

VILLAS AT FIVE PONDS BOARD MEETING

By ZOOM

September 22, 2020

PRESENT: Rick Rodgers (RR), Mark Schwartz (MS), Joel Mickelberg (JM), Paul Luff (PL), Tina Talansky (TTa), Amy Wert (AW), Merle Neulight (Scribe)

RR: Opened the Zoom meeting at 9:06 am.

I. PRIOR MINUTES

- A. **JM: MOTION:** Accept the submitted minutes from August 18, 2020 as presented. **MS: 2nd** All Approved 5-0.

II: FINANCIAL REVIEW

A. Delinquency Report

- a. **AW:** XXX Fairway-1 month
- b. **AW:** XX Five Ponds Circle-Fine-weeds
- c. **AW:** XX Villa-\$15 late fee
- d. **AW:** XX X Villa-three months behind. Will file.
- e. **AW:** XX Villa-late fee for September. Resident requested to have it waived as payment has never been late. It was delayed in the mail. Late fee waived.

B. TREASURERS REPORT

- a. **MS:** The six Money Market funds are below the \$250K threshold.
- b. **MS:** 1% from Customers Bank for the Money Market Fund.
- c. **MS:** C & N-Money Market-0.75% interest.
- d. **MS:** Next CDs are due January and February.
- e. **MS:** Account #6341-New legal bill \$869.30 but \$3431.96 is new total bill. To date, we have spent \$11,789.26 going into court.
- f. **MS:** Account #6451-For just the Water and Sewer service the cost is \$240 each totaling \$480. With usage, the total was \$630.85 which is a minimal amount of usage because the Clubhouse has been closed.
- g. **MS:** Account #6462-Exterminating-zero last month.
- h. **MS:** Account #6531-Cleaning twice a week-\$782.25.
- i. **MS:** Account 6522-Ground Other-\$10,325. Nutsedge was included here and should be a part of the contract Ground Maintenance of \$4950. Brian (CPM) adjusted this bill into the correct account.
- j. **MS:** Account #65411-Franks Electric-\$1,697.5-to fix exit signs and this was moved to Clubhouse Repairs (#6541).
- k. **MS:** Account #65411- to Hal to fix the pond float for #600, additional \$362,41 on the CC for parts for the float repair.

- l. **MS:** Account #6542-trying to push both the pool and landscaping contracts back one year because we had no use of the pool and the landscaping struggled to complete the actions in the contract with limited trained personnel.
 - i. **RR:** If they agree to this, we will need an amendment.
- m. **MS:** Account #6550-Pond Contract-\$430 paid.
- n. **MS:** Account #3010-Capital-\$397.50 for Fleishman's for the wall mirror, plus \$100 credit for the sold wall unit that had the TV controls in it.
- o. **MS:** Account #4200-\$4,645 to Mario for doing the cement work on the damaged cement block that TT broke at 160 Fairway when he removed a tree. Mario replaced the block for \$480. **AW: ACTION:** Will send TT a bill for the repair of the block with the copy of the bill that we paid to Mario. TT can either send a check or take the amount off our invoice.
- p. **MS:** Interest on the CD's and the MMF's is down this year by about \$10K because of decreased interest rates and lack of home sales in our development. However, going forward, our Balance sheet and Budget are good.

C. CAU Insurance

- a. **MS:** Should renew as there is just a minimal increase.
- b. **PL:** Dealing with many companies for insurance and they have given rebates. Has CAU been able to give us a rebate because there has been no use of our Clubhouse due to Covid?
 - i. **MS to AW: ACTION:** Have Chris call CAU requesting information about a possible rebate.

D. Audit

- a. **MS:** We have received a couple of other proposals to do our annual audit. The current auditor is with Lorraine Grassi with an increase of about \$50 per year.
- b. **MS to AW:** There are other companies, but would Continental Property Management (CPM) approve using these other companies?
 - i. **AW:** Yes. Francis April, Luft and Lorraine. April is the lowest, but the company is new.
 - ii. **PL:** Looked at the other companies.
 - iii. **JM:** Does CPM have clients in NJ?
 - 1. **PL:** All are registered in PA.
- c. **AW:** CPM is used to working with Lorraine Grassi and Luft and would recommend either because of our past working relationships, but Lorraine has all of Five Ponds' records.
- d. **JM: MOTION:** Accept Lorraine Grassi as our CPA for the full audit for her quote for the next three years. **TTa: 2nd** All approved 4-1. PL no.

E: Budget

- e. **AW:** When the budget is done and we know the amount of the HOA, monthly, we can print it on the coupons.
- f. **MS:** Brian told me we have a couple of weeks. We need to review whether to increase the monthly by \$6.50 per month, per unit or \$21,750. Last year's budget we "ate" the \$6.50 increase for the year 2020 by using excess operating funds.

- g. **MS:** In 2022, management, trash, pool, and landscaping will be increasing plus we will be doing an increase adjustment on the reserve for the roofs' replacement at end of life. Also, next year, our income will be less.
- h. **AW:** Just a suggestion, stop subsidizing and increase in small increments.
- i. **MS:** We need to begin funneling money into the roofs.
- j. **MS:** Using 20% of our figures in October, November and December and factoring that with the history of the last several years, averaged \$52,600. Since 2013, we had only one bill in the fall months for \$23,683 in December for snow. This snow for next year, calculating it the way we have in the past with the average, our 2021 budget should be about \$55K per year. has averaged about \$55K per year.
- k. **PL:** We are \$74,214 ahead year to date. Using the \$21,750 in excess operating to cover this year, we are operating in the range of \$235 or \$240 in terms of actual expenses. Excess Operating Reserve is approximately \$ 250M by year end. Pool and landscaping are down two or three percent for the year overall.
- l. **PL:** Increase approximately \$4.00 per month for 2021 or the \$6.50 from 2020 plus \$4.00? Discussion. Tabled to interim budget meeting in early October.
- m. **MS:** Would like to meet with everyone next week to discuss the budget and to also discuss the roofs. We are receiving much less interest this year on our CDs and money market funds, plus spending much more on trees than budgeted and, in addition, legal bills.

III: LANDSCAPE

A. Owner Requests for Approval

- a. **PL: XX** Five Ponds Circle-awning-different contractor from JMT and is still pending. The color swatches are questionable. Owner will be meeting with PL tomorrow. PL to determine color if appropriate and communicate to AW with the decision.
- b. **PL: XX** Five Ponds Circle-awning-approved.
- c. **PL: XXX** Fairway-landscaping change accepted the fix between the rocks and grass as pictured that the resident provided.

B. Quotes

a. Open Quote

- i. **PL:** Quotes #17 and #19-these quotes included trees but were put on hold because Dan was behind in the landscaping. We tried obtaining quotes from another tree maintenance company whose quotes were about 20% lower, but the company refused to include certificate for Workers' Compensation for his employees. Plus, the second tree company did not have the capability to do the work as we requested.
- ii. **PL:** PL and Dan (TT) drove around the entire neighborhood and observed trees that were too close to the homes. 19 trees should eventually be removed. 3% of the 19 will be replaced.
- iii. **PL:** Quote #20-Should we prune and top off the trees? We can gradually replace the trees that continue to grow too large for the space in which they were planted.

1. **PL:** As an example, 139 Villa-Has three locust trees on the yard and one on a hill that will begin to erode the hill and is targeted to be removed in Quote #20.
- iv. **PL:** Personal trees that are not on common ground but are on a person's property is the resident's responsibility.
- v. **PL:** Need to build up "Ground Other" over our \$26K. We could prioritize the list and do half of the list now to bring the cost down to about \$8K.
- vi. **AW:** Our landscapers have brought to issue that some trees may be too close to the homes and patios. These would be the residents' responsibility. Letters would need to be sent to the homeowners that these trees are their responsibility.
- vii. **JM:** Will send an email to remind residents that there may be a tree on their private property and that this would be their responsibility.
- viii. **AW:** It is up to the homeowner to know how far out their private property goes.
- ix. **MS:** We should take care of the trees this year while there is excess money.
- x. **PL:** It will cost \$360 for Dan to clean up the grass around the pond which is now about 2 ½ feet high. Do not want to pay him extra for this as it has always been done each year by his crew.
- xi. **MS: MOTION:** For quote #20, non-personal trees listed, and ornamental grasses be removed. The decision about which account the money will be taken from will be decided later. **PL: 2nd 4-0** (RR had left at 11 am.). All approved. The cost to remove the trees is \$13,245.
- xii. **MS:** Asked PL and Dan to look at the tree behind 80 Villa, near the home.

C. Action Log

- a. **PL:** Did not have an opportunity to review this log but all items are believed to be covered with actions. AW confirmed this.
- b. **AW:** Need to discuss pruning for fall because spring pruning was finished late in the season due to lack of landscapers. What should be done now? **PL:** Pruning needs to be done this fall as all the bushes have grown quite a bit.
- c. **MS:** We like TT, but Dan gives us a difficult time. He has had difficulties obtaining experienced employees, but his attitude leaves much to be desired. He forgets that he is a contractor who is employed by us.

D. Ground Maintenance Schedule

- a. **AW:** Need to know the timeline for all the open items. Date 9-15 to 9-30 for fall pruning. Plus, cannot mix in with the asphalt contractor. Last year TT planted winter pansies to replace the mums.
 - i. **PL: ACTION:** Will contact Hayden and discuss this with him.

IV: MAINTENANCE SCHEDULE

- A. **MS:** Jack checked the antifreeze in the cabana and added more and upgraded the filters.
- B. **MS:** Pond is fixed and there is an extra solenoid coil in the box.
- C. **MS:** The Clubhouse has been cleaned twice a week.
- D. **PL:** Winterizing has been done.

- a. **JM:** Berardelli lowered the water levels in the outdoor pool and SPA below the line and put in winterizing chemicals.
- E. **PL:** Allowed the pest control person into the Clubhouse.

V: OPEN ITEMS

A. Discussion-Clubhouse, Gym, Outdoor pool, play area

- a. **JM:** Looking for stand-alone Purell dispensers with a lip to catch excess which will be needed when we open.
- b. **JM:** Suggested that Lisa from CAU, Sr. Management from Continental Management Company and Stephan Richter should be consulted prior to any decision to open the Clubhouse.
- c. **MS:** We cannot prevent social distancing in the Clubhouse. Heritage Creek will begin allowing 12 people in the Clubhouse only for meetings which is being monitored by their on-site manager, plus being supported by signed legal waivers.
- d. **MS:** All flush mount faucets and touchless toilet valves are in; work completed and on the air system included the upgraded micro-filters in the ventilation system.

B. Age Qualified Issues

- a. **JM:** Letters were sent to both involved residents, 42 Villa Dr and 64 Villa Dr. stating that we need compliance to our Declaration/bylaws by September 15th.
 - 1. **JM:** XX Villa-stated that mom and baby were now staying down the shore.
 - 2. **JM:** XX Villa Dr-told us that there is no rule about baby sitting and that they will be leaving the area in the fall and that her children are trying to buy a home in NJ. Their note did not address the present violation or timing.
- b. **AW:** We received a detailed letter of observed child activity from the resident at XX Villa Dr. that they are breaking the rules by being here and we should have enforcement procedures in place or fining.
 - 1. **RR:** Per Stephan Richter, under the Federal Fair Housing Act, his is not affecting our age qualified classification.
 - 2. **MS:** Received information from Stephan Richter that this is in violation of the Township of the 55 and over community ordinances by residents and the occupancy by children under the age of 19 is a violation of our community's Declaration (17.02 c.).
- c. Discussion. **PL:** Appendix 0 in our rules lists fines beginning at \$25 per day and continuing until violation is fixed.
- d. **RR:** Have Stephan Richter send a letter that the amount in the enforcement procedure will be \$25 which will begin 30 days after receipt of the letter for each day that their children are here. **JM: MOTION:** Have Stefan Richter send a letter to XX Villa Dr. that their children must leave within 30 days of their receipt of the letter from

Stefan or else they will be fined \$25 per day that the children remain. **PL: 2nd 4-1.** MS abstains. **RR: ACTION:** Will review the letter before the letter is sent.

e. AW: ACTION: Will send a letter to the resident at XX Villa that we are handling this through legal counsel.

f. JM: XX Villa-The resident stated in his response to the Board that they were aware of the rule but were never approached by the Board.

1. JM: Zoning or license and Inspection. **RR:** Have Stefan call the Township to verify that this is so.

C. Zoom meetings

a. **RR:** Suggests in future zoom meetings to include volunteers that were willing to sit in on the Board meetings that started early this year.

b. **JM:** Shady Brook has an account set up for up to 300 guests for \$19.99 per month. Discussion on whether VFP wanted to spend that money for the Annual Meeting or not. Tabled.

D. **RR:** XX Fairway-RR fixed the loose stone and notified resident. Paid the bill for materials on CC and will give the receipt to MS.

E. **Hornets' Nest: RR:**XXX Fairway-There is a huge hornets' nest about eight or ten feet off the ground on the street side of the property. **AW: ACTION:** Will contact exterminator.

F. Signs-Support Police

a. **JM:** Purchased the "Support for Police" signs for \$11 for each sign and \$9 each as a donation to the police. \$20 per sign, 2 signs. Discussion. **JM: ACTION:** Will submit the bills to AW, but the signs will not be placed in the development as it may seem to be a political issue, however it is viewed as a contribution for the Warminster Township police

G. Indoor Pool Heater

a. **JM:** Spoke with Berardelli that he was about \$600 off the quote from AM Mechanical. Berardelli recommends whoever puts in the new heater that Jandy valves be used, not basic ball joints. The Jandy valves can be unscrewed and easily replaced. **RR:** We should stay with Berardelli even though they cannot do exhaust and gas. We should stay with the same person even though, if we go with AI, the cost would be about \$500-\$600 less. **RR: MOTION:** Remain with Berardelli. **JM: 2nd** Discussion.

1. PL: Need to receive a quote from AM Mechanical for quote for just the gas and vent line. **JM:** Have Berardelli hook it up and then try to find another HVAC company to quote the hookup.

i. **AW: ACTION:** Will speak to a plumber who has an HVAC company.

ii. **JM:** AW will issue the authorization to Berardelli using the Jandy valves and will ask Berardelli for a pan. Find an HVAC company to quote for a gas line and vent.

2. Vote: 4-1. MS: no.

H. Dogs

a. **TTa:** XX Villa-Resident claims all three dogs were leashed, however, one dog was without a leash.

1. **JM:** She has three dogs. They were not curbed plus one dog ran off the leash. She claims she is sitting for her child's dog; however, she is not able to control them. She will be fined because all dogs must always be leashed when outside and resident must be in control of their pets. In addition, it is against our rules to allow anyone to have three dogs. The fact that one is from her daughter is irrelevant.

2. **PL:** Stated the Rule in Article 3, Section A, paragraph #9

I. Ballots/Annual Meeting

a. **AW:** Will have the Board approve the letter to the residents regarding nominations for their mail in ballots for Board positions.

b. **AW:** Date of the annual meeting is the third Tuesday of November-November 17th on Zoom.

J. Warminster Water Authority (WWA)

a. **PL:** We lost the WWA part of the suit and XXX Fairway, unfortunately, the cost to the resident will be about \$10,500. Perhaps we can try to reduce the amount by speaking with the contractor on the resident's part. The pipe was completely missing. It is impossible to currently address this with the builder. What about going after Warminster and L & I for approving a line that was not hooked up?

b. **RR:** Suggested to the resident that she call the contractor and try to negotiate with them. This is "Sovereign Immunity". It is a legal doctrine whereby the government is immune from civil lawsuits. We did win regarding the 8" pipes and the 6" laterals going up the driveways.

K. HBI

a. **MS:** Beginning last Thursday and Friday, JM had been putting notes on the cars parked in the Clubhouse parking lot that the cars are to be removed from there by the evening of the September 24th for the crack fill, seal coating, and line painting which will be done on Thursday and Friday, September 25th and 26th.

b. **PL:** Dan needs to turn off the sprinkler system tomorrow to ensure it is not on during the sealcoating.

L. **RR** left the meeting.

VI: CORRESPONDENCE

- A. **JM**: About 80% of the residents' correspondence refers to clumps of grass being left on the ground.
- B. **PL**: Spoke with Dan regarding trees and the clumps of grass that are left. Dan claims it is hard to pick up the clumps when we have reduced the number of mows and the lawns are not mowed regularly, leaving much grass height.
- C. **AW**: Perhaps if we are having TT mow less, then there should be one less fertilizer. The extra fertilizer adds more growth, the grass grows more quickly, it is fuller and longer.
- D. **AW**: XX Five Ponds Circle-water accumulates in the crack. We are not repairing, only crack fill and seal coating existing driveway surfaces.
- E. **AW**: XX Villa Dr-Needs to pay fine.
- F. **AW**: XXX Clubhouse-sent photos of clumped grass around the pond, smeary window at the Clubhouse between the outdoor entrances to the pool and gym and leaning tree at XX Villa Dr. These items will be addressed.
- G. **AW**:XX Villa Dr- Resident will be informed that the Association is working with an attorney to handle this situation.
- H. **AW**: XX Villa Dr-Complaint about clumps of grass in the development.
- I. **AW**: XXX Villa Dr-Tree leaning at XXX Villa-will be addressed.
- J. **AW**: XXX Villa-tree limbs. **PL**: ACTION: Will be assessed.
- K. **AW**: XXX Fairway-removing stump-is in quote #17.
- L. **AW**: XXX Villa Dr-tree roots are coming up through the grass. Will be removed.
- M. **AW**: XX Five Ponds Circle-broken gate on stockade fence. Waiting for the parts to arrive.

VII: ADDITIONAL OPEN ITEMS

- A. **MS**: ACTION: Will give AW bill for flush mounts to pay.
- B. **PL**: The resident removed the ivy that was climbing up the chimney after a simple email request.

VIII: NEXT MEETING

- A. Tuesday, October 20, 2020 at 9:00 am by ZOOM

IX: ADJOURNMENT

- A. **JM**: MOTION: Adjourn meeting. **TTa**: 2nd 4-0 All approved. Meeting adjourned at 12:12 pm.

