

Rolling Ridge Farm Homeowner's Association Annual Meeting

December 1, 2022

Meeting called to order at 6:00pm

Attachments to notes: Budget approved 2023-2024; slides presented at the meeting

Jen (treasurer) took attendance and asked people that sent proxies if they would vote in person at the meeting or via proxy.

Received 46 proxies and will subtract number of people that decided to vote in the meeting. Jen will update Bethany once final number of proxy votes is known. Meeting attendance: 35 households are voting by proxy and 23 households are voting in attendance. Quorum confirmed.

Introductions and President's address

Bethany (president) introduced board members and discussed protocol for: voting in the meeting, asking questions, speaking time limits, and limits for rebuttals.

New arrivals to the neighborhood introduced themselves and included Scott Biggar and Susan Michelle (8 Bottom Lane)

Bethany covered the meeting agenda, introduced new board nominee , Jim (Chip) Lehane

Bethany provided financial report with account balances as follows: checking account: \$5,003; savings account: \$50,373; Total balance for checking and savings account: \$55,377

Bethany discussed accounts receivable: 12 households are not current on dues, amounting to an outstanding balance of: \$15,424. For comparison, last year 11 households were delinquent for a total outstanding balance of \$11,451. It was reiterated that at closing accounts must be current. Based on our legal advice, we just wait until then since additional action would cost more in legal costs than the amount due from homes. Would result in net negative for the HOA.

Bethany provided neighborhood updates and noted that boats in the association racks need to be removed in November. Requested people remove boats still in racks and reminded members that no boats are allowed to remain at pond unless they are in a rack. Rack space rental is \$70/season. Anyone interested in boat spots for spring 2023 should contact the board. It is not assumed that last year's spots will remain with the same owners unless people reach out to confirm that they want a spot.

Bethany provided an update on the condition of the association tennis court, which is need of repair and will eventually require replacement. The board recommends repair of the tennis court to get a few more years of use and to postpone replacement until additional funds are available. Costs will be covered in detail at the budget discussion but are approximately \$17,600K for repairs.

Bethany discussed general neighborhood issues.

Members were reminded that covenants prohibit non-pet animals and all pets must be brought indoors at night (includes chickens, ducks). Neighbors have complained about rat problems which exterminators mentioned is related to the chickens and ducks in the area.

Front entrance lighting has been improved, the main fence was painted, and fence posts were repaired.

Tree removals from members' lots – dead trees can be removed without approval; however, live trees require approval of the board. Trees from common land that fall in yards are typically covered by the homeowners and not the HOA funds.

Home updates: most home updates require board approval, such as roof replacement, changing the exterior color of a home; and permanent structures (permanent structures may also require town approval).

Solar panels – a member asked about having solar panels on the street facing side. Lee Levitt discussed his solar panel experience and offered to answer questions for members considering solar panel installations. John Grossweiler provided additional information regarding the current cost per kilowatt/hour from Eversource and for obtaining permission from the town of Sandwich for solar panel installations. Owen Caggiano, of Summit Solar, discussed ideal orientations for solar panels and noted his company can help with installation. Bob Lowney mentioned that if panels are on front of house, input from immediate neighbors will be needed as well as input from board. The board is currently adhering with the solar panel policy stated on the website and like any architectural change, placing solar panels needs board approval.

Background on short term rentals

Bethany discussed short term rentals being brought to the board by members of the neighborhood who were concerned this violates current covenants. Annual meeting letter included proposed language for updating the covenants. The language came from legal counsel with the goal of clarifying how the “no business” statement in the existing covenants, Section 2.4, translates to the relatively newly available websites that manage short term rentals (AirBnB, VRBO).

Current covenants restrict use of home to a residence for a single family. Issue was raised to board that using a home for short term rentals amounts to using a home as a business and is not residential use. An example was provided that a request was denied to have a full time dog breeding business run out of a home within the association. The board consulted with an attorney about updating language of the covenants to bring them up to date regarding short term rentals.

Bethany provided an overview of comments received via the association web site during the comment period. 9 comments were received with 7 against short term rentals and 2 in favor of short term rentals.

Meeting time was allocated for members to express their thoughts regarding short term rentals prior to voting on the issue.

Gretchen Mulroy spoke and noted that weekly rentals provide board with little recourse to deal with issues.

Ray and Ann Zabel spoke and noted that they live next to a home rented on AirBnB on Great Hill Road. The Zabel's indicated that they don't know who their neighbors are and that living next to the AirBnB is like living next to a hotel. The Zabel's have experienced issues with AirBnB renters but did not go into detail.

Jean Santos spoke and feels revised covenant should be more restrictive. She has reviewed AirBnB sites and does not see anything about criminal checks. In some areas, short term rentals have contributed to rises in crime since short term renters can see who comes and goes in neighboring properties. Bethany indicated we have not seen any increases in crime in the neighborhood as a result of short term rentals.

Guy and Allison Tlapa spoke and indicated they do short term rentals to supplement mortgage, a renovation, and taxes. Indicated they have liked their experience with renters. Mostly families with kids. They have a no party policy and noted AirBnB and VRBO have no party policies. They try to screen reasons as to why people want to rent, will not do single night rentals. They have an external camera and doorbell camera to monitor exterior of house. They feel if owner is vested, e.g., lives here, then negative short rental issues can be mitigated. They suggested including covenant language restricting companies from buying properties. The alternative language they proposed on the HOA website was presented at the meeting for consideration:

Single family residential homes may be leased, rented, licensed or let (collectively referred to as "leased") provided that: (1) rental properties shall be owned by an individual that resides in the property, no corporations or commercial rental operations are allowed; (2) the maximum occupancy shall be two (2) per bedroom, plus two (2); (3) strict no party policy, potential renters shall be screened to get an understanding on why they want to book a rental; (4) minimum age is 25 years or older to book; (5) only registered guests are allowed on the property, no unregistered guests are allowed; (6) the key to the association gate and tennis courts are never provided to a guest; (7) no advertisement of the common field, picnic area, volleyball, kayak rack, or tennis courts is allowed; (8) rental properties shall contain exterior security cameras and noise monitoring devices to closely monitor for both number of guests, and if they are observing the quiet hours 9pm to 8am weekdays and 10:00 pm to 8:00 am on weekend; (9) owners of rental properties shall provide their cell phone numbers to the HOA board, immediate neighbors and shall be posted in the rental property guidebook; (10) the property owner must remove trash on a weekly basis; (11) all parking must be on the property and not off premises; and (12) renters are not allowed to sub-let their short-term leases.

George Barnett spoke and indicated they rent their house and used VRBO and that policy allowed anyone to rent, and they did not know who renters were. The Barnetts use a different site and only rent to families in an effort to know who they are renting to.

Ray Zabel – rebuttal, indicated there are often 4 to 10 cars in driveway and sometimes loud parties at the AirBnB house next door to them.

Guy Tlapa – rebuttal – indicated they are there for two weeks in July and host family so there can be six cars, but all cars are on the property.

After all comments were made, Bethany asked if those present were prepared to move forward with a vote on short term rental language. Lee Levitt – asked how policy would be enforced. Bethany

explained that board would likely be notified if the policy is violated. It will be difficult to “police” this but owners are expected to follow the policy like all other neighborhood policies.

Jon O’Neil made motion to approve proposed short term rental language as written.

Guy Tlapa – asked about number of people to have binding vote.

Bethany explained that we need a quorum- confirmed that is present in person and proxy votes. Majority vote of those present is needed for this to pass.

Jim Devers (board member) – feels that proposed language acts to prevent a company from buying a house for short term rentals.

Lynn Barnett – indicated that she posted a comment on the association site. She feels the proposed language is quite restrictive and she would like a longer-term rental as opposed to a shorter term rental. They rented to Athletic director of Sandwich High School. She requested less restrictive language than what is proposed.

35 voting by proxy and 23 voting in attendance.

Jim Dever moved for a voice vote, Jen seconded motion for voice vote.

The majority voted “aye”.

Due to the importance of the vote, the board went through each person present to collect individual votes. After re-taking this vote, 58 people are voting by proxy or attendance (23 people voting at the meeting). From the voting, 53 people are in favor of the proposed short term rental language and 4 people are opposed.

The motion passed to adopt the proposed covenant language as presented on the slide Bethany presented at the meeting, as follows:

No single family residential home may be leased, rented, licensed or let (collectively referred to as “leased”) unless upon a written agreement therefore in a form and content acceptable to the Directors and for an initial term of no less than one (1) month; and provided further that: (1) a copy of said agreement is provided to the Directors prior to the occupancy thereunder; (2) said agreement contains a clause whereby the occupants agree to be bound by this Master Deed, the By-Laws and the Rules and Regulations promulgated pursuant thereto which the Directors shall provide to the occupants; (3) the letting is for the entire home; (4) no subletting is permitted; (5) each home may allow rental no more than twice (2 times) per calendar year; and (6) in no event shall it be deemed that a landlord/tenant relationship exists between the Association and the occupant.

Guy Tlapa – asked about the short term rental vote in terms of the number of people voting. He also asked whether households with outstanding dues balances can vote. Bethany answered that delinquent households cannot vote, based on the quorum and majority vote at the meeting, the vote holds.

Guy Tlapa offered a motion of alternative language (seen above) for homes who currently participate in short-term rentals, but no one seconded it.

Bethany explained that a grace period for short term rentals will be honored for bookings in existence as of the annual meeting date; however, no new short term bookings are allowed.

Tennis Court

Board received a quote for \$165,000 to replace the court. Replacing the tennis court would require a \$1,000+ special assessment on each association household. Tennis court repairs can be made for approximately \$17,600 and should keep the court in service for a few more years.

Lee Levitt – questioned repair cost for two to three years of use. Suggested avoiding repair and doing replacement in a few years.

Bob/Tricia Lowney – asked if we have data on how often the tennis court is used, and she suggested a cost benefit analysis. Bethany mentioned that the court is a neighborhood asset and the board's goal is to have a functional court consistent with how the neighborhood is marketed.

Rob from Great Hill Road – suggested including pickle ball lines on the court and feels this may increase court usage. Bethany noted board will consider adding pickleball lines

Dianne O'Connell – offered to find out specifics of net and how to swap from tennis to pickleball nets

Budget

Bethany presented last year's budget and discussed 2023-2024 budget, which included going through line items of the proposed budget. (see attached)

Gretchen Mulroy made motion to approve budget as shown, motion seconded, unanimously approved.

New Board Members needed

Bethany explained that 3 of the board members will be at max 6 years next year. New board members are much needed to ensure 5 members of the board. Any volunteers? No one volunteered at the meeting.

One previously known nominee, Jim (Chip) Lehane – was voted to the board by unanimous vote. [Jim Lehane – abstained from this vote]

Open Discussion for items not on Agenda

Ron – 2 Lantern Lane – asked whether we have any information as to when Highfield Drive will be resurfaced. Bethany recapped what board and other association members have done regarding notifying the town about poor road conditions in the neighborhood.

Meeting adjourned at 7:57pm

Rolling Ridge Farm Annual HOA Meeting

Virtual Meeting

December 1, 2022

If not using a computer for audio, you can also call in at
(929) 436-2866

Meeting ID: 820 6261 4513

Passcode: 864406

Basic Zoom Rules



MUTE YOUR LINE IF NOT
SPEAKING



VIDEO IS OPTIONAL BUT
AVAILABLE



VOTES CAN BE CAST IN CHAT
AS WELL AS RAISING HAND ON
CAMERA

Click on **Participants** tab on your Zoom screen to see the vote options and to raise your hand if you wish to speak.

Meeting Rules

- ▶ Raise hand to speak (virtual or physical)
- ▶ First time you speak on topic- 2 minutes
- ▶ Next time in response- same topic- 1 minute
- ▶ Comments can also be typed in the chat and will be read as time comes available

Attendance

- ▶ Present attendee count / address cross check
- ▶ # Proxys received
- ▶ Total count of number of attendees
- ▶ Quorum confirmation

Introductions

▶ Current Board

- ▶ Bethany Muhlebach, President
- ▶ Jim Dever, VP (FINAL YEAR)
- ▶ Alan Livingstone, VP
- ▶ Jen O'Neil, Treasurer
- ▶ Joe Vatele (former Treasurer, FINAL YEAR)
- ▶ Jim Weixel, Secretary

▶ New homeowner introductions

- ▶ Anyone on the call new since Dec 2021 who wishes to announce themselves?

Agenda

Call Scheduled to end at 8:00 PM

1. Attendance and Introductions
2. President's Report
3. Treasurer's Report
4. Neighborhood issues/discussion
 - a. Short-term rentals (VOTE)
 - b. Solar panels
5. Budget review- 2023-2024 Budget (VOTE)
 - a. Tennis court replacement/repair
6. New Board members- Nominations of new Board members (VOTE)
7. Other business not anticipated

Attendance- COUNT PROVIDED

Attendance Dec 1, 2022

Present attendee count	##
# Proxys received	45
Number of proxies present at meeting	##
Total membership represented	(Proxies Attendees) - #proxies present at the meeting
Quorum Achieved? 1/3 of 141 (minus 12 not in good standing)= 43 total needed	

Board Membership

- ▶ HOA Board Members:

- ▶ Alan Livingstone
- ▶ Bethany Muhlebach
- ▶ Jen O'Neil
- ▶ Jim Weixel
- ▶ Joe Vatelle
- ▶ Jim Dever

- ▶ We are seeking additional board member volunteers as the current board has been in place for several years and succession planning is important

- ▶ A vote will be held at the end for one additional volunteer - Jim “Chip” Lehane
- ▶ Any self nominees will be voted on at the end of the call also

Agenda

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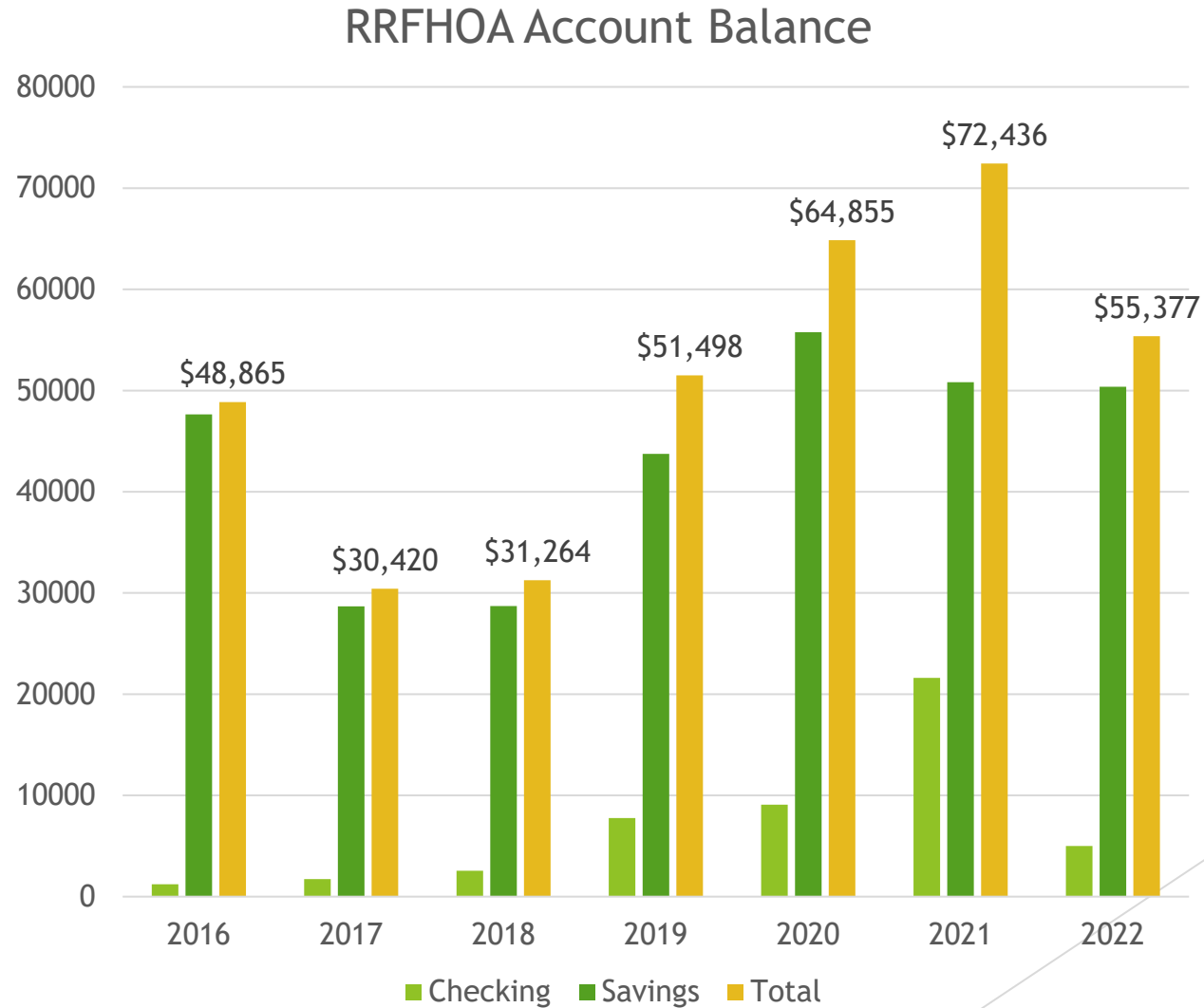
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President's Report and Financials

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the page, creating a modern, layered effect. The rest of the page is plain white.

Current Financial Status

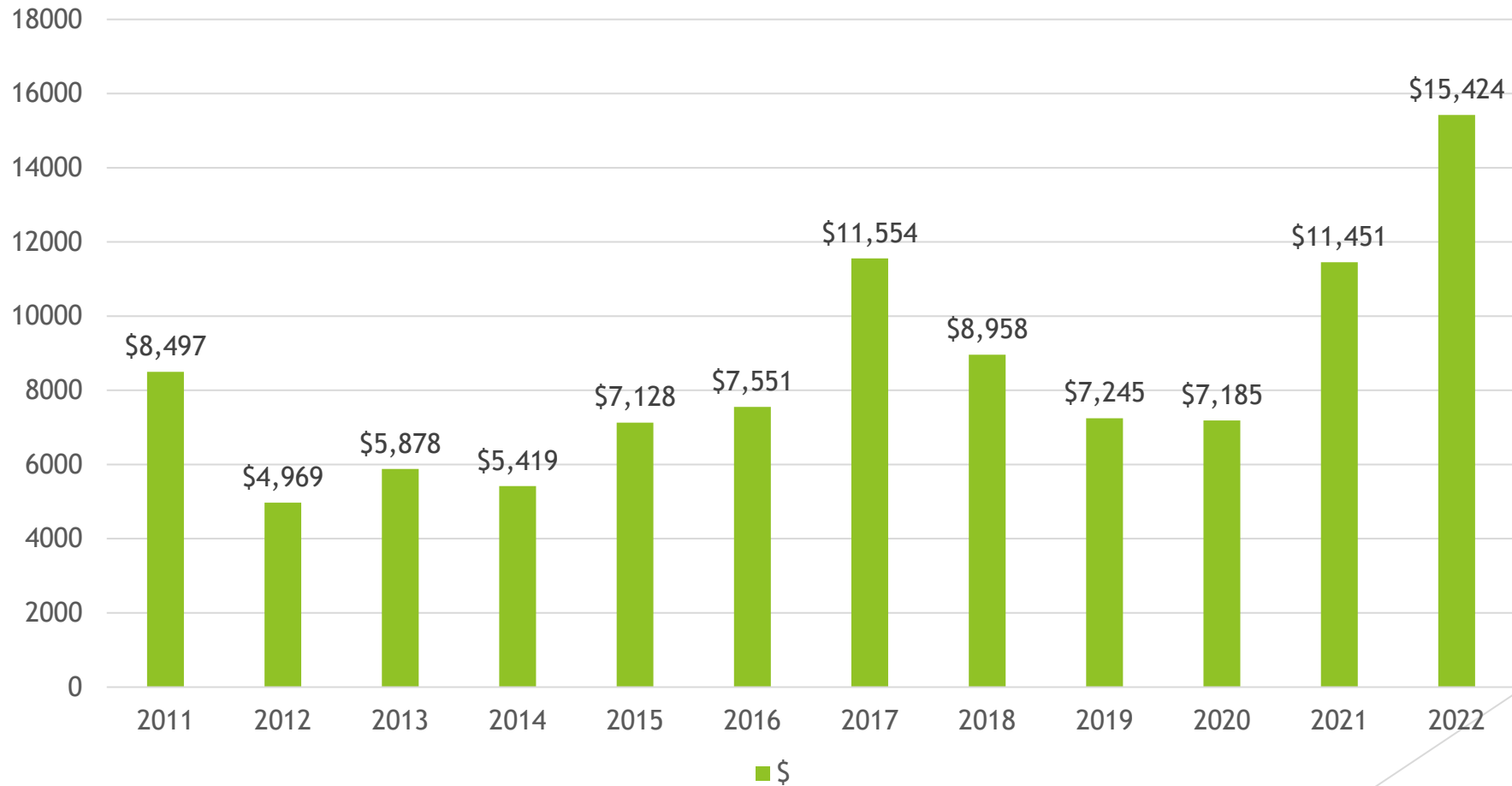
- ▶ Total Assets:
 - ▶ Checking: \$5,003
 - ▶ Savings: \$50,373
 - ▶ Total: \$55,377



Dock purchase is complete. 2022 Balance reflects post-dock expenditure.

Accounts Receivable

\$ Total amount in A/R to-date at same time per year- Cumulative



Represents 12 total households, 6 are multi-year; 6 for 2022 only; 1 is on active payment plan

Amount is higher due to additional cost of docks which were part of the cost last year (added annual assessment).

Neighborhood News Updates- Beach and Tennis Courts



Boats at the pond

- Remove all boats from Nov to April
- No boats left outside of racks if not in use
- Rack spots available (16 total) for \$70 each.
- Several boats or boards are still at the pond; please remove them

Docks update

- Docks were replaced and first year went well

Tennis courts

- In need of repair/replacement
- To be discussed as part of budget

Thanks for Attending the Labor Day Weekend Pizza Party!



Thank you also to those who set up and cleaned up!

General Neighborhood Issues

- ▶ Chickens, ducks and other animals are not allowed
- ▶ Front entrance lighting is improved and painting of main entrance fence and some posts in poor condition completed
- ▶ Tree removals from homes
 - ▶ Require permission of the Board if they are alive; dead trees, fallen limbs do not need permission
 - ▶ Usually not paid by Board/HOA funds
- ▶ Home updates
 - ▶ Many require Board approval
 - ▶ Generally, those that impact exterior appearance, including paint if a different color
 - ▶ Roof replacement is okay as long as existing shingle replacement
 - ▶ Permanent structures, e.g., fireplaces, pools, stone landscape should obtain approval
- ▶ Solar panels- Question on consideration to change of policy as technology improves and appearance less conspicuous; i.e., architectural changes where plans are provided to the board and approved case-by-case

Short-term rentals

Language option discussion and proposed **for VOTE**

Short-term Rental- Current Covenant Language

2.4 No lot shall be used for any purpose other than for one residence for a single family together with a garage for not more than three motor vehicles and other outbuildings and structures appurtenant thereto designed and adapted for the use of and thereafter used by a single family only.

No business, trade or calling shall be conducted on any lot other than the practice of a profession, and then only within the dwelling house thereon. No social organization, clubs or similar organizations shall occupy any lot or building other than use of the Common Areas and improvements thereon by the Association and its members.

*This restriction shall not prevent the renting of a lot and all structures thereon as a unit, **from time to time**, for use as a private residence by the tenant, his family, servants and non-paying guests.*

Neighbors raised concern that short-term rentals are violating home being used as a business and not a “residence for a single family”. Board asked for legal input re: interpretation for current covenants for modern times.

Short-term Rental- Legal language proposed clarification of “from time to time”

No single family residential home may be leased, rented, licensed or let (collectively referred to as “leased”) unless upon a written agreement therefore in a form and content acceptable to the Directors and for an initial term of no less than one (1) month; and provided further that: (1) a copy of said agreement is provided to the Directors prior to the occupancy thereunder; (2) said agreement contains a clause whereby the occupants agree to be bound by this Master Deed, the By-Laws and the Rules and Regulations promulgated pursuant thereto which the Directors shall provide to the occupants; (3) the letting is for the entire home; (4) no subletting is permitted; (5) each home may allow rental no more than twice (2 times) per calendar year; and (6) in no event shall it be deemed that a landlord/tenant relationship exists between the Association and the occupant.

Short-term Rentals- Open Comment

Website comments and neighbor notices:

- 9 provided comments on website
- Most who posted on website were not in favor of short term rentals in the HOA (7 against; 2 in favor)
- Comments posted regarding making the language more restrictive to include 6 month minimum, or only 1 time per year for 1 month minimum
- 2 posts were in support of short term rental, particularly for homes that post rules and alignment to the HOA policies and are neighbors in good standing; as such, if renters follow rules, little/no impact to full time residents of the HOA

Tlapa response on website: Alternative language for consideration

Single family residential homes may be leased, rented, licensed or let (collectively referred to as “leased”) provided that: (1) rental properties shall be owned by an individual that resides in the property, no corporations or commercial rental operations are allowed; (2) the maximum occupancy shall be two (2) per bedroom, plus two (2); (3) strict no party policy, potential renters shall be screened to get an understanding on why they want to book a rental; (4) minimum age is 25 years or older to book; (5) only registered guests are allowed on the property, no unregistered guests are allowed; (6) the key to the association gate and tennis courts are never provided to a guest; (7) no advertisement of the common field, picnic area, volleyball, kayak rack, or tennis courts is allowed; (8) rental properties shall contain exterior security cameras and noise monitoring devices to closely monitor for both number of guests, and if they are observing the quiet hours 9pm to 8am weekdays and 10:00 pm to 8:00 am on weekend; (9) owners of rental properties shall provide their cell phone numbers to the HOA board, immediate neighbors and shall be posted in the rental property guidebook; (10) the property owner must remove trash on a weekly basis; (11) all parking must be on the property and not off premises; and (12) renters are not allowed to sub-let their short-term leases.

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Tennis Court Update Options

Introduction of Tennis Court Replacement

Motion on Tennis Court Repair

- ▶ Tennis court is in need or repair/replacement
 - ▶ Quote for replacement has been obtained and is ~\$165,000; thoughts on this:
 - ▶ Full replacement would be costly
 - ▶ Location would need to be re-considered for full replacement
 - ▶ Multiple quotes would be obtained and planning needed for this to not be a large special assessment for neighborhood
 - ▶ Proposal for Vote for tennis court for this year 2023-2024 for repair only; estimate at least 3 years of additional longevity and would include
 1. Remove and replace failed Riteway crack repair (51 linear feet)
 2. Fill larger cracks with concrete prior to installing Riteway system
 3. Repair additional asphalt cracks with Riteway repair system (107 linear feet including extensions)
 4. Patch around net post footings with court patch binder
 5. Fill hairline cracks with silicone
 6. Resurface court with 3 coat Plexipave System
- Optional: Pickleball lines and new net
- ▶ \$17,600 budget for 2023-2024 is included for vote to get on the list for this to occur in the coming year

Budget

Budget for 2023-2024

Proposed Budget for Vote (2023-2024)

RRFHOA Budget for 2022-2023 Review and Proposed for Budget 2023-2024

Income			Proposed Amount 2023-2024
No. homes in HOA		141	\$325.00
No. homes in CBA		14	\$162.50
INCOME; includes boat rack spots		\$49,220.00	\$45,970.00 Adjusted for unpaid
Expenses	Approved Budget Apr 1, 2022-Mar 31, 2023	Actual and Projected Apr 1, 2022-Mar 31, 2023	Budget Apr 1, 2023-Mar 31, 2024 (Proposed)
Annual meeting	\$3,000.00	\$500.00	\$500.00
Beach keys and Locks	\$0.00	\$25.99	\$50.00
Beach nourishment and road repair	\$0.00	\$0.00	\$0.00
Beach water testing	\$500.00	\$461.50	\$500.00
Beach geese decoy replacement	\$150.00	\$0.00	\$0.00
Bouse house	\$1,600.00	\$1,584.24	\$1,800.00
Dock removal/installation- ONE TIME CAPITAL	\$54,000.00	\$46,650.00	\$0.00- line item will be removed from budget
Dock removal and installation- Seasonal	Included with above	\$2,088.00	\$4,176.00
Electric repairs	\$400.00	\$0.00	\$400.00
Hospitality committee	\$225.00	\$109.48	\$225.00
Insurance	\$5,300.00	\$5,613.00	\$5,800.00
Landscaping maintenance	\$18,000.00	\$20,033.60	\$22,000.00
Legal and professional fees/filing fees	\$8,900.00	\$1,906.50	\$5,000.00
Misc. expenses	\$400.00	\$0.00	\$400.00
Office supplies	\$200.00	\$200.00	\$200.00
Postage	\$250.00	\$250.00	\$250.00
Signage	\$1,250.00	\$150.00	\$500.00
Mass State Taxes	\$2.00	\$2.00	\$2.00
Utilities	\$350.00	\$200.00	\$350.00
Website	\$250.00	\$53.89	\$300.00
Assoc pond committee activities	\$1,800.00	\$4,029.39	\$5,000.00
Boat rack	\$0.00	\$0.00	\$0.00
Picnic area maintenance	\$0.00	\$0.00	\$0.00
Tennis court maintenance and repairs	\$1,500.00	\$0.00	\$17,600.00*
Landscape enhancement	\$0.00	\$34.01	\$1,000.00
TOTAL EXPENSES	\$98,077.00	\$83,891.60	\$66,053.00
NET AFTER EXPENSES PAID			-\$20,083.00**

To be presented in Word document for legibility on call

VOTE

Board Membership

- ▶ Jim “Chip” Lehane
- ▶ Self-nominated at the meeting (if applicable)

Vote on 3 year term for new member(s) of the board

Neighbor Discussion

- ▶ Items not included in the Agenda for open discussion

How to Communicate with the Board

- ▶ board@rollingridgefarm.org
- ▶ Facebook site: Rolling Ridge Farm Homeowners Association, Inc.
- ▶ Website: <http://www.rollingridgefarm.org/>

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Landscape enhancement	\$0.00	\$34.01	\$1,000.00
TOTAL EXPENSES	\$98,077.00	\$83,891.60	\$66,053.00
NET AFTER EXPENSES PAID			-\$20,083.00**

* Tennis court maintenance of this amount is a one-time expense. (We will vote on timing at the meeting; 2023-2024 vs. 2024-2025)

**Savings is available to cover this cost without any additional special assessment.

This proposed budget for 2023-2024 was accepted at the meeting.