

Northfork Property Owner's Association, Inc.
BOARD OF DIRECTORS MEETING
Tuesday, June 16, 2009

ATTENDEES: Dan Guisinger, Dan Perez, Anthony Cardillo, Tom McElroy and Mark Slifkin. Gary Troast and John Wood were absent. Carolynne Casale and Steve Inglis, representing Bristol Management, were present.

Committee member attendees: Wally Stevens (ARB)

Other Attendees: Stephanie A. Thoburn, Asst. Director of Planning & Zoning, TOJ

Owners present: J. Bruno, A. Slifkin, L. Perez, L. Cooper, J. Pasa, Jim Pasa, M. Matthews, J. Johnson, P. Johnson, R. Palladino, D. Brash, M. Payne, K. Dorman, J. Lynch, M. Cardillo, S. Guisinger and D. Markarian.

CALL TO ORDER: Dan Guisinger called the meeting to order at 7:02 p.m.

MINUTES APPROVAL:

† A motion was made by Dan Perez to approve the minutes, as amended, from the May 19, 2009 meeting; the motion was seconded by Anthony Cardillo and carried unanimously.

TREASURER'S REPORT: The May financials were accepted as presented by Bristol Management. There is still a discrepancy with the TOJ Water Utility billing which was overstated and Dan has contacted them once again in an effort to obtain a substantial refund.

He stated that the community currently had three foreclosures in process and that only twelve months of delinquent assessments can be collected from each unit, according to Florida Statutes.

† A motion was made by Dan Perez to send out the rental requirement letter, as amended, to those units known to be leasing and to include verbiage in the Northfork Advisor; the motion was seconded by Anthony Cardillo. Dan Guisinger and John Wood opposed this motion. The motion carried with a majority vote of 4 to 2.

COMMITTEE REPORTS:

ARB Committee Report: Jill Portales, though not in attendance, emailed the ARB monthly report which shall become part of the June minutes.

Landscaping Report: John Wood was not present to report.

Old Business: Dan Guisinger requested that the agenda be modified so that the homeowners present to discuss the tree issues could be heard first. The board agreed and Dan Perez opened the discussion by explaining to the attendees precisely what steps were taken by the board with regard to tree removal in the community, including holding a special meeting that was held specifically for this issue at the Town Community Center and at which only eleven persons attended. The board sent two separate letters to all homeowners in Northfork concerning this matter.

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A Reserve Study was conducted in 2007 which reported that the roads, sidewalks and swales would be in need of major repairs due to the growth and damage from the oak tree roots. The tree roots, by lifting the swales, allow water to seep under the asphalt causing deterioration of the underlay, thereby creating the need for road resurfacing over a shorter period of time than otherwise expected.

One option to mitigate this problem was to selectively remove those trees found to be causing damage and, where possible, replace them. The board first employed a Surveyor to determine who was responsible (owner or association) it was to maintain the street trees. The survey determined that the trees and sidewalks were located in the right-of-way (ROW) and legally was the responsibility of the POA. The association's attorney confirmed this fact. The board then hired an arborist to determine which trees needed to be removed in order to prevent further damage to the infrastructure. Both the arborist and the Town of Jupiter Environmental Resource Manager confirmed that most, if not all, the trees in the west cul-de-sac of Victorian Lane needed to be removed so the sidewalks, swales and roadway could be repaired.

At the April 21st meeting, which was noticed by mail and meeting sign, it was the board's intention to review this strategy with all homeowners. The board was prepared to look at each tree on an individual basis and discuss their recommendations accordingly. Subsequently, however, letters and email communications were sent by some residents to homeowners containing misquotes and erroneous information. In order to put this matter in perspective and squelch unsubstantiated rumors, the board decided to reserve a larger meeting room to hold the June board meeting and invite all homeowners, once again, for an open forum to discuss this matter.

The board presented a potential plan of action to the community. In Northfork, there are nine cul-de-sacs. Only one of these cul-de-sacs have sidewalks that will be affected by the tree roots. These are located at Victorian Lane (west of NRDE) and Corinthian Circle. The trees along Corinthian Circle are located far enough back from the sidewalks and streets to be considered non-hazardous. Along Victorian Lane, however, the developer planted too many trees in a much small area and now they have become detrimental to the infrastructure. The board is proposing the following:

Based on the approval of the Town of Jupiter (or other government entities) the sidewalks will be removed in this cul-de-sac and sod installed in their place. Street trees earmarked for removal will be removed at the expense of the POA and the sidewalks, swales and roadway will be repaired, as needed. New laurel oak trees, approximately 12 ft. tall with a 3" caliper, will be planted in the same areas, but farther away from the sidewalk, swale and roadway. (If an owner prefers a larger tree to be planted, they will be responsible for the cost differential.)

In order to proceed, all five residents in this area must unanimously agree, in writing, to this proposal. The association's attorney will be requested to draft an agreement for this purpose that will run with the title of each home (to ensure that future residents comply with this agreement). The agreement will include the owner's responsibility for maintaining the ROW area from the street to the start of their property line, where sidewalks were formerly installed.

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Owner's Proposal: David Markarian presented documentation from an engineer, ecologist and landscape architect recommending that the sidewalks be removed, sod installed in their place, swales repaired and trees properly pruned and maintained thereafter.

At the conclusion of this discussion between the board and residents, it was agreed that both parties will review each other's recommendations and the board will communicate with these owners in due course.

The board thanked everyone for attending and resumed the other business items on the agenda.

Phase 2 – Landscaping:

Anthony Cardillo recommended that some of the Phase II landscaping begin, rather than wait another two weeks for the pavers. BMS will arrange a meeting with Matt Murphy and Tony Cardillo this week to review commencement of this project.

Status of Projects:

- 1) Pavers – U.S. Brick & Block Pavers advised that the pavers were ordered and expected delivery within a week to ten days.
- 2) Tree Pruning/Stump Grinding/Palm Removal (entrance only) – Palm Coast Professional Tree Service completed this task last week.

Fountains: Bill Norman from Fountaining will attend the July meeting to review their plans to renovate both fountains.

Island Way Wall: Robert Lecky of the TOJ accepted the proposals emailed by BMS for the installation of the bougainvilleas and sod at the Wall. Further, they agreed to the well being dug to supply irrigation for these plants.

BMS will contact Jupiter Pump and Well to ascertain the costs involved in the electrical installations and permits for the well and to advise them that they may proceed with the well excavation.

Electrical Review: The board requested that BMS contact Abacoa Electric to investigate if there are any live wires exposed at the entrance and to review the condition of all the electrical panels at the entrance, prior to the entrance landscaping commencement.

NEW BUSINESS: There was no new business before the board.

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ADJOURNMENT:

With no further business before the Board, a motion was made to adjourn. Meeting was adjourned at 9:07 p.m. The next scheduled meeting is to be held on July 21st.

Respectfully submitted by,

Carolynne Casale

Carolynne Casale, LCAM

Minutes Approved: 7/21/09