

# VBHA MEETING MINUTES

## Valleybrook Homeowner Association

### Monthly Membership Meeting

February 9, 2021

### Call to order 7:03 PM

Village of Valleybrook Homeowners Association Meeting was held via Zoom February 9, 2021.

### 1. Board attendees named and total number in attendance:

<input checked="" type="checkbox"/> Justin Buccilli (President)	<input checked="" type="checkbox"/> Aldo Cardoni (Vice-President)
<input checked="" type="checkbox"/> Joseph Ghobreyal (Treasurer)	<input checked="" type="checkbox"/> Janet Maffei (Secretary)
<input checked="" type="checkbox"/> George Kuney (Director of Architecture)	<input checked="" type="checkbox"/> Andy Zachar (Director of Facilities)
<input checked="" type="checkbox"/> Jim Holt (Director of Operations)	13 Valleybrook homeowners

Board of Directors: ☒ Present ☐ Absent

### 2. Approval of minutes

VBHA community meeting held via ZOOM due to social distancing for COVID-19 virus. Board provided January 2021 minutes via email to community to discuss. All attendees had the opportunity to review and ask questions. Motion to approve, unanimously passed.

### 3. Reports

#### President's Report

##### ○ Sewer Plant Upgrade

a) I spoke with Walt Fazler on February 4<sup>th</sup>. He and his firm are finalizing the design layout and site construction proposals for the Board to review. The layout and design plan that he has in mind will save the community money on permitting costs. The Borough has been made aware of the layout plans and Walt Fazer has stated that we are good to go with them from a zoning and planning aspect. The design still needs the seal approval from the Borough engineer, but Walter did not believe that would pose any significant hindrance.

b) As for construction of the new plan, Walt has all the bids, he's in the process of summarizing those bids for Board review and should have that summary to us within the next two weeks. The Board will then arrange a meeting with Walter to discuss the proposals and will select the bid and site layout that makes the most sense for the community. The project is moving forward at a nice pace and barring any unforeseen delays we are still in line to complete the project by late August, early September, as originally intended.

- Sewer Infrastructure Maintenance

- a) KBX Golden conducted the first of 12 monthly maintenance checks and cleanings of the underground piping infrastructure. The pipes were jetted and cleaned to clear any possible debris or infiltration. The area behind units 25 through 34 was completed in this round and no issues were reported by KBX Golden.
- b) KBX is working closely with Walt at Bradford on the repair cost for the areas in need of repair as identified from the CCTV footage that was made of the community pipe system. Some of those repairs will be a bit costly as they will require excavation of an area to repair, other repairs can be completed within the pipework or entirely underground. Those repairs will cause minimal disruption to the surrounding area. Service disruptions or required traffic diversions will be communicated to the community with as much advance notice as possible.

- HOA Fee Delinquency Update

The HOA has moved forward with civil complaints against 10 accounts that were identified last month. Those accounts had in arrears of at least \$1000 and were not on a currently maintained payment plan. There is no hearing scheduled yet as the court is still playing catch up with their docket and it will likely be March until the cases can be heard. We had a few owners reach out after getting the court paperwork and Joseph is working with those owners to come to an agreement. The HOA will recover the money paid for filing fees as those are prepaid by the HOA and are non-refundable. Legal fees for Counsel representation will only be part of the judgment requested from the court for those that do not settle their account prior to a court date. We're not here to punish anyone or be punitive in our actions. Our goal is to make the HOA whole and to collect the assessments and fees to which the HOA is entitled. Charging legal fees if court is not required is punitive and we will not do that.

- Recycling

Last month there was a discussion surrounding additional recycling days since there are a few times a year where there are three weeks instead of two between pickups. We presented the cost and then some community discussion ensued. The Board had a further discussion at our Exec session and a plan was made to attempt to schedule an extra one-time pick up around the December holidays this year to alleviate some of the issues that arise that time of year. Janet did call Laxton this holiday season to schedule a one-time one-off pick up. Unfortunately, with the holidays falling on Fridays and a subsequent disruption to their regular trash pickup which that entailed, they were unable to accommodate us, but it is something that they are willing to do on a one-off basis. That's something we can definitely look into for this year if it falls in such a way that recycling is going to be before Christmas and not again until mid-January. ***Board member commented that due to the way the Christmas and New Year holidays fell, and Thursday being the Eve of those holidays, wherever they take the trash and recycle, everything was closing early, and there was no place to take any extra trash or recycle.***

**Resident commented it never made sense that the bylaws agree on the minimum amount of recycling. Seems like the pace of it being picked up is not equal to the demand, people have given up.**

Board replied we are not mandated as a community to provide recycle pickup. The Chester Heights Borough, under the current Pennsylvania regulations, does not have a high enough population or density to be mandated to do it. If they did, it would be the Borough running the recycling program and paying the bill. We're doing it as a good faith gesture. It's not free so we had to meet in the middle on providing a service, that as we've gotten from surveys and observations, not everybody partakes in.

Resident commented that may be the giving up part on some people, it's like nobody wants to hear what we have to say, really goes into dollars and cents, I get that part, I just have to hear it.

Board replied that if they vote "no", then that's not "nobody wants to hear what we're saying".

Resident commented at the end of the day, it's all about democracy.

We have about 25-30% participation rate in here and it's important to note that we pay as if all 265 units recycle- 264 plus the clubhouse. If only 66 houses are recycling, we still get charged \$3 a month for all 265. As a recap, we currently pay \$9,540 a year for the twice monthly recycling. The cost for weekly pick up would be \$19,080/year, basically double. It's \$3/house/month now, it would be \$6/house/month on a weekly basis. Those are the two recycling fee structures that Laxton offers.

Resident asked if we looked into other companies besides Laxton.

Board responded that we did, it was part of our negotiations before we re-signed with Laxton. Opdenaker was almost double what we pay now for trash removal and their recycling fees were \$5.50/house/month for what we now have and based on all 265, or \$11.00/house/month if it was weekly. There is another company, I don't remember the recycling numbers off top my head, but their trash pickup was about \$60,000, \$20,000 less than what Opdenaker was offering, \$20,000 more than we currently pay Laxton. They would have mandated that every house have 96-gallon trash cans and 96-gallon recycling cans that you would put out in the street behind your vehicle, the truck would drive through and have the big mechanical arms that would pick up the can and dump it into the truck and then it would put the can back behind your vehicle. This wasn't feasible for the setup we have in here. Imagine if someone backed into a 96-gallon trashcan full of trash. They had no negotiation on that, you had to use their can and it was 96 gallons. Not only would we have issues in the parking lot, people have existing lattice work and existing things set up to conceal the trash cans, they weren't going fit behind that. It's a whole big can of worms not worth getting into, especially for \$20,000 more per year. We did look into it and Laxton has the best pricing.

Resident commented going from \$3 to \$6/house, would the HOA fees go up by \$3/house if we did something like that and would there be a vote community wide?

Board responded it wouldn't automatically equate to a fee increase just based on that. As stated in other meetings, the cost of things keeps going up, the trash gets a little bit more expensive, electricity gets a little more expensive, water is a little more expensive. When Joseph noted that he was looking at projecting out 5 to 10 years for expenses and projects, it came up that a fee increase is probably something that will have to be looked at in the future, not today or tomorrow. Adding recycling wouldn't equate to a fee increase automatically but with other things coming up, with projects coming up, a fee increase is a possibility. We're not at that point to start discussing that yet. It would contribute to it. The more money we have to spend, or the more money we're outlaying for projects and maintenance and operations, then yes, that will be a contributing factor. To answer the second part of your question, if any fee increase is proposed, it goes to a community wide vote. That vote requires a minimum of 2/3 of the Class A owners to vote, that's 176 out of 264 so at least 176 would have to vote and for the fee increase to pass, a simple majority of 176 are needed, basically 89 "yes" out of 176 and as more people would vote, 50% plus one would be needed.

Resident asked if we voted on weekly recycling and the vote was no or was a survey put out whether or not you use recycling.

Board responded we had put out a survey asking whether or not people were on board or liked the idea of adding recycling, we put the cost measures in with that and the general consensus was no, it was 60% plus that said no, they didn't want extra recycling at that cost.

Resident asked if we're willing to try another company, another quote.

Board responded that we are under contract with Laxton for another 2 years.

Resident wondered if we just surveyed everyone and said hey, it's going to go up from \$9,000 dollars to \$19,000 with an explanation that your HOA fees would not go up. I wonder if people just assumed it was going to go up and decided they didn't want that. I assumed HOA fees would have to go up.

Board commented we had discussed the majority of the recycling wasn't going into recycling, rather, just going into the general trash.

Board commented in speaking with Laxton to get the pricing structure, she said a large portion of what they collect, not just from Valleybrook, goes into mainstream trash. If there are items that are dirty, are not the items that are acceptable, they all go into mainstream trash. They don't sort through everything.

Board member commented China is not buying our recycling because it's coming across where it doesn't qualify.

Board commented we are currently paying for a third trash pickup 2 weeks a month (recycling), but is essentially going into general trash. We're not accomplishing anything in the grand scheme of recycling.

Resident commented they are at the point they want to give up. They have more trash than recycling.

Board commented that you can then understand our hesitancy to pay for more recycling visits.

Resident asked if they would pick up trash more than 2X/week.

Board and residents commented that they will pick up every day if we pay for it.

Resident asked if we could get an extra trash pickup each month.

Board commented can't imagine it would be noticeably cheaper than an extra recycle pickup.

Resident commented he does not want to see us pay any more with only 30% houses recycling. For us to belabor this anymore, is useless. Two trash pickups per week and 2 recycle pickups per month should be adequate for most households.

Board commented we currently pay \$11.35/house/month for trash pickup.

**\*Moving forward with the role call vote. The vote before the Board is as follows: Should the Village of Valleybrook contract with Laxton for weekly recycling pickup at this time? If in favor of additional recycling days and expenditure, please indicate "aye" when called. If you oppose additional recycling days and expenditure, please indicate "nay" when called. Aldo-nay, Janet-nay, Joseph-no, George-nay, Andy-no, Jim-no, Justin-nay.\* Vote is 7-0. At this point we are not going to consider additional expenditure for recycling.**

#### Vice President's Report

- Lighting and Security

- a) I received an email from the Chester Heights Borough building inspector, Richard Jensen, and he confirmed in writing that our new lighting and security project would be considered new construction and not replace in kind. The Board will be discussing the budget numbers at the upcoming Executive session on the 23rd of this month to determine how we will move forward with the project and get it completed. More than likely, this project is going to be done in a multi- phase project through completion, due to the cost of the project. Last week I received an email from the contractor which included the photometric plan showing the general area for the placement of the new lights along with how that light will reflect along Bishops Dr and also how that light will reflect through the individual courts, how that would reflect to the houses. That was a five or six page document with five or six different maps throughout the community showing all those lights. This morning, I spoke with two contractors who said they would be willing to give us proposals to place the conduit in the ground along with the new wiring which would be required prior to the installation of the new lights and the poles. At this point, since all the existing wiring needs to be removed, needs to be placed in conduit, the security cameras were basically put on the back burner. The contractors explained it's basically a one step process. They will put the conduit and the wiring in the ground. This is all based on our budget numbers, how we would proceed to move forward. To give you a rough idea, laying conduit with wiring breaks down to \$8 to \$10 a linear foot. If you follow all the sidewalks in Valleybrook, we basically have 2 1/2 miles. For the conduit and wiring, we're looking anywhere between \$105,200 dollars to \$132,000 and that is not counting the lights and the poles or the security cameras. That's the reason I said earlier, I'm almost sure this is going to be a multi-phased project.
- b) If anyone throughout the community sees a light out, you can reach out to me at [vbhvicepres@gmail.com](mailto:vbhvicepres@gmail.com) or you could send an email to any one of the Board members and they will forward that to me. I'll follow up with Phil, our electrician, and have it repaired. I spoke with Phil last week and he said he drove through here as it started to get dark and he replaced all the bulbs that were burned out throughout the community. He is aware there's a light out in front of #97-#98 Bishops Drive in the second court. He said that wire is actually severed in the ground and that requires additional work which requires digging. Some of those wires go under homeowner's bushes and some go under sidewalk. That's going to require a little more additional work to replace that line.

## Treasurer's Report

I have a couple of comments I have to share with all of you. We mentioned that legal actions will be taken against like the residents over \$1000 which is unfortunate. Let me be very open and honest with all of you. If I didn't pay my mortgage, I know I didn't pay my mortgage. If I didn't pay my cable, I know I didn't pay my cable. If I keep not paying month after month after month, I know I didn't pay for like maybe a year or more. I don't know why the residents are upset that we started legal action when we kept saying at all the previous community meetings, to please reach out to us, please, let's work together for an agreement. Please, let's find a solution for each other. Unfortunately, no one reached out to me. As we said last year, we will not run after any residents anymore, who don't pay their HOA fees. You know it's your responsibility. There are some circumstances and as a Board, we will help as much as we can, but in the end, that is community money, not personal money or Board money, it's community money. I hope residents can understand this, not paying their HOA fees hurts us as a community. One of the most important things if you all remember, we were talking about the business line of credit with Capital One which is going to help us with our sewer. Today I received an email from the business manager who said after reviewing our aging report, they are not confident that our community will be approved because the percentage of residents is above 15% who are not paying. It is a very, very, high balance. I don't know what's going to happen, unfortunately, it seems that the business line of credit will not be approved, and the reason why is we have too many residents who are not paying their HOA fees. I know in our minutes

we include the same every time. Please reach out to me, please let's do an agreement. Unfortunately, that's not happening. We have other residents complaining they never received their statement. If you don't receive your statement you have to inform us, so please, I want this to be clear, we send this in the minutes, if you don't receive your statement, let us know. ([vbhinfo@gmail.com](mailto:vbhinfo@gmail.com), [vbhtreasurer@gmail.com](mailto:vbhtreasurer@gmail.com)).

If you cannot pay, we all have personal circumstances with the Covid pandemic, everyone got hurt in a different way, just reach out to us. That's our only request. A few residents say they can only pay an extra \$50. We understand the situation, but just to ignore completely, that is hurting our financial situation. It's very upsetting that the opportunity with Capital One will get affected, they have to review our financial statements. They asked what is going on, all these residents with all these balances. That's very, very, upsetting. I know not all the 264 attend the meetings, but we hope that you all are reading the minutes. Please, reach out to us, let's help each other. The last thing we need as a Board is to keep filing lawsuits against residents. Unfortunately, we have to do this because in the end, my main job is to keep our community's money in good shape. Questions keep arising about raising the monthly HOA fees. No one wants to do this. Let's help each other, let's find a solution together about your financial situation.

- Financial Update

- a) Total income for January 2021-\$56,939.18, down from previous month
- b) Total expenses for January 2021-\$25,228.88, down from previous month
- c) Net income for January 2021-\$31,710.30
- d) Total aging for February 2021-\$32,877.55, higher than previous month
- e) Total cash for January 2021-\$1,658,677.78, increased from previous month

Board member stated that we have a little over 1.6 million cash in bank but, reiterating what Joseph said, if we cannot get that business line of credit because of the AR history, because of the high amount of arrearage, \$700,000 of that is going have to pay for the sewer. It's an important thing to note, it's not going to take everything away, we're going to have adequate reserves, but it's going to eat a chunk of them up. The sewer plant's well past its shelf life, can't be delayed any longer, it's happening this year. Money was set aside in previous years specifically for the sewer plant and that led to some of this cash in bank figure being what it is. The business line of credit would have been tremendously helpful.

## Secretary's Report

- Front Door

I have not gotten the paint samples. I called the company and they said I should have those large samples by the end of the week so I will be able to show the Board and try to find some way to display them so that the community can see what we have. The plan is to send out a survey of the colors they get the top two or three colors that the community likes and then we would move on from there

- Easter

I would like to have an Easter egg hunt for the children. I don't think it would be a problem to have something outside. We probably can't have anything in the club house. ***Board member responded we are still limited to 10% of our indoor maximum capacity. Maximum capacity is 125 so only 12 people could be in the clubhouse. Outside should be doable, the kids should be masked, follow guidelines and distancing. It's been a long time, everyone could use something uplifting.*** I want to check with Gina and find out if Chester

Heights Borough is having anything, so we don't interfere with that. ***Gina, in attendance, replied there will not be anything for the Borough for Easter, similar to the concerns that we have with Covid and making sure everybody is keeping their distance. The benefit of having something in Valleybrook is that you know it's going to be Valleybrook people only and the Borough, it is a public event and it's for the entire Borough and anyone else who could find the Easter egg hunt online. It's a lot harder to control how many people come. Also, we are doing a new playground at the Borough and will probably have the community park closed and under active construction right around Easter.***

- Clean Up After Your Pets

I've been getting quite a few emails concerning dog waste, people aren't cleaning up after their dogs. I feel badly for the dogs, they get a bad rap but it's the owners' fault. I would just stress that people please clean up. We provide 3 waste stations, we provide the bags, we try to make it as easy as possible to keep Valleybrook clean. There's nothing we can do unless we get a picture, if someone happens to get a picture of the owner of these dogs that aren't cleaning up, they can send it to us, we need some kind of proof. I don't know if maybe people's children are taking the dogs out or if they have guests who are taking dogs out, but everyone needs to be aware that they need to clean up after their pet. Also, this started when John, our former clubhouse manager, now we have Tara, but someone is taking the liners from the can dumping all the bags of dog waste into the can, taking the bag away and this has been going on for several months. We don't know who's doing it, now it's happening with Tara as clubhouse manager. ***Board member commented don't know if it's someone just not understanding how the process is supposed to work or just doing it.*** At first, I thought maybe it might be the trash men taking the liner, but it happens on days that aren't trash days as well so that's something to be aware of and if anybody knows what's happening let us know.

**Resident asked if anyone has an in with an Easter Bunny for outdoor, socially distanced pictures with the Easter Bunny.**

**Resident commented Borough rented theirs from Betty's Bounce House in Aston.**

Director of Architecture

- 1) 5407 for 212
- 2) 5407 for 3218 pending
- 3) Architectural application for #20 balcony repair approved
- 4) Architectural application for #89 for overhang above the door, basement windows and other widows approved
- 5) Architectural application for #18 POD approved
- 6) Architectural application for #16 brick pointing and windows approved
- 7) Architectural application for #91 roof approved. Homeowner unaware of architectural process, roofers installing wrong shingle. I called homeowner, he told the roofers to get the right shingle. Had I not stopped over, they would have had the wrong roof, Board would have had to force him to take the roof down, whose financial responsibility is it? Architectural applications are meant to protect the homeowners and the HOA to make sure it's done right the first time. Forms should be given to contractor, so they know what is expected. I'll print it out for you.
- 8) Complaints about common sidewalks not being done for snow removal. Had a pending quote for how much it would cost to clear common sidewalks. Got partial quote in December but process didn't go forward. Waiting for final quote to go to Board.

- 9) Hoping that the cleaning of the sewer pipes was behind #13-#25 because that's where the swale is going. Can't do it during rainy season or when it's cold. ***Board member commented they're actually doing that section next, but given they also gave me the manhole locations that they did on this one and then the rows behind, the row behind 13 to 24 has one small offset that can be fixed underground and 2 rootballs. There are no broken pipes or cracked pipes that are not lined up behind that row so almost all of those repairs can either be done with a simple jet or inside the pipes without any excavation.***
- 10) Bamboo patch next to 207, Board elected to remove it, I already have a quote. Waiting for the weather to be appropriate to remove. Waiting for the written permission from the homeowner to have it done.
- 11) Been asked to do an architectural inspection for the 3<sup>rd</sup> court area. The inspection that was done several months ago was damaged in a flood in a Board member's home. ***Board member commented we had initially intended to give everyone until the end of June to remediate any issues identified. Given the delay in getting the inspections out, we're going to extend that deadline until at least the end of July. We will reinspect only those units that had an architectural issue to ensure compliance, then the inspections will go back to a Springtime schedule.***

Resident commented on the bamboo, now, as an association, we are paying to have bamboo removed. Can we, or the Board, make it an ordinance, bamboo is an invasive species, as part of the 5407, or the architectural review, if they come across bamboo, it becomes the homeowner's responsibility? People are planting it as privacy walls.

Board member commented we have discussed not allowing bamboo to be planted at all. I heard something was talked about at the Township level and didn't go through.

Board member commented we can be more strict than the Borough but not less. If the Borough didn't have one, we could institute one. If they had one, we could use that one or be stricter. I already put together a rough draft, needs to be cleared through legal to be sure everyone is protected.

Resident commented that the fire company spent thousands of dollars clearing bamboo to take back their land.

Board member commented we already removed a patch of bamboo from common ground for thousands of dollars.

Resident commented that part of the issue with the Borough is that it was a two-fold ordinance. No one had a problem with 1/2 of it and some people had a problem with the other half of it. No new plantings, no one would argue with. The question is who is responsible for removing existing bamboo.

Who's shoveling the sidewalks where people walk their dogs?

Board responded I think what you're talking about is the common sidewalks that aren't abutting people's property.

Resident asked what constitutes common property?

Board commented your property starts at the sidewalk in front of your house, goes back 110 feet. Homeowners required to shovel sidewalks in front of their house. Sidewalks on the side of the house is common sidewalk. Sidewalks stretching from one end unit to another end unit are common sidewalks. I went with Scott, who does our snow removal, and identified all common sidewalks. It was recently brought to the Boards attention, in the Declaration, we are responsible for that.

Resident commented people are slipping and sliding.

**Board commented renter brought rule to his attention, notified the Board.**

**Board commented it's in the Declaration and was recently brought to all our attention. Some long-time residents can say that it hasn't been done in the past and probably why it wasn't included in the contract year after year. It is something that needs to be done, needs to be budgeted for, we'll find the money for it.**

**Board commented the last time a quote was requested, it took 3 or 4 days. From 1-6 inches was \$450. From 7-12 inches was \$900. This covered major common walkways.**

**Resident asked if any of this covered dog walk areas.**

**Board responded dog walk areas don't have sidewalks.**

**Resident commented you can still clear a space.**

**Board commented that snow clearing grass is not something that's done. Dogs can walk in snow.**

**Resident commented black ice seems to be part of this.**

**Board commented the day after a storm, the snow on the surface is melting. Snow melts, washes the salt away, then freezes causing black ice. No way to prevent it.**

**Board commented our obligation is to clear all common sidewalks, not the dog walk.**

**Board commented it's Article 5 Section 2 of the Declaration.**

**We're trying to fix this oversight. As anyone who's been here for years can tell you, I can speak for the last 20 and there are people in the meeting way past that, these sidewalks were never done. In 20-inch and 30-inch snowstorms, these sidewalks were never done. Now that we're aware of this, we're going to rectify it. We're doing our best.**

Director of Facilities

- Finalizing Pool Contract with IM

I am in contact with IM about the pool management for this coming year. We have a little over three months to go to Memorial Day weekend, let's all hope and pray that the Covid situation is better by Memorial Day this year than it was last year. The good thing is, if we do have to be under these restrictions this summer, we at least have an established plan and guidelines. We're not going to be making it up on the run like we were last year. So, we'll do the pool pending any kind of catastrophic developments. Hopefully, we should be able to have a full season this year. IM is familiar with us, we're familiar with them.

- Tree Work, Concrete Work, Blacktop Work, Basketball Court

Will be prioritized based on budget constraints. If something critical comes up, we're going to take care of it. If you have issues, let me know ([vbhfacilities@gmail.com](mailto:vbhfacilities@gmail.com)).

\*After the latest snowstorm, someone was on the basketball court doing donuts with some sort of ATV. We want to get the basketball court fixed, we'd like to get it done cheaply. If someone is on the court doing donuts and grabbing on the broken blacktop with big tires on an ATV, that repair bill for the basketball court will go up.

#### Director of Operations Report

- Parking Update
  - a) No assigned parking spots, work with neighbors in an agreeable fashion.
  - b) Primary cars are permitted to park in front of homes, all secondary vehicles are to be parked in the island areas.
  - c) Please note: it is not acceptable to try to save a parking space by putting lawn chairs in the street, putting trash bags or anything else, including your car to block off a space so you can use it later. If anyone sees someone doing this please contact me at [vbhoperations@gmail.com](mailto:vbhoperations@gmail.com).
  - d) I also try to find who owns a car before I tag it. If I don't, it will be tagged and it can be towed within 48-72 hours. If you get a sticker, please don't ignore it.

Board commented if Jim can't find out who owns the vehicle, it's because you didn't register it.

Board commented secondary vehicles must be reregistered by April 1<sup>st</sup> each year. If you register your secondary vehicles prior to April 1<sup>st</sup>, we have been waiving the \$120 annual fee on your first secondary vehicle. If you register secondary vehicles after April 1<sup>st</sup>, even if you have only one, you will be charged the \$120 fee. It just to incentivize people to follow up with us.

#### 5. Community Discussion:

Meeting adjourned 8:25 PM

Secretary		Date of approval