

RR HOA Board Meeting Minutes

Date: July 12, 2016

Time: 5:30 p.m.

Place: Greenwood Cove Lecture Hall

Board Members Present: H. Maslich, L. McLaughlin, J. Galvin, C. Kastner

Board Members Absent: W. Fischer

Property Manager Present: J. Manetta, Crofton Associates

Community Members Present: J. Edgar, L. Quinn, C. Galvin, M. & B. Brent, C. Wellers, C. Schmalzbauer, K. Petras, W. & M. Schmitt, N. & F. Weinstein, M. Carlson, S. & B. McVay, M.J. & J. Thomas, L. & S. Rausch, J. Jackson, K. Hayes, J. & R. Hazzard, P. Gandhi, S. Braiman, C. Gnazzo, J. Engdahl

Approval of Minutes: H. Maslich moved to accept the minutes from May 10, 2016 meeting and L. McLaughlin seconded. The motion was passed

Committee Reports:

Buildings and Grounds - C. Kastner

A break-away bolt was installed on the gate that goes across the access road on the west side of building 11 to keep it closed.

C. Kastner reviewed RR property on July 12th and created an updated list of trees that are either dead or dying. These locations will be reviewed by a tree arborist for recommendations as to our next step.

Finance - J. Galvin

As of end of June the checking balance is \$32,441.73. Disbursements were \$19,925.63 Maintenance reserve account is on target at \$82,962.67. This includes the check from Cincinnati Insurance for Road Damage and \$1,380 in the landscape maintenance reserve from the Time Warner fee reduction money. The account is in line and on target.

Our budget as of June is on target in the majority of the areas, exceptions are: electric, \$1,002 below; Legal, \$1,750 below; Refuse, \$961 below; Snow, \$13,325 below; Building Repair, \$805 above; and Summer Lawn Maintenance \$645 above budget. It is anticipate that the Snow budget will be on target once we get into the November and December winter season. Overall as of June we are under budget by \$18,185 however with expected expenses for tree maintenance, landscaping and snow removal by the end of 2016 we should be right on target.

It should be noted that we have a yearly budget for tree maintenance of \$5,000 and our landscaping reserve of \$2,700. J. Galvin suggested that we need to make a plan to spend this money and perhaps start to think of landscaping improvement projects as suggested in the proposed landscaping design prepared by Broccolo to be done in

Fall 2016. Along with the landscaping improvement plan what proportion of the work would be paid for by HOA and what would be paid for by individuals living near the improvement? However we do need to keep in mind with the warmer then normal weather that there will also be some tree replacement occurring.

J. Galvin also present to the board a reserve fund projection based on worst case scenario that no more units are built. This study indicates we would have to assess each homeowner and additional \$12+ per unit in monthly fees to maintain proper reserves for the 46 existing units.

Hospitality - L. McLaughlin

No update to give

Policy - L. McLaughlin

A discussion between RIT and RR HOA (represented by L. McLaughlin) occurred regarding the RIT benefits we have been enjoying. As a result of these discussions L. McLaughlin confirms that RIT will continue to offer the benefits to existing and new homeowners of the cottages at Rivers Run provided they are 55 or older. L. McLaughlin also thanked Lewis Neisner for his help in this project.

C. Kastner suggested RR HOA should have a representative position with RIT. L. McLaughlin volunteered.

Social - J. Galvin

J. Galvin thanked Margie and Brian Brent for opening their home for the strawberry social. It was a big success. There is an Ice Cream social coming up which will include folks from both the cottages and the apartments.

The adult coloring group meets the second and fourth Friday of every month, everyone is invited to attend. Additionally, there will some be an exhibit of the work being done by the group. Watch for updated news via e-mail or in the monthly news letter.

If you have an idea, bring it to the Social Committee. If you can volunteer for an event contact the Social Committee.

Property Manager Report - J. Manetta

Variances

1002 - To expand her back patio an additional 6 feet wide (south) and 10 feet long (east) and to expand her back foundation planting bed and plant additional bushes\flowers (5 perennials, 1 additional juniper and 3 Dwarf Maiden Grass (Zebra)); VOTE: 4 Yes (Approve), 1 No (Not Approve)

1502 - Fill in the dirt strip between unit 1502 and 1501's driveways with paving material to match the two driveways; VOTE: 5 Yes (Approve), 0 No (Not Approve)

1203 - Install an awning on the west side back patio of their unit; VOTE: 4 Yes (Approve), 1 Abstain

1601 - Extend their existing bed on the north side of their unit between their back patio and the privacy fence with unit 1602, with the bed size not to exceed 5 feet by 10 feet; VOTE: 4 Yes (Approve), 1 No (Not Approve)

Work Orders

Unit 1801 has a section of their side walk that heaves up during the winter and become a safety hazard. This section has been worked on and it is still causing a problem. J. Manetta suggested that they replace the 3' x 3' section of the walk making sure that it is rebar enforced. The cost would be approximately \$500 plus tax, work to be done by Ridgecrest Properties. L. McLaughlin presented a motion to approve the work, J. Galvin seconded. Motion carried...Vote: 4 Yes, 0 No, 1 Absent

Unit 1801 had a rose bush replace in Fall of 2015 by FingerLakes which has died. FingerLakes will be replacing the bush, expect to be done end of July.

Unit 402 has a hot water pipe break in her kitchen area. This caused water damage and the homeowner submitted a claim to both her insurance and that of RR HOA's (Cincinnati Insurance). Her insurance is covering the water damage to the carpet and she is seeking reimbursement for the other repair costs from the HOA's carrier. The HOA's insurance carrier reviewed the claim and deemed it valid. They reminded the homeowner that there is a \$1,000 deductible. J. Manetta does not know what the actual cost to repair the damage is or if the homeowner has decided to submit a formal claim.

West side of unit 1401 is having some ground settling and is a potential hazard. Crofton received two bids for the repair work and the RR HOA Board decided on Broccolo. Vote: 3 to 2 for Broccolo.

RR HOA received a letter from Ted Hosmer Enterprises' Insurance carrier Hortica indicating that RR HOA signed Hosmer's contract and in it, it state they are not liable for the damage. J. Manetta just received this letter and will be talking to the HOA's carrier to see their reaction. C. Kastner mentioned that the scope of work specification that the HOA provided does talk about damage and to make sure the insurance company has a copy of that. He also made a comment that in the future the HOA should always use our own contracts and make sure there is a clause about responsibility and liability indemnification.

J. Manetta suggested that in order to identify trees that need review we should tie a color ribbon around them so they can be easily identified and the contractor can make sure they completed all the work. To that end C. Kastner agreed to do a walk around with Crofton and FingerLakes to tag current and recently identified trees that need care or replacement.

L. McLaughlin asked J. Manetta to talk with FingerLakes about water bags for the trees. Cost to rent or purchase? If FingerLakes maintains the bags (keep water in them) or if community would have to?

Old Business

RR build-out plan - H. Maslich no news

Retention pond bank & ground maintenance

L. McLaughlin indicated that the first cut was on May 14th with the next expected either this week or next. J. Galvin indicated that he was disappointed in the initial work. It was his impression that the cut would be more aggressive and more of the woody plants would be removed. C. Kastner indicated that Broccolo use to do the work when the community was first being developed and she has a plan. He indicated it will take time and results may not be seen for over a year. L. McLaughlin suggested that while Laurie might know what the plan is it might not be communicated properly to the crews and that she agrees with J. Galvin that it was her impression the area would be shorter and more woody plants removed. C. Kastner suggested that we have Broccolo's owner Laurie Broccolo come in and have a sit down discussion about her concept and how it will be implemented. All present agreed and C. Kastner will get in touch with Laurie to get a few dates that she is available and then coordinate the boards schedule to get the meeting setup. A comment was made it would be good if it could be prior to the next maintenance cut.

Road Safety update - intersection berm

L. McLaughlin has contact via e-mail Chris Gondoli, Property Manager at Greenwood Cove. He has indicated that they have not heard back from the contractor regarding moving the 3 pine trees. Morgan Management would prefer to move them instead of cutting them down. He indicated that he will get back to her.

Fire Hydrants

L. McLaughlin the last of the fire hydrants across from building 2\3 has been painted yellow by Monroe County Water. Work Completed.

Real Estate Signs

H. Maslich presented a motion to change the rule from allowing For Sale signs to no signs at all with the exception for a one day open house sign that is removed after the event. A For Sale sign only could be placed in a window from inside the unit facing out. J. Galvin second the motion. VOTE: 3 Yes, 1 No. Motion Carried

There are currently 3 units for sale and J. Manetta will notify the three homeowners of the change and give them notice that the signs need to be removed.

RR Public Relations Team

L. McLaughlin reported for W. Fischer that the team put together a brochure and sent it to the community and gave it to the real estate brokers who had an open house in June. No further action need to be taken work completed.

6 Dead or Dying Trees

L. McLaughlin put forth a motion to formally accept the bid that FingerLakes Tree and Landscaping presented to remove, replace or time 6 trees. The RR HOA Board had tentatively awarded the bid pending answers to a few questions regarding bid. Those answers were received via email. J. Galvin second motion. Motion carried VOTE: 3 Yes, 1 No. 1 Absent. A formal letter of approval will be sent to Crofton so they can notify FingerLakes that they won the bid.

New Business

Bush Hogging

L. McLaughlin discussed that the crew that did the work is from Christa's commercial side of grounds maintenance and had been on site and cut both the NE and SW corners of RR community. She met with them on July 12th and they will be doing further work on building lot 1 and the clean up work on the SW corner area. Work is expected to be done either on Friday of this week or the week of July 18th. She will also send them a note reminding them to clean up the cuttings so they don't end up in the road or gutter area.

Solar Power - Individual and HOA, a discussion on allowable at RR - L. McLaughlin, Ask to defer until next meeting in consideration of the length of the RR HOA Board meeting. All agreed

2016-2017 Snow Removal Contact

J. Manetta indicated he spoke to Magic Plowing and they would be happy to enter into a 3 year snow removal contract with Rivers Run Homeowners Association. H. Maslich asked if the cost would be the same. J. Manetta didn't know however he will ask and get back to the board.

RR Age Restriction Survey Results Discussion

L. McLaughlin explained that a "straw" survey was conducted with the help of Beth Vanfossen to determine if RR HOA wanted to continue with their current status as a 55+ living community or make a change to allow a certain percentage of younger folks or take the restriction off completely. 61 invitation to participate in the survey were sent out, 42 responses were received this represented 36 units. The results indicated that the community wants to remain a 55+ community as stated in the Offering Plan. L. McLaughlin recommended no further action be taken at this time and the community should remain static. All agreed.

Survey Results:

81% are in favor of maintaining the current community age restrictions.

31% are in favor of allowing =<20% of cottages to have no resident over 55 years of age.

20% prefer having no age restrictions on cottage ownership and occupancy.

Training Session for RR Board

H. Maslich reminded the board members that all will be attending the CAI Legal Forum on July 20th and that during the forum there will be a chance to ask questions of the legal panel. He requested that all board members send him any questions they want to ask so he can combine them into one document and have them ready to hand in. All agreed. Please have to H. Maslich by July 18th

Community Members' Comments

Questions Submitted Prior to Meeting

Prior to answering Susan's question H. Maslich read the following except from the Offering Plan regarding the (sponsor) Developer's obligation:

Section F - Declaration of Covenants, Conditions and Restrictions, Article VI, Section 10. Page F-6

"In spite of any provision to the contrary in this Article VI, the Declarant shall not be liable for the payment of common charges for unsold Lots owned by it. The Declarant shall however, contribute to the Association that amount equal to the difference between the cost of operating the Association and the assessments collected from owners as set forth in the projected budget."

Two questions from Susan McVay:

1. Has the sponsor met all of his financial obligations to the HOA at this time? If not, what is the plan to ensure his compliance? Answer: Yes (H. Maslich)
2. Do we need legal advice to determine how to resolve this issue effectively? Answer: Yes, if RR HOA has a deficit and payment is not received. (H. Maslich)

There was a half hour discussion about action that can be taken if you are dissatisfied with the action of the RR Sponsor. You can contact the New York State Attorney Generals Office. C. Kastner indicated that he and M. Carlson have as private members of the community have filled a claim with the AG's office. If you want information about how to file please contact C. Kastner.

Open Forum

Julian Thomas has a list of questions that he indicated would be sent to H. Maslich to be answered. The questions he list included but are not limited to:

1. The RR Offering Plan hasn't been updated since the change in sponsor ownership. Shouldn't it be? Answer (L. McLaughlin): It has there was an amendment 11 sent out in 2015 to all homeowners and it is on the RR website. There was no up date this year per Christa attorney because there was no new builds.
2. Is the board happy with the quality of trees planted in 2015 by FingerLakes Tree and Landscaping?

3. Why isn't the RR HOA looking at specialized contracts for each area of the grounds and landscaping work. IE: one for trimming, one for mowing, etc. Some contractors will allow you to call them when needed as oppose to work being done on a schedule.

4. Some folks are unhappy with GJ Romig and want to terminate them. They currently have a 3 year contract and we could give 30 days notice for cause. However there are two different termination clauses to review one in the contract as an amendment and one in section 4.2 of the scope of work specifications.

H. Maslich responded to the "terminate" GJ Romig issue. That there really isn't any cause. We and Crofton have been collecting any complaints with respect to Romig. And there isn't any. J. Manetta indicated that no one has called his office. K. Hayes indicated she complained to C. Kastner last year about herbicides spread on my property and which killed 2 of her plants.

C. Kastner let folks know that people should send complaints to Jim Manetta at Crofton.

N. Weinstein indicated that when the tree on the corner by the road was trimmed their where two bare limbs left. In her opinion the tree needs more pruning. L. McLaughlin let her know that the tree in front corner of 1801 is already on the list created on July 12th.

Meeting Adjourn

L. McLaughlin moved to adjourn, H. Maslich Seconded, Meeting adjourned at 7:40 p.m.

Next Meeting: RR Annual Meeting September 13, 2016 at 5:30 pm
There will be an election of 2 board members