

9th Annual Oaks Homeowners Annual Meeting
Monday, April 6, 2009 at 6:30 pm
Palmyra Municipal Building, 325 S. Railroad Street

The President opened the meeting at 6:35 pm. He announced that we had a meeting quorum and had received 114 Election Ballots. 3 volunteers were then assigned to open the sealed ballots, check off names of those who took the time and voted and count the ballots.

The President then introduced the Board Members: **The President** Don Hassenbein, dhassenbein@comcast.net – elected first President of the Oaks in 2000-2002, replacing Dennis Hess, Air Force veteran, retired from the International Telecom field, total 3 years Board service. **The Vice President** Ron Burke – served as VP from 2001-2005 and from 2008-2009; retired after 29 years with JC Penney and 13 yrs with Milton Hershey School. Total 5 yrs Board service. **The Treasurer** Pat Raskauskas, taverntreasure@aol.com – elected first VP of the Oaks from 2000-2001, elected Secty 2001-2004 and Treasurer 2008-2009. Pat works for the PA Turnpike Commission and has 4 years Oaks board service. **The Secretary** Marcia Perrotti – served as Treasurer Dec 04-Apr 05 and then elected Secretary in 2005 and has served to present. Marcia is a Manager for the Hershey Company and her duties include frequent travel to Mexico. Total of 5 ½ yrs service. **The Architectural Control Committee Chairman** Ray Urban, rayurban@verizon.net – has served as Chair since 2006. Retired with 40 years service with Pratt & Whitney. He purchased the 3rd home sold by Dennis. 3 years total service.

The President then presented the State of the Association:

Organizationally:

1. The incumbent Pres., VP and Treasurer all resigned after the 2008 Annual Meeting. Don Hassenbein was elected as President. Ron Burke and Pat Raskauskas agreed to be appointed VP and Treasurer respectively to fill those vacancies. The Board thanks them for volunteering!
2. Over the past year the Board has created:
 - A. A 14 page document (on our website www.palmyraoaks.com) outlining the responsibilities of each Board Member plus a timeline for activities.
 - B. An “Officer Book” for each Officer position, which are kept updated and turned over to their replacements, thus facilitating the transition.
 - C. The “Welcome to the Oaks” program was reinstated where a Board member visits new members within 4 weeks of moving in to answer any questions they may have.
3. The President embarked on a campaign to collect homeowners e-mail addresses and was successful with 122, out of total 151, being gathered. This will reduce our administrative cost and speed up communication both to and from the homeowners.

Legally & Financially:

1. The Board determined that we had not filed taxes since 2002. Taxes were filed for all past years (Taxes including penalties and interest were due for 2006 and 2007).
2. The Board determined that Annual Audit by CPA, required by By-Laws, pg 14, Sect 10.08 had not been completed and this was accomplished for years 2007 and 2008.
3. Incurred additional expense due to audit, filing taxes, IRS penalties, sign repair and purchasing of street light spare parts. The Board determined that if we replace parts immediately when the light begins to flicker we don’t lose additional parts as we have in the past.
4. Money Market & CDs were reviewed and reallocated in order to secure a higher interest rate. The Board was able to add \$1000 to the Money Market account, as is planned to do each year.
5. Finished 2008 with positive dollar assets, plus almost \$2000 in spare street light assets.

The President then presented recent Board appointments:

1. Ray Urban was reappointed as Board of Director and Architectural Control Chairman for 1 year. The Board hopes that the By-Laws changes are approved by the majority of homeowners who voted that this position can be added to the By-Laws document.
2. The Board wishes to thank Betsy Bauer, Ted Shipway and Ed Zarek for volunteering to be appointed members of the Architectural Control Committee for another year. The Nominating Committee (Chaired by the Secretary) wishes to thank Robin Stanley and Marge Bush for having served this past year. However,

Robin and Marge will not be serving another year and we are currently looking for Nominating Committee members. Please contact the new Secretary (post election Betsy Mease, betsymease@verizon.net) to help. The Board is also looking for volunteers for the Maintenance Committee (chaired by Vice President) please contact the VP (post election Jim Graeff, jjgraef92@verizon.net who is currently looking for volunteers.

The President asked for questions. There were none at that time.

The meeting was turned over to the Vice President who reported on his responsibilities. He noted the cost for lighting repairs was only \$45 per hour and reported our electrician is very responsive. There are forty-one homeowners bordering the common ground. He asked that they let the Vice President (post election Jim Graeff jjgraef92@verizon.net) know if grass is getting long on common ground. We are spending about \$4,000 annually for maintenance of the common ground. If we cut lower it will look bad. Previously we put a lot of weed and feed on common ground, we are now putting more weed and much less feed. The objective is to maintain the common ground at the lowest cost without causing soil erosion or having an excessive amount of weeds. The front sign was repaired for \$550 and we added the website address to sign. Any problems with Street Lights or Common Ground, please contact the Vice President.

Questions to the VP: How often do you plan on mowing? Once every other week.

Comment from the audience: That's a problem. The grass gets long and then grass goes on to our lawn.

The President noted our goal is to maintain the common ground cost effectively and that we have had people complaining about trees and ground hogs burrowing under fences. The VP reported last year we were mowing every week in the summer until the weather got dry. Need to do it every week in the spring.

Comment: I've noticed that the mowing service always bags the grass when mowing.

Question: Is it the responsibility of this board to be taking care of ground hogs or rabbits that are eating plants and shrubbery that are on my property? President: The problem we had discussed was ground hogs burrowing under the fence owned by The Oaks HOA on common ground. Rabbits on your property (homeowner was located next to London Croft and not common ground) are your responsibility.

Homeowner: Maybe you don't need the fence there. Isn't that the homeowner's responsibility if the fence falls down? President: Yes, if fence is on their property. In this case fence affected is on common property and was installed by Board for safety reasons.

Question: Can a volunteer committee replace the Board or can the Board consist of just a President and a VP? President's responded, as mentioned earlier, we are looking for volunteers for both the Maintenance (street lights and common ground) and Nominating (elections) committee and The Board recommends you volunteer for those vacancies or run for office next year.

A discussion followed about selling and/or giving away the common ground in addition to possibly even discontinuing the usage of the street lights. The President responded that this question has been looked at in previous years but both are not possible. The Oaks HOA is fortunate that the Township is maintaining the section of the common ground off Apple Blossom Lane where water runs to the pumping station, but the rest of the common ground needs to be maintained based on our By-Laws. The 32 street lights are generally seen, and supported by many articles on home security, as contributing to neighborhood safety.

Vice President ended with reporting Tru Green was giving the HOA a good deal on the weed and feed which they are passing along to homeowners as well. Tru Green provided two free treatments as a door prize for the meeting. Vice President then drew winning tickets - Francis Offei & Don Kreider won.

The meeting was then turned over to the Treasurer for the Treasurer's report. The Treasurer pointed out that 2 handouts were on the table; 1 financial the other the yard sale announcement. The Treasurer then reported total assets at the end of 2008 were \$32,174.30. Projected revenue for 2009 is \$24,865. Projected expenditures are \$23,500 which does not include our planned \$1,000 contribution to the reserve fund. The Treasurer noted that for full copy of all financial information homeowners can go to our website www.palmyraoaks.com where everything is posted. In 2008 we discovered we had not paid income taxes for several years. The Treasurer reported that as a result the HOA incurred costs of \$430 for 2006 and 2007 for taxes, penalties and fees. This year we were charged \$1,500 for audit and income tax return. For

2009 assessments we had 119 people pay at discounted amount. We have one homeowner outstanding right now. So far The Board has spent \$5,510.31 this year. Have in reserve slightly over 30,000, keeping in line with Board's policy of holding \$25,000 in reserve. The Treasurer dispensed reimbursement checks for the maintenance assessment to all officers who have served a full year, in compliance with the 1st Amendment to the By-Laws, dated May 25, 2005. Our annual yard sale will be held on Saturday, May 16 starting at 7 am and we will be sending notice of yard sale to all homeowners not attending the meeting.

Questions from the audience: Why did we raise the dues? The Treasurer responded because we had income tax issues to deal with; the required audit; and the Board wanted to continue to add money to reserve in addition to cost of lighting was going up and cost of mowing common ground was also increased.

Question: Does the Board raise fees arbitrarily? The Treasurer reported per the Declaration, page 5, Section 3.08, if the total assessment for a year exceeds 25% of the previous year, an increase must be voted on and ratified by 67% of the homeowners. Since State Laws supersedes the Declaration, this would require 101 yes votes. Question: Isn't it possible for the Board to increase the assessment every year therefore increasing by more than 20% over time? We cannot continue to pay and pay, especially this large increase of \$15 per year! The Treasurer responded the Board had not increased the assessment in four years. Prior to that there were no increases for 3 years. The maintenance assessment amount is reviewed each year and was increased this year because of a projected short fall due to the issues already mentioned.

Additional questions came from the floor. What does it cost to maintain lights and common ground? The Treasurer suggest the homeowner review the financial handout, and they will see the Board spent a total of \$6915 for common ground maintenance, \$4750 to Met Ed for electricity and maintenance contract (lights and photocells) and \$2767 for Street Light maintenance (includes \$2000 of spare parts). This means, excluding the 1 time purchase of globes, that street lights and common ground are about \$12,000.00 per year or 56% of our budget. Why do we reimburse Board Members? In order to stimulate volunteers for Board positions and avoid going to a Managing Agent (increased cost) the Board received approval in 2005 to amend the By-Laws to allow waiver or reimbursement of Assessments for Board Members who have served for 1 year. Members were encouraged to run for office if they felt the Board was mismanaging the Association.

The meeting was turned over to the ACC Committee Chair. The ACC Chair noted that all exterior changes on homeowner property must be approved by ACC. The ACC is looking into the cost of changing the website to allow the request form to be filled out and submitted online. The ACC Chair reported that 44 people have never submitted any requests for changes. The ACC Committee does not get involved in landscaping around the perimeter of your house unless there is a structure involved.

Question from the audience: What about trees? The ACC Chair suggested submitting requests on trees in order for the Committee to review if they would be in character with the neighborhood. Over the past year there have been 14 requests of which there were 9 approvals, 2 approvals not required, 1 conditional, 1 post-approval and 1 denied.

The final report came from the Secretary who indicated the website is current. The Secretary also acknowledged Karl Schill for having served as the Web Master in prior years. The Secretary thanked the volunteers for counting the voting ballots and reported the results of the election:

Official Results of the Election (Voting Ballots were audited after the Meeting – 114 ballots were received, 2 ballots were not complete nor signed, 1 ballot was invalid since the homeowner is in violation of the Declaration = total valid votes 111)

The results of the election for Board of Directors and Officers was: (candidate receiving majority of votes submitted wins)

Vice President: Jim Graeff 70 votes, Marcus Plato 37, total votes received 107.

JIM GRAEFF ELECTED.

Secretary: Betsy Mease 59 votes, Eric Hoffman 47, total votes received 106.

BETSY MEASE ELECTED

By-Law changes (111 valid votes, need 67% yes votes to pass per Section 5.02 of our By-Laws. The Uniform Planned Community Act only applies to changes to the Declaration, not the By-Laws. Copy of this act is available for review from the internet or the President)

1. Added Architectural Control Chairperson as an Officer position and added Treasurer, Secretary and Architectural Control Chairperson positions to the Board of Directors. 95 yes, 14 no. Yes votes were 85% of total valid votes. PASSED
2. Homeowners will elect specific Officer Position (President, etc) and not just for a Board of Directors member. 98 yes, 11 no. Yes votes were 88% of total valid votes. PASSED
3. Officers can be removed from the Board by the Board of Directors or homeowners who present a petition signed by 76 homeowners. 103 yes, 6 no. Yes votes were 93% of total valid votes. PASSED
4. Secretary position is no longer "ex officio" but a voting member of the Board of Directors. 101 yes, 8 no. Yes votes were 91% of total valid votes, PASSED
5. Checks may be co-signed by the Secretary or Architectural Control Chairperson in the event of the absence of both the President and Vice President. 97 yes, 13 no. Yes votes were 87% of total valid votes. PASSED
6. Add Architectural Control Chairperson's responsibilities to the list of Officer's responsibilities shown in the By-Laws. 95 yes, 14 no. Yes votes were 85% of total votes. PASSED

Declaration of Restrictions & Covenants – recorded in the Court House (per the Uniform Planned Community Act, Chapter 52, Section 5219, Declaration Amendments cannot use 67% of votes received but must use 67% of total homeowners (151) in order to pass a change to a Declaration, or 101 yes votes minimum.)

1. Would have added requirement for recreational vehicle, boat or trailer parked in the driveway. 82 yes, 26 no. Yes votes were 54%. DID NOT PASS, 19 VOTES SHORT.
2. Would have allowed solid partitions for Duplex owners and not permitted above-ground swimming pools. 88 yes, 17 no. Yes votes were 58%. DID NOT PASS, 13 VOTES SHORT.
3. Would have required front yard landscaping to occupy no more than 50 percent of a front lot. 78 yes, 29 no. Yes votes were 52%. DID NOT PASS, 23 VOTES SHORT.
4. Would have required waste containers stored outdoors to be screened from off the lot view and would not be permitted on the street side. 93 yes votes, 14 no. Yes votes were 62%. DID NOT PASS, 8 VOTES SHORT.
5. Would have changed current restrictions on Radio and Television antennas to simply require compliance with Federal Communications Commission rules. 90 yes, 15 no. Yes votes were 61%. DID NOT PASS, 11 VOTES SHORT.

The President invited all members to attend our 10th Annual Meeting which will take place the first Monday of April 2010 at the Municipal Center in Palmyra, starting at 6:30pm. Next year the President, Treasurer and Architectural Control Chairperson positions will be up for election and homeowners are encouraged to consider running for one of these offices.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Marcia Perrotti
Secretary