



**10 MAINE RD.
PLATTSBURGH, NY 12903**
www.lcvillage.org

MINUTES APRIL 4, 2017

Regular monthly meeting at 19 Oak Street, Plattsburgh, NY was called to order at 6:02pm by President Patty Jaehn. Directors present: Gerry Eagan, Peter Hayden, Donald Miller, Tom Maglienti, Bob Turek (by teleconference) and Patty Jaehn. Absent: Donald Cosgro. Quorum Present: YES. Also, present, Property Manager, Adam Whitbeck, and Bookkeeper Anne Sanford, Attorney Tom Murnane, 7 members in the audience.

- Motion by Peter Hayden and seconded by Gerry Eagan to approve the March 21, 2017 meeting minutes was passed 5-0.
- No Treasurer's Report or Property Manager Report for this meeting.
- No Committee reports this meeting

LEGAL REPORT – Tom Murnane provided the following report.

Tom talked about the issues that the Board asked him to investigate and report on.

On the 109 Maine Road property Tom has been following up on that.

On the 88 Maine Road property Tom sent a letter to try to resolve on their delinquencies. Tom is still trying to get some resolution to this.

He also has some information about the indemnification re the lawsuit that was filed against 3 past board members and has contacted the HOA insurance rep to see what is covered or not. He has not heard back from him yet after sending him the information

Tom has drafted a collection letter for the board to review. The letter will only be sent out per what the board feels is appropriate. Cost for him to send out the letter should be minimal.

Regarding the concerns over the HOA maintenance responsibility for fences, doors, sidewalks, front door slabs and the area between the sidewalks and the garage, etc., he is working on this and will provide an opinion letter to the board soon.

He stated the decision regarding the indemnification will need to be done in an executive session.

OLD BUSINESS

- 1) HOA Proposed Budget - T. Maglienti gave a good description of what is in the HOA budget for next year. The proposal has been given to the board. He stated based on the current proposed spending plan, all items can be funded with a homeowner's dues amount of \$198.50. P. Hayden made a motion that we set the Maintenance fee at \$200 per month. G. Eagan added that the proposed budget is over what we would collect. Tom did not feel we would have to take the extra money out of the non-liquid savings accounts and that it is expected and acceptable to pay for the upcoming infrastructure work on

Alana and Caitlin by using our reserve funds. However it would be taken out of the business checking account and our liquid savings and not our certificates of deposit (CD's). More discussion followed. Tom said we have enough in reserve to cover the capital expense that we expect from the upcoming water supply changeover for Alana and Caitlin when the city upgrades the water and the street of Maine Road. Tom stated that we would still have enough funds to cover the new water work, roof repair, and other needed maintenance items for the next fiscal year. The audience also provided some suggestions and comments and expressed thanks for all the board is planning to do. Peter Hayden then amended his motion to keeping the HOA Maintenance Fee at \$205 per month which was seconded by B. Turek. The vote was 4-1 in favor of keeping the fee the same with Tom Maglienti in the negative.

- 2) Bookkeeper/ Property Manager Contract Updates – Queries for bids have been given until 4/14/17 to see if they are interested.
- 3) Locksmith Bill – A homeowner still owes us some funds for shutting off their water due to a leak from back in 2014. The HOA had to hire a locksmith to get into the home to shut the water off. The homeowner does not want to pay the bill. T. Maglienti has sent a letter to the homeowner asking them to pay for the locksmith bill.
- 4) Fence Maintenance - There was some discussion on this item but there was not any vote. We are waiting to hear from our attorney regarding this issue.
- 5) Work Request – 61 Maine requested to add more vinyl fencing between his and his adjacent neighbors. P. Hayden made a motion to let him put two additional fences next to his neighbors. G. Eagan asked that we add to the motion to have the homeowner get written permission from the adjacent neighbors to be sure that they are ok with the fence replacement. B. Turek also added that the homeowner be careful not to block the water nose bibs that protrudes from the back of the units. G. Eagan seconded the amended motion. The motion carried 5-0.
- 6) Work Request – 17 Baltimore the homeowner requested to place a flower bed alongside her unit on HOA property. G. Eagan asked that the homeowner provide a definitive border so that the Landscaper sees the flower bed and does not mow in that area. P. Hayden seconded the motion. Motion carried 5-0.
- 7) T. Maglienti stated that we have a budget quality estimate from a contractor of \$100,000 for putting in the water lines for Alana and Caitlin. Tom wants to check with the city that we can run 9 new serve laterals for the water lines instead of cutting through the cul-de-sac roadway and then have to repair that. We will go out for bids when the time comes to do this work.

NEW BUSINESS

- 1) **Indemnification request from former directors** – T. Murnane stated that if our insurance covers this item the check would come to us and not the individual persons. The bills submitted were all in relation to the court expenses and required paperwork required. T. Maglienti stated that we need a revised bill from the attorney on their letterhead stating the work performed and the fee charged. There was much discussion with among the board members, attorney and members in attendance. P. Hayden made a motion that the board pay the three individuals per the receipts (for reasonable expenses) submitted to our attorney once the Meconi attorney bill be submitted on his letterhead. G. Eagan seconded the motion. A vote was taken and the motion failed 3-2 with Bob Turek, Tom Maglienti and Don Miller in the negative. T. Maglienti made a motion that we pay the homeowner for the attorney's fee and D. Miller seconded it. The vote carried 5-0. Tom M. suggested that we go into executive session after this meeting.

- 2) **Snow Removal Committee.** No report this week.
- 3) **Roofing Contract for 2017.** There was discussion what the term proper vent was and Tom changed the wording to proper attic ventilation. Tom stated that 95% is the same and Tom and the board have made some changes to the contract to better clarify the work that needs to be performed. Tom Maglienti gave the proposed contract to Tom Murnane for review so that we can send the work scope out for bids or have our current contractor review the updated contract for this year.
- 4) **Request for Additional Website Program** – Tom Maglienti requested that we purchase an additional program that will gives us better ability to created forms for the website. The program is Captain Form and the fee is \$35 per year. D. Miller made the motion for the additional program and B. Turek seconded. The motion carried 4-1 with Peter Hayden in the negative.
- 5) **Requests for waiving Late fees from the Bookkeeper.** 50 Maine whose husband is deployed, she pays every month but is always late because when she receives income. Item Tabled.

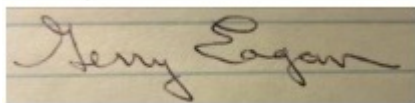
Motion to adjourn made by Peter Hayden, seconded by Tom Maglienti passed unanimously. Meeting adjourned at 7:25pm. The board next went into executive session.

The next Lake Country Village HOA meeting will be TUESDAY APRIL 18, 2017 6:00pm - 7:30 P. M. at the Plattsburgh Public Library, 19 Oak St, Plattsburgh, NY 12901

Reconvening of the regular meeting:

At 7:40 pm the regular meeting was reconvened. A motion was made by Peter Hayden to pay the expenses submitted by Maureen Carlo and Sue Phillips for reasonable expenses they incurred as a result of the litigation described under item 1 of New Business above. It was noted that adequate evidence of these expenses was provided. Motion was seconded by Tom Maglienti. Motion carried by a vote of 4-1 with Bob Turek in the negative. A motion to adjourn the meeting was made by Peter Hayden and seconded by Gerry Eagan and was passed unanimously. Reconvened meeting was adjourned at 7:50pm.

Respectfully submitted,



for Donald J. Cosgro Secretary by Tom Maglienti/Gerry Eagan