



# Bay Winds



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Selby Community Association, Inc.

May/June 2003

P.O. Box 599

Mayo, MD 21106

[www.selbyonthebay.org](http://www.selbyonthebay.org)

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SCA Director's Meetings are held on the first Tuesday of every month. • 7:30 p.m. • Selby Clubhouse  
All residents are welcome and encouraged to attend.

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## **MEDIATION: SELBY VS. YDF**

On March 11, 2003, several residents and our attorney, Harrison Wetherill, Jr., attended a scheduling conference before Judge Silkworth at the Circuit Court to address the preliminary injunction filed by YDF last October. Instead of scheduling a date for the preliminary injunction, both parties agreed to take part in mediation, with a court-appointed mediator, in order to discuss how we could amicably make joint use of the Clubhouse. The Court believes this case would be better served outside of the court room. The mediation took place on April 11, 2003. The mediator was a retired Circuit Court judge. In attendance for Selby were Ed Robey, Martin O'Callaghan, Evelyn Gingell, Susan Lanier and our attorney. In attendance for YDF were Mary Facella (Secretary/Treasurer), Mario Facella (President) and their attorney.

Just prior to the mediation YDF's attorney had sent a proposal of YDF's plans for use of the Clubhouse to the judge and our attorney. We had also sent a document listing all of the uses we make of the building. In summary, YDF's proposal stated plans to use the building for eventual year-round recreational and educational activities for the underprivileged youth they claim to serve, as well as corporate meetings, seminars, etc. They would also permit other related organizations to use the building for corporate and recreational purposes. The plans also calls for conversion of part of the Clubhouse into a dormitory area for extended over-night camping.

YDF stated that they would allow us unlimited access of the one restroom in the snack bar area only. In exchange for a lease agreement, we could have unlimited access to the snack bar area only. Any use of any other part of the building would be available under a lease agreement and fees.

It was apparent even before we got to mediation that we had very different ideas for sharing the building. They were not willing to discuss any changes to their plans and we were not willing to give up any of our rights. The easement covers the whole building, not just one bathroom. We were prepared to work out a plan of shared use, but we don't believe we should have to sign a lease and pay fees for a building for which we have an easement of free and unobstructed use.

Discussion moved on to the possibility of purchasing the Clubhouse. YDF said we should pay them what it would cost them to buy a comparable property with which they can carry out their plans. We believe we just need to pay them, at most, for what the property is actually worth on the market. Keep in mind that the Clubhouse was given to them.

Mediation ended with an agreement that the value of the property would be decided using a Court-proven method of using appraisals to justify the value of real estate.

Since then, we attended a second mediation and we have been negotiating a contract in order to carry out the appraisals and, ultimately, we hope, the purchase of the building and the lot it sits on. YDF owns two (2) lots on either side of the Clubhouse lot, but they are not willing to sell them at this time. The other two lots have not been part of the lawsuit.

A follow-up meeting with Judge Silkworth has been set for October 2003. If we are not able to agree on a contract, we will set a court date at this meeting for the preliminary injunction YDF has filed against us.

These recent rounds of mediation and negotiation have been costly. Quotes for an appraisal have been in the several thousands of dollars. It will be several months before we receive another allotment of money from our Special Community Benefit Tax account. Any donations toward our legal fees would be appreciated. Please send any donations to the address at the top of this newsletter.

We have been discussing financing concerning purchasing the Clubhouse with a local lender. Because we have a Special Community Benefit Tax District, they feel we will be an acceptable risk. When we have a signed contract with YDF and have determined a purchase price based on the appraisals, we will send a letter to all lot owners requesting support in using the Benefit District to acquire a loan. Included in the letter will be a proposed budget reflecting addition of the loan. We don't anticipate having to raise the tax very much, if at all.

We are working hard to bring an end to this legal battle over our community area.

### 21<sup>st</sup> Annual Countywide Community Clean-Up Day

We had a good turn-out of residents willing to improve the appearance of Selby on April 12! Thanks go to Roads and Sanitation Chair Mitch Boyd, Richard Brown, Todd Croteau, Bill Harding, Sean Jackson, Marty Joyce, the Lanier Family, Dylan Marshall, James Mauro, Donald Yetter, Ed Robey and others for which we don't have names. The County hauled away four large dump truck loads of trash and debris.

### Disposal of House and Yard Refuse Selby Clubhouse Parking Lot May 20, 21 and 22, 2003

Thanks, again, to Mitch Boyd, Todd Croteau, Bill Harding, Bruce Lanier (add any other names?) for monitoring what went into the dumpsters and making sure the dumpsters were loaded correctly. There were items put into the dumpsters this year that were not allowed. We will make sure a list of forbidden items is posted more prominently next year.



### Happy Easter Celebration

Many attended our annual Easter celebration held on Saturday, April 19, 2003, at the beach. Activities included pictures with the Easter Bunny, egg decorating, egg hunts, live bunnies to pet and refreshments.

Thanks go to Social Chair Michelle Corkadel, Sam Corkadel, Debbie and Mitch Boyd, Todd Croteau, Susan, David and Tommy Lanier and Shannon (?) 9<sup>th</sup> Ave.

Written contributions are welcomed by the editors. Any information for publication must be submitted to the editors by the 15<sup>th</sup> of each month. Editors reserve the right to select and edit information provided for publication.

Anyone interested in advertising in BayWinds should contact one of the editors. Our circulation is nearly 600, including 50 which are mailed out

### Ozone Forecast:

If you're interested in learning the daily ozone levels and forecasts this summer, visit the Maryland Dep't of the Environment online at [www.mde.state.md.us/Air/AirForecast.asp](http://www.mde.state.md.us/Air/AirForecast.asp). Families with young children or family members with respiratory problems should be aware of the ozone levels if they reach unhealthy levels.

### Neighborhood News

#### Sea Nettle Nets Installed

Nets were installed at the beach on June 8, 2003. Thanks go to Beach and Parks Chairman Bruce Lanier and other volunteers: Jerry Brice, Dave Bruckner, Matthew Bruckner, Dennis Gheen, Marty Joyce, Alan Lanier, Susan Lanier and Elliott Madison. Jellyfish don't like fresh water, so between the rain and the nets, maybe we won't have many jellyfish to worry about this year!

#### Operation ID

Selby on the Bay is participating in Operation ID. This program involves using an engraver to etch your driver's license number onto your valuables, or photographing them instead, in order to assist police with locating your belongings if they are ever stolen. You will receive two Operation ID stickers to place

on doors or windows of your house to let others know you participate in this program. To borrow an engraver, or for more information, please call Beth Livingston at 410-798-9474.

#### Get BayWinds Online

If you would prefer to receive your newsletter by email, contact Marci Dawson at [moser@comcast.net](mailto:moser@comcast.net).

#### Selby Information via E-mail

For the most up to date information about important issues concerning our community, join the Selby Broadcast List. You will receive periodic e-mails by blind carbon copy. To join, send your e-mail address to [Hyla876@aol.com](mailto:Hyla876@aol.com).

### Thank You for Your Support

Although dues are no longer required for membership in the SCA, many residents have chosen to show their support for the community and the Community

Association financially. Monetary donations for our legal costs and/or the general fund are always

appreciated. Mail to SCA, PO Box 599, Mayo, MD 21106.

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**Anne Arundel County Police Report\***

**Selby on the Bay**

**No Report was available this month.**

- If any community resident is having a problem on his or her street, please call Dennis Gheen and report it to him as well as to the police. Mr. Gheen will discuss the problem with you and keep a record of it to be compiled in a report to be reviewed by the county police so that problem areas in the community can be addressed. **Please call Mr. Gheen at 301-261-7021 or via email at [cptree@aol.com](mailto:cptree@aol.com).** Additionally, the Southern District County Police has an officer available to answer any questions and concerns by any resident through the Police and Communities Together (P.A.C.T.) program, whose goal is to build a working partnership between the citizens of Anne Arundel County and the police department to improve our quality of life. Contact Officer Don Clime at 410-222-1961 or [ofclime@hotmail.com](mailto:ofclime@hotmail.com).

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**Important Contacts:**

- **Beach Parking Stickers and Boat Ramp Keys:** Dennis Gheen 301-261-7021  
*All Selby residents and property owners must display a Selby parking sticker on their car to park at the beach.*
- **Clubhouse Reservations:** Penny O'Callaghan 410-798-0204 or [president@selbyaa.org](mailto:president@selbyaa.org)
- **SCA By-laws:** Evelyn Gingell 410-798-1719 or [moser@comcast.net](mailto:moser@comcast.net)
- **SCA President:** Ed Robey 410-798-6105
- **Selby Athletic Association:** Martin O'Callaghan 410-798-0204 or [president@selbyaa.org](mailto:president@selbyaa.org).  
Donations to the SAA are tax deductible.



**BayWinds Editors:**

Susan Lanier  
410-798-5050 or [Hyla876@aol.com](mailto:Hyla876@aol.com)

Marci Dawson-Moser  
410-798-8568 or [moser@comcast.net](mailto:moser@comcast.net)

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Martin O'Callaghan, Realtor  
(410) 956-2550 Office  
(443) 994-6352 Mobile  
[martinsrpi@aol.com](mailto:martinsrpi@aol.com)  
[www.homesdatabase.com/martin](http://www.homesdatabase.com/martin)



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