

**LONG HILL ESTATES CONDOMINIUM ASSOCIATION**

**Board of Directors Meeting**

***June 10, 1999***

**MINUTES**

*minutes  
6/27/99*

A Meeting of the Board of Directors of the Long Hill Estates Condominium Association was held on Monday, June 10, 1999 at the SDE Building, Route 202, Peterborough.

Present: Jonathan Hampson, George Austermann, Amy Myhaver and Cal and Ted Davison of Cardiff Management, Inc.

Absent: None.

***Call to Order***

The Meeting was called to order at 5:02 p.m. by Jonathan Hampson.

***Review/Approval of Minutes***

**May 10, 1999 BOD Meeting Minutes**

A Motion was made and seconded to approve the Minutes of the May 10, 1999 BOD Meeting, as drafted. All in favor: 2; opposed: 0. Abstained: 1 (Myhaver who had not been in attendance at the referenced meeting). Motion passed.

***Old Business***

**Common Area - Use & Enforcement of Obligations**

Cal reviewed complaints received regarding violations of the Common Area use by many Unit Owners and the importance of consistent enforcement to avoid accusations of selective enforcement. Further discussion was deferred, however.

**Declarant Issues**

There was a brief review of the status of the Declarant issues including meetings with the Declarant, Town officials, members of the Board and Cardiff. At the scheduled Town Planning Board meeting to be held on June 17, Cal and Ted from Cardiff and George Austermann will attend.

There was also agreement that once all issues have been brought to closure, that a letter will be sent to the Town expressing the appreciation of the Board and Cardiff on their efforts and cooperation.

#### Annual Meeting - Date Change

After review of options, the Annual Meeting was scheduled for July 12, 1999 starting at 7:30 p.m. at the SDE Building. Cardiff will coordinate purchase of refreshments to include soft drinks and a cheese platter with some meats and fruits. The Board, however, will meet at 7:00 p.m. for a brief review of the process and to routine issues.

#### Morrissey/LaBossier - Who Will Receive and Forward Communications to These Unit Owners

After review, it was felt important that all communications from all owners be via the established process, ie through Cardiff Management. Cardiff will then, as they have, insure that copies are brought to all Board meetings for review, as appropriate.

There was also review of the extensive amount of communications received by Cardiff from Ms. Morrissey, the excessive work requests and reluctance by Ms. Morrissey to accept decisions by the Board and Cardiff regarding work to be scheduled. And, her request to meet with the Board without Cardiff was reviewed. After review, a Motion was made and seconded for the Board to meet with Ms. Morrissey, but with Cardiff present as well, on July 8 at 1:00 p.m. at the Cafe at Noone Falls. Cardiff is to write the letter to her from the Board.

Cardiff also reviewed with the Board the communications with Ms. LaBossier. No verbal communications have taken place in over a year during which the conversation was pleasant. Written communications have only been in response to hers to Cardiff and reflected decisions by the Board.

#### CPA Letter - To be Signed

The CPA letter was signed. Cal reviewed the issues associated with the change made with the IRS for the tax year and change with them re the category of organization. A short tax return (6 months) will be filed and for that period, a review will be conducted. For the full year, however, a full audit will be conducted.

### ***New Business***

#### Crack Filling

A **Motion** was made and seconded to award the contract for crack filling to Mathewson Companies, Inc. All in favor: 3; opposed: 0. Motion passed.

#### Schwartz, #12 - Request for a Tent for a Day

After review, a **Motion** was made and seconded to allow the tent for the single day conditional upon the Owner being responsible for any damage; no loud music or behavior would be allowed, however. All in favor: 3; opposed: 0. Motion passed.

### ***Other Business***

#### #12 and #22 Bike Riding on Lawns

The Board asked that Cardiff write to the residents of these units to advise that their children had been often observed riding bikes on the lawns which is unacceptable.

#### Basketball Net/Hoop

Jonathan will check into the cost of paving an area for putting up a basketball net and hoop somewhere in the area of the tennis courts.

#### Capital Reserve Study

Jonathan asked that the Minutes reflect the excellent professional task completed by Ted on the Capital Reserve Study.

#### Health Club - ? Contributing to Snow Plowing

Cardiff to write to the Health Club to ask that they contribute to the cost of snow plowing of the access road to there entry.

#### Proposed Amendment to Bylaws

A Motion was made and seconded for Cardiff to develop two proposed amendments to the Bylaws for presentation at the Annual Meeting: 1) to collect initial working capital from subsequent purchasers, 2) to allow satellite dishes in locations other than Limited Common Area, as approved by the Board. All in favor: 3; opposed: 0. Motion passed.

#### Austermann - Request for Waiver of Late Charge

After review, a Motion was made and seconded to waive the request for waiver of a Late charge assessed. All in favor: 2; opposed: 0. Abstained: 1 (Austermann). Motion passed.

#### Sunroom Addition - Status of Legal Review

Cal advised that the delay is apparently due to the attorney not having received the copy of the Declaration and Bylaws. However, a copy had now been dropped off and she expected to hear from him within the next few days.

#### Grading/Sloping and Removal of Earth from Property

Jonathan advised that he had been contacted by a representative of the Town Conservation Commission who advised that Hanson Construction was doing some Town required sloping and grading (required in 1985) and when doing so, was also removing earth from the property and selling it for their revenues. George and Cal will do some research including Cal perhaps contacting Attorney Jim Nadeau for assistance, as required.

#### Trail Construction

Jonathan also advised that if and when a trail is cut through the property for hiking, that we would have to coordinate such an effort with the Town Conservation Commission.

### ***Management Report***

The Management Report was reviewed without further commentary.

***Adjournment***

There being no further business before the Board, the Meeting was adjourned at 7:23 p.m.

**Respectfully submitted,**

\_\_\_\_\_  
**Cal Davison, Scribe**

\_\_\_\_\_  
**Date**

Date: June 10, 1999

To: Board of Directors  
Long Hill Estates Condo Association

Fm: Cardiff Management, Inc.

Ref: **Monthly Management Report**  
**Financial: EOM 05/99**  
**Property/Admin: 05/10-06/10/99**

### ***Financial***

#### **Revenues**

##### Association fees:

YTD Budget	22,500
YTD Actual	<u>22,690</u>
YTD Variance	190 .8% over budget

##### Total Revenues:

YTD Budget	22,500
YTD Actual	<u>22,810</u>
YTD Variance	310

Primarily due to collection of unbudgeted late charges.

#### **Expenses**

YTD Budget	25,764
YTD Actual	<u>18,059</u>
YTD Variance	7,705 30% under budget

Primarily due to not receiving expected lawn care invoices, accounting not yet completed, and several other expenses anticipated not yet taking place.

#### **Delinquencies**

Only three units delinquent; each for only \$15 in late charges.

## *Admin*

### Declarant Issues

Have met again with Mary Huot and other Town officials (including Town Engineer) regarding the last requirements of the Town for the Declarant. Options regarding the drainage behind building 9 were again reviewed. Unfortunately, options were limited to installation of rip wrap from the stone wall right up to the unit patios, remove the irrigation system entirely from the area, or reducing the level of irrigation in the area. After review, the most appropriate option was to reduce the level.

There was agreement that we would generate a letter to the owners of building 9 advising of above and asking that they contact us with any questions. We have heard from no one. As drainage was the last remaining issue by the Town, it was agreed that if we did not hear from anyone in response to the letter that we would write to the Town advising that the current condition was acceptable to the Association.

In Mary's letter to us and copied to Jonathan, she indicated the Association would be taking care of the swales around building 9. However, this is her responsibility. When Ted spoke with her, she said she knew that and so it appears what she meant was that we would be asking TJ to do the work, but understanding that she would be responsible for payment of the costs. We contacted TJ who started to do the work in late May, but has not yet completed the work. We have placed a call to him asking for status and advising that we need this information prior to Monday, June 14 when the Town meeting will take place.

Ms. Huot has also now finally give us the plans. Copies will be made for members of the Board of Directors.

### Morrissey/LaBossiere/Forman

We are becoming increasingly concerned that these unit owners are regularly communicating with Board members rather than coming through Cardiff Management top continually and ficticiously accuse Cardiff of wrong doing even when the messages we deliver to them are based on Board decisions or what the documents will or will not allow. They are driving a wedge between the Board and management when we should be working as a team. A decision must be made, therefore, on whether all communications will be mandated to go and from the Board, or all should come to us.

The request of Morrissey to meet with the Board regarding Cardiff, but without Cardiff present would serve no purpose except to allow Ms. Morrissey to freely accuse without us having the benefit to defend ourselves. Further, her history is that if she meets with the Board, she will claim commitments made by the Board that the Board would not have made.

Management of the association where Morrissey and LaBossiere use to live in Hudson have advised us frequently that these two will continue to complain and accuse as they will do whatever they can to get what they want when they want it no matter what. Additionally, they will share their personal feelings and distort the truth with neighbors in their efforts to destroy management so that they can gain control. There can be little doubt this is being validated by their continual vicious communications.

We value our reputation. These people are determined to destroy it by their false accusations and irrational and unreasonable demands.

Note also that we have been informed by Mary Huot that Morrissey purchased the unit, "as is" which means that neither the Declarant or the Association would be responsible for the construction defects which Morrissey is now continually asking that the Association correct.

#### Sunroom Issue

Wrote to Attorney Jim Nadeau, but have been unable to reach him for a status. I do know, however, that he was going to have to reach the Assis AG's office and I learned yesterday that the Assis AG had been out of town.

#### Long Hill Taxes

The CPA has checked with the IRS and found that Long Hill Estates has changed their fiscal year at least three times in the last ten years. Additionally, they confirmed that the latest change resulted in a change to a partnership. The forms and song we will have to now sing to change it back to the calendar year, and as an association is rather complex and so the CPA firm will be doing it for us.

Also, the last tax return filed had some errors in it that will need correction. The CPA firm will be doing this for Long Hill as well.

#### Annual Meeting

We were unable to get July 14 for the Annual Meeting at the Hospital. Therefore, it is currently scheduled for July 29 unless the Board wishes us to check for another location.

### ***Property***

#### TJ Jarest

Have spoken to TJ regarding the sporadic invoicing and the effect on planning for cash flow. Their response was to send an invoice referencing "average" invoicing but with no detail as to what was done. We will be getting back to him to advise we need the detail, we only asked for prompt invoicing rather than the delays of 2-3 months we have been experiencing.

We had, indeed, asked TJ to remove the wood furniture behind the dumpster. However, had to remind him twice more before he finally took it away. I believe initially it was because he was not on site when it rained so much for several days.

#### Loaming and Seeding - Dumpster Area

The loaming and seeding around the dumpster has now been completed.

#### Reduction of Irrigation - Back of Building 9

We have asked TJ to cut back on the irrigation behind building 9, per agreement by the Town and Board to address the drainage problems created by too much rain or irrigation.

### ***Letters to, Letters from....***

Fm Huot, 5/17 confirming agreement made between BOD, Town and Huot on 5/10.

To Morrissey, #10, 5/24/99 advising BOD had been away and so response to her letter to Jonathan would be delayed; also advised of BOD decision that communications be in writing.

To McDowell/Letcho, #28, 5/25/99 advising we had noted a pipe in back of unit and asking for detail as to what had been done.

To Morrison, #8, 5/25/99 advising that the red stain she had put on her front porch was unapproved and not acceptable and so the porch needed to be restored to its original condition within 30 days. To her again, 6/8/99 advising that painting the deck cream color was still in conflict with the requirement that it be restored and so asked that she insure the required work was completed by the date previously indicated.