

**HANOVER POINTE HOMEOWNER'S ASSOCIATION
SEPTEMBER 8, 2020
REGULAR MEETING**

A regular meeting of the Hanover Pointe Homeowner's Association was held at the lower parking lot nearest to Pixie Moss Road and Tallowood Drive on September 8, 2020 at 5:30pm. Present from the Board were Dan Marion and John Rathfon. Also present were Nick Hano representing the Property Manager.

Dan Marion called the meeting to order at 5:30pm.

An attendance sheet was passed out for homeowners to sign in.

Ryan Hlushak volunteered to record the minutes for this meeting.

INTRODUCTIONS

Dan Marion introduced the Board members present. Not present was Giovanni Raffaelli.

MEETING GUIDELINES

Dan Marion stated only one person will speak at a time and the agenda will be followed. Dan Marion also mentioned topics (especially those during Q/A) will be discussed in general terms. Any issues specific to one homeowner can be discussed with Dan privately.

RESOLUTION

Dan Marion read the first Hanover Pointe Resolution recognizing Maria Hlushak as the community's first President.

HOMEOWNER OCCUPANCY

Dan Marion announced Hanover Pointe is about 69% homeowner occupied (~100 units). When the community reaches 75% occupancy (109 units), within 60 days the three Board members must step down. There will be a meeting to conduct elections for 3 homeowner representatives. The member receiving the highest number of votes will serve for 3 years. The member receiving the second highest number of votes will service for 2 years. The member receiving the third highest number of votes will serve for 1 year.

Dan Marion explained the specific Board member responsibilities are outlined in the Declaration. Dan also mentioned elected Board members will be put to work and asked homeowners to consider their available free time before deciding to run for a seat. Dan also emphasized it is important for Board members to make decisions based on their interpretation of the bylaws which may not be aligned with personal opinions on any given topic. Board members need to fulfill their fiduciary role at all times. Dan stated he will post a message on the private Facebook site when the HOA is 75% homeowner occupied.

Dan Marion stated the Board, once elected, will consist of three positions: President, Secretary, and Treasurer.

Nick Hano stated voting consisted of one vote per household. A homeowner asked if you must be present at the meeting to vote. Nick replied absentee ballots would be available. All votes cast would be anonymous to the community; however, they will be verified to ensure the one-vote-per-household rule is being enforced.

FINANCES

Dan Marion stated as of this date and based on the information he has received since January of this year, there is no indication the current \$85/month assessment fee needs to change in 2021. All revenue and expenses fall in line with expectations. To date, there has been one unexpected expense – the HOA needed to hire a company to eradicate mosquito larva from a rain garden and detention basin on Tallowood at a cost close to \$4K. Otherwise, financially the HOA is in a good position.

Dan Marion mentioned he has one concern and that is: He doesn't know what he doesn't know. Dan explained that the capital reserves line item in the budget is used for repair or replacement of controlled facilities 10, 20 or 30 years in the future. Dan does not have a good handle if the amount we are reserving today will be enough in future dollars when these systems need attention. Dan stated that is why it's critically important the HOA has someone with a solid financial background to help determine if our current reserve collection is enough for future large-scale outlays.

A homeowner questioned the integrity of the rain garden as it relates to standing water. John Rathfon stated the rain garden is working according to current plan. When it is converted, there will be no standing water after 24 hours of a rain event, which would also be according to plan.

A homeowner asked if all rain gardens and detention basins were check for mosquito larva. Nick Hano stated only the two mentioned were checked and treated.

Nick Hano presented the balance sheet. Nick explained the budget is based upon full occupancy (145 units), and until we get to that number, it is difficult to make a determination if the current assessment fee is reflected of all current and future expenses. Dan Marion stated Ryan Homes anticipates the last home to be sold will be in the June, 2021 time frame.

John Rathfon mentioned Metropolitan pays for some lawn cutting and snow plowing. That expense will be transferred to the HOA in time.

A homeowner asked if current contracts will be going out to bid. Dan Marion replied it makes sense for all contracts to go out to bid to make sure the Homeowner's Association is receiving services at a fair price. Dan also stated some contracts will require a Request for Information (RFI) first to totally understand the scope of services a contractor can offer. A Request for Quote (RFQ) would follow.

DEVELOPER'S REPORT

John Rathfon explained dedication of phases 1A and 1B won't be concluded on the timeline they were expecting. John stated there will be a punch list of items to be addressed and Metropolitan will execute those items leading to the dedication path.

A homeowner wanted to know how he can be assured any items in front of his property such as a cracked sidewalk are part of that punch list. John Rathfon replied he will share the punch list with Dan Marion. Dan stated he will post the punch list on the private Facebook page.

The same homeowner asked what other means of communication are there if a homeowner does not have a Facebook account. Dan responded he would be happy to email the documents or hand-deliver.

John Rathfon explained the playground equipment was ordered from an overseas supplier that had to be cancelled due to COVID.

A homeowner asked if there are any playground vendors in the United States. Dan Marion replied he is sure there are US playground vendors, but in his role, he has no power to dictate what vendors Metropolitan uses to fulfill their contractual obligations.

John Rathfon continued that 3 playground apparatus should be installed within the next two months. John said the actual installation process is short – a few days at most.

A homeowner asked when the rain gardens and the detention basins in Phases 1A and 1B will be converted. John Rathfon replied most likely not until next Spring.

Dan Marion stated it is important for heavy equipment to get to the storm drains located on the back of many lots throughout the community. Dan explained it is unfortunate he had to notify two homeowners their fence lines had to be moved off easements on their properties prior to conversion. Both homeowners are complying. Dan's point was to make sure you go through the HOA application process so that your original fence install location is approved by the HOA.

A homeowner mentioned that the township (New Hanover Township) appears to have a more relaxed ordinance regarding what can be installed on an easement. Dan Marion agreed with the homeowner the township ordinance is more relaxed. However, the Township also defers to HOA documents as the final decision as the storm water management system within the HOA is private, not public.

A homeowner asked how long does it take to convert a basin. John Rathfon replied 3-4 days.

Dan Marion mentioned once the roads are dedicated, the township is responsible for snow plowing. The HOA will still be responsible for clearing the parking lots and sidewalks NOT in front of homeowners' houses. Homeowners were reminded the sidewalks in front of their houses are their responsibility to clear snow and ice. Homeowners that have sidewalks on the side of their house (street-facing side) are responsible for those sidewalks as well.

A homeowner wanted to know when her driveway will receive the final surface. John Rathfon stated that question should be asked of Ryan Homes. Dan Marion provided the telephone number of the current on-site Project Manager.

A homeowner wanted to know why dedication was being split (phases 1A/1B and phase 2). John Rathfon replied the phase 1A/1B areas have been complete for quite some time. Dedication means the township can snowplow 1A/1B instead of waiting until the entire community is dedicated. Also, all storm drains, rain gardens, and detention basins in 1A/1B would be converted.

The homeowner followed-up with concerns that construction vehicles would ruin the new pavement in 1A/1B. There was significant discussion regarding the route trucks with dirt loads should take from this time forward. John Rathfon stated most of the dirt-load trucks are Ryan Homes, not Metropolitan. That said, John will contact Ryan Homes to send a message in their portal about truck routes: Do not go to the lower part of Tallowood or lower Pixie. John will also arrange for new “no construction vehicle” signs.

Regarding landscaping, Dan Marion stated he has been in frequent contact with the landscaping company owner over the last 1-1/2 months. Dan feels the job they are doing is improved and was looking for feedback from the community. There were a few homeowners in attendance stating lawn cutting was better over the time period. One homeowner had continued concerns about the “yellow” area behind her house that was not addressed over the last few weeks. Dan replied he will talk to the landscape owner about that area.

John Rathfon mentioned the basins themselves should only be cut 2-3 times per year but as a result of homeowner complaints, they are being cut more often, which is not aligned to the site plan.

A homeowner asked if grass cutting is weekly. Dan Marion replied over the last 1-2 months it has been weekly because of the growing season, rain, etc.

Nick Hano stated mulching is done twice a year, Spring and Fall.

John Rathfon stated streetlights are targeted for all street intersections. The lights themselves will be essentially the same size and shape of the ones already erected in the parking lots.

A homeowner wanted to know the timeline for the streetlights. John Rathfon replied that the utility company (Met-Ed) is on their own schedule (whenever they get around to it).

John Rathfon stated the HOA owns the parking lot lights and their electrical use. Med-Ed is responsible for maintenance and use of the streetlights.

A homeowner asked when speed limit signs will be installed. John Rathfon stated some of the signs previously installed were “taken out” and will need to be re-installed. There is a signage plan that must be adhered to for full dedication.

Another homeowner pointed to the location of the stop sign at the corner of Pixie and Tallowood, stating it appears to be in the wrong location. John Rathfon stated he will look into that.

A homeowner stated the grass at the corner of Lomara and N. Charlotte is so long it is hard to see oncoming traffic when making a left onto No. Charlotte. John Rathfon stated he will look into that.

External Home Improvements (Accessory Structures)

Dan Marion talked about the guideline document that has been on the private Facebook site for a few months. There is a page in the middle of the document that should be followed in order to get to an HOA approval. Dan will forward the softcopy to Hano, LLC for inclusion on their website as well.

By-Laws, Rules and Regulations, Declaration Discussion

Dan Marion explained the importance of following the governing documents of the association. Dan also explained when the Board receives a complaint, it is incumbent on the Board to investigate the complaint and respond accordingly. Dan said that for every 10 complaints, about 6 are valid and 4 are not. The complainant is notified the reason why any particular complaint is without merit.

Dan also explained that many homeowners bought into Hanover Pointe because they trusted their Board to uphold the bylaws as written. The Board has an obligation to those homeowners. Also, many homeowners do not want a total revamp of the bylaws as written. Dan stated when the Association has three homeowners on the Board, we should take a long look at the bylaws. If there are any conflicts in the governing documents, amendments should be considered to remove those conflicts.

Dan stated if a homeowner receives a warning letter (or a fine letter for continued non-compliance), the homeowner is entitled to a hearing upon request. Keep in mind, however, the hearing is to determine if the HOA unfairly made a decision on a complaint. If the complaint is verified and valid, the hearing will not produce the results the homeowner is expecting.

Dan concluded the discussion by stating in New Jersey, most (all?) communities require a certificate of occupancy on re-sales. This means a town official inspects both inside and outside the home to determine if all required permits were pulled. While c/o's on re-sales are not yet a requirement for New Hanover Township, the trend is to lean in this direction. Dan mentioned the HOA is the least of a homeowner's problems if he/she has not pulled township permits for their projects that require them.

A homeowner asked what is the dividing line between when the Board votes on a topic vs when it must be sent to the homeowners for a referendum vote. Nick Hano replied the Board will vote on changes to Rules and Regulations. For all other items under consideration, a referendum is required.

Basketball Tournament

Vin Ho provided some details regarding the basketball tournament that will be executed this coming weekend over the bridge on Pixie Moss. Refreshments will be provided. Times are posted on the Facebook private site. Vin hopes this event is a catalyst for future similar events to bring the community together.

Dan Marion thanked Vin and his next-door neighbor friends for putting this event together as it defines "community". Dan encouraged someone else be the next "Vin" and volunteer to host a similar type event. Lastly, Dan stated the Chief of Police has approved blocking off the road where the tournament will be held as long as we can assure New Hanover Township the basketball apparatus can be moved quickly for an emergency vehicle.

Questions and Answers

A homeowner purchased a re-sale home and was not provided with the HOA governing documents. Nick Hano and Dan Marion will work with the resident to provide those documents.

There was additional discussion regarding the HOA bylaws, rules and regulations, etc. Dan Marion said if any homeowner receives a warning letter and has an issue with it, the homeowner is to contact Dan

directly upon receipt. Non-response is unacceptable. The homeowner owns the issue and will be fined for non-response.

A homeowner mentioned the HOA bylaws are now being shared on a thumb drive provided by Ryan Homes.

A homeowner raised the possibility of hiring a civil engineer to help identify any issues that need to be addressed prior to dedication. Dan Marion replied he would be interested to understand from the community if they would want to spend money for a third party inspection. Dan also mentioned this is not in the budget so choices (special assessment, increase in the monthly assessment fee) need to be made. Dan did not feel comfortable with the Board deciding this issue; it would be best to be decided by way of referendum.

A homeowner asked if there was a fine fee schedule. Dan Marion stated the schedule is in the governing documents. Most fines start at \$100. Continued non-compliance after 30 days results in a \$250 fine. The Board can adjust fines after that point, send the account to collections, and put a lien on the property for non-payment. Dan said he never wants this escalation process to happen, which is the reason he makes himself readily available to discuss violations. If you communicate your concerns to Dan shortly after receiving a warning letter, Dan will make sure Hano, LLC does not escalate the process as long as you keep the communication lines open with Dan.

Next Meeting

The next meeting will be in January, 2021. The meeting will be considered the annual meeting and we will most likely combine the annual meeting with elections. Meeting day, time, and location details to follow.