

**ALLENVIEW HOMEOWNERS**  
**Board of Directors' Meeting**  
 Tuesday, March 22, 2016 at 6:30 PM  
 Messiah Village Board Room

Board Member	Term	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.
Gina DiStefano	2017	X										
Jessica Miller	2017	X										
Debra Wallet	2017	X										
Kim Deiter-James	2018	X										
Linda Echard	2018	X										
Meg Kelly	2018	X										
Jon Forry	2019	X										
Brad Stump	2019	X										
Bryan Simmons	2019	X										

*Also in attendance: J. Davis, Manager; Attorney Duane Stone*

**1. Call to order:** Meeting called to order by B. Stump at 6:38 PM.

**2. Attorney Duane Stone**

Attorney Stone was hired to collect debt from outstanding dues. He has collected over \$50,000 in debt for Allenview HOA. Attorney Stone began with the largest amounts owed and is working down. There are currently ten letters out to HOA debtors. Several have responded immediately, some have entered into payment plans, one has paid in full, two are in litigation at the District Justice level, and three judgements have been filed from the District Justice. Attorney Stone will begin judgement enforcement.

G. Distefano, on behalf of homeowners, submitted a list of questions to the attorney in order to be as transparent as legally possible.

There is one large litigation, which started as a debt collection matter after the homeowner was notified many times of dues owed, and the person counter-sued. Based on the countersuit, Attorney Stone talked to the HOA, the HOA contacted the insurance company who is now doing the defense, and Attorney Stone is continuing to work on the collection portion. Any fees generated from litigation will come back if the HOA wins from the person who loses. The by-laws state that in a debt collection all attorney fees are paid by the lot owner. The goal is to get the debt paid. It is not appropriate for the Board to discuss attorney/client privileged information. It can hurt the case and be cause for defamation. The insurance pays for the attorney for the insurance company. The fees for Attorney Stone are recovered upon winning. The deductible will be part of what is collected. It is past a normal debt collection, so it is unsure what the estimated total cost will be. The Board was elected and it is their job to move forward with debt collection. The Board hired the attorney to recover debt. The homeowner who filed the countersuit is one of many debtors.

Attorney Stone does not consult with other attorneys regarding a debt collection. He checks with the Board and the accountant to see if the homeowner owes or does not. Attorney Stone talked with numerous attorneys and the insurance attorney when the countersuit came up. The funds will come from the homeowner. If the counterclaim is successful, the HOA is insured. The attorney is paid win or lose.

Arbitration is not an option unless it is court ordered. Everyone has the right to appeal and the person will pay for all fees if the HOA wins.

The Board voted to move forward with debt collection, which will deter homeowners from neglecting to pay their dues. The Board treats all homeowners the same; everyone has to pay and if not, the attorney will collect.

The HOA will not settle any debts because it is not fair to the homeowners who do pay their dues. Everyone will be treated the same and fairly.

A line item budget is provided to all homeowners. A detailed line item of the costs from the attorney cannot be seen because names and addresses are in the bill, which would violate attorney/client privilege.

**3. Homeowner concerns** none

**4. Executive session** – M. Kelly motions to go into executive session to discuss legal matters, G. DiStefano seconds, motion passes. The Board is in executive session from 7:02-7:42 PM.

**5. Officer Elections**

- a. President – G. DiStefano nominates B. Stump, L. Echard seconds, motion passes
- b. Vice President – D. Wallet nominates L. Echard, M. Kelly seconds, motion passes
- c. Secretary – G. DiStefano nominates J. Davis, L. Echard seconds, motion passes
- d. Treasurer – G. DiStefano nominates B. Simmons, L. Echard seconds, motion passes

**6. Committee Appointments**

- a. Architectural Control Committee – D. Wallet motions to appoint the following people to the ACC: Linda Echard, Marie Clark, Joan Stokes, Brad stump, Lori Caffarella, Jill McCabe, Bobby Nace, and Debra Wallet. G. DiStefano seconds the motion, motion passes.
- b. Recreation Committee – G. DiStefano nominates K. Deiter-James, M. Kelly seconds, motion passes
- c. Nominating Committee – L. Echard nominates G. DiStefano, K. Deiter-James seconds, motion passes
- d. Budget Committee – B. Stump motions to appoint the following people to the committee: G. DiStefano, B. Simmons, and B. Stump. M. Kelly seconds the motion, motion passes.
- e. Maintenance Committee – L. Echard motions to appoint B. Stump and J. Forry to the committee, K. Deiter-James seconds, motion passes.
- f. Publicity Committee – G. DiStefano nominates J. Miller, K. Deiter-James seconds, motion passes.
- g. Gardening Committee – B. Stump nominates L. Echard, K. Deiter-James seconds, motion passes.

**7. Approval of minutes from the January meeting:** Motion to approve minutes by G. DiStefano, M. Kelly seconds, motion passes.

**8. Pool Report** – G. DiStefano

- a. There are ten lifeguards that will be on staff. Four are new and six are returning lifeguards.
- b. Adult swim hours will be changed to 6-8 PM on Thursdays so a guard does not have to stay an extra hour.
- c. The cost of large pool parties will increase to \$115.

**9. President's Report** none

**10. Treasurer's Report** none

**11. Committee Reports**

- a. Architectural Control - L. Echard
  - i. ACC Requests
    - 1) A request was submitted for a front door and storm door replacement at 844 Allenview. ACC recommends approval, G. DiStefano seconds, motion passes.

- 2) A request was submitted for the replacement of wood panels and screen on the rear porch of 540 Allenview. The ACC recommends approval upon the homeowner obtaining neighbor signatures on the request form, M. Kelly seconds, motion passes.
  - 3) A request was submitted for the immediate replacement of the back porch roof at 906 Allenview due to leaking. G. DiStefano motions to accept the request of the replacement with a like kind roof, B. Stump seconds, motion passes.
- ii. Other items
    - 1) There is a Christmas tree laying behind the 774-786 building. It will be looked into to see about getting it removed.
    - 2) The stumps remain at 901-903 Allenview. Another letter will be sent giving the homeowner ten days to notify ACC what replacement shrubs will be put in.
    - 3) There is a cable running above the ground from the junction box to the screened-in porch. J. Davis will contact the homeowner.
    - 4) There is a tree limb down in the grass area behind 550-560, along the wood line, that needs to be removed and the tree checked for stability. B. Stump will let Shopes know.
    - 5) The fence remains in the front of 924 Allenview with the trash cans behind it. M. Kelly motions a final letter is sent since there has been no compliance with prior letters, L. Echard seconds, motion passes.
    - 6) A letter will be sent to 713 Allenview regarding the trash cans being left out.
- b. Recreation
    - i. The yard sale will be on 5/14 to coincide with Winding Hill's yard sale. The rain date will be 5/21. Ads will be placed in The Guide, Craigslist, PennLive.com, and YardSaleSearch.com.
    - ii. Members for the committee will be recruited via the Facebook page. There may be an event scheduled in June.
  - c. Nominating - none
  - d. Audit - none
  - e. Budget - none
  - f. Maintenance
    - i. The new homeowner at 454 Allenview requested a stoop and sidewalk replacement. This has been put on the maintenance list to be looked at. When Cumberland Masonry is out, they will look at that as well as some other areas of concern to determine what work needs to be done and what will fit within the budget.
    - ii. 744 Allenview expressed some concern about the sidewalk leading to his home, which will be added to the list of items Cumberland Masonry looks at. An ACC request form will be sent to 744 for the railings the homeowner would like to add to the stoop and deck repairs.
    - iii. Calls/emails regarding items damaged during the snow storm (fences, bushes, etc.) are being added to the maintenance list. Dan Shope did clean up some areas.
    - iv. The ACC will discuss concerns with the fence materials (wood vs. plastic) and will make a recommendation at the next meeting.
    - v. E. Davis has on his repair list the street sign that is broken.
    - vi. L. Echard noticed the stumps in the wooded area were not ground. B. Stump will look into that.
    - vii. A new 3-year proposal was received by Shopes for lawn care. D. Wallet motions to approve the contract if Shopes continues to provide snow removal as well and puts that in writing, otherwise the contract should be for one year, G. DiStefano seconds, motion passes.
    - viii. B. Stump will have Shopes remove the tree at 760 Allenview.
    - ix. B. Stump will contact Goods to let them know what the budget for tree work is so they prioritize and stay within the budgeted amount. Enough was done last year that just maintenance work will need to be done.
  - g. Publicity
    - i. A draft of the Allen Views was reviewed.

- h. Gardening
  - i. Since there are concerns with the cost of the trees through Black's Landscaping, homeowners can purchase and plant their own with the agreement to regularly take on the care of the tree.

**12. Manager's Report – J. Davis**

- a. Resale certificates prepared for 311 Elgin Circle and 928 Allenview Drive.
- b. A letter went to 509 Allenview Drive requesting the removal of a fire pit.

**13. Other Business**

- a. D. Wallet motions to recognize Betty Dick for her long service on the Board of Directors, G. DiStefano seconds, motion passes.

**Next Meeting:** April 26, 2016 at 6:30 PM in the Messiah Village Board Room

Submitted by: J. Davis