

HANOVER POINTE HOMEOWNER'S ASSOCIATION
01/28/2021
REORGANIZATION MEETING

A reorganization meeting of the Hanover Pointe Homeowner's Association was via a Zoom virtual call on January 28, 2021 at 7:00pm.

Board Members Present: Dan Marion, Gia Raffaelli

Hano & Ginsberg LLC Property Personnel Present: Nick Hano, Rhonda Morris

Dan Marion called the meeting to order at 7:02pm.

Introductions

Dan Marion introduced the Board and Property members present.

MEETING GUIDELINES

Dan announced everyone will be muted to avoid talking over each other. He asked if anyone had a question or comment to indicate so in the chat window. When unmuted, Dan asked to state your name and address for the HOA's records.

Approval of September 8, 2020 Meeting Minutes

Dan made a motion and Gia seconded the motion to approve the September 8, 2020 meeting minutes.

There were no board or public comments. The minutes were approved with unanimous vote.

Approve the 2021 Budget

Dan wanted to discuss the line items within the budget that changed between 2020 and 2021 but reiterated the assessment of \$85.00 per month has not changed for 2021.

Lawn care common area cutting is being reduced from \$48,400 to \$45,000 based on 2020 actuals. Trash collection is being reduced from \$36,540 to \$29,580. Repairs, maintenance, and snow plowing is being increased from \$26,000 to \$30,000. And finally, reserves are being increased from \$5,815 to \$12,175. We want to make sure we pump up the reserves now so that in 20 to 30 years from now when the stormwater systems need repair or replacement, we will have that money in the budget to care for those items.

Dan made a motion and Gia seconded the motion to approve the 2021 budget as presented. There were no board or public comments. The 2021 budget was approved with unanimous vote.

2021 Election Results

Dan stated he wanted to discuss a few items before getting into the election statistics. Dan mentioned he received a text from Sebastian Ricci on January 13th stating he received a letter in regular mail that day from the HOA that was dated November 24, 2020. Dan explained we as a community are seeing firsthand what the pandemic is doing to mail service which has him concerned.

Dan wanted to give any homeowners on the call that mailed in a paper ballot an opportunity to check with Rhonda that their ballot has been received. Rhonda mentioned that Hano received paper ballots from 115 Pixie Moss, 197 Pixie Moss, and 228 Pixie Moss. Dan asked if anybody mailed in a ballot and their house was not announced by Rhonda. There was no response from the participants on the call.

Dan mentioned the declaration is a bit outdated in terms of how to vote in this electronic age. That said, there is a provision in the declaration that allows someone to cast a ballot at the reorganization meeting. We could not have an in-person meeting due to COVID-19; however, Dan wants to give anybody on the call who is a current homeowner (not a future homeowner) the option to cast their ballot now before election results are announced. There was no response from the participants on the call.

Dan asked Rhonda if only Nick and she had access to the results and only Nick and she have knowledge of the election results. Rhonda confirmed that is correct.

Dan asked Rhonda can she confirm anyone that received at least one vote has been vetted and they do not have any past dues owed or fines on their account. Rhonda confirmed that is correct.

Dan asked Rhonda how many total homeowner votes were cast for this election. Rhonda responded 52.

Dan asked Rhonda what was the break-out between electronic and mail-in voting. Rhonda responded Hano received 3 mail-ins, 48 electronic via Survey Monkey, and 1 email. Rhonda clarified Hano actually received 3 emails, but two were duplicates because the homeowners also submitted via Survey Monkey. The duplicates were cast aside.

Dan asked Rhonda starting with the most votes, state the person's name. This person will hold a position on the Board for 3 years. Rhonda replied Dan Marion with 39 votes. Dan thanked those on the call that voted for him and assured the participants he will continue to do what he is doing to serve the community.

Dan asked Rhonda who received the second most votes. This person will hold a position on the Board for 2 years. Rhonda replied Richard Marek with 37 votes. Dan asked Rich if he willfully

accepts a position on the 2021 Board. Rich replied yes. Dan congratulated Rich on his election to the 2021 Board.

Dan asked Rhonda who received the third most votes. This person will hold a position on the Board for 1 year. Rhonda replied Vinh Ho with 8 votes. Dan asked Vin if he willfully accepts a position on the 2021 Board. Vin replied yes. Dan congratulated Vin on his election to the 2021 Board.

Dan asked Rhonda for full accountability to read the remainder of people who received votes in descending order.

Tara Short – 7
Maria Hluschak – 5
Garrett Harvey – 3
Brent Ziegler – 2
Maren Trout Bhalla – 1
Dan Bitterlich – 1
Heather Hartkiss – 1
Ann Marie Boyce – 1
Matt Miklich – 1

Dan again thanked Rich and Vin for accepting their election to the 2021 Board of Directors.

Dan asked the homeowners if anyone has a question or comment regarding the election results. There were no questions from the homeowners.

Some Announcements Related to the 2021 Board of Directors

Dan wanted to read some announcements from his notes to make sure they are all conveyed clearly:

- Each Board member has one vote for any items that arise, which requires a Board vote. A good example of a Board vote is to approve the budget for the next calendar year. When decisions need to be made that affects the entire community, it only makes sense in Dan's opinion to listen to the voices of the community. Section 14.3 of the Declaration specifies amendments can be executed through a super majority vote (67%) of the allocated votes in the Association. This ensures the wishes of the entire community are being considered.
- Board members are reminded that among their obligations as representatives of the community, they are to follow and enforce the bylaws as written until such time any specific bylaw is changed. And bylaw changes must be fully vetted before being enacted.

- Unless there are any strong objections, Dan stated he will continue in his role as President of the Association. The BOD will meet separately within the next few days to determine who will hold the positions of Secretary and Treasurer. Dan will continue to use the community private Facebook page to communicate information to the homeowners. Homeowner Association Meetings will be posted on the Facebook page and regular mailed to the homeowners. Dan expects 4 meetings across the calendar year will suffice. Special meetings, if needed, can always be scheduled.
- According to our bylaws, executive session meetings of the Board members with no member attendance is permissible; however, no decisions impacting the community will be made at these meetings. The purpose of these meetings is to discuss items that are either more sensitive in nature or to align on any issues before they are discussed at a future open meeting.
- Within the next few days, Dan will be setting up a generic email account called hanoverpointepa@gmail.com. If you would like to email the entire Board, use this email address. Any mail items will be automatically forwarded to the individual board member's email accounts. Dan needs the email addresses of the other two Board members. He will post an announcement on the FB page when this email address is operational.
- This is a reminder that you may contact any one of the Board members privately; however, it is incumbent on the Board member to communicate the question or issue to the other two Board members.
- When an issue does arise, the Board members shall meet either in person or virtually impromptu to discuss. Then Dan will post an announcement on the Facebook site, as needed.
- Going forward, Dan announced we will be operating the community much like a municipality. A municipality has departments (police, department of public works, zoning, recreation, etc.). And the elected representatives (called the Board of Supervisors for New Hanover Twp) are assigned a department to act as a liaison. We will do that here at Hanover Pointe. Dan will be the liaison for our Management company, Hano. The Board will meet in executive session to determine liaisons for: 1) Landscaping, 2) Trash/Recycling, 3) Snow clearing of roadways, parking lots, multi-use path, and common area sidewalks, 4) Our insurance company, 5) Metropolitan, and 6) Township of New Hanover. Once decided, we will announce the liaisons of each entity stated here on the community Facebook page.

Dan announced that was the end of his comments regarding how the 2021 Board will be executing and if anybody on the call has a questions or comments on what has been stated, please use the chat window. There were no questions or comments from the community.

Dead Trees in Common Areas

The next items relate to dead trees in the common areas. It was brought to Dan's attention a part of a dead tree in the common area fell onto a homeowner's fence causing damage. Dan visited the site and took pictures.

Dan would like homeowners to tag with a ribbon suspect dead trees that, if they fell, may cause damage to homeowner property. Of course, there is also the concern of someone getting hurt or worse because of bad timing. After you tag the tree(s), contact Dan with your address and tree location.

Dan will be asking our Property Manager to receive no less than three quotes to take down the trees that have been confirmed by the tree experts as dead. This will be targeted as a Spring or early summer project. Dan will share anticipated costs with the association membership when they are known. To keep costs down, we will be asking the bidders to keep the wood onsite within the wooded common areas. In most cases, that would make for good firepit wood for those members who have fire pits.

Dan mentioned homeowners should not take any action on any common areas, including the wooded areas.

Dan asked if anyone had any question regarding this announcement. Ephraim Charlebois (220 Pixie Moss Road) stated his property borders those of someone from another community. And that backyard has trees that appear to be dead. What should he do in this regard? Dan replied he will check the site plan to verify there is or is not common area between 200 Pixie Moss and the homeowner behind his backyard. If there is common area, the HOA will research and take next steps. If there is no HOA property, the homeowner should write and deliver a letter to that homeowner expressing concerns for the dead trees on their property.

There were no other homeowner comments on this topic.

Arrears Procedures Updated

Dan started this discussion by stating no bylaws are being changed; rather, arrears procedures are being updated and enforced as stated in the bylaws. Dan mentioned that everyone signed, as a condition to living at Hanover Pointe, documents that stated they will be part of an HOA and one of the several responsibilities is to keep current on HOA monthly assessments.

As a matter of discovery, Dan first mentioned there is an inconsistency between how the HOA is collecting dues vs what is written in the Declaration. Specifically, the invoices homeowners

receive from the Management company state the assessment for the current month is due at the end of that month, whereas the Declaration states the assessment for the current month is due on the first day of that month. Dan believes we do need to follow the Declaration, but he wants to table this discovery for now to address a more immediate concern.

Dan encourages everybody to set up an online transaction process where the money is drawn from your bank and sent to the Property Manager on a scheduled monthly basis.

Dan announced the HOA is tracking close to \$4,000 of unpaid monthly assessments. This trend must be reeled in. On the most recent report, 11 homeowners are more than 3 months behind in unpaid assessments. It costs the HOA time and money to manage accounts in arrears.

While there may be some homeowners experiencing financial distress, none have reached out to the property manager or me to work out a pay-back plan when their financial status improves. For any homeowner who is in financial distress and contacts us, the HOA will continue to track the arrears totals; however, the homeowner will not be penalized for unpaid assessments.

Effective 2/1/2021, new procedures:

- If the homeowner is not current by the 10th calendar day, a warning letter is sent. If Hano has an email address on file, they will use email to communicate the letter as well. The homeowner has 5 calendar days from the date of the letter to bring their account up to date.
- If the homeowner is not current by the 20th calendar day, a letter with a \$25 fine is sent.
- If the homeowner is not current by the last calendar day of that month, a letter with another \$25 fine is sent. The letter also states the account will have a lien placed on it until such time the account is current again. All expenses related to the lien will be charged to the homeowner.

Dan mentioned the HOA is paying their bills as there are enough reserves to cover month-to-month expenses. However, the trend of unpaid assessments is in the wrong direction and we need to as an association ensure we are financially healthy now and in the future. The HOA is now enforcing procedures and actions already afforded to it for everyone to follow association dues.

Dan mentioned that he passed on the recommended procedure changes to the other two Board members and did not receive any negative feedback to the proposal.

A person by the name of Kim in chat asked if the people in arrears know about their account status. The answer is yes; Hano has been using regular mail and correspondence with letters and overdue statements to notify the homeowners in arrears. However, that correspondence had no repercussions for non-response.

Questions and Answer Session

Several homeowners asked the status of the playground. Dan responded that he had hoped John would be on the call to address this question as he (Dan) did not think Gia would know about that project's status and did not want her to stay on the call to address something not in her domain. Dan asked Nick if he had any discussions with John prior to this meeting. Nick did speak to John about this the other day in anticipation the question would be asked. Nick said John stated at this point in time, it would be done sometime later in the Spring. Nick committed to pushing hard to get this done. Nick will try to work with someone else at Metropolitan if he can.

Someone else asked if the equipment for the playground come in. Nick replied he does not know but will push to get more answers, get a hard date, and communicate it with Dan.

Garrett requested to email the minutes to members. Dan said Hano can do that for anyone who has communicated an email address to the Property Manager. Please recognize the minutes will be considered draft until such time they are approved at a future meeting.

A homeowner asked if there is a way to have account history of dues payments on the Hano website. Rhonda responded if anybody needs an account history, they can email Rhonda or Linda, who can provide that on request. There is no way to see that on the website.

Garrett recalls Dan stating there is a delay with future construction on Tallowood at the last meeting. Are there any updates for completing construction? Dan replied that earlier in the day, he had a representative from the HVAC company over for a furnace issue. During that visit, Dan learned from him that it appears there will be a construction shutdown until the dirt mounds are eventually moved. There are environmental rules and regulations that need to be addressed, which seems to be contributing to the shutdown. The earliest they will start up again is April or May.

Kim asked based on 11 homeowners being behind in their assessment, what percent is that of total home ownership? Dan replied based on roughly 115 homeowners currently, that represents just over 9%.

Jennifer Dawson asked for an update regarding the high bushes and orange tape. Dan responded that the orange fencing is not just behind her house, but throughout the community. It will need to be removed as part of the dedication process. Dan admitted he does not have a handle on where we are with dedication. Things were going along at a good pace during the summer, but there has been no dedication discussion since the summer. Dan asked Nick to reach out to the Developer for an update on dedication. Nick will follow-up. Nick reminded everyone the construction fencing has environmental regulations behind them. They cannot be taken down in advance or else the Developer can be fined.

Dan asked Jennifer to elaborate on the high bushes comment. Jennifer clarified overgrown grass. Dan mentioned earlier in the meeting a liaison from the Board will be assigned to the landscaping company. Dan will announce all liaison assignments within the next week or two on the FB page. It will be that person who will work with the landscaper in the Spring to ensure all areas are being cut accordingly.

Jennifer followed up by explaining trees are literally falling after being planted. Dan replied he has also seen a lot of trees falling that need to be re-planted. And it might require a 4-way stake, instead of a two-way stake. Jennifer explained she does not think they workers are digging down far enough.

Sebastian Ricci asked if there is an update regarding the walkthrough that was done with the Township. Is there a list of items that need to be addressed of what the Township requires, and specifically the rain garden near his property? Dan replied he alluded to his earlier comments about the cart falling off the tracks. Dan has not seen any list from that walkthrough in the mid-summer timeframe. Dan feels we need to get to the bottom of where this HOA is in relation to dedication. Unfortunately, currently, Dan does not have an answer.

Michael Spatarella knows we have spoken to the project manager onsite about landscapers planting trees on homeowner property with no advanced notification. Are there any updates on getting a better handle on this situation? Dan expressed some frustration of why the landscapers cannot knock on the door the day before and/or put a note on the door. But Tyler was aware and said he was going to take care of it. Dan admits he does not know if Tyler followed through on that communication plan.

Kim asked since the community is not dedicated yet, why isn't Ryan Homes or Metropolitan responsible for replacing the trees that have not survived? Dan responded he was not sure if it is Ryan Home's responsibility if it is within the property lines of the homeowner. But Metropolitan is responsible for tree placement within the common areas. Dan further explained that Metropolitan will not receive their escrow monies back from New Hanover Township until all punch list items have been addressed and that includes tree replacement. New Hanover Township will hold back a certain percentage of escrow monies even after dedication. They do this for an 18-month period to ensure all major systems such as stormwater management systems continue to work as expected for at least 18 months from the dedication date. If the Developer is served notice of a failure in that time period, the Developer must address it or else the Township will use the escrow monies to mitigate whatever the problem is.

Linda Marek wants to know how much longer the truck will be parked on the side of Tallowood. She understood it was going to be there only until the end of January. Dan replied that the timeline was for the truck to be moved in the middle of January, not at the end. Dan will ask Tyler the status of the truck [Update 1/29/2021: Tyler stated it should be moved sometime next week and will provide a day once he knows].

George wants to know if the HOA will be improving the access to the common mailbox areas. Dan replied that he talked to Scott the mailman. And by the way, Scott has a new route effective February 5th so be sure to wish him well when you see him. Scott does not even think we would need postmaster approval to flip the two banks of boxes in question to face the parking lot, but he feels there is still a problem because of a strip of grass on that side of the lot as well. Dan went on to suggest his recommendation, which is a sidewalk width path from the current sidewalk to where the cement starts at the mailboxes. This would only be for two locations on Pixie as the other ones are not impacted. Dan admitted he did not know if that was going to be a 2021 project or not. He needs to talk to the other two Board members, get quotes, etc. and make sure we can fit it into the current budget. budget.

Chelsea stated they just moved into 135 Tallowood last week. Their lamppost is not working. Who should they contact? She wants to know if there will be more streetlights as their area of Tallowood is very dark at night. Dan replied to go to myryanhomes.com and submit a ticket for the pole light being out. Someone from Ryan Homes will follow up and let you know when someone will be coming out to investigate. Dan mentioned it is most likely a line break, but they are quick to find and repair them based on Dan's personal experience with the same issue. Regarding extra streetlights, Dan can share a site plan of where the lights go. In short, there will be a streetlight at each street corner that intersects with another street. Specifically, the parking lots and all intersections. There will not be additional lights installed along Tallowood or Pixie Moss. Dan believes the reason for the street light locations is because every home must have a lamp post light.

Michael Spatarella mentioned there is a light post laying on the ground at the corner of Pixie and Tallowood. Dan confirmed. Dan said he will ask Tyler the question and see if he can get an answer.

Zach and Brandi – When will they be turning on the lights at the Pixie/Tallowood parking lot? Dan replied that is the discretion of the Developer. Nick the Property Manager will inquire with the Developer.

Rich Marek wants to know if we pay for snow plowing or the Developer since the community has not been dedicated yet. Dan replied the Developer is taking care of the roads. The HOA is responsible for the common area sidewalks as well as the multi-use path. Rich asked the location of the multi-use path. Dan explained it starts at the corner of North Charlotte and Lomara then hops across Pixie Moss and splits the community in half. It then hangs a left on Pixie, then a right onto Tallowood and terminates in a parallel fashion along side of Heatherwood. Rich asked if the path along side of Heatherwood Court is supposed to go anywhere? Dan replied from a Developer's standpoint, that is where the path ends. The Township has a master plan that shows that path intersecting with a future path, but Dan understands that project has stalled, assumed to be money related. Rich followed up with a question of should the HOA continue to plow that part of the path since it goes to nowhere. Dan replied that personally he and his wife use that path occasionally on dog walks but more importantly, if someone goes down that path and it has not been plowed, and they fall due to

icy conditions, the HOA is liable. Rich replied he now understands the reason for maintaining that part of the path during the winter months.

Jennifer wanted to know about a streetlight on Tallowood and Moyer (intersection). Dan stated he will look at the site plan to determine if the light should be on that corner. [Update 01/29/2021: Dan confirmed a streetlight will be installed on the corner of Tallowood and Moyer. Timing is anybody's guess.]

Ron Pezak noted there were not speed limit signs throughout the complex; only a few on Tallowood from Moyer. Dan replied not all signs of any kind, speed limit included, are up yet. In fact, there will be a bunch of no parking signs going up at some point. Dan has another site plan that speaks to the locations of the signs. Dan can post that on the FB page (files folder). Dan believes the total number of signs that were approved are 84.

Someone asked if 25 miles per hour a little fast for this development; the homeowner assumed it would be 15. Dan stated either PennDOT or New Hanover Township decides on the speed of a roadway. The HOA cannot reduce the speed limit. Dan admitted many families with young children would be in favor of a lower speed limit; however, that is out of our hands. That said, Dan does encourage homeowners to slow down and keep the community safe. Dan has stopped an Amazon driver once for speeding. We all must do our part.

Meeting Adjournment

No additional questions were asked. Dan declared the meeting adjourned.