

HOMEOWNERS AT LAUREL PARK ANNUAL MEETING, 10/20/18 MINUTES

1. Unit Owner Sign In

Began at 8:30 am.

2. Introduction of the Executive Committee

Done

3. Statement from Property Manager Michael Pancione

Michael Pancione began by complimenting the “countless hours” that the Executive Committee puts in administering the affairs of the park which “requires keeping within the budget and takes a great deal of analysis and cooperation.” Michael noted that as of today, LP has over \$2,400 in its cash account and \$33,000 more to be collected by the end of the year (also, \$76,000 in short-term securities and \$83,250 in long-term securities. He noted that the post office building was paid off this year which will free up \$4,400 per year. The EC increased the rent of the rental units in the post by \$75 each per month which adds an additional \$1,800 to the LP cash account. Michael then went on to report on tree management for the past year, including removals (19), trimming (17) and treatment of hemlock trees for Woolly Adelgid. Five more trees will be removed on 12/11/18 (last for 2018). A report on roadways was also given with emphasis on 660 linear feet of roads repaved (The Lane, Trinity Circle and N. Warren) as well as three permanent speed bumps. In addition to this major work the playground was restored, mosquito control continued and improvements made to the Dining Hall kitchen. Over \$4,000 was saved by the EC by sealing the seams and painting the floor compared to installing new linoleum. Two refrigerators were also purchased. New fencing was added on the north end of the Rt 5 fence creating a wildlife and trespass barrier. Drainage issues in Trinity Circle were addressed as well as gravel additions to several places in the park. He noted that Pancione Associates and the EC are exploring the possibility of a “Storm Management Plan,” which if accepted by the city, would eliminate stormwater fees to residents. He stated that in summary HALP is entering 2019 in a solid financial position.

4. Statement from the President

Kris Severy noted that the main role of the EC is to protect common land and property as well as uphold the by-laws. In terms of by-laws, Kris stated that if a goal can be achieved by other means, such as the Courtesy Guidelines, which are legal and flexible to change, then we benefit from using that means to address many things as compared to by-laws. He went on to say that the motion at the By-Laws and Budget Meeting on 9/15/18 which directed the EC to establish a schedule of fines and fees all be a focus of the coming year and can be added to the Courtesy Guidelines. Kris ended by stating that during sign-in for the Annual Meeting this year we are requiring that the person signing in to represent a house in LP is actually the deed holder. While everyone who lives in LP is welcome to come to this meeting, it is only the deed holders who can make a motion, vote, give a proxy or be a proxy. He also stated that this year anyone who speaks at the meeting (a resident or deed holder) can speak for up to two minutes, but only twice per topic under discussion.

5. Statement from David Baker and Review of Roberts Rules

David Baker began by noting a long-held tradition of honoring individuals who had lived in the park and died over the past year. He then spoke eulogized Erwin Weston who had lived at #67

prior to his death in 2018. Erwin had lived in the park for over 30 years and was instrumental in the efforts to first bring electrical power into Laurel Park. Afterwards, David read a one-page handout explaining the basic rules of Robert's Rules of Order governing making motions and voting on them. This was followed by his answering questions and providing clarification.

6. Presentation by Laurel Park Arts (LPA)

Sandra Hanig, Co-Chair of LPA with Laura Pravitz, presented an overview of activities offered by LPA in 2018. She noted that LPA is grateful for their funds and funds from HALP as well as volunteers who made the past year of activities a success. She noted that LPA will continue with offering a program of activities for the coming summer as well as working on the historical preservation of photos and documents.

The financials for LPA, a non-profit, were presented by Randy Ross, Treasurer. She stated that LPA has about \$121,000 in an account that is held by Schwab. A total of \$3,500 was made by the investments in the past year. It was noted that Randy gets a yearly stipend (\$1,500). One major task this year was putting all of the financial information onto Quick Books. LPA, in addition, to planning and offering a number of spiritually-related Sunday services, also offered several opportunities for entertainment over the summer. All was deemed successful.

A motion was made for HALP to "provide \$1,500 annually to LPA" to support their work.

Discussion held and an amendment made for HALP to "provide \$1,500 annually to LPA and to not continue requiring the annual fee of \$20 per household for LPA." This PASSED.

Finally, a discussion was held on the use Normal Hall in the winter months (cost vs. participation). Cost of heating for the winter (November 1st through March 31) was discussed. MOTION made and PASSED directing the EC to look into having an energy assessment performed including an estimate on making the building more energy efficient. Discussion and clarification given on use of Normal Hall in the winter months and the fact that by and large only the kitchen area was used and the heat is kept at 55 degrees and increased a little during a gathering and no water is available in the kitchen-bathroom areas. Request for more information on winterizing given by Michael P. He stated that winterizing needs to be done by early December or the water can't be blown out of the line which opens it to freezing, bursting pipes, etc. As the cost of heating Normal Hall last winter was about \$2,500 a request was made as to what cost that much. It was noted that heating the kitchen (primary room used in the winter) was \$1522 for propane and \$695 for electric. Also, holiday lights and lights at the front gate and on the flag are billed to Normal Hall. In terms of use of Normal Hall in the winter, one large gathering was held in February which required use of the larger room. Summary of type of events and attendance presented (also, in handout). It was noted that winterizing of building does not prohibit the use of the kitchen (though no water for sink or toilet use). MOTION made and PASSED to "close Normal Hall for winter use with no water and no heat from December 1 through March 31. After more discussion a MOTION made which PASSED requiring "the EC to report to the Annual Meeting in 2019 on the amount we saved in propane and electricity on the basis of closing Normal Hall between December 1 and March 31."

7. Presentation by the Social Union (SU)

Aaron Bissell, Treasurer of SU reported on the budget, a copy of which was in the handouts for the meeting. He noted that although the SU has \$2,202 in a bank account and \$204 in cash they may end up a little over budget this year (depending on cost of Harvest Supper). He also pointed out that SU's expenses go beyond social events (i.e. maintaining the playground at normal hall, replacing stoves in the kitchen, cleaning the Dining Hall several times a year for events and so on. SU has some interest in landscaping the front gate in the coming year (via inexpensive use of UMass students for a plan). The SU is thinking about printing and

distributing their calendar of meetings so that residents in the park can attend. A MOTION was made and PASSED for HALP “to give the SU \$1,500 for 2019.” Originally, the motion had said annually but this was amended to just for the coming year prior to the vote.

8. Review of Proposed Budget

Jody Santos, Financial Chair, presented a summary of the 2018 budget which has ended the year in good condition. Currently, we are \$9,000 under budget for the rest of the year but the need for snow removal until the end of December cannot be predicted and there are five trees being removed in December. Laurel Park’s investments in a managed portfolio (Easthampton Savings Bank) has increased LP’s holdings by 4.66% over the past year instead of 1.3% had the EC stayed in the more conservative non-managed portfolio. Other decisions by the EC in conjunction with Pancione Associates that increased income was raising the rent on the rental apartments in the Post Office Building (\$1,800 per year), paying off the Post Office Building mortgage which has saved the interest charge for the duration of the loan, selling unused equipment (woodchopper for \$2,700 and a mower for \$200), enforcing by-laws regarding collection of condo fees and establishing a number of repayment plans. Jody then presented highlights of the 2019 budget including details on a few changes regarding how stipends show up, elimination of the word FHA as Laurel Park is does not meet the criteria for FHA accreditation. Recommendation made to add a line item for LPA. Short term reserves are now \$76,000 and long-term reserves are \$83,000. It was clarified that the EC reviews the budget every month and that the EC has to vote in order to go over the budget estimates. The projected 2019 budget is \$253,205. The projected budget is rounded up in categories and specifics cannot be known. They are based on best estimates from previous years budget. Based on the very good financial status of Laurel Park there will be no increase in condo fees for the 2019 year. It is anticipated that road work will be coming to an end for several years which will add approximate \$80,000 to future LP monies. Hemlocks will be lost to disease and EC will be planning replacement trees.

A discussion was held on the role of the EC versus the management company’s role. It was pointed out that the EC which gets thousands of emails and is a channel for property and homeowner complaints is responsible for neighbor problems, violations of by-laws, construction violations, and monitoring of the budget and approval of expenditures which are out of budget. The management company has a complex role involving managing expenditures and keeping the budget as well as maintenance of the park’s infrastructure. A MOTION was made from the floor to increase the Property Chair’s stipend from \$1,000 to \$1,600 per year due to the amount of work of that EC position. It was pointed out that this increase would not increase the budget as the combination of current stipends and this increase will not go over the amount budgeted. This motion was seconded and PASSED. A second MOTION was made to approve the 2019 budget as amended by the Property Chair stipend increase.

9. Review and Vote on Proposed By-law

A. Delete 5.1.16

Current:

5.1.16: To enforce obligations of the Unit Owners and have the power to levy fines against the Unit Owners for violations of any of the terms and conditions of the Master Deed or of this Trust, including but not limited to the By-Laws and its Rules and Regulations established by the members to govern the conduct of the Unit Owners. No fine shall be levied for more than FIFTY (\$50.00) DOLLARS for any one violation, but for each day a violation continues after notice, it shall be considered a separate violation.

Collection of fines may be enforced against the Unit owner or Unit Owners involved as if the fines were Common Charges owed by the particular Unit Owner or Unit Owners. In the case of persistent violation of the Rules and Regulations by a Unit Owner, the Trustees shall have the power to require such Unit Owner to post a bond to secure adherence to the Rules and Regulations. (Amended @ 1996 Annual Meeting).

Proposed: 5.1.16 (delete)

B. Amend 11.2.2

Current:

11.2.2: The Executive Committee may from time to time establish a reasonable schedule of fines, not to exceed FIVE-HUNDRED (\$500.00) DOLLARS per violation. A Unit owner shall be notified of the violation of any provision of this document, as well as the amount, if any, of the fine imposed. If the violation is of an ongoing nature, the Executive Committee shall establish a reasonable period of time for the Owner to correct the violation to the satisfaction of the Executive Committee. If the violation involves the use of common land, the Executive Committee may take whatever action is necessary to correct the violation at the Owner's expense. Each day that a violation exists after the correction date established by the Executive Committee may be deemed a separate violation with a daily fine imposed not to exceed \$50 per day. Any fines imposed, or expenses incurred, must be paid to the Trust as any other Trust fees or expenses billed to Unit Owners, and the enforcement of collection of any fine imposed, or expenses incurred, will be subject to the terms of Article III, Section 3.7.4 of the Declaration of Trust. (Amended @1996, 1998, 2015 Annual Meetings).

Proposed:

11.2.2: The Executive Committee may from time to time establish a reasonable schedule of fines, not to exceed FIVE-HUNDRED (\$500.00) DOLLARS per violation. A Unit owner shall be notified of the violation of any provision of this document, as well as the amount, if any, of the fine imposed. If the violation is of an ongoing nature, the Executive Committee shall establish a reasonable period of time for the Owner to correct the violation to the satisfaction of the Executive Committee. **In the case of persistent violation of the Rules and Regulations by a Unit Owner, the Trustees shall have the power to require such Unit Owner to post a bond to secure adherence to the Rules and Regulations.** If the violation involves the use of common land, the Executive Committee may take whatever action is necessary to correct the violation at the Owners expense. Each day that a violation exists after the correction date established by the Executive Committee may be deemed a separate violation with a daily fine imposed not to exceed \$50 per day. Any fines imposed, or expenses incurred, must be paid to the Trust as any other Trust fees or expenses billed to Unit Owners, and the enforcement of collection of any fine imposed, or expenses incurred, will be subject to the terms of Article III, Section 3.7.4 of the Declaration of

Trust. (Amended @1996, 1998, 2015 Annual Meetings)

Discussion:

David Baker on behalf of the person who filed the by-law changes explained the conflict in the by-laws which is the purpose of this by-law amendment (one says fine up to \$50 and the other says fine up to \$500). He also stated that in 1986 when Laurel Park became structured as a condominium the lawyer said that 5.16 should not be deleted in order for the by-laws to conform with condominium law. Therefore, he recommends a rewording of by-law 5.1.16 and withdrawing changes or deletion of by-law 11.2.2. A MOTION was made to this effect including a change only to one sentence in 5.1.16 as follows: **“No fine shall be levied for more than FIVE HUNDRED (\$500.00) DOLLARS for any one violation but for each day a violation continues after notice, it shall be considered a separate violation and be subject to a fine of not more than FIFTY (\$50.00) DOLLARS.”**

The MOTION is to replace the sentence above in by-law 5.16 with added sentence as in bold above. In addition, the original request to delete by-law 11.2.2 was withdrawn. Both seconded and PASSED.

10. Approve Previous Meeting Minutes

A. 2017 Annual Meeting Minutes

After review, it a MOTION was made and SECONDED to approve. PASSED

B. 2018 Budget and By-law Minutes

After review and recommendations for a couple corrections, a MOTION was made and PASSED.

11. Review and Vote on Slate of Officers

Randy Ross, Chairperson of the Nominating Committee reviewed the list of those running for offices for the EC this year. She also stated that each person running would be given two minutes to give a speech or read the bio that they wrote which was distributed prior to the meeting via mail with the Annual Meeting Packet and was also made available in handouts. today. Randy then outlined how the voting would be done after all candidates had spoken.

Two candidates were nominated from the floor for the Nominating Committee (Bill Blatner and And Kandy Littrell). Otherwise, the candidates remained as on the ballot.

Candidates then spoke and voting was conducted. Judson Brown, a member of the Nominating Committee then announced the winners as follows:

- President (running unopposed): Winner Thom Herman
- Clerk (L. Shivani Kleinerman vs Seth Wilpan): Winner Seth Wilpan
- At-large - 2 year position (Darcy Johnson vs Chuck Nett): Winner Darcy Johnson
- Property Committee Chair (running unopposed): Winner Kris Severy
- At-large - 1 year position (running unopposed): Winner Dennis Tarpay

Nominating Committee (1 year term): (Jean Listinsky, Elizabeth Nett, Bill Blatner, Kandy Littrell):

- Winners: Jean Listinsky, Bill Blatner and Kandy Littrell
- Property Committee (running unopposed): Will Morin

12. Discussion

#5 Homeowner's Farewell. She has sold her unit and expressed gratitude for her years at Laurel Park. A couple of things she wanted to express are as follows. She does not think it is fair that she pays full condo fees but does not benefit from her parking spot being plowed after snow storms (currently only lots

with three or more cars are plowed by HALP). The owner also noted that due to the fact that her house is in the row next to Rt 5 her property value was less and she supports erection of a sound barrier (being suggested earlier by the outgoing President, Kristopher Severy (upcoming Property Chair).

13. Adjourn

It was MOVED and SECONDED to adjourn the meeting. PASSED

Handouts for Meeting:

A. Via Mailing to All Deed Holders

- Agenda, 2018 By-Law and Budget Minutes, 2017 Annual Meeting Minutes, Recycling Guidelines,
- Laurel Park Snow Plowing Procedure, Bios of Candidates for Officers for EC, HALP Balance Sheet for Budget as of 10/10/18,
- HALPF Profit and Loss Budget vs Actual for January through December
- 2018, HALP Profit and Loss Budget Overview, January through December 2019

B. Added Handouts At Annual Meeting

* Executive Committee and Property Committee Two-Year Evaluation of Property Management Company and Winter Use of Normal Hall (dates, events and numbers of attendees).

Respectfully Submitted, L. Shivani Kleinerman