improvement with shelves and work benches.
 - The President commented that it appeared that nothing had been thrown away for the past 40 years. “You should have seen how much garbage there was.”
- Eileen Furnari commented, “Isn’t it nice to see everything getting done!”

Adjournment

Motion: Bill Trumpler Seconded: Linda Herzberg	Adjourn	Passed
Voted in Favor: 14	Sue Frankowski, Eileen Furnari, Bill Hastings, Linda Herzberg, Larry Holdren, Dennis Julian, Tony Kendrick, Sandy Kvech, Bob McCluskey, Bill Neimiller, John Shifflett, Paul Svoboda, Bill Trumpler, Al Weber	
Abstained: 0		
Voted Against: 0		

The meeting adjourned at 11:27 a.m.

Submitted By:
Tony Kendrick, MBCA Secretary