



January 2020

POCONO MOUNTAIN LAKE FOREST

NEWSLETTER

IBOD Board of Directors

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Dear Resident:

Court Case Update: As of this writing, the Judge has yet to render his decision. We hope this will be done shortly since all of us want this decision done allowing the community to finally move forward unencumbered with threats of lawsuits over one's head. Those attending the various court hearings heard the testimony offered and, based on proofs submitted feel any decision for past administration would be a serious mistake. Although this decision lays heavily on all of us, we can only hope the Judge does right by PMLF and rules against injunction which would be the best decision since that would halt all this frivolous unnecessary litigation for one, and would also allow the IBOD to get back all the ledgers and records needed so that we can run an honest transparent open election. Another decision that could be made

is that of a 'custodian' appointed by the Judge. This also isn't a bad thing. The last decision obviously would be to approve the injunction bringing back the prior administration, something few may want.

PMLF Elections Scheduled: The IBOD created an election committee and will stay out of any election processes. The election committee comprised of residents will insure this next election is compliant with laws and regulations. **MARCH 21, 2020 Saturday @ 11am** has been scheduled for elections and adoption of budget. Ballots will be sent out in the immediate future. Unfortunately part of this newsletter will speak to the fact some have thought about the avoidance of the legal requirement to pay dues with various concepts and ideas being thrown out for discussion. Ideas have been discussed about how individual members can ignore their deed covenants, or how they could pave roads themselves in lieu of paying dues or even past comments on disestablishing the Association by ignoring the association deed structure and actually forcing it to die by nonpayment of dues.

These words are written out of understandable frustration from what many of us are now seeing and feeling: our community amenities in a complete state of disrepair, that we inherited the worst financial crisis in years and worry that the future will be more of the same. But not paying dues is not the answer. So perhaps we should talk about what each property owner is actually subject to: each property in PMLF has a deed and that deed has covenants that require the deed holder to pay dues and follow the bylaws and State law about Homeowner Associations (HoAs). A deed is a contract, contracts are enforceable.

One argument put forward that since the members aren't getting the services they pay for they can feel free to withhold dues. Although this may work in a rental situation, depending on local laws, rentals are

totally different than the fee simple homesteads in our community. We own the home and land it sits on and although in a rental unit a judge may order required repairs and assess these expenses back to the owner/landlord, that tenant was still required to pay the rent. There is no provision in the laws governing HoAs allowing this. In a very long exchange on social media an argument was put forward that, using the rental laws as rationale, individual members can repair the roads themselves and claim the money they spend as credit in lieu of paying dues. Perhaps one could successfully make that argument in a courtroom during a legal suit, but may lose since the prevailing law appears to deny it. Given the time and enormous cost of a law suit and if you lose you pay not only your lawyer's bill but you pay back the association's lawyer bill as well. How many of you are willing to risk that large an amount of money on a law suit?

Additionally, despite all the mismanagement of the prior years, the fact is that board members have a legal fiduciary duty to govern your association legally and fiscally sound. Individual members do not have that legal liability. The suggestion of property owners coordinating their own road improvement upgrades and giving your monies to one neighbor coordinating it all leaves that individual unprotected. Has it occurred to any of the people making that argument that the people on the IBOD ARE your neighbors? Has it occurred to any of the people listening that your prior administration and the rest of that crew ARE ALSO your neighbors? Do you really think it wise to hand your money over to someone else who DOESN'T have a legal liability to spend it wisely?

We fully agree with the sentiment behind this. The people on the BoD during prior administrations failed the community, practically destroying the financial reputation as well as the physical infrastructure of PMLF. Members should act to prevent that from ever happening again. But the concept that you can fix this by ignoring laws, ignoring financial obligations and ignoring the long term accountability that eventually will come to roost when something goes wrong. By now everyone should understand the inevitability that things will at some point go wrong.

So, to answer the people making these legally irresponsible arguments about not paying dues I will point out that (1) their failure to pay dues didn't change anything. (2) Their failure to not pay dues now is the cause of the continuing road situation. (3) The people who actually accomplished some changes, who actually have made some progress, the people who forced change are ALL, every one of them, are people who paid their dues and had a voice in what happened, who took risks because they were convinced that the only successful path to fixing PMLF is the legal path. The path the non-dues payers are taking has failed time and time again. The path they continue to take now is causing the very problems complained about.

In our current debt situation, if people don't start paying their dues the bank will force us into receivership; both law and case history prove they can do that. If that happens, a receiver is not going to take the time and effort to explain things, to politely try to convince you of why you should follow the law. No, you will get a bill in the mail with an enormous increase in dues, and if you don't pay it he/she will start legal process against you to foreclose on your home. The arguments on why you can safely not pay dues, on how local rental rules can somehow trump state real estate law, are a siren song luring you to personal financial disaster.

Each property owner not current on their dues may want to ask themselves this question. If we go into receivership and you eventually get a letter telling you that your home is about to be foreclosed on and you have 7 days (or whatever) to pay up or else, will any of the siren's singing this song step up and help you pay your back dues so you can keep your home? Here's another question. If you give your dues money to a neighbor who hires a shoddy contractor and the road repair falls apart, how much more are you willing to cough up to pay for the law suit to sue that contractor?

What is most disheartening is that after spending so much time and personal money pushing to help fix a sick association, some are painting those who actually have accomplished something good with the same brush as prior administration. How dare you. Where were you when Christine Thomas stood up and called for a vote to remove them? Where were you when several of us engineered a second vote to remove them and documented every vote to provide evidence? Where were you when John Swift, Linda White and 5 others took over and stopped the bleeding? What have you done to support those same 7 people as they fight off Floss's attempt to get back in power? Yes, demand accountability, demand accurate financial reports, watch the IBOD and subsequent elected board's like a hawk. Make sure your money is spent the way it is supposed to be spent and expect nothing less from those using your dues. But please, do it legally.

We encourage every member to have a voice in PMLF's future.

Committees

Yes you are seeing this clearly! We have committees now! It's all about working together in this community! The following committees are in place but we are looking for more of our residents to step forward and join any of these committees.

- Grievance
- Finance
- Roads/Maintenance
- IT
- Beautification
- Recreation
- Oversight Committee

Email us with your email address and phone number on which one or more committees you are interested in helping in.



STOP SPEEDING

We are **still** receiving complaints of speeding dirt bikes and ATV's and the latest is speeding along snowy roads and spinning out 'just' for the fun of it. There is no fun when a parent gets that terrible phone call their child is in the hospital. Speak to your teens. Only need one slip up and none of us want that to happen. Speeding along our roadways is dangerous on a good day in this community. *So 'slow down' when driving!* We all know our roads are more craters than roadway and speeding on them is just an invitation to an accident. We want all to be safe so be a good neighbor and drive slowly. Slow it down!



**OK, Show of hands...
Who's tired of snow?**

We hope you share this with your neighbors since it does hamper snow removal efforts during snow storms. Thank You in advance.

GET OUT OF THE Right Of Way!

To residents restricting plows from going down roadway....

The Snow Contractor contacted me to say there are several areas and roadways ROW's in the community where the homeowners have parked vehicles, recreational trailers, campers and boats out in the ROW of the roadway making it impossible to plow the entire length of the roadway. If you have anything in the roadway, remove it ASAP since it is creating a safety problem for residents beyond your homestead.

Snow Removal Safety

Avoid Shoveling If Out of Shape

- * Know Your Lift Limits
- * Avoid Twisting & Bending
- * Push Instead of Lift When Possible & Use Your Legs
- * Perform Warm-up Exercises and Take Rest Breaks



Help Prevent Slips and Falls

- * Use Rock Salt, Sand or De-Icing Compounds

Be Careful Operating Snow blowers

- * Never Clear Exhaust Chute When Running
- * Watch Loose Clothing Like Scarves and Jacket Sleeves
- * Be Aware of Projectiles



COMMUNITY YARD SALE

Any interest in a Spring Community Yard Sale?

The one we held last fall was lots of fun and some actually sold stuff. Many residents expressed interest for another one this coming spring. We can either do it by a mapping with home addresses noted or in front of clubhouse like last time with a list of home addresses for those residents that have large items to sell. I know I have a garage full of things to sell. If interested, let us know. This time we can do it on a Sunday. Email your interest to office@pmlfcommunity.com

PMLF Meeting Dates for 2020-2021

The following dates have been approved and posted for meetings of the Association. Mark them down: March 21, 2020 – carried hearing of 12-8-19 GMM for Elections/Budget; April 19, 2020 for GMM Spring Meeting; October 18, 2020 Fall GMM meeting date. Regular Meeting dates are: 2/16/20; 3/15/20; 4/19/20 GMM; 5/17/20; 6/21/20; 7/19/20; 8/16/20; 9/20/20; 11/15/20; 12/20/20; 1/17/21. Workshops will be held the Thursday before every Regular meeting @ 6PM. All meetings are held in the Clubhouse which meetings are open to all residents.



How to Mentally Get Through the Winter Blues

The darker, colder months of winter can get you down. The holidays are over, the days are short and dark, and the weather can be miserable. Whether it's winter-induced SAD (seasonal affective disorder) or simply a case of the "winter blues," winter can trigger a change in your mental state. Some people – especially seniors – may notice changes in sleeping habits (most commonly oversleeping), lethargy or lack of energy, and loss of interest in socializing and other activities. Being aware of changes

in your mood is a big step to getting yourself through the "winter blues." Here are some tips to get you through until spring gets here.

Exercise

Don't let colder weather interrupt your exercise routine. Physical exercise is a great way to keep your mood up. If ice, snow, or freezing temperatures are keeping you from getting outdoor exercise, find somewhere indoors to walk instead. Many malls open early just for walkers. Your local rec center may have an indoor track or exercise classes. Many facilities offer lower-impact classes just for seniors.

Get out and socialize

It's easy to isolate yourself in the winter, but don't let this happen too much if you're feeling down. Call a friend and get together or find new friends by joining a club or taking a class. Check your area's senior center for activities. Some universities and libraries offer classes for seniors at low or no cost. You can socialize and learn something new!

Lighten up

When weather permits, try to get outside. Many researchers think the decline in daylight during the winter months can affect our circadian rhythm and cause hormonal changes that affect our mental health. Increasing the amount of light you are exposed to can help. Natural daylight is the easiest and least expensive way to increase your light exposure, but an indoor light box can also help. Light boxes are designed to simulate the effects of natural sunlight. If you are considering investing in a light box, check with your doctor about how to use one effectively and safely.

Eat right

Cold winter weather may trigger a desire for comfort foods but indulging in these may contribute to the "winter blues." Instead, try to limit carbohydrates and increase your intake of lean protein and vegetables. The lack of sunlight exposure in the winter can also lead to a vitamin D deficiency, so be on the lookout for foods that are high in this vitamin: foods like beef liver, egg yolks, cheeses, and salmon. Also look for foods like milk and yogurt fortified with vitamin D. You may want to take a vitamin D supplement, but before taking any new supplements or over-the-counter treatments, consult with your doctor about any possible interactions with your current medication.

Don't oversleep

We all know sleep is essential for mental health, but in the winter, it's tempting to sleep too much. Try to get about eight to nine hours of sleep, and don't let winter turn you into a night owl. Get up at 7 or 8 a.m. to take advantage of daylight hours. If dark mornings mean you're having trouble getting up that early, consider a dawn simulator. Similar to a light box, a dawn simulator is a device that simulates the rising sun, taking about 30 to 45 minutes to gradually light your bedroom. This can help your circadian rhythm and improve your mood.

Remember that if you or a loved one's "winter blues" seem to be hanging around longer than a week or two, it may be time to talk to a doctor about SAD. Just like other types of depression, SAD can be treated with medication. But in the meantime, to beat those blues, try to get outdoors, eat right, and remember that spring is just around the corner!

Let the Kids Help with Downsizing, Moving, and Packing



'Now that the kids are all gone, I'm thinking of downsizing into a sensible flat.'

After 22 years of helping seniors downsize, pack and move, I have noticed a disturbing trend. Many seniors are intimidated about asking their children for help when faced with a major move. The problem seems to originate in the hearts and minds of those aging parents. Even when faced with the burdensome cost of hiring "movers", most parents are shy about asking for the most basic help. Oh, sure, our children lead busy

lives. They may be overloaded financially; they are probably burdened with work and community commitments and perhaps are even challenged with dangling responsibilities for their own "almost grown" children. BUT, as parents, we still have the responsibility to continue teaching our children as long as we are on the planet. We cannot be too afraid to ask them for help. We are actually offering a growth experience, one of the few remaining chances before we exit. Remember, their children (our grandchildren) learn from patterned experiences. What better example for our children to set for their children than leaning into a legacy project like helping us move.

There is so much to gain by deepening the family connection during a move and much to lose if hands are not joined. What better time to share family stories and history? Seize the event to associate meaningful pieces of furniture, photos and other collectibles with a family chain that will be lost forever if we (myself included) do not grab the moment. As seniors, most of us have assets to give to our children.

Don't just let them do a "grab and run". Allow them to give back. They can help pack, sort and unpack, even if it means taking a few "vacation days" for our major life change. Then when we are gone, they will have peace in their hearts, knowing that at every stage of our life with them they were there for us, as we have been for them. In exchange, they will inherit the respect and tender caring from their own children, by virtue of their example. And any sacrifice they make, as they pitch in, expands the hearts of everyone. *AND ISN'T THAT WHAT LIFE IS ALL ABOUT?*



How to Run a Homeowners' Association

A homeowners' association (HOA) is a group of elected residents who own homes in the same development/community. This group is responsible for enforcing the rules and regulations agreed upon by the residents, and they exercise some authority over how property in the development is used. The leaders of a homeowners' association are elected to office by the rest of the residents in that development. Learning how to run a homeowners' association or start one from scratch can help you and other like-minded residents in your development manage your community and have a say in how land is used around your home.

Managing Your Homeowners' Association

Understand how the HOA works. Whether you're new to an existing board or part of a new startup board in a recently-formed HOA, you'll need to learn how your association works. Every board member should understand his or her responsibilities and obligations, and the entire board should be familiar with the management plan that's been set in place for that HOA. All board members are bound by the HOA's governing documents. No board member may exercise authorities that are not explicitly outlined in those documents, and all board members must adhere to the responsibilities established therein.

Examine any existing policies before trying to make new ones. Many new board members become overly enthusiastic and eager to prove themselves. This often results in an overreach of powers or the introduction of flawed or unnecessary policies. Before you attempt to change a policy or introduce an entirely new one, make sure you familiarize yourself with the existing policies on that topic as they are currently written. Even if a new policy is warranted, make sure you and the other board members collectively take your time to examine all the ins and outs of the proposed policy to ensure it is feasible and will be effective. Familiarize yourself with the previous boards that have served your community (if your development has had other boards in the past). Read through the minutes from their meetings and take the time to understand the history of your community and its past decisions.

Make transparency a priority. A homeowners' association board must be completely transparent in all its decisions and proceedings. Transparency is the only thing that will give the homeowners confidence and trust in the board. Talk about issues your community faces, invite feedback from other homeowners, and hold open public discussions on HOA proposals for your community.

Running a Meeting

Organize an owners' meeting. The owners' meeting opens the board up to input from homeowners and unit owners in that development. Owners' meetings typically address board elections, budgetary approval/amendments, amendments to the HOA's governing documents, and other factors that involve the homeowners. All owners must be notified of the upcoming meeting within that time frame.

Many HOAs are required to post a physical notice about upcoming meetings in a visible community area. The HOA may also send out email notifications or mailed letters of correspondence to the development's homeowners. All notices and correspondences should include the date, time, and place of the meeting, as well as any items scheduled to be on the agenda that day.

Convene a board meeting. Board meetings should be open to all association members or a designated representative if a given member cannot be present. All HOA residents should be permitted to see the agenda for a board meeting, and

the HOA must adhere to the association's bylaws that govern board meeting notifications. In order to ensure a productive board meeting, it's best to prepare an agenda and stick to it during the meeting. The board must stick to items that are already on the agenda and may not introduce new items without prior review. The agenda should ratify the minutes from the last board meeting, discuss unresolved ("old") business, and discuss new items up for discussion or vote. Boards may also wish to have an open forum for homeowners during the meeting to ensure that residents have a say in their HOA's government. Make sure all board members follow an agreed-upon code of conduct. This may include following parliamentary proceedings during the meeting, allowing homeowners to watch the board conduct business, and other procedures to ensure a smooth and productive meeting.

Call a special meeting. Special meetings may be called to address emergencies and other time-sensitive issues. A homeowners' or unit owners' special meeting may be called by the HOA president, a majority of the HOA's executive board, or by home/unit owners with a certain percentage (outlined in the bylaws) of the association's votes.

Your comments, your input and ideas make a difference, so if you have something you would like to put in a newsletter in the future, or help developing this newsletter, please just drop a note to our email address, and we will contact you.

Thanks again for your support and all of your volunteerism. Words can't express how much this support and help has made a difference in moving forward.