

LONG HILL ESTATES at PETERBOROUGH, A CONDOMINIUM ASSOCIATION

BOARD MEETING MINUTES for April 17, 2025

Open Board Meeting

Board Attendees: Maura Scanlon, Elizabeth S. Alpaugh-Côté, Raymond GA Côté

Ray opened the meeting at 7:20 PM ET and welcomed all attendees.

Motion to accept the minutes of the 2024-01-16 Board meeting. Moved by Beth, seconded by Maura, approved unanimously.

Completed Since Last Board Meeting

The Board reviewed items completed since the last Board meeting in January.

- 1) M&T Bank CDs: Bimonthly CDs investment (March). Two CDs every two months continuing until there is six (6) months of CDs spread throughout the year:
 - \$3,000.00 from Capital Replacement account/CD.
Approximately \$7 interest per month per CD.
 - \$10,000.00 from Working Capital account/CD.
Approximately \$25 interest per month per CD.
- 2) Date and time for Annual Meeting in July 2025 set for noon on the Saturday the 19th at the Peterborough Library. Ray noted the Annual Meeting will switch back to June in 2026 as he was focused on having final financials in hand prior to the meeting and not focused on the need to elect new Board members.
- 3) 1099s issued.
- 4) By-law changes: The non-owner-occupied restrictions change committee completed their work and voted 5 to 1 to move a document forward so the Board and the Association can discuss the positives and negatives of this possible amendment.
- 5) Added HUD/FHA process to Handbook in consultation with legal counsel on wording. Board is working on releasing an updated Handbook before the Annual Meeting.
- 6) HUD/FHA training for Board Members. All Board members trained on specific HUD documents and signed affirmations confirming training. The training consisted of reading HUD supplied documents and confirming in writing that training occurred. (<https://github.com/LongHillEstates/LHE-Public-Documents/tree/main/HUD%20Fair%20Housing%20Documents>)
- 7) The Town of Peterborough's free lead testing occurred in January.
- 8) Landscaping: Diana has coordinated with:
 - Our Town Landscaping for annual crab apple tree pruning.
 - Surf and Turf annual fertilizing and mulching; proposing overseeding this year at a cost of \$1,800.00 more. An email will announce when date is set.
 - Dubs Shrubs (JW) for spring tasks. (Dubs Shrubs contract was later terminated.)
- 9) Confirmed SuperiorPlus Propane sets their commercial rate in May. Beth will contact them then.
- 10) Filed Associated FinCEN BOI statement (<https://www.fincen.gov/boi>). Requirement to do so has since been cancelled.
- 11) Sterling hourly rate increasing from \$35.00 to \$40.00/hour as of May 1.
- 12) Updated the *Board Responsibilities* document to start Workers Comp renewal in November along with the general and liability insurance.
- 13) Board approved the \$46,790.00 proposal from Guyer. Approved the \$15,600 down payment. (Ray confirmed post-meeting that the down payment check was cut and sent.)
- 14) Obtained current Peterborough Dog License for any support dogs. Added as an annual April task to the *Board Responsibilities* document.

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- 15) Terminated contract with Dubs Shrubs due to them being uninsured.
- 16) Spring newsletter sent.
- 17) Confirmed pest control spraying and inspection with Monadnock Pest & Wildlife. Typically spray in April. Will give us heads-up with firm date.
- 18) Town placed *No Parking* signs at upper end of Long Hill Road.
- 19) Received Certificates of Insurance (COI) from all current contractors.

In Progress

- 1) Coordinating a visit from HUB International insurance representative at our Annual Meeting. *(Ray)*
Ray is exchanging emails with HUB representative. Coordinating their requested Board conversation prior to the Annual Meeting.
- 2) Door replacement committee presentation by Maura. The Door Committee met on April 14th and agreed to have HD (Home Depot) come and professionally measure. HD came to unit #12 and met with Maura, Ray & Beth. Upon their presentation, we (the Board) agreed it would be prudent to move forward with presenting this information to the condo owners. Maura also did research including Belletettes and Anderson Renewal which were approximately \$1,000.00+ higher. The Door Committee is meeting on April 21st to finalize their presentation for a community meeting on Tuesday evening, the 22nd. Invites to the meeting on the 22nd have already been sent and a follow-up reminder will be sent on Monday the 21st.
- 3) Contract for painting contractor. *(Maura)*
Maura has been working on the contract and plans on meeting with Matt within the week to discuss best approach to a final contract – hourly vs. project-based.
- 4) Additional LHE *No Parking* signs at top of Long Hill Road off Town property. Researching NH RSAs covering parking restrictions on private roads. Cost estimate for signs: \$100.00 for each sign & post, plus Doug's installation labor.
- 5) Discuss wording for one or two kiosk parking signs. *(Beth)*
- 6) Get quotes/contracts for pavement crack sealing. *(Beth)*
Also repair draining in front of #32
Requests for quote are in to:
 -) JDK Pavement
 -) Black Dawg Paving
- 7) Maintenance "Walk Around" with contractor. *(Ray)*
 -) Association fixes needed
 -) Unit owner fixes needed
 -) Notify unit owners as needed
- 8) Painting "Walk Around" with contractor. *(Ray)*
- 9) Find replacement landscaping/plowing service. Diana is interviewing and requesting proposals from:
 -) Our Town Landscaping declined due to size of property.
 -) Griffin Property Management (<https://griffinpropertymgmt.com/>).
 -) KDI Landscaping & Grounds (<https://www.kdilandscaping.com/>).
 -) Smitty's Landscaping
 -) Greenfields Landscaping

New Business

- 1) Lee Charlton plans on resigning as Board Secretary in June.
Motion to thank Lee for everything she has done as Board Secretary the last two years and wish her well. Beth moved, Maura seconded, approved unanimously.

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- 2) Sharon Smith has volunteered to be our new Board Secretary.
Motion to appoint Sharon Smith as Board Secretary starting fiscal year 2025. Beth moved, Maura seconded, approved unanimously.
- 3) Thank you, Diana Griffin, for volunteering to continue coordinating the landscaping tasks for another year.
- 4) Barbara Pendleton would like to step down as Treasurer after three years if someone is interested in taking that position. Barbara has been Treasurer since 2022. Barbara has agreed to provide mentoring for the next Treasurer. Motion to thank Barbara for her years of service. Beth moved, Maura seconded, approved unanimously.
- 5) Maura Scanlon plans on not renewing her Board position this year. Maura has been on the Board for nine years and has agreed to mentor the next Board member. Motion to thank Maura for her nine years of service to the community and wish her well. Ray moved, Maura seconded, approved unanimously.
The Board looks forward to association members volunteering for the open Board and Treasurer positions.
- 6) Motion to move \$47,000.00 from Working Capital account to checking account to cover the building #1 roofing project. Beth moved, Maura seconded, approved unanimously.
- 7) Motion to accept quote (see attachment) from Bellemore for catch basin cleaning and safety inspection. \$1,700.00, including disposal. Beth moved, Maura seconded, approved unanimously.
- 8) Motion to move forward with the by-laws amendment to *Restrict Corporate Unit Ownership* as presented by the by-laws change committee (see attachment) and to
 - budget \$500.00 for legal counsel to review the legality of the proposed change; and
 - request legal counsel provide an estimate for drafting a final amendment; and
 - adding a request for moving forward with drafting the proposed by-laws change as an agenda item at the July Annual Meeting.

NOTE: The 2025 Annual Meeting agenda item is to approve moving forward with the process; it is not voting on a final amendment.

Maura moved, Beth seconded, approved unanimously.

- 9) Motion to approve budget of \$1,000.00 for legal counsel to draft by-laws amendment to change fiscal year as 1 July through 30 June. This brings the by-laws into alignment with current practice. The by-laws currently state the fiscal year to be January 1 through December 31.

Draft wording for legal counsel review: Article V, Section 1(a): Fiscal Year. The fiscal year of Condominium shall consist of the twelve-month period commencing on July 1 of each year and terminating on June 30 of the next year. The fiscal year herein established shall be subject to change by the Board of Directors.

ARTICLE V

OPERATION OF THE PROPERTY

1. Determination of Common Expenses and Assessments Against Owners.

(a) **Fiscal Year.** The fiscal year of Condominium shall consist of the twelve month period commencing on January 1 of each year and terminating on December 31 of the same year, except that the first fiscal year shall begin at the date of the organization and terminate on December 31. The fiscal year herein established shall be subject to change by the Board of Directors.

Ray moved, Maura seconded, approved unanimously.

- 10) Motion to approve \$500.00 for legal counsel advice on NH RSA to be posted on No Parking signs posted on private LHE property. Maura moved, Beth seconded, approved unanimously.

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- 11) Motion to research a budget to review/cleanup “top/third” road with eye to keeping passable, access to hydrant, and reduced fire hazard for voting at Annual Meeting. Which entity is best for this?
Review Ray’s discussion with Diana.
Beth moved, Maura seconded, approved unanimously.

- 12) Motion to approve “KnoxBox” key box at kiosk for Peterborough Fire Dept access to units.
- Budget for KnoxVault® 4400 recessed mount: \$960.00.
<https://www.knoxbox.com/products/commercial-knoxboxes/knoxvault-4400/c-24/c-80/p-7044>
 - Estimated \$400.00 supplies/labor for Doug to install at kiosk.

Maura moved, Beth seconded, approved unanimously.

- 13) Motion to approve having Doug document the number and age of smoke detectors in units to determine their age and what needs to be replaced. Doug can provide this service for \$50.00/unit, payable directly by the unit owner to Doug. This is useful information to maintain for insurance purposes. Once we know what needs to be replaced, we’ll find best price for bulk purchase of detectors. Fee for new detectors and installation labor to be determined in a second phase.
- Scheduling May 2 and 3 for the initial documentation. Ray to send out an email to unit owners to coordinate.

Maura moved, Beth seconded, approved unanimously.

Planned April Tasks

- 1) Roof Replacement: Firm up start date for building #1 with Guyer Roofing. *(Maura)*
 -) Schedule date.
 -) Order portable toilet for roofers.
- 2) Schedule catch basin cleaning in May/June. *(Beth)*
- 3) Create a Board policy requiring all future Board members train on HUD documents. *(Ray)*
- 4) Schedule an all-unit smoke/CO alarm review and replacement. *(Ray)*
 - Schedule Doug
 - Confirm fee
 - Inform residents
- 5) Updated Association Handbook *(Ray+Board)*
- 6) Landscaping: *(Diana)*
 - Confirm with landscaper regarding spring cleanup, any spring planting.
 - Ensure mulching occurs before Mother’s Day in May.
 - Determine any shrubs/trees needing replacement.
 - Do “walk around” with landscaper checking all beds and berms.
 - Replace the “railroad” landscaping ties around the bed at unit #1.
 - Research what can be done regarding lawn quality, brown grass, bare spots, etc.
- 7) Get quotes for fixing patio leveling and settling. Determine multi-year budget. *(Maura)*

Maura is communicating with contractor who has already done work at LHE and researching additional contractors.

Planned May Tasks

- 1) Obtain the commercial rate from SuperiorPlus Propane. *(Beth)*
- 2) Pest Control *(Beth)*
 - Confirm date (usually between 15 May and 15 June).
 - Email and post to kiosk notice before pesticides are applied.
- 3) Guyer replaces roofs as planned (if not before)
- 4) Draft Annual Budget: *(Board)*
 - Draft the budget.
 - Notify unit owners of next fiscal year’s budget and ask for comments/questions.
 - Adjust budget based on feedback.

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- Set monthly unit fee for next fiscal year.
- Inform unit owners if there is a monthly fee increase for next fiscal year.
- 5) Flush & test private fire hydrants. *(Beth)*
 - Beth has contacted town DPW and fire department.
 - Ray to research upper hydrant. Is it functional? Ray found documents that it may not be functional.

Planned June Tasks

- 1) Landscaping *(Diana)*
 - Mow and Trim, shrubs, beds, mulch.
- 2) Annual Meeting Prep *(Board)*
 - Annual Meeting notice with all enclosures must be delivered to unit owner's hands at least 21 days prior to Annual Meeting.
 - Hand-deliver or send US mail.
 - Post Annual Meeting notice to kiosk.
- 3) Keys for KnoxBox at Kiosk.

Tabled Business

- 1) Improvement to entrance at bottom of hill. Tabled 2024-07-18
- 2) Motion to research a budget for clean-up of encroaching trees on tennis/pickleball court for voting at Annual Meeting. Which entity is best for clearing this? Review Diana Ray's discussion with Diana.
Tabled pending hiring new landscaping contractor. Tabled 2025-04-17

Next Board Meeting

Thursday June 19th, 2025, at 7:00 PM ET to prep for Annual Meeting.

Attachments

Non Owner-Occupied By-Laws Change Committee Proposal.pdf
2025-04-01 Bellemore Catch Basin Cleaning Quote.pdf

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Proposed LHE By-Laws Change *Restrict Corporate Unit Ownership* Draft idea for discussion Work In Progress 2025-03-06

Committee Recommendation

The by-laws change committee agreed by a vote of 5 to 1 to move this document forward for the Board and the Association to discuss the positives and negatives of this possible amendment.

Goal

Restrict Long Hill Estates Condominium Association (LHE) units to non-corporate owners.

Proposed Change

1. Disallow corporate unit ownership.
2. Exempt the three current corporate-owned units.
3. If any current corporate-owned unit is sold, it must not be sold to a corporation.
 - Needs wording to allow current corporate owner to be merged/purchased
 - Needs wording to ensure that personal Trust Funds are not excluded from ownership

Rationale for Change

LHE has a small number of units. Given the Peterborough housing market, it is foreseeable that a company would quickly purchase any unit put up for sale. As the number of corporate-owned units increases, the corporations would have an equally increasing say in how the Association is governed.

Companies change. They move away, go out of business, etc. If this were to happen, multiple units might suddenly be empty and, depending on the reason for the change, the Association may not receive the monthly fees in a timely manner, possibly requiring additional Association expenses. This proposed change also restricts real estate speculators and landlord chains from owning units.

Corporate ownership could effectively permanently remove units from the housing market.

LHE is lucky that the current corporate unit(s) owner is actively involved with the Association and our community. This may not be true of future corporate owners.

We've been informed by our insurance company that the number of rented units does have an impact on our insurance rates (though they cannot be specific) and even whether a specific insurance company will bid on our insurance.

This proposed change does not restrict unit owners from leasing their unit in accordance with the existing by-laws restrictions (minimum six-month lease, etc.). Nor does it change the rules that allow an owner to run a business from the unit they occupy, in accordance with restrictions set forth in the current by-laws.

Next Steps

There are quite a few steps to get through before any amendment is even presented at an Annual Meeting, including:

- a) this committee agrees on a draft amendment idea to present to the Board (by April 3)
- b) April 15th Board Meeting, the Board:

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- a. reviews and votes whether to move forward with the draft amendment idea
- b. requests legal counsel review legality of the proposed change
- c. requests legal counsel provide a budget for drafting the formal amendment
- c) July 2025 Annual Meeting agenda item:
 - a. request unit owners authorize Board to move forward with formally drafting an amendment and expending estimated funds for legal counsel
- d) Board works with legal counsel to draft the change
- e) January/February 2026: proposed amendment is presented informally to unit owners for discussion/modification
- f) May 2026: Final amendment wording must be in hand
- g) June 2026: Final amendment wording sent to all mortgage holders (lending institutions) 30 days prior to Annual Meeting
- h) July 2026: vote at Annual Meeting

The final amendment may require changes to several places of the Declarations and By-Laws. The details to be determined when the Board starts working with legal counsel.

Committee Commentary

There was agreement within the committee that there have been no negative issues related to those units currently under corporate ownership. In fact, there was general consensus that the tenants who have occupied LHE's corporate units have made positive contributions to life at LHE. The enactment of a restriction on corporate ownership is a limitation on an owner's right to sell to the party of their choice. At some point down the road this could possibly result in a financial loss. For example in a depressed real estate market with few available buyers (i.e. post great recession period of 2008–2010 time period) and many sellers, if a local company offered to purchase a unit at a higher price during such a downturn the LHE owner would (if a corporate restriction is passed) be prevented from selling to that entity, which could result in a financial loss to an existing unit owner. Further, based on current market conditions, an argument can be made that LHE will not attract real estate speculators. Real estate speculators typically seek to acquire properties at a significantly undervalued price. In the current market, that is unlikely. There also may be possible workarounds to such a bylaw change, i.e. a company placing ownership in the name of the company president or BOD member.

Does the Board have a fiduciary duty to protect/maximize the value of LHE condos?

- <https://newenglandcondo.com/article/understanding-fiduciary-duty>
- <https://www.newhampshirecondolaw.com/chapter2.pdf>

The Board has a fiduciary duty to protect the value of all units as a community.

If a proposal passes, the costs of lawyer fees could be a financial burden on the Association.



Proposal

Submitted To	<i>Longhill Estates</i>	Phone	<i>603-933-2946</i>	Date	<i>4/1/2025</i>
Street	<i>Longhill Estates Road</i>	Job	<i>Catch Basin Cleaning</i>		
City, State, Zip Code	<i>Peterborough, NH 03458</i>	Street	<i>Same</i>		
^c <i>alpaughcote@gmail.com</i>	Contact	<i>Beth Alpaugh-Cote</i>	City	<i>Peterborough, NH</i>	

We hereby submit specification and estimates for: cleaning of the catch basins located at Longhill Estates, Longhill Road in Peterborough, NH. These services can be provided for the cost of One Thousand Four Hundred Fifty Dollars (\$1,450.00). This includes one Vactor truck and operator, all water costs, and an extra truck, man, hose, and equipment necessary to clean the basin off the roadway. Offsite Disposal fees are Two Hundred Fifty Dollars (\$250.00). We will perform a safety inspection of each basin looking for things such as cracked grates, structural issues, and other potential liabilities. We will also provide you with a written report of any issues we may find.

We hereby propose to furnish material and labor - complete with above specifications, for the sum of:

One Thousand Seven Hundred Dollars, including offsite disposal _____ (\$1,700.00).

Payment to be made as follows:

INVOICED UPON COMPLETION, PAYABLE WITHIN 30 DAYS

All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by workmen's compensation insurance.

Note: This proposal may be withdrawn by us if not accepted within _____ 90 _____ days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Customer Acceptance Signature _____

Bellemore Septic, Sewer, and Drain
Signature _____