



10 MAINE RD.  
PLATTSBURGH, NY 12903  
[www.lcvillage.org](http://www.lcvillage.org)

## MINUTES JANUARY 17, 2017

**Regular monthly meeting** at 19 Oak Street, Plattsburgh, NY was called to order at 6 PM by President Patty Jaehn. Directors present: Gerry Eagan, Peter Hayden, Donald Miller, Robert Turek, Tom Maglienti, and Patty Jaehn. Absent: Donald Cosgro. Quorum Present: YES. Also, present, Property Manager, Adam Whitbeck, and bookkeeper Anne Sanford. 8 members in the audience.

- Motion by Gerry Eagan, and seconded by Peter Hayden to approve the January 3, 2016 meeting minutes was passed 5-0.
- Treasurer's Report for December was given by Tom Maglienti. 6 months into the fiscal year we are \$17,185.43 net under budget. (income and expenses)
  - Checking Balance 12/1/16 \$105,672.85
  - December Deposits \$ 64,454.76
  - December Expenses and Transfers \$ 57,678.92
  - Checking Balance 12/31/16 \$112,448.69
  
  - Savings Balance 12/1/16 \$271,860.27
  - December Deposits and Transfers In \$ 1,678.37
  - December Withdrawals and Transfers Out \$ 0.00
  - Savings Balance 12/31/16 \$273,538.64Members may receive a complete copy of the Treasurer's report by emailing Tom at [tomm@lcvillage.org](mailto:tomm@lcvillage.org).
- Legal Report – none
- Committee reports
  - **Building, Landscape, Social, Communications, Review and Compliance** – no report
  - **Property Managers Report** was given by Adam Whitbeck – see attached. Some discussion ensued between the board and Adam regarding the situation at 88 Maine the status of water notices recently delivered. Anne reported we have received a final bill from NYSEG for 6 Maine which removes the gas account from our name. New owner was given this bill which she has agreed to pay.

- **Election Committee** – Gerry gave the committee report as the committee chair Carol Shuttleworth is out of town. **Motion** by Gerry to adopt the newly developed election procedure, seconded by Peter Hayden. During discussion, Tom Maglienti pointed out that not allowing ballots to be cast at the meeting of the members is technically a violation of our by-laws. Suggestions for minor wording changes to allow this were made and the motion was amended accordingly. Motion passed 5-0.
- **Property Manager and Bookkeeper Committee** – A status report of the committee progress was given by Tom Maglienti as Sue Thompson was unable to attend.
- **Utility Committee** – A status report of the committee progress was given by Tom Maglienti as committee chair Walter Chmura was not in attendance.

## OLD BUSINESS

- **Contract Guidelines** – Tom Maglienti went over the highlights of the document arrived at by the Bidding Committee. One minor change to correct a typo was suggested. **Motion** made to adopt the guidelines was made by Tom Maglienti. Seconded by Bob Turek. Passed 5-0. Copy is attached.
- **Code of Conduct** - Gerry pointed out that he was planning to consult our attorney on this issue and proposed by-law changes. Tom Maglienti described a proposed procedure for requesting attorney services which is not yet approved. Additional discussion ensued. Gerry indicated his intention is to ask the attorney for an estimate of the costs to review these issues. Further discussion on the Code of Conduct was tabled until the next meeting.
- **Motion** made by Gerry Eagan to approved reimbursement to Bob Turek \$56.01 for the purchase of new Christmas tree lights. Seconded by Tom Maglienti. Passed 4-0 with Bob Turek abstaining.
- **Motion** made by Tom Maglienti to reimburse Garrow and Sons the cost of the permit for the City of Plattsburgh in the amount of \$249 which they obtained as part of the Maryland Drainage project. Seconded by Peter Hayden. Discussion included the future need to be clear as to which party should pay for any required permits. Adam Whitbeck stated this has been done both ways in the past. This issue is covered in the newly passed Contract Guidelines. Passed 5-0.
- **Discussion on Replacement of Existing Catch Basins** – A discussion ensued about the condition of the catch basins and the existing piping to the City’s system. Since the work would be done in the spring to coincide with the restoration, it was decided to gather more information about the conditions of the pipes and catch basins before proceeding.

## NEW BUSINESS

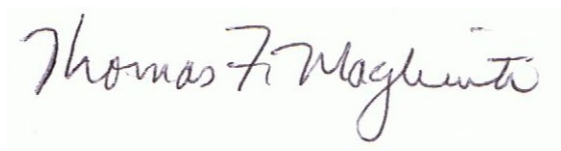
- **Dog Park** – A presentation (copy attached) was made by the new owner of 42 Maryland for a dog park on common ground for the board’s consideration.

- **HOA Maintenance of Fences** – It was pointed out that the board is waiting for a response from the HOA Attorney on the appropriateness of transferring the maintenance of fences to homeowners. A similar request was made regarding interior damage caused by leaks of a roof, maintenance of the area of common ground between the sidewalk and the garage, painting of the exterior doors and initial service charges for sewer problems outside the home.
- **Location of Annual Meeting of Members** – The general feeling was that there is probably sufficient space to hold the meeting at the library.
- **Complaint of barking dog** – A discussion about what to do to resolve this ongoing complaint. It was decided that Adam will send a letter notifying the owner that a maximum of two pets are allowed (it has been reported that there are 3 dogs at the residence.) Adam will draft a letter and send it to the board before proceeding. A copy will be sent to the complainant.
- **Motion** made by Bob Turek, seconded by Peter Hayden to reimburse Tom Maglienti for website costs to renew our domain for 2 years, renew our subscription to Wordpress for 1 year, renew domain privacy for 1 year and upgrade one mailbox storage (bookkeeper) for 1 year for a total amount of \$99.91. Passed 4-0 with Tom Maglienti abstaining.

**Motion** to adjourn made by Tom Maglienti, seconded by Don Miller passed unanimously. Meeting adjourned at 7:32 PM.

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Thomas F. Maglienti". The signature is written in dark ink on a light-colored background.

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

**PROPERTY MANAGEMENT REPORT**  
**LAKE COUNTRY VILLAGE HOA BOARD MEETING**  
**January 17, 2017**

- Rounds were completed
- Work orders YTD total 87 with 0 incomplete
- Complaints YTD are 15, all have been addressed
- YTD 100 Violation Notices were delivered, 90 have been corrected
- Checked on the vacant units @ 6 Iowa & 88 Maine several times to insure heat is still on.
- Spoke with homeowner of 109 Maine to confirm heat is still on.
- Informed board of a continuing dog barking complaint and recommended the board take action
- Vendor Work:
  - Harts Lawn Care did several salt/sanding services
  - Ron Garrow & Sons have finished 80% of the Maryland Road Drainage Project. Ground restoration is left to do in the spring.
  - Thomas Construction repaired siding, fascia, and soffit in several locations due to high wind storm.
- All Welcome Packets have been delivered

**LAKE COUNTRY VILLAGE HOA**  
**10 Maine Road, Plattsburgh, NY 12903**  
**ELECTIONS PROCEDURE**

The following is the actual election procedure that was developed by the LCV HOA elections committee in February and March of 2016. It was used in the 2016 elections and small changes were made after the 2016 election to refine it to a good process that could be used at all future elections.

**Section 1. Nomination Procedure**

- (a) Board applications can be accepted from January 1<sup>st</sup> of the new year through the end of February when acceptance of new applications will be closed.
- (b) Applications can be filled in on the current LCV HOA website or by downloading a copy of the form, filling it out and sending it to LCVHOA, INC., c/o Elections Committee, 10 Maine Road, Plattsburgh, NY 12903.
- (c) The application should contain the following information plus a BIO that will be posted on the HOA website. The application contains the candidate's name, HOA address, phone number, email address, and a BIO containing qualification for position, education, experience, 'What I have to Offer' statement and whether the candidate is a full or part time resident of Lake Country Village. All the candidate BIOS will be posted on the LCV Website in March.
- (d) The Elections Committee will contact all candidates that their application has been received.
- (e) In March the Elections Committee will gather all applications, ensure that all the information required has been completed on the applications and prepare the BIOS for posting on the LCV website.
- (g) The Elections Committee will obtain the latest Homeowner mailing address list as of March 1<sup>st</sup> and this will be the only list used throughout the election process. Homeowners are responsible to ensure that the LCV Property Manager has their current mailing address.

**Section 2. Election Procedure**

- (a) The Elections Committee should consist of at least 5 volunteer members. A Board Member who is not up for election can be a liaison to the Committee to assist in the Election Committee following the election process.
- (b) The Elections Committee will put together a ballot form, ballot instructions, and a copy of all the applicants' BIOS. The BIOS will be placed on the LCV website during the 3<sup>rd</sup> week of March.
- (c) The ballot form, ballot instructions (on the back of the Ballot), and copy of the BIOS will be mailed to the LCV Homeowners by the end of March.
- (d) The Ballot will list the candidates alphabetically by surname. Beside each name is an open circle in which a Member can indicate a vote for the candidate per the instructions on the back of the Ballot.
- (e) LCV Homeowners must read completely through ballot instructions before completing the Ballot.
- (f) The completed Ballot is to be placed in an envelope marked "Place Ballot in this envelope and SEAL", but bearing no other marking or identification. Only the completed Ballot goes into this envelope.
- (g) This envelope will be placed in another envelope addressed to the HOA at its mailing address in Plattsburgh, NY and marked Attention: LCV HOA Elections Committee. This envelope will be pre-labeled with the Homeowner's name and mailing address in the upper left corner, and will bear one or more unique

stamps or markings which will render the envelope difficult to forge or duplicate. If the return address label is altered or removed it will make this Ballot invalid.

(h) The return envelopes which identify the sender and which contain the sealed ballot envelope shall be kept unopened by the HOA until validated.

(i) All completed Ballots must be mailed or delivered to the HOA by the second Tuesday of May. The LCV HOA Elections Committee will validate, tally the votes and prepare a report for the next HOA Board Meeting following the second Tuesday of May.

(j) The Elections Committee will decide on a time and place to count the votes. Either the candidate or their designate, but not both, shall be entitled to attend the validation and counting of the Ballots. A candidate's designate may not be a Director or a member of the Elections Committee.

(k) Each returned ballot envelope shall be compared against the current mailing list of Members of the Association before being opened.

(l) If it is impossible to determine from an examination of the exterior of the returned envelope that the sender is a Member of the Association, the envelope shall be destroyed without being opened or counted.

(m) If the identity of the sender can be matched against the list of Members, the returned envelope will be placed in a box of valid Ballots. The Elections Committee will complete this process until all the envelopes received have been validated.

(n) All the *valid* envelopes will now be opened and the *ballot* envelope removed and placed into a box. The *valid* return envelopes can now be set aside or placed into a large folder for disposal at a later time. This process will continue until all *valid* envelopes have been opened and the *ballot* envelope removed.

(o) The *ballot* envelopes will now be opened and the Ballots removed and placed in the center of the table face down. This process will continue until all ballot envelopes have been opened and the Ballot removed. The ballot envelopes can now be set aside or placed into a larger folder for disposal at a later time.

(p) At least two Elections Committee members will read the voting from the Ballot (one at a time) and two or three Elections Committee members will tally the votes on tally sheets previously provided by the Elections Committee. This process requires that there be no interruptions from any of those attending this ballot counting. All voting will be tallied in this manner. The counted Ballots will be placed into a separate box and saved until the votes are validated. If more than the required number of candidates was selected on a Ballot then that Ballot will be deemed invalid and set aside.

(q) The two or three Election Committee members doing the tallying will add up all the votes. All tally sheets need to compare exactly unless a discrepancy could not affect the ranking of the candidates. The Committee will decide on what needs to be recounted by a unanimous vote of the Committee.

(r) The Elections Committee will prepare a summary tally sheet that contains the name of each candidate and the total vote for each. The Committee members will all date and sign this final tally sheet and make a few copies for retention purposes and one to be submitted to the board at the next HOA Board Meeting following the second Tuesday of May. The final tally sheet must be kept by the Elections Committee for 3 years.

(s) The Ballots and the initial tally sheets shall be kept in a large folder or envelope for a period of no more than 60 days after the Annual Members Meeting.

Respectfully submitted by Carol Shuttleworth, chairperson, LCV HOA Elections Committee

This procedure was approved by the LCV HOA Board on January 17, 2017.



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# CONTRACT GUIDELINE

January 17, 2017

## Overview

*The board of directors has a fiduciary responsibility to the 326 members of Lake Country Village Homeowners Association. State law nor our governing document does NOT address when the HOA should solicit bids for services. However, sound financial practices dictate that goods & services purchased by the HOA be reviewed periodically and put out for bid when appropriate. Therefore the HOA Board of Directors wishes to adopt this guideline for obtaining the best value and price for our members. It is understood that emergency situations may arise where some or all of the following provisions will not be able to be followed. These should be the exception rather than the rule. It is intended that this is to be a dynamic document which may be revised as needed by resolution of the board.*

## Contract Guideline:

### 1) Qualified Contractors

- a) **The property manager (PM) will develop and maintain a list of qualified contractors categorized by type of work. He shall be responsible for determining which contractors meet the minimum requirements for the specific project and shall be responsible for obtaining the required certificates of insurance.**
- b) **Contractors who will be hired by the LCV HOA (or by homeowners where the work will impact property that is the maintenance responsibility of the HOA) should generally meet the following minimum requirements:**

- i) Insurance: levels may be adjusted up or down based on the size and nature of the project.**
  - (1) Commercial General Liability - amount and type to be determined by the HOA board in conjunction with the HOA Attorney.**
  - (2) Workers Compensation as required by law.**
  - (3) Failure to provide such will disqualify consideration of bid.**
- ii) Registration: Contractor must be registered to do business within the City of Plattsburgh.**
- iii) Competence/Experience: Contractor should have experience and competence for the project. Contractor may be asked to provide examples of similar work he has performed within the past 3 years. Past experience with HOA contracts will be given extra weight.**
- iv) Size: Contractor should have available the necessary manpower and equipment appropriate for the work to be performed.**
- v) References: From satisfied clients if requested.**
- vi) Bond: A surety bond may be required if advised by the HOA Attorney.**

## **2) Contract Contents**

- a) Contracts should generally include the following provisions:**
  - i) All work will meet all Federal, State and Local laws that apply, as well as any local codes, zoning requirements, and permit requirements.**
  - ii) All necessary approvals and permits will be obtained and copies provided to the property manager before work commences.**
  - iii) The contractor is responsible for obtaining permits, where required, and unless specifically stated otherwise, the cost of such permits will be paid by the contractor.**
  - iv) The HOA may reserve the right to purchase directly any or all required materials for the contract. If exercised, this requirement will be reflected in the contract specifications. All unused materials will be returned to the HOA or to the vendor for credit as determined by the board of directors.**



- v) Where required, proper notification of government agencies (911, dig safe, D. P. W. etc.) will be done by the contractor.

### 3) Bid Process

- a) The PM, responsible committee or board member(s) should prepare a work specification (referred to as a Schedule A) for any contract work being proposed. The level of detail provided will vary with the scope and complexity of each project, however in all cases they will be written so that all contractors bidding on the project are bidding on the same scope of work. Even simple tasks will require a written specification. (for example, to remove a tree it might say “Cut and remove tree at \_\_\_\_\_. Clean up all debris, grind stump, add any required topsoil, rake smooth and reseed any disturbed area,” or something similar.)
  - i) When required, qualified engineers and/or consultants will be utilized to properly prepare any request for proposals.
- b) A preliminary estimate of the approximate cost of the work will be prepared by the PM or appropriate committee.
- c) All contract work proposed work shall allow sufficient time, for board review/ feedback of specifications and preliminary cost estimates. When in agreement, a resolution should be passed to authorize proceeding with the Request for Proposal.
- d) For work estimated to cost under \$500 competitive bids are not required but may be obtained if desired by the board. PM should use previously approved contractors if possible.
- e) For work estimated to be between \$500 and \$2000, 3 price quotes from the approved contractor list should be requested (unless there are not 3 contractors on the approved list for the type of work proposed.)
- f) For work estimated to be over \$2000 all qualified contractors on our list shall be sent a bid package. A minimum of 3 bids should be obtained whenever possible (unless there are not 3 contractors on the approved list for the type of work proposed.)
- g) Bids packages should be mailed or delivered to contractors on the same day by the PM.
- h) If the board determines that the work constitutes a capital improvement, a NY State form ST-124 Capital Improvement Certificate shall be included in the bid package to inform bidders that the project is exempt from sales tax.

- i) The PM will forward any contractor requests for clarification or substitutions to the board of directors. Any changes authorized must be communicated in writing to all bidders.
  - j) Bids may require a percent holdback of total contract price pending a final inspection or until the board authorizes final payment.
  - k) Bid proposals will be in writing, and clearly marked: LCV HOA BID PROPOSAL on the envelope, and delivered either by hand or post office, to the Lake Country Village Property Manager at 10 Maine Road, Plattsburgh, NY 12903. All bids shall remain sealed until the due date and then opened as given below.
  - l) All bids for a project shall be due by noon on a specific date which shall not be extended for any individual bidder without the consent of the board. Bids received late may be rejected.
  - m) Bids shall be opened on the due date by the PM in the presence of at least one Director. PM shall then inform the Board of the results and send an electronic version of the bids to all Directors and the appropriate Committee Chair.
  - n) In the event that the recommended number of bids above are not requested or obtained, the resolution to approve the work should include the number of bids requested, the number actually received and an appropriate additional explanation.
  - o) The board of directors reserves the right to reject any or all bid proposals.
- 4) Contract Preparation
- a) Successful Bid Price is \$2000 or less.
    - i) Work may be authorized by resolution only, without a separate formal contract, provided the resolution contains at a minimum, the appropriate contract contents (from para. 2 above), a written specification of the work to be performed and a specific or not-to-exceed price which MUST include any applicable sales tax.
    - ii) If the successful bidder has an existing open contract for other similar work which contains an “extra work” provision, this contract can be used by issuing a “change order.” When possible this is desirable so that other standard contract provisions apply.
    - iii) Notwithstanding the above, the board may, if desired, request a formal contract be used.
  - b) Successful Bid Price is over \$2000, a separate formal contract should be prepared.

- c) **All contracts shall be prepared or reviewed by the HOA attorney. Only after attorney approval, will the HOA President sign the contract. This legal review requirement can be waived when appropriate, such as contract renewals or extensions.**
    - i) **Any changes suggested by the attorney, will be in writing, and communicated to the board in a timely manner.**
  - d) **All contracts will be provided to the Board in electronic format.**
  - e) **In addition to the above, authorization of the expense must follow the separately approved protocol for authorizing expenses. In case of conflicts, the latter applies.**
- 5) Oversight**
- a) **All physical contract work done on or affecting LCV property, shall be overseen by the PM.**
    - i) **If it is agreed that the work is beyond the expertise of the PM the board may utilize other qualified persons to assist the PM in work oversight.**
  - b) **Contract work of an administrative nature may be overseen by the PM or appropriate committee or board member.**
  - c) **Oversight of the PM contract shall be by the President or his/her designee.**
  - d) **Invoices shall be signed by the overseeing party which signature shall verify that the work was done in compliance with the specifications and that it is ready to be paid.**
    - i) **In general, payments will be made to contractors upon successful completion of work and a verified and signed invoice. Progress payments are allowed but they must be based on a completed phase specifically identified or upon the work completed during a specific period of time.**

# LCV Dog Park Proposal



## How a dog park will benefit our community

- LCV can advertise themselves as “pet friendly” to help attract new buyers.
- Provides a safe and clean area where residents can allow their dogs to run and play off-leash
- Elderly folks and owners with disabilities have accessible places to exercise their dogs.
- Works to reduce pet waste issues in a community by centralizing doggie deposits in one designated area
- Dog parks promote responsible pet ownership, public health, and safety and enforcement of dog control laws.
- Community members can meet other dog owners while they enjoy watching their dogs run and play

## Creation of the park

- Every dog park includes at least two basic structures: fencing around the perimeter and a staged entrance area. Fences should be five feet or higher to prevent a dog from jumping over it. Entrances should serve as an effective buffer to your park. If possible, consider a double gate system. This area will give everyone some much appreciated breathing room as they enter and exit with their pet. It also serves as an assimilation and introduction area, and also helps to keep dogs from escaping.
- Dog parks do not necessarily have to be located on perfectly flat areas. Is there a piece of land in the community that is not suitable for other uses due to a slope or rough terrain? Consider utilizing this area for a dog park. This will allow you to make more use of available land in the community



## Suggested Rules and Regulations to be posted at the park:

- Owners are legally responsible for their dogs and any injuries caused by them.
- Puppies and dogs must be properly licensed, inoculated, and healthy.
- Animals should wear a collar and ID tags at all times.
- Owners must clean up after their dogs.
- Dogs showing aggression toward people or other animals will be removed from the park. Animals who exhibit a history of aggressive behavior will not be permitted to enter.
- Owners should not leave their dogs unattended or allowed out of sight. If young children are permitted in the dog park, they too should be under constant supervision.
- Dogs in heat will not be allowed inside the park.
- Owners must carry a leash at all times. Dogs should be leashed before entering and prior to leaving the park.
- **Violators will be subject to removal from the park and suspension of park privileges.**