

MINUTES  
Long Hill Estates Board Meeting  
July 2, 2009, unit 21

**Call to order**

Meeting called to order at 4:40 pm.  
Present: Nancy Clarke, John Dolan, and Ann Lammers, Directors. Midge Gibbons,  
Clerk. Later joined by Julie Clattenburg, Treasurer.

**Prior Meeting's Minutes**

The minutes from June 11<sup>th</sup> board meeting (continuation) were reviewed, with two minor corrections under "Owners' Window Request". Nancy Clarke moved to accept the minutes with corrections as stated, seconded by Ann Lammers – vote was unanimous.

**Presidents' report**

Our as-built plans, showing the gas line layout for Long Hill Estates, had been missing for some years but were located last fall at the Peterborough Town House, and copies were obtained for our records. Ann has now made extra copies. Full-sized maps are being held at Unit 35, and it was noted that a central storage place should be found for these papers. Smaller maps, showing the area around our buildings, are filed as follows:

General File – gas: propane  
General File – property: maps  
Minutes – file box

See attached list of other items in Presidents' Report.

**Treasurer's report**

Julie Clattenburg presented the final end of year 2008-2009 budget.

A motion was made by Nancy, seconded by John, and passed unanimously to authorize Julie to move the following funds from the Capital Replacement Fund to the Operating Account:

\$680 to pay John Norton for repairs around window at unit 21  
\$284 to pay Rainmaker for replacement of irrigation heads

A safe deposit box has been opened for owners' records of major improvements to their units. Signature papers were given to the bank. Ann Lammers, John Dolan and Julie Clattenburg, are signers. Keys to the safe deposit box are being held by Ann and Julie.

Pending bills for Dub's Shrubs and PSNH were reviewed and initialed for payment.

**New fiscal year budget**

There was discussion on how much the monthly fee can be lowered. The decision, which rests on several factors, is to be announced to owners by the middle of July.

**Siding and painting**

It was pointed out that our siding may be failing, so that painting it as scheduled may not be cost-effective. Based on several sources of information – input from our painter last summer, failures in siding over the winter months, and evidence noted during our recent walk-around – the board discussed the possibility that new siding may be needed soon. Such a decision would have to be made by the whole association. Meanwhile, some of the scheduled exterior painting could perhaps be deferred while the topic is researched. Reducing our contract with the painter would significantly lower our monthly fee. The actual size of that reduction depends on how much painting we decide to do this year.

Nancy and John will seek a further opinion about the condition of our siding. Ann will consult as soon as possible with Matt Harwood, our painting contractor, to determine which parts of which buildings most urgently require painting before winter.

**Maintenance, Grounds, Landscaping**

Various maintenance issues came to light during our walk-around on June 25<sup>th</sup> (board members) and June 26<sup>th</sup> (board members with John Norton). A list of maintenance jobs was given to John Norton in writing, including a priority list of window trim repairs.

A maintenance list has also been made for JW (Dub's Shrubs).

The board is pleased to learn that Sara Cox agrees to work as an employee of Deb Claffey, our landscaper, to prune our crabapple trees next spring. The cost of that pruning has gone up, however, because Deb's overhead is higher due to insurance coverages.

**Other pending business**

The board considered the written request by the owner of Unit 28 for reimbursement of a window replacement, which dates back to 2004, and agreed that this request should be denied again, for the same reasons it was denied in 2004. Ann will write to the owner.

The board considered a written request by an owner to revisit the option of allowing dogs at Long Hill. The board decided, based on previous experience with the impact of dog ownership here, that it is in the community's interest to keep the existing rule in force. John Dolan will write to the owner.

Nancy and Ann will send written notes to LHE owners concerning owners' maintenance issues that were discovered during the June 25-26 walk-around.

Next board meeting – August 13<sup>th</sup> at 9:30am.

Meeting was adjourned at 7:40pm.

Respectfully submitted

Midge Gibbons  
Clerk

## **Additional items on Presidents' Report, 2 July 2009**

### **Workers Compensation and Liability Insurance**

Ann reported on extensive research regarding Work Comp & Liability Insurance. The issues covered were:

- Why condo associations need a Work Comp Policy
- Why contractors must give us their insurance certificates
- Why many of our contractors don't have to carry Work Comp
- Why it may cost us a little when they don't (but we have to live with it)

Ann also followed up on Long Hill Estates previous Work Comp policy:

- First Comp cancellation is confirmed.
- First Comp audit is completed. A refund of \$491 will be sent.

### **Declaration Amendment**

A notice of our intent to amend the "Declaration of a Condominium" was sent to 12 mortgage holders by Nancy and Midge.

### **Corner planter**

Evelyn Morrison is working on the corner planter of the lower road with thanks from the board.

### **Birch tree on upper road**

Nancy called the town regarding the fallen birch tree and it has been cut down.

### **Owner complaint**

There was a complaint by an owner of late-night noise of an adjacent unit. Nancy resolved the issue with a personal visit.

**Long Hill Estates Condominium Association**  
**YTD Income/Expenses FY2008-2009 and Budget for FY2009-2010**

Income Category	Income Sub-Category	Actual Income 7/1/08-6/30/09	Budget Jul 08-Jun 09	Remaining Budget	Column 4 Budget Jul 09-Jun 10	Column 5 Chg in Bud From Prior Yr	Column 6 Monthly Fee
Assessments	41000 Owner Base Monthly	101,929.00	101,520.00	(409.00)	103,680.00	2,160.00	240.00
Investments	41100 Interest Earned	81.28	0.00	(81.28)	0.00	0.00	0.00
Miscellaneous	42000 Other Income	186.50	0.00	(186.50)	0.00	0.00	0.00
	42010 Garden Fund	0.00	0.00	0.00	0.00	0.00	0.00
	42015 Water- Garden Reimb	84.75	0.00	0.00	0.00	0.00	0.00
	42050 Porch Staining Reimb	240.00	0.00	(240.00)	0.00	0.00	0.00
	42100 Legal Fee Reimb	882.22	0.00	(882.22)	0.00	0.00	0.00
	42200 Late Fees	0.00	0.00	0.00	0.00	0.00	0.00
	42210 Interest on Late Fees	0.00	0.00	0.00	0.00	0.00	0.00
	42310 Maintenance Reimb	0.00	0.00	0.00	0.00	0.00	0.00
	42400 Workers Comp Rebate	487.00	0.00	(487.00)	0.00	0.00	0.00
<b>TOTAL INCOME</b>		<b>103,890.75</b>	<b>101,520.00</b>	<b>(2,286.00)</b>	<b>103,680.00</b>	<b>2,160.00</b>	<b>240.00</b>
Expense Category	Expense Sub-Category	Column 1 Actual Expense 7/1/08-6/30/09	Column 2 Budget Jul 08-Jun 09	Column 3 Remaining Budget	Column 4 Budget Jul 09-Jun 10	Column 5 Chg in Bud From Prior Yr	Column 6 Monthly Fee
Administrative	50100 Bank Service Charges	0.00	0.00	0.00	0.00	0.00	0.00
	56010 Accounting Services	2,385.00	2,400.00	15.00	2,400.00	0.00	5.56
	56025 Dues & Subscriptions	0.00	0.00	0.00	0.00	0.00	0.00
	56030 Insurance	8,971.00	10,600.00	1,629.00	10,600.00	0.00	24.54
	56035 Legal Fees	3,047.50	2,000.00	(1,047.50)	2,000.00	0.00	4.63
	56036 Legal Fees-Reimburseable	882.22	0.00	(882.22)	0.00	0.00	0.00
	56045 Consultant/Educ Fees	0.00	0.00	0.00	0.00	0.00	0.00
	56050 Miscellaneous	881.15	600.00	(281.15)	765.00	165.00	1.77
	56060 Office Supplies	517.79	185.00	(332.79)	280.00	95.00	0.65
	56065 Postage	212.77	150.00	(62.77)	280.00	130.00	0.65
	56075 Taxes	3.00	100.00	97.00	75.00	(25.00)	0.17
<b>Subtotal - Administrative</b>		<b>16,900.43</b>	<b>16,035.00</b>	<b>(865.43)</b>	<b>16,400.00</b>	<b>365.00</b>	<b>37.96</b>
Buildings	56205 Painting	18,300.00	15,515.00	(2,785.00)	18,000.00	2,485.00	41.67
	56210 Pest Control	2,430.00	1,215.00	(1,215.00)	1,250.00	35.00	2.89
	56214 Repairs/Maint-Adm	4,320.00	4,320.00	0.00	4,320.00	0.00	10.00
	56215 Repairs/Maint-Labor	5,135.00	3,500.00	(1,635.00)	5,000.00	1,500.00	11.57
	56217 Repairs/Maint-Reimburs	0.00	0.00	0.00	0.00	0.00	0.00
	56216 Repairs/Maint-Materials	176.50	2,000.00	1,823.50	2,000.00	0.00	4.63
<b>Subtotal - Buildings</b>		<b>30,361.50</b>	<b>26,550.00</b>	<b>(3,811.50)</b>	<b>30,570.00</b>	<b>4,020.00</b>	<b>70.76</b>

## **Documenting the board's response to the unit 12 hot tub request:**

On Jun 15, 2009, at 7:02 PM, [clarke21@comcast.net](mailto:clarke21@comcast.net) wrote:

Hi Ann and John

In regard to Dave Poirier's desire to place a hot tub next to his sunroom, it does require information and research. According to the By-laws, page 34, section h seems applicable. Would you both like to take a look at this and see what you think. Perhaps other sections on pages 33 - 35 might apply as well. ...

Nancy

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On Jun 16, 2009 John Dolan wrote:

Hi Nancy and Ann,  
I wonder is page 34 section k applies. Also page 7-viii?  
John D

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From Ann Lammers, [sonnetrmmr@earthlink.net](mailto:sonnetrmmr@earthlink.net)

On Jun 16, 2009

Hi, Nancy and John,

Thank you for locating the relevant language in the declaration (p. 7) and the bylaws (p. 34).

On p. 7 (viii) we have language about "annoyance to other unit owners." And it forbids anything "constituting a fire hazard." Which leads me to think about a **drowning hazard**. Even though there's no explicit language about that, we need to consider it, because of the insurance impact.

The same paragraph in the Declaration continues, p. 8: "No use shall be made of any part of the Condominium [i.e. LHE] which would increase the rate of insurance on the Common Area without prior written consent of the BOD."

And finally, on p. 34 (h): "nothing shall be altered **or constructed** in ... the Common Area, except upon the written consent of the BOD."

Because exceptions are allowed in our Dec & Bylaws for "written consent of the BOD," we must explain to the owner that our decision (whether we say no or yes) rests on our own reasoning.

For me, at least, there are two major considerations: One is about the insurance consequences of putting a hot tub into the Common Area. The other is about setting a precedent. If we give permission in this case, the door's open to other owners who want to install hot tubs (or other recreational equipment) outside their units.

We are permitted, by LHE rules, to conduct business outside regularly scheduled meetings,

**Long Hill Estates Condominium Association  
YTD Income/Expenses FY2008-2009 and Budget for FY2009-2010**

Expense Category	Expense Sub-Category	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
		Actual Expense 7/1/08-06/30/09	Budget Jul 08-Jun 09	Remaining Budget	Budget Jul 09-Jun 10	Chg in Bud From Prior Yr	Monthly Fee
Funding of Funds	Capital Replacement Fund	15,120.00	15,120.00	0.00	15,120.00	0.00	35.00
	<b>Subtotal - Funding of Funds</b>	<b>15,120.00</b>	<b>15,120.00</b>	<b>0.00</b>	<b>15,120.00</b>	<b>0.00</b>	<b>35.00</b>
Grounds Maintenance	56405 Fertilization	1,264.50	1,800.00	535.50	1,500.00	(300.00)	3.47
	56415 Irrigation	1,094.50	2,000.00	905.50	1,500.00	(500.00)	3.47
	56421 Mowing	8,460.00	7,500.00	(960.00)	7,000.00	(500.00)	16.20
	56422 Spring Cleanup	2,750.00	2,750.00	0.00	2,750.00	0.00	6.37
	56423 Bed Maintenance	4,399.00	4,100.00	(299.00)	4,100.00	0.00	9.49
	56425 Tree/Shrub Maintenance	2,100.00	1,150.00	(950.00)	2,200.00	1,050.00	5.09
	56426 Fall Cleanup	1,540.00	1,540.00	0.00	1,540.00	0.00	3.56
	<b>Subtotal - Grounds Maint</b>	<b>21,608.00</b>	<b>20,840.00</b>	<b>(768.00)</b>	<b>20,590.00</b>	<b>(250.00)</b>	<b>47.66</b>
Loan Payment	93000 Loan Principal	0.00	0.00	0.00	0.00	0.00	0.00
	93001 Loan Interest	0.00	0.00	0.00	0.00	0.00	0.00
	<b>Subtotal - Loan Payment</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
Roads & Winter Maintenance	56436 Plow, Sand & Shovel	10,690.00	12,000.00	1,310.00	10,400.00	(1,600.00)	24.07
	56438 Other Winter Maint	5,670.00	4,500.00	(1,170.00)	3,500.00	(1,000.00)	8.10
	<b>Subtotal - Roads/Winter Maint</b>	<b>16,360.00</b>	<b>16,500.00</b>	<b>140.00</b>	<b>13,900.00</b>	<b>(2,600.00)</b>	<b>32.18</b>
Utilities	56605 Electricity	816.63	725.00	(91.63)	750.00	25.00	1.74
	56610 Trash Removal	3,540.00	3,750.00	210.00	3,750.00	0.00	8.68
	56615 Water	3,076.78	2,000.00	(1,076.78)	2,600.00	600.00	6.02
	56620 Water - Garden Reimburse	83.92	0.00	0.00	0.00	0.00	0.00
	<b>Subtotal - Utilities</b>	<b>7,517.33</b>	<b>6,475.00</b>	<b>(958.41)</b>	<b>7,100.00</b>	<b>625.00</b>	<b>16.44</b>
	<b>TOTAL EXPENSE</b>	<b>107,867.26</b>	<b>101,520.00</b>	<b>(6,263.34)</b>	<b>103,680.00</b>	<b>2,160.00</b>	<b>240.00</b>

**NET OPERATING INCOME**

	Expenses	Bal 06/30/09

**ASSETS:**

	Jul 2007-June 2008	Bal 7/1/2008	Income	Interest
Ocean National Checking Account	21,557.29	15,120.00	51.80	17,055.52
Capital Replacement Account*	13,077.43	4,470.00	29.48	4,099.58

\*Income for the Capital Replacement Account derives from the operating income (i.e., Owner Base Monthly Assessment).  
\*\*Income for the Working Capital Account derives from one-time payments of new owners and is not reflected in the operating income.

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We are permitted, by LHE rules, to conduct business outside regularly scheduled meetings,

provided we document the actions we take and include the documentation with our next meeting's minutes. So, not to make the Poiriers wait, **I move that we send them an answer in writing, stating with regret that, after discussion of their request, we have decided we cannot make an exception in this case to our Declaration and By-Laws (citing the pages & paragraphs), and explaining our reasons.**

And I move that Nancy write the letter. Is there a second? Further discussion?

Ann

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From: John Dolan, [johnirish11@comcast.net](mailto:johnirish11@comcast.net)  
On Tuesday, June 16, 2009

Second.  
John D

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From: Nancy Clarke, [clarke21@comcast.net](mailto:clarke21@comcast.net)  
On June 16, 2009

I will write the letter on Friday as I will be away on Wednesday night and Thursday. ...  
In case we are voting, I vote to disallow the hot tub for the reason stated.  
Nancy

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