

VBHA MEETING MINUTES

Valleybrook Homeowner Association

Monthly Membership Meeting

November 10, 2020

Call to order 7:03 PM

Village of Valleybrook Homeowners Association Meeting was held via ZOOM, November 10, 2020.

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)	15 Valleybrook homeowners/residents

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 October 2020 minutes via email to community for discussion. All attendees had the opportunity to review and ask questions. Minutes unanimously approved.

3. Reports

President's Report

I just wanted to address a few questions before the individual reports. We received concern about the in-person versus Zoom format. One question we received asked if the Board would consider going exclusively to Zoom after COVID and in whatever form that takes but it's not a viable long-term option because we have some residents who are not on email, do not use computers or in some cases don't even own a computer. Going solely to Zoom would limit their access to the meeting and could in some cases be considered discriminatory. The last thing we need is to have another discriminatory action against the HOA. Long term is not viable to go Zoom only.

Please be reminded that the meetings are for members of the Association only and are not public meetings, such as zoning hearing Board meeting or Chester Heights Borough Council meetings. A resident approached me with the concern that a non-member or possibly a non-resident could attend the Zoom meetings and were privy to confidential HOA information. I informed that resident that all attendees are required to register and the Board views the registrations to ensure that only owners are getting the email to join. They brought up a good follow up point in that once the person is registered, how do we know who's actually listening to the meeting if people have their cameras off? It is a valid concern. It was brought to my attention by a resident, so I wanted to address that concern. We have to look at the legality. In school settings, teachers cannot require the student to put their camera on a due to privacy concerns. Given that it's a school thing versus a private

meeting that people have to volunteer to attend, people choose whether or not to come to this meeting. Whether that changes the privacy designation is something we can look into. I don't know if we can require someone to have their camera on. Part of the concern of the resident is not knowing who else is in the room, even with the camera on. People who have attended in-person meetings know to sign in with their house number and when they raise a question or have a concern, say their house number. We've said in the past, we stopped putting names in of residents for privacy issues, we summarize the resident's concerns.

We do need to know who you are when you address the Board as a matter of course. The average Zoom meeting attendance has not exceeded the maximum occupancy of the clubhouse, even under the pandemic, which is actually 20% of 125, so 25 people, which is the same as it was way back in the start when they had a flat 25, regardless of your facility. We'll have to address it as time goes on but out of concern with the rising number of cases and concern for the community as a whole, it made sense to move the meeting to Zoom for now. The hybrid that we tried was very difficult. The clubhouse acoustics are awful. The ceiling is so low and the sound bounces around. No one on Zoom could hear anyone who was not close to the computer. Questions had to be repeated because nobody in the audience knew what the Zoom members were asking because they couldn't hear them. We're not set up to multicast, short of buying equipment.

Resident questioned whose decision it is to have Zoom, in-person or both?

Board responded that it is a Board vote, a vote of the sitting Board. It's important to note that the by-laws basically say the meetings are supposed to take place in the office of the community which is the clubhouse. We're in the middle of a pandemic, the by-laws were written in 1997, no one could have anticipated this. We've been able to skirt that for now, given the situation. According to the by-laws, it's supposed to be in the clubhouse.

Resident commented that discrimination can be said for other people. Single parents, two people working and have children who go to bed at a certain time.

Resident commented about people who are immunocompromised.

Board responded what was previously stated concerning community members without email. There is something from every angle.

Board responded that looking at it from the HUD standpoint, which we've had a lot of experience with, people who are not using the computer or not using the internet tend to be more elderly and age is a protected status. Working parent or single parent isn't so it would not be a discriminatory thing in terms of that standard which is the standard that we would apply because we've had experience with the HUD dealings. It's usually gender, sexual orientation, age.

Board member commented wording for toys to be removed from front yards to items removed would indicate parents as protected status as his understanding. Also, may have missed vote but did not vote about how meeting was to be held.

Board member responded that it was on the group text.

Resident commented about possibility of obtaining a speaker and microphone to offer Zoom option to those who want it.

Resident commented can use phone option with no video.

Resident commented that for the zoning hearing Board meeting for the Borough, \$100 recorder or \$100 mic was purchased that picked everyone up and we purchased a wide-angle lens, probably about \$100. About \$200 for the equipment and then someone needed to be there on site who was not participating in the meeting making sure that the angle is OK, checking on the chat, making sure that everybody was muted. It's possible but takes effort of humans and cash, something to consider. There has to be someone who's not a Board member to volunteer to be in

charge of everything. At the Borough we compensate someone to do that. Who is going to be in charge of that and what that would entail. There are a lot of considerations.

Board questioned how it worked out with people in the room not being able to hear people on Zoom.

Resident commented that's where you had the Zoom moderator, if anybody on Zoom wanted to say something they said it to the person sitting next to the computer and then the moderator who was on site, but not a Board member, then repeated it.

Board responded that it's basically relayed through somebody who's moderating.

Resident commented that they had a Council person there and then had another person, who was compensated, at home actually running the entire Zoom meeting. It's too much for the Board to run it in person and to do it all. It's possible but then you're talking about buying equipment and paying people, you need one or two people who are not on the Board to handle it to make it as accessible, as convenient, hearing everybody, having the mic. It takes a lot of planning.

Board commented that we ran into that when we tried to have the meeting at the clubhouse and Zoom and trying to run both.

Resident commented it's not effective. A Council person was moderator on site and Zoom moderator off site handling computer aspect and was compensated because it is a lot of work and effort.

Resident commented they would volunteer for more community involvement.

Board commented we can discuss at Exec, see if we can make it work, and pointed out that we have been doing Zoom meetings since April and on average we get about 20 people which includes 6 or 7 Board members. It's not as if Zoom has turned an 8-person meeting into an 80-person meeting. We can discuss it as a Board and see what we can do.

○ **Outstanding HOA Fee Litigation**

- a) We currently have four pending cases in District Court against homeowners who were deeply in arrears, in some cases it was in excess of \$4000- \$5000, in some cases over 2000. We did get a judgement against one owner for over \$10,000. Another owner that we had filed against paid in full, so we withdrew that case. The other four are currently scheduled for December 18th and we'll be seen before Judge Strohl.
- b) We are identifying homeowners who owe \$1000 or more. We've accounted for payment or non-payment such as the cases in November. The Board plans to send certified letters to each such owner advising them of their delinquency status and indicate that they have until a set date, which will be about two weeks after we get the letters out, and to enter into a payment plan with the HOA or unfortunately we will have to take appropriate legal action to collect that debt. It's not something we want to do but is a fiduciary responsibility of the Board to all 264 owners that we do our best to ensure that monthly assessments are collected and paid in a timely fashion. We will pursue collection litigation against all homeowners that do not enter into a payment plan agreement with Joseph. It's not our goal, it costs us money to file against people in court. The goal is to get everybody caught up, come talk to us, have a conversation. We don't know what your situation is so we just ask that you please come speak with us and we can get on a payment plan. The courts are extremely backed up right now and it may be some time before we are assigned a hearing on these matters. It makes sense to file any actions we have to file all at once so that they get on the court docket as quickly as possible. We hope people will enter into a payment plan but we have to do what we must to ensure that these assessment fees are collected in a timely fashion for the good of the community and the financial well-being of the community. When it crosses that \$1000 threshold, you're talking about five months of non-payment, and if we let it go too much longer, it not only puts the community in a bad financial position but you're getting further and further behind. In an effort to alleviate that, our main goal is to nip it in the bud now, get it taken care of, make an arrangement that works for the Board and individual homeowner.

Board pointed out that homeowners in arrears need to speak only with Joseph, not the entire Board. Joseph can be reached at vbhtreasurer@gmail.com.

- Sewer Plant and Infrastructure Update
 - a) I attended the regular Borough Council meeting on November 2, 2020, primarily to inform Council of our intention to update our 537 plan which will downgrade our permissible flow. I also informed Council that they should expect to hear from our engineer, Walt Fazler, soon. I informed the Borough PA One Call coordinator that we had our underground assets, specifically, the community owned sewer lines and the electrical lines that connect the transformers to the light poles and the light poles to each other marked and added to the PA One database. Council was receptive to both updates.
 - b) I also spoke to Walt Fazler at Bradford Engineering. He has secured one full bid for site design and layout from a contractor who will be potentially performing the upgrades required at the wastewater treatment plant. Per our bid acquisition policy, he is securing at least two more bids as we need at least three bids to consider for a project of that magnitude. All bids are anticipated to arrive prior to the end of the year. Once all bids are received and we've had a chance to discuss them with Walt and get his professional opinion, the Board would then review them and as a group will vote on and award the contract to upgrade the existing plant from the inground tank system to the new silo system as we've discussed in previous meetings.
 - c) The Board has also agreed to a monthly maintenance contract with KBX Golden that is set to begin in January of 2021. As stated previously, the cost and completion of that maintenance will be spread out over 12 months. A small portion of the underground infrastructure will be cleaned and flushed each month to ensure adequate flow and cleanliness year-round as opposed to a single clean out conducted all at once. This was the suggested methodology from KBX and we will defer to their expertise and knowledge on that. The monthly cost of that maintenance will be \$3315.68. KBX Golden has also been in the community the past couple of weeks, they were extracting the root balls and repairing the pipe offsets that they identified when they performed the CCTV capture of the sewer pipe system here in Valleybrook. There is a flat hourly cost associated to those repairs of \$207.23. They anticipate the repairs will take from 8-12 hours depending on what they saw once they dug down and got in there.
 - d) Trinity subsurface, the company we hired to map the community owned sewer lines and electrical lines, completed their work. They provided the Board with PDF Maps showing the location of those underground assets. The locations of said assets have also been added to the PA One database and will be marked anytime a PA One call is made for any digging or excavation in Valleybrook. The marking of underground utilities is required under Pennsylvania Act 50 and failure to adhere to that Act could result in fines and penalties. We thought it best to avoid that unpleasantness since the community was already subject to Federal penalties and fines related to HUD violations. We are now in compliance with PA Act 50, so that potential headache is off the table.

Resident commented that there was digging on different lawns over the summer, not sure who it was. Areas where lawn has not regrown, spots with holes where pipes can be seen. Will that be fixed?

Board commented it was not KBX as they were here recently to get to root balls and pipe offsets. A subcontractor from PECO was here over the summer moving some lines and repairing transformers. They were supposed to

backfill and reseed. Board to follow up with the PECO project manager to fix issue. It may not happen until the Spring due to weather.

Resident commented about common area between #45 and #46 having a metal plate in the ground. There is an exposed area that is not fully covered.

Board responded that this area could be the responsibility of KBX. Board to follow-up with KBX and have area fixed.

Resident asked if bid was awarded for sewer mains?

Board responded we had gotten bids for yearly maintenance. Anything community owned will be flushed monthly, 1/12 at a time. This is to help keep it flowing as opposed to one big push.

Resident asked if a contact person has been appointed for Valleybrook for PA One Call.

Board responded Justin is the contact person and will check with PA One Call to confirm.

- Board Election Results

The election for the Board took place on October 27,2020. Tom Loreface was present to certify and tally the vote. 116 ballots were returned, 102 were eligible to be counted. The tally was:

Joseph-82

Janet-74

George-50

Meghan-37

Bob-30

Jordan-17

Congrats to Joseph, Janet, and George on their election. The Board met for Executive Session to reorganize after the election. The only role that changed was that George took over as Director of Architecture from Aldo.

George's duties are including but not limited to liaising with our landscaping and snow plow company, liaising with the pet waste company, completing 5407 inspections, rule and regulation enforcement, and he will be the lead contact with any engineering firm or project managers identifying swale and retaining wall projects on common ground to be completed. Aldo has been assisting him and will continue to do so with this transition to ensure the process is as seamless as possible. Feel free to reach out to any of us for any questions or concerns you may have.

Vice President's Report

- Lighting and Security

- a) I've had several discussions with our electrician, Phil Vella, discussing light poles as well as the lights. The previous proposal was for \$50,262.44. There are approximately 80 lights throughout Valleybrook. Phil confirmed he would not be able to beat that price if he were to prepare a proposal for that equipment. He suggested if we decide to move forward and purchase that equipment, we put it in a locked room in the clubhouse and he would begin installing the lights and poles as weather permitted.

- b) The Board needs to further discuss at Executive Sessions the purchase of 10-foot or 15-foot poles and whether they need to be installed on concrete footers similar to the ones along the dog walk. The benefit of putting the pole on the footer is that it extends the life of the pole and prevents it from deteriorating. The downside to that is the price difference between a 10-foot pole and a 15-foot pole is \$158.39 which would be an additional \$11,087.30. The total then would be \$61,349.00. Once the poles and lights are installed, I would follow up with Phoenix Security and they would install the security cameras, wireless bridges. We have discussed at Executive Sessions to install security cameras on the light poles, not positioning them at the transformers. I will be reaching out to contractors for estimates for concrete footers. Once we have that information, we will discuss how to proceed and what is most cost effective for the community.

Resident asked if we are replacing all the lights or just a few and where will the cameras be put?

Board responded the original proposal from Phoenix Security was for 12 cameras which included cameras and license readers at front and back entrances, camera at basketball court, camera at the pool, 2 cameras at the playground. We are updating all the lights and poles throughout the community for uniformity. We don't want old lights and poles in some areas and new ones in other areas.

Resident asked if we budgeted money for this, can we handle the cost of this?

Board responded that we did budget for 2020 and was approved, \$70,000. None of the money that was budgeted has been spent as yet.

Resident commented that we are a PRD as part of Chester Heights and there was a PRD approved plan back in the early 1970's. With that, there was a lighting plan approved, and the lighting needs to stay within the bounds of the original plan as far as impeding upon neighboring properties. The Borough should have a dispersion map.

Board commented that the plan is to go with LED directionals, especially up and down Bishops in a thinner, wider dispersal so the entire stretch is illuminated. Within the courts, the lights will be directionally on the sidewalks and parking areas. One of the fixtures we looked at has an insert to go in the back of the light so the light would not impede any homes facing Bishops or Kings. Aldo can reach out to Sue Timmons to direct to whomever on Council or Borough Official would be responsible for that, maybe Rich Jensen.

Treasurers Report

Thanks to the community for voting and trust put in me, I appreciate it and don't take it for granted. I promise to put in good work and hard work for the community.

For the suggestions for equipment for Zoom meetings, we have it in the budget for office supplies to accommodate this.

o Financial Report:

- a) Total income for October 2020, \$57,516.54
- b) Total expenses for October 2020, \$48,333.30
- c) Net income for October 2020, \$9,180.24
- d) Total aging as of November 2020, \$37,513.03 -from residents in default of 90 days or more.

If you owe \$600 or more, reach out to me to enter into a payment agreement. (ybhtreasurer@gmail.com)

- e) Total in bank accounts as of October 2020, \$1,582,991.74.

In November of 2019, we entered into an agreement with Capital One at an interest rate of 2.33%. In March, with the pandemic, interest rates started to do down, however, we were locked in at 2.33% for a year with over \$1,000,000 in the savings account. November 2020, the interest rate at Capital One is 0.40%. This is the rate for 90 days. If we stay with Capital One, and the rates go up, every 90 days our rate will increase. There is also a risk if the rates go down, that would be for 90 days. The maximum found online and in my research was 0.70%. I'm still working on it, looking for the best agreement. This is what is going on in the market so far. I will talk with Capital One or I may move to another institution, only for the savings account.

Starting to prepare for the 2021 budget. Board members will submit their expectations for the 2021 budget. I am doing a full analysis of our financial situation over the next 10,20,30 years so we have an idea of our assets, our depreciations and how we can budget for projects we might have.

Capital One is offering a revolving line of credit, around \$400,000-\$500,000 to be paid back over 5 years. The interest rate would be around 4%. We can use this for a big project instead of using our savings, just to help with cash flow. We will start the discussion for this among the Board.

Board member asked if we have a cash flow issue.

We do not have a cash flow issue. We have other options for homeowner associations not needing to use savings as liquid cash. It's a line of credit and doesn't cost us anything if we don't use it.

Secretary's Report

○ Front Door Follow-up

I want to touch briefly on the front door color option. Nothing has been chosen, determined. We're going to put out a survey to see what kind of interest there is since people have expressed an interest in another option. As we mentioned previously, if we were to choose another color option, no one would have to change their current door color, which is a pale ivory, it's called ceramic beige. That doesn't have to change. We haven't picked anything out. Originally, we were going to pick a couple of colors and send it out to the community to get some feedback. Instead, we're going to send out a survey and see what kind of interest there would be in another door color. I don't want anybody to get upset, nothing's been determined or chosen at this point, it's just to gauge interest.

○ Upcoming Holidays

Unfortunately, we won't be able to rent the clubhouse because of COVID. We can't keep it under the 25-person minimum and there's no way we could monitor that if we're renting the clubhouse. For that reason, we won't be able to have a holiday party this year, which is disappointing. We do plan on doing some decorating at the entrance and maybe we can do something at the clubhouse.

Resident asked if any thoughts on having a socially distant house decorating contest?

Board member replied yes, we haven't talked about it yet we were going discuss that at Exec. It was suggested by another Board member.

Resident commented trying to think of things that can still engage the community and get people involved. You can do paper ballots and Facebook ballots. We're all living at home all the time now so might as well decorate it.

Director of Facilities

Our current clubhouse manager is moving out of the community in January. We had some interviews and Tara Kane will be taking over as the clubhouse manager, effective in January when John leaves. She is spending some time getting training for the job. We want to thank John for everything he did for us. The clubhouse hours will be the same (Wednesdays 6:00PM- 8:00PM and Saturdays 10:00AM-12:00PM)

- Pool Issues for Next Year

Currently evaluating how the summer went. We had some issues, COVID ruled everything. We're evaluating what we did, what was done by others. We're seeing what our plan would be, hoping we don't have to go through the same setup. We built up a wealth of knowledge this year. We're still looking at what next year will be for the pool. I'm fully confident that if we were able to open the pool this past summer, I can't see much stopping us from opening next summer.

- Tree Issues for Next Year

Evaluating what trees need to be addressed. Looking at where some trees were cut down and replacing with some screening trees. Lots of dead and dangerous trees were removed.

Resident asked when leaf removal will begin?

Board commented that in the past, it was sometimes started too early with the bulk of leaves still on the trees. Landscaper had to come through 3 or 4 times. The storm drains need to be cleared and maintained. George is taking this over from Aldo.

Director of Architecture

That does fall under my responsibilities and I've already talked with Scott who does our lawn care. If anybody sees a drain that's really bad, let me know before it becomes a problem. Scott is cleaning them on Tuesdays when he comes out and does the lawn care so just waiting for enough leaves to drop.

Thank you guys very much, I appreciate those who voted for me and those that didn't. I'm very transparent, I'll try to make myself available as much as possible. Feel free to reach out to me, I live in unit 246 if you want to knock on the door.

- 1) On the 29th I met with (Greg Shisler), behind court one, to see what could be done about the massive river that forms behind that court. According to him, there used to be a swale back there. I reached out to the code enforcement officer that was on duty when the development was built to find out if there used to be a swale there. I also got the farmer, who happens to be his job is in landscaping, a quote for the reinstating of the

swale that used to be there, if that's a possibility. Something the Board has apparently been considering for a while in Exec. I'm just walking into it.

- 2) Approved architectural application for #227 for soffit and gutters
- 3) Approved architectural application for #64 for new roof
- 4) Received a quote for the swale
- 5) Approved architectural application for #62 for new roof
- 6) Approved architectural application for #43 for windows

Resident asked who the quote for the swale was from?

Board responded it was Greg Shisler.

Resident asked if we've heard from the 3 Engineering companies that Aldo contacted last month regarding water issue from #62-#67?

Board responded that not one firm has gotten back to us.

Resident/s requested meeting with Board at Executive session concerning water issue.

Board responded we will make time at the beginning of our Exec session on November 24, 2020.

Director of Operations

- Parking Update

Currently, we're missing 20 to 25% of the residents not having registered their vehicles. I'm going to go to those individuals and put another request in their door and if they don't respond after that point, I'm not sure what to do.

Board commented if you are putting a blank vehicle registration form in their door, I don't understand what else you could do to facilitate registering their vehicles. If your vehicle is already registered, please indicate that on the form with the car and sticker number so we can verify and put in our database.

- The playground signs are up, and I'll be putting the Yield signs up tomorrow.

Board (Treasurer) commented still receiving wrong emails when statements are sent which means some residents emails are not updated. If you don't receive your statement, reach out to Joseph at vbhtreasurer@gmail.com. To clarify, Capital One is offering 0.40%. The maximum offered in the market now is 0.70% and only for 6 months.

Regarding the Capital One line of credit, we will provide invoices and then they will release the funds.

Resident commented 5407 inspection done and divider wall were not compliant. He has never received notification about this.

Board responded specs were modified November 7, 2016, going away from the cedar shakes to vinyl siding. If wall needs to be repaired or replaced vinyl siding is to be used. When a house sells, it needs to be brought up to spec.

Board responded this will not hold up settlement. Board members will meet with homeowner and come up with a plan.

Homeowner commented on statement by Board member in September concerning the slip-n-slide erected on common property by her husband and wants a retraction of the statement. Several Board members commented on inconsistent and inaccurate statements made by her husband on social media. Board members mentioned that erecting anything on common property is against our rules which had been stated prior. Board member stated he was not included in a vote for the Zoom meeting. Board member stated there was a group text. Board member states he was not part of the group text or vote. Resident/s with knowledge and experience concerning liability and consequences explained that while homeowner would initially be liable in the event of a lawsuit should someone be hurt, the HOA would also be liable as it occurred on common property. It's called comparative negligence. This would affect all 264 homeowners in Valleybrook. Resident commented that tens of thousands of dollars have been paid by the HOA in the past for other people's misuse of decision-making abilities.

Resident asked about the shared Board inspections throughout the community and the status.

Board commented each of the 6 Board members had taken 44 houses and the inspections were all completed. All info was compiled, however, was very close to Board elections and the focus and energy was on that process. We will be printing the inspection results and sending them out. All homeowners have through June 30, 2021 to make any repairs indicated.

Resident asked if inspections will be annually.

Board responded inspections will be annually.

5. Community Discussion:

Motion to adjourn

Meeting adjourned 9:00 PM

Secretary		Date of approval