

# **Woodlands at Tuxedo**

## **Monthly HOA Board Meeting – Minutes April 7, 2020**

**Roll Call:** Robert Werner, Mel Davis, Imran Butt, Linda Hackett, Irene Logan and Dan Nugent (FirstService Residential). Due to the Coronavirus (COVID-19) Pandemic, the meeting was conducted via a teleconference call in order to maintain social distancing.

**Vendors/Guest:**  
None

**Closed Session:**

- Review of Minutes from 3/3/20 – Approved with minor changes

**Financial Report:**

1. Financial Reports for HOA and Sewer reviewed. The Treasurer raised the issue about not exceeding more than \$250K in any account so as to be covered by FDIC protection. Our Property Manager will discuss that with his cash management team and obtain the names of all banks that we may be interested in maintaining accounts with and send that information to all board members for review. The Treasurer also felt that there was a discrepancy within the Deferred Maintenance Fund and stated that he would contact the accountant to resolve it.
2. Board reviewed HOA and Sewer Delinquency Reports. The Treasurer suggested creating a Reserve against Receivables for the property at 26 Woodlands. Treasurer also suggested to follow-up on a few significant delinquent balances, which are outstanding for a long time. The Property Manager will discuss with our attorney, John LaGumina, the issuance of Delinquency Letters to residents whose HOA and/or Sewer payments are greatly in arrears.

**Old Business:**

- The current sand in the sand beds at the Sewer Plant needs to be replaced. Our Property Manager has contacted Chris Yeager, Environmental Consultant, regarding the scope of the work involved with removing the old sand, hauling it away and replenishing the beds with new sand. Based on his experience in the business, Chris will advise us on what to expect, such as a Tipping Fee, which is a tax to be incurred for the disposal of the environmental waste, hauling costs and other incidentals. Afterwards, the Property Manager will contact at least three companies for bids on this project.
- The Property Modification for the addition of a sunroom to be attached to the back of 18 Cedar, a freestanding home, was reviewed and discussed. Approval was denied in accordance with Declaration of

Covenants and Restrictions, Article II, Section 2 (Restrictions on Use of Lots).

- The proposals from three different electrical companies to replace an exterior electrical circuit and meter pan located across from 144 Woodlands were reviewed and discussed. JC ELECTRIC, INC., CASCOL, LLC and Parker Electric, Inc. submitted written bids. Parker Electric, Inc. presented the highest proposal. There was a cost difference of approximately \$35 between the proposal presented by JC Electric, Inc. and the proposal from CASCOL, LLC. The board decided to go with JC Electric Inc., since they performed preliminary work on the electrical circuit, for which we already submitted payment. We also have a long-standing relationship with them and when the Property Manager initially contacted them about the repair, which was believed to be a hazardous liability to the community, they responded promptly. In the future, repairs, thought to evolve into high-ticket items, will be reviewed by the board prior to approval of initial work.
- The board discussed the proposal presented by Superior Surfacing Systems, Ltd. to perform large crack repairs to Cedar and Spruce. The proposal covered the cost of sawcuts, removal and replacement of pavement, base coat with hot mix asphalt and crackseal sawcut joints. Approval of the proposal has been put on hold pending a "walk through" of Phases I, II, III and IV by Irene to survey the inbound/outbound roads around the catch basins. In doing so, Irene will assess if further repairs are needed around the catch basins due to erosion and relay her findings to the board members and the Property Manager. A listing of additional repairs will be presented to Superior Surfacing Systems, Ltd. to be calculated into a new proposal.

**New Business:**

- Board reviewed our attorney's legal report. The Property Manager is going to contact our attorney, John LaGumina, as to why 255 Woodlands was not mentioned within the Status Report.
- Mulching throughout the community was performed by Castro Landscaping, based on an approval vote at the March 3, 2020 HOA Monthly Meeting. It was brought to the attention of a board member that some residents expressed that they were not given enough advance notice to "opt-out." The Property Manager stated that written notices were sent out to each resident via USPS Mail providing a 2-week timeframe in which to "opt-out" of having their property mulched. He also stated that an eblast was put out informing residents that they could "opt-out" by emailing him or telephoning him to say that they wanted to "opt-out." The fact that the cost for mulching was not in Castro's contract was also brought up. It was explained that this vendor had been used many times in the past to mulch the community every two years and that the cost for mulching this year had remained the same as the cost of mulching two years ago. It was discussed that in two years, when the community is due to be mulched again, the board would put the job out for bids to obtain

competitive pricing. The Pesticide application was approved for TRUGREEN, as Junior from Castro Landscaping is not yet licensed to do so. As such, Castro Landscaping's invoices will reflect the deduction for the cost of TRUGREEN's application. The deduction will appear on Castro's invoices on a monthly basis for the next eight months (May through December). The payment for TRUGREEN's application of Pesticides will be paid directly to TRUGREEN by HOA funds. Approval was given for TRUGREEN to administer Lime application to all phases of the community. The Lime will be put down on the islands and the front and back yards of each residence in the fall. Throughout the community there are issues with the lack of grass growth leading to bare spots and moss on the center islands and front and back yards. With the exception of the in-ground sprinkler system located within the island closest to the community entrance, it has been difficult for grass to grow and flourish on the islands because of the lack of water and large tree roots that absorb the moisture from the soil. As such, the suggestion was made to place rock on each island. However, due to the fact that its cost has not been budgeted for, approval was put on hold. It is the hope that the Lime applications will "green-up" the lawns and reduce/eliminate bare spots and moss within the community.

- Stateline Pest Control submitted a proposal for the application of a pest control solvent. The proposal, which covered the inspection and service for the interior and exterior of the clubhouse and pool area, was reviewed and approved. The solvent will be applied once a month from April through December of 2020.
- The recommendation to place Dog Waste Stations in various locations throughout the community was discussed. The issue was raised because of the pet feces that some pet owner's leave behind while walking their dogs. The concern was not only the waste left behind, but also the odor and bare spots that the remains create. The waste stations would provide waste bags and a receptacle to place bags containing animal feces into. The question as to who would remove the used bags containing animal feces from the receptacle arose. As a result of the discussion, it was decided that if a resident sees someone who does not pick-up after their pet they should report it to the Property Manager who will send a Warning Letter to that resident informing them to pick-up after their pet or face a fine. Perhaps the issuance of a Warning Letter would prevent pet owners from leaving their pet's waste behind. The Property Manager will also have an eblast put out reminding pet owners to pick-up after their pets. It will appear monthly on our website.
- The Property Manager is in the process of obtaining a proposal from Beautiful Outdoors for the repair of the sinkhole at 9 Mulberry. Dan is in pursuit of obtaining proposals from two additional companies. Mel will also contact Russ Auth, Head of our Construction Committee, to obtain a proposal from a company for the repair of the sinkhole.

- Our Property Manager has received rave reviews from residents about our new website and its content. However, he did express that a resident, who wishes to remain anonymous, felt that some postings to the website were trying to “sway” people to the author’s way of thinking, especially when it came to town voting. Concerns about the community Facebook page were also raised. The Property Manager will inform the resident that our website has a disclaimer that the community website is not associated with the Facebook page and our website does not encourage nor provide opinions, but is for informational purposes.
- The issue of having two officers of the board be required to sign written checks for payment to vendors was discussed. Currently, one board member signs outgoing checks after reviewing its corresponding invoice. This discussion raised the option of leaving the check signing as is (one signatory), requiring two officers’ signatures, or electronic signature of one or two officers. The final decision has been put into abeyance, while the Property Manager provides each board member with “Read Only” access into our electronic payment system in order for each board member to obtain familiarity with the system and to view all of the information it contains about each payment made and what the payment was for. In a few months a decision will be made as to how many signatures will be required and whether they will be electronic signatures.

### **Open Discussion.**

Residents called in to participate in the teleconference call. Once that segment of the meeting was over, the board members hung up and called back in minutes later to resume the closed portion of the meeting.

The resident of 18 Cedar asked about the status of the Property Modification that he submitted for the addition of a sunroom that he wanted attached to the back of his freestanding home. He was informed that the Property Modification was denied in accordance with the Restrictions on Use of Lots as detailed in Article II, Section 2 of the Declaration of Covenants and Restrictions, which states “An owner shall not extend the enclosed area of the home on his lot beyond the building lines as physically defined by the exterior walls existing at the time title to the home and lot is first conveyed to the owner.” As an alternative, he asked if he would be able to obtain approval for a gazebo. It was suggested that he submit a new Property Modification with a detailed drawing outlining the dimensions and location of the gazebo for the board to review. Lastly, he asked about the installation of an awning to the back of his home and was once again informed to submit a Property Modification with specifications; size, color, construction and any other detailed information for the board to review.

The resident from 6 Willow called in to ask if she would be permitted to replace her broken double hung kitchen window with a casement window. She was informed that the replacement window would have to be esthetically

the same in appearance as the original window. It was suggested that she furnish a Property Modification coupled with a photograph/drawing of the new window that she was considering and the board would review it.

Irene Logan gave a presentation on the Tuxedo Town Board Meeting that she attended via WebEx teleconferencing. She reported that the Consolidation Plan Meeting was rescheduled for Monday April 27<sup>th</sup> at 7:00 P.M. and that updates could be found on the town's website. During the meeting, it was stated that the Town Hall remains closed. Frank Peverly, former HOA Board President and resident of the Woodlands, was appointed as Chairman to the Zoning Board of Appeals (ZBA) for the town of Tuxedo. His term will run until December 31, 2020. Ned Kugel, resident of the Woodlands, was appointed as an alternate member of the ZBA, whose term will also run until December 31, 2020. James Pandise, Head of our community's Welcoming Committee, was appointed as a Member of the Assessment Review Board (ARB). His term will run until December 31, 2024. Chief Abbott of the Tuxedo Police Department stated that the department's response to 911 calls would be altered. The procedure will be that a police officer will wait outside of the site called to until an ambulance arrives, unless the call is for a heart attack victim or the individual is not breathing. When the ambulance arrives, only one crewmember will enter the premises/residence. Frank Peverly, who is employed by Rockland & Orange (O&R), announced that O&R would not go forward with any disconnections of service nor charge late fees for unpaid bills during this Pandemic crisis.

The Property Manager spoke with a representative of American Pool, the company that services our pool and provides lifeguard coverage. The representative informed him that their company is regulated by New York State and the Orange County Health Department with respect to pool openings as a result of the Coronavirus Pandemic. As such, there will be a delay in opening up the pool to residents this summer. The date as to when the regulations will allow for usage of the pool is undetermined at this time. An attempt to renegotiate the contract price will be made because, although the pool water will need to be treated with chemicals, lifeguard coverage will not be necessary until the state and the county lifts the "no pool occupancy." As such, the attempt will be to lower the lifeguard cost, which was originally calculated based on a full summer's use of the pool. The lifeguard cost should be based on the days/hours that the lifeguard would actually be onsite.

A resident reported a sighting of coyotes in the community to the Property Manager. The resident stated that coyotes were witnessed on their property and the broken fencing in the backyard may have enabled the coyote's entrance. It was requested that any damaged post and rail fencing should be repaired in an effort to keep the coyotes at bay. As the cost of replacing post and rail fencing with attached safety wire is quite expensive, the Property Manager will visit the residence in question to determine how many

sections of fencing are broken and require replacement to see if it is feasible cost-wise to replace those damaged sections at this time.

The resident at 168 Woodlands informed the Property Manager that water in the gutter attached to the residence is backing up. It was claimed that the water is not flowing freely from the gutter and down the leader. And, as a result, the water is backing up and under some of the roof shingles. This could potentially cause water leakage into the home and damage to the roof, leading to a costly repair to the association. As such, the Property Manager will ask Add Ventures to look inside the downspout when they conduct the Spring-cleaning of the gutters to determine the source of the blockage and report it back to the Property Manager. The remedy will be determined at that time.

**Adjournment:** 10:30 PM