

# Lake Country Village

## Homeowners Association, Inc.

10 Maine Rd., Plattsburgh, NY 12903

### Minutes

#### Meeting of the Board of Directors

October 28, 2019

1. Call to order was at 5:59 PM by President Peter Hayden
2. Present were Linda Turner, Tom Maglienti, Don Miller, Randy LaMora, Mike McKinnon and Peter Hayden. Excused - Patty Jaehn. Also present were our attorney, Tom Murnane, Don Recore from Farmers Insurance, Property Manager Curtis Latremore, Bookkeeper Anne Sanford and 3 homeowners.
3. Motion to approve the minutes from the October 14, 2019 meeting was made by Linda, seconded by Peter. All voted to approve.
4. Public Comments: No comments were received
5. Property Managers Report:
  - a. Work Requests:
    - i. 38 Kansas to remove a tree on the common area. Motion made by Tom to deny the request and to trim the tree. Seconded by Peter. All voted to approve.
  - b. Contract Status
    - i. Meter Modules – there are 4 remaining in the second group of 30.
    - ii. Spot Painting – Adams Bros. has been awarded the work and we are waiting for them. Curtis has contacted them several times. Tom asked him to send a letter with the list and the instructions on painting the entire board where peeling is happening and to clean up any scrapings.
    - iii. Sewer Line Repairs – 8 and 56 Maine; dig safe is complete, waiting on contractor. Discussion on recent sewer back-ups at 27 and 29 Maine.
    - iv. 6 Tree Removals (Arborist) – Curtis received message that it would be later this week.
  - c. Kiosks – All four are installed.
    - i. Lighting – One solar light package was previously authorized. Discussion on where to use it. Peter will order from Handi-Hut and obtain expected delivery date.
    - ii. Removal of old units – Clinton County has expressed an interest. Tom made a motion to sell the old units for \$1 to any party who will remove

them at their expense. Seconded by Peter. All voted to approve.

Question from Henry Ward regarding the configuration of the mailboxes in the kiosks. Tom showed him a sketch on one way they will fit but the final configuration is up to the Post Office.

- iii. Discussion on keeping the snow out of the new units. Hart is responsible.
- iv. Tom mentioned James needs to clean the inside glass of packing tape residue before the mailbox units are installed.
- v. Discussion of bulletin boards, form holders, etc. as free-standing vs mounted to the kiosk. Decided to revisit once mailboxes are set up.

d. Porch Post Replacements

- i. Working on other priorities so no recent progress. Can work on these all through the winter, weather permitting.
- ii. Question from Homeowner, Virginia DeGray on repairing her front stoop prior to replacing post. Homeowner was told front stoop/slab is her responsibility. No formal action was taken by the board.

e. 117 Maine roof leak – no further leaks found in the roof

f. 35 Maryland garage repairs – Contractor has been hired by homeowner; expected completion is mid-November.

6. Committee Reports

a. No reports from elections, communications, building committees. Landscape Work Request was received to relocate a small tree from area between sidewalk and garage to back yard and to replace with other planting. Motion to approve subject to Curtis's evaluation of location and replacement planting by Peter, seconded by Randy. All voted to approve.

b. Work Request was received from 15 Caitlin to install gutters. Curtis was reminded he has authority to approve this and per recent revision, approval is contingent on proper control of outflow. (see form PM 3.0 10-14-2019)

7. Old Business – temporarily held to allow discussion on insurance claim to proceed so that some attendee could leave early.

8. Insurance Claim 54 Maine

a. Lengthy discussion over the location of the offending mixer valve and which insurance policy would cover the loss.

b. Discussion regarding who is responsible for maintaining plumbing. References to the Declaration Article VI, Section 2 which states the HOA is not responsible for any plumbing and Article IX, Section 1 which describes the insurance responsibilities of the HOA. Reference also made to the 5/12/2015 resolution describing what elements are covered by the HOA insurance policy. Although the language of the resolution can be misleading, it does not contradict the Declaration which is the controlling document. Discussion over removing the approved resolution from the website but no action was taken.

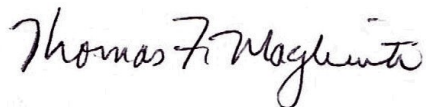
- c. Opinion of Don Recore in this case is that our policy does not cover any part of the loss due to the failure being in the shower mixing valve which is not part of the “bare walls” coverage provided by our policy and further that the valve is even located outside of the base wall in a false wall created for the shower. Opinion of Tom Murnane is in agreement with Don Recore.
  - d. Tom made a motion that based on the recommendations of our insurance agent and our attorney, that neither our insurance policy nor the HOA is responsible for the damage that occurred at 54 Maine as a result of the failure of the mixer valve. Motion seconded by Peter. Motion passed unanimously by roll call vote.
  - e. Don Recore will draft a letter to Travelers denying the claim on the basis of the valve not being covered by our policy and will send a copy Tom Murnane and the board.
  - f. Tom made a motion to authorize the president to sign a draft letter responding to the homeowner’s additional request to repair or install a storm door and bathroom vent fans. Seconded by Peter. All voted to approve.
  - g. A suggestion was made that we should review the 5/12/2015 resolution to amend same to eliminate misleading language and to clarify its meaning. Peter requested all to review and to be prepared to discuss at the next meeting.
9. Tom Murnane gave a brief legal report on collection and other activities he is engaged in. Also mentioned the kiosk license and stated he will follow up with the city attorney.
10. Old Business
- a. 62 Maryland fence replacement- discussion over the price differences between vinyl and wood as well as the use of sonotube type foundations. Randy made a motion to replace the fencing for the 62 Maryland quad with wood fencing including sonotube foundations. Motion was seconded by Mike. Motion was amended during discussion to include the adjacent quad (8 units total) and to use the vendor with the least cost price. All voted to approve the motion. Curtis will attempt to obtain a wood fence quote from Freedom Fence.
  - b. Removal of dead trees – Peter and Linda will review the list of dead trees and mark them with surveyor’s ribbon. Curtis will then obtain bids on their removal. Once received the board will decide, based on budgetary and other factors, which trees to remove at this time.
  - c. Arborist opinion on linden and cedar trees requested to be removed. Ben was going to research the aphid/sap issue for the linden trees. The board has already acted on the work requests for the removal of the linden trees. Ben has informed us that to trim the cedar trees would essentially destroy any aesthetic value of the trees. Work Request from 5 Maryland to remove two cedar trees - based on the recommendation of the arborist and the concerns of the landscape committee, Tom made a motion to approve the removal of one of the requested cedar trees to be performed in accordance with the previously approved

Nuisance Tree Policy (Common Area Tree Removal Guideline - LC 3.0). Motion seconded by Peter. All voted to approve.

11. New Business

- a. Insurance Claim @ 54 Maine- see discussion above
  - b. Invoice Approvals – the following invoices were submitted to the board by Curtis
    - i. 17 Maryland – HO reimbursement for sewer backup; \$135
    - ii. 29 Maine – Bob’s Instant for sewer backup; 637.20
    - iii. 27 Maine – Roto Rooter for sewer backup; 210.60
    - iv. 10 Maryland – HO reimbursement for roof leak damage;  
Motion by Tom to approve the payment of the four invoices, seconded by Peter. All voted to approve.
  - c. Motion by Tom to authorize the payment of water, sewer and electric service bills for the fiscal year 2019-20 and to permit Treasurer to verify and approve payment for same. This is an annual authorization. Second by Peter. All vote to approve.
  - d. Tickler file – Linda notes prepared from the COW meeting were acceptable except she requested adding the schedule for Christmas lights and the donation to the Church for the use of the room. Tom will amend and resend.
  - e. Decision on Landscape/Snow Removal Contract was tabled for the next meeting.
  - f. Ad hoc siding committee was tabled for the next meeting
  - g. Other New business
    - i. Roof leak at 43 Maine – Discussion on how to handle. Motion made by Tom to have Curtis make one attempt to get Thomas to respond. If no response within 24 hours, Curtis should fix the roof by any available means. Second by Peter. All voted to approve.
12. Motion to adjourn by Peter, seconded by Randy. Approved. Meeting was adjourned at 7:50 PM.

Respectfully submitted by



Tom Maglienti for Patty Jaehn, Secretary

Next meeting will be Monday, November 11, 2019 beginning at 6 PM at the North Country Alliance Church, Northern and NY Road, Plattsburgh, NY 12903.

No attachments.