

Special District

Monday, October 17, 2016

6:05p

Attendance: Dean, Sean, Dick, Fil, John, Teddy, Bob, Bill, Tracy

Motion to accept Minutes of the Sept 2016 meeting Fil, Bob second, all approved.

Treasurer's Report – Bill D 'Agostino

Sept 2016 SD Financials

Cash on hand: \$24,233.55

Ending Balance: \$17,135.06

MM: \$20,031.50

CD: \$26,015.00

Bill requested from John statements from Saratoga National and Adirondack Trust.

Motion to approve Financials Teddy, Bob second, all approved.

Manager's Report: John Safford

- **Sink holes:** John received quote from Cleveland for \$578 to fill sink hole in Parade Grounds. Kane's have two sink holes in front of their property close to the street. Fil will contact Dave Collins on filling all sink holes before contacting Cleveland. Sink hole in Parade Grounds needs to be marked.
- **Paving & Street Cracks-** John obtained quote from Malta Asphalt \$4000 and Fil obtained quote from Don's Sealcoating \$2231.45. Board agreed to hire Don's Sealcoating since it's less expensive and they are available to apply next week before the freeze. Motion to approve Don's Sealcoating Dean, Teddy second, all agreed.
- **Street Lights-** John will request quote on switching street lights to LED. John's aware street light is out at the corner of Birch Run and Saratoga Circle.
- **Certificate of Insurance-** John provided copies of certificate of insurance for A1, Spa Electric, Casella, Sunshowers & Kubricky. John's waiting to hear from Tim Powell and will request copy from Stone.
- **#4 Saratoga Circle -Colbert Lease-** renewing for one year; John confirmed rental language will be included in the lease. Once new lease is signed, John will provide a copy.
- **Cleveland Brothers** will begin fall clean up . They will be coming through in upcoming weeks to trim.

Old Business

- **Kane's Easement Agreement:** Kane's will sign agreement and change from 5 years to 4 years. Kane's do not want to file and Board agreed with this decision. If Kane's decide to sell, Sean agreed to file at that time.
- **Sunshowers:** turned off water/flushed sprinkler lines going to the berm at Kane's for season. Kane's still haven't received a water bill from the city. Kane's have photo of the water meter reading when system was hooked up and turned off. Readings will be shared with the Board. HOA agreed to pay Sunshowers for closing the system.
- **Villanueva:** HOA received letter from Villanueva requesting a tree in backyard "be cut and replaced with trees somehow similar" to the trees bordering Seward Street.

HOA Responsibilities: Responsible for removal and replacement of dead, dying and diseased "street trees that are defined as trees closest to the edge of the street pavements within Birch Run and on the berm along Seward Street".

The White Pine tree that Villanueva is concerned about is on homeowner's lot and not on the edge of the street pavement along Seward Street, therefore, this is the homeowner's responsibility. In addition, the White Pine is healthy, not dead, dying or diseased and should not be removed. Pollen is an issue for all Birch Run homeowners. If Villanueva would like the tree trimmed, they may do so at their expense. Villanueva can complete the Architectural form and submit to Committee if they want to pursue trimming.

Motion to send letter to Villanueva denying her request Teddy, Dean seconds, all approved.

New Business:

- **2017 Budget.** Reviewed and final budget will be presented in November for approval.
- **Insurance:** Board will explore other insurance coverage. John to provide names.
- **Locks:** Fil provided locks for the pump station covers. Keys to locks given to Fil, Dean and John.
- **Drainage Pipe on Berm:** Dean will notify Gordon Development drainage pipe needs an open grill cover. If Gordon doesn't agree with this decision, Dean will contact Keith Mullen for a quote.
Motion to cover the cost of placing cover on drainage pipe Fil, Teddy seconds, all approved.
- **Deer Spraying:** Board asked John to have Gary at National spray shrubs for deer. This should be done every year.
- **Edgewater Contract & website:** will be discussed under HOA agenda.

Motion to adjourn Dick, Teddy second, All in favor.

Next meeting: November 21, 2016 at Dean Higgins

7:28p

Morgan Street Birch Run Homeowners Association Phase II, Inc.

HOA

Monday, October 17, 2016

7:28pm

Attendance: Dean, Sean, Dick, Fil, John, Teddy, Bob, Bill, Tracy

Motion to accept Minutes of the September minutes Bob, Dick second, all approved.

Treasurer's Report – Bill D 'Agostino

Sept 2016 Financials:

Cash on Hand: \$25,950.99

Ending Balance: \$15,054.94

Bill requested John to review financials since it's not balanced.

Motion to defer approval of Financials until Nov Bill, Teddy second, all approved.

Manager's Report:

- **Certificates of insurance/contracts:** (see Special District)
- **Lease - #4 Saratoga Circle** (see Special District)

Old Business:

- **Update on this Year's Painting:**
John reported painting completed. Tim Powell will return to Juron's and Potter's once repairs are completed to repaint.
- **Home Inspections for painting:** quotes came in at \$1600, \$450 and \$60 (Tim Powell). Since Powell is familiar with Birch Run, Motion to contract with Tim Powell for home inspections in the fall prior to painting at \$60/unit, all approved.
- **Letter to all homeowners on painting procedures:** Dick drafted letter on painting procedures. John Safford will provide *updated* Paint Schedule with correct names of paint.
Motion to send letter and painting schedule immediately to homeowners Fil, Bob second, all approved. Edgewater will send Painting bill **January 1st and payment due April 30th**.
- **Casella Contract:** Dick will review contract and report to board. The following email was sent to board members **after** the Board meeting on 10/19:
"I reviewed the contract and think it's a problem for us. The copy I have was signed by John on Sept 27, 2012 and has a three-year term and rolls over for another year unless 60 days' notice of non-renewal is provided. In other words, the contract rolled over on Sept 27, 2015 and again on Sept 27, 2016 and won't expire until Sept 27, 2017 assuming we provide 60 days' notice. Without going into detail now the contract allows Casella to increase prices unilaterally in some cases. It also includes a liquidated damages clause if

we terminate the contract early. Finally, Casella has no responsibility for damage to owner's pavement and for other damage we only have recourse if Casella is grossly negligent. I suggest that we check around now for alternatives to Casella and be ready to give them notice of non-renewal by July 27, 2017. "

- **Hospital project:** Matt Jones sent an email to Dean to see if Board would like to meet and discuss the Hospital Project. The Board agreed to meet; Dean will arrange for a meeting and notify Board. It was agreed all Board members (if possible) should be present.

Following is an email from Jennifer Leidig who organized a Neighborhood Meeting on Tuesday, October 4th to discuss the Hospital Project ...

"Hi everyone, I hope you all had a great summer. Please see the invitation below for our neighborhood strategy meeting. As we all know, we have bought ourselves some time with the hospital but make NO MISTAKE about it, they want that property and they are NOT giving up. It is my understanding the Matt Jones, the Hospital's attorney, has recently reached out to the Birch Run neighborhood once again to hopefully reignite the stalled negotiations with building on the property. Many of you have expressed the need to take this opportunity and brainstorm about what we can do to proactively counter the hospital's intentions. I have invited our attorney to this meeting to help us discuss our legal options, a big thank you to Joanne Avello for sponsoring his attendance! Please come prepared with questions.

*I also wanted to reach out to you all and let you know there is an opportunity for us to speak to the SS Open Space Committee **this Wednesday night (Sept 28th)***

The City Open Space Committee is meeting Wednesday at 6:30 at the Arts Council meeting room to invite the public comment on updating the City's Open Space Plan. They will be taking comments and testimony on what should be included in the update from the original 2002 Plan. This is the time for our neighborhood to speak about getting the Morgan St. property into the City's Open Space Plan for use as a City pocket park and protected open space including it's value as a historic site. This information should be included into the record and the Committee should be encouraged to make this parcel a priority for City purchase as they contemplate another open space bond referendum.

Another interesting note is that we have two of our own recently elected onto the Saratoga Springs Democratic Committee! Both Penny Lockwood and Alice Smith are official members now, which means they will be able to hopefully influence that committee to be yet another voice of advocacy for our neighborhood."

- **Welcoming New Homeowners:** Teddy will welcome new homeowners #12 (William Boehmke & Audrey Belt) and #18 (Joseph Carbonaro & Susan Mille)

New Business:

- **2017 Budget** – Will be reviewed and approved at November meeting.

Executive Session: John excused himself from the meeting.

- **Edgewater Contract:** Board discussed Edgewater contract that's up end of October 2016. New contract is for five (5) years. Dean and Dick met with Edgewater to discuss concerns. Motion to extend contract for five (5) years Dick, Bob second, all in favor. This will not renew automatically.
- **Edgewater Website:** \$500 fee to install and monthly charge of \$25. Teddy, Tracy and Dean will look into examples.

Meeting schedule: November 21st at Deans House.

Motion to adjourn Tracy, Teddy second, all approved.

Meeting adjourned 8:20p

Respectfully submitted by Tracy Riley