



***Whippoorwill Homeowners Association
Semi-Annual Meeting Minutes ~ October 23, 2010***

Board Members Present:

*Peter Smith – Secretary/Treasurer
John Edmondson – Director
Kurt Hansbury – Director
Christine Stahl – Director*

Board Members Not Present:

*Greg Macri – President
Vaughn Davis – Director
Eric Giacobba – Director*

April 2010 Meeting Minutes

Kurt Hansbury reviewed the minutes from our last meeting and asked for any additions or corrections. There being none, a motion to accept the minutes was carried.

Treasurer's Report

The treasurer reported that although landscape maintenance costs were well above the budget plan, our Budget Performance report for 2010 will only show a small loss (about \$500) at year-end due to the fact that annual dues have been increased to \$200 per home. In addition, this increased revenue allowed us to return funds (about \$4,400) we had borrowed from the capital improvement account last year. Dues will be kept at the current level for the foreseeable future.

The treasurer also reviewed this year's balance sheet which has been revised to clearly show the results of activity within the Recreation Reserve account and the Capital Improvement Account.

The treasurer's report was accepted without comment or change.

Status of (MTA) Toll Plaza

Pete Smith reviewed the latest status of a multi-pronged effort to combat the MTA's proposed plan to relocate the York Gateway toll plaza to a point directly abutting the western edge of our community. He announced that members of our association have donated a total of \$4,100 in support of the "Think Again" organization, which has taken the lead in fighting the MTA.

He reported that there were three alternative proposals submitted to the Army Corps of Engineers immediately following the MTA's submission of their proposal, known as the "Phase One Report."

- 1) The Town of York submitted a report outlining currently successful implementations of "all electronic tolling" which was prepared for them by a consulting firm that specializes in toll road management.
- 2) Think Again submitted a report which provided empirical evidence that statements in the MTA report relative to environmental impact, safety conditions and traffic volumes are false and misleading.

- 3) Pete prepared a proposal on behalf of Whippoorwill for implementing “all electronic” tolling (AET) to replace the current toll plaza, instead of any of the MTA’s four options. It includes a detailed financial analysis which proves that by eliminating the costly initial construction investment and substantial ongoing operating expense of a large toll plaza and by assuring a positive revenue stream through prudent management practices, the MTA would realize a strong profit while also protecting the environment. It conservatively projects a long-term (10 year) cumulative net revenue gain of 130.6 million dollars.

This approach would also provide the least environmentally damaging alternative. No new land areas would be impacted, and about half of the land at the existing plaza would be returned to its natural state. Due to the increased and constant speed of vehicles passing through an AET toll plaza without the need to stop, fuel economy is increased, while air pollution, water pollution, and noise pollution are decreased.

Property Maintenance & Improvements

In addition to normal mowing, weeding and mulching, several special projects were undertaken to improve our landscaping during 2010. In the median at the entrance, overgrown Mugo Pine bushes and one dead maple tree were removed and replaced with a variety of perennial plants. Another of the existing maple trees has been damaged by a vehicle and is dying. Next spring, it will be removed and three new sycamore trees will be planted, evenly spaced along the median.

In the north side entrance garden, several overgrown and poorly located bushes were removed and replaced with miniature Japanese flowering trees and perennial plants.

All of the Sumac trees, which were growing out of control, as well as all of the small saplings and large weeds along the sides of Meadowlark were removed and these areas were mowed down by a tractor-mounted mower. In the future, these areas will continue to be cut down as needed.

Proposed Clearing of Drainage Areas

Kurt Hansbury described a pending plan to clear vegetation blockages that have evolved in our primary storm drainage system. The portion of this system needing attention runs down through the common area parallel to Chickadee Drive from top to bottom. Various small trees, weeds and other debris cause unacceptable pooling of water at several points during large rain storms and snow melt runoff. This drainage stream is part of the original sub-development plan and these blockages must be corrected. We will be requesting contractor bids and hope to complete this work during the winter months.

Status of Improvements in the Common Area

The cement floor for our new gazebo (shelter) has been completed, the surrounding area has been graded, roof trusses have been delivered, and the builder plans to complete the structure within two weeks (November 5th). Also, the area designated for our new basketball court has been excavated and filled with many truckloads of stone dust which will provide a solid, level base for the asphalt surface which should be in place by the end of next week (October 29th). The post bases are already in place and the backboards and hoops will be installed as soon as the paving is completed. To finish the job, we hope to have the court professionally “lined.”

Status of Heron Drive Issues

Christine Stahl reviewed recent progress towards resolving outstanding issues related to delayed construction on the remaining house lots. All illegal construction debris and most of the dirt piles have been removed. The remaining rock pile will be removed as soon as Baldwin Associates can locate a buyer. Grass is now growing and several small trees have been planted in the area along the roadside. The primary remaining concern is that several construction vehicles are still parked in this area even though there is no active construction going.

Another issue is that Heron Drive has not yet been accepted as a town road. In order for that to happen, a pesky drainage issue must be resolved and the final layer of paving must be installed. Christine is attempting to get the town's assistance to resolve both of these issues.

Survey of Homeowner's Construction Issues

Jim O'Neil reviewed the results of a survey that he administered during the summer. As of this meeting date, there were 17 replies – two of which reported “no problems.” The remaining 15 replies represent about 16 percent of the membership. There is strong feeling that a lot more homeowners have experienced some type of construction fault, but are reluctant to report it.

The replies describe 53 different events with the most common being porch/deck problems (14), and in particular, the absence of any flashing (9) where the deck is attached to the house. As a result, many experienced rotting sills which had to be replaced. The second most common issue was basement leaks or flooding (8). The third was roof problems (6), specifically the absence of any tarpaper or ice/water shield.

Meeting attendees were advised to get together with others who have experienced similar problems if they wish to pursue any recourse from the developer. The association, as such, is not in a position to represent individual homeowners in such an effort.

As an offshoot of this discussion, Kurt Hansbury encouraged everyone to consider joining into “cooperative buying” agreements for purchasing such things as oil, propane and mulch, or for contracted services such as plowing, lawn care and driveway paving. He offered to coordinate the research and negotiation of such agreements as long as the interested parties are prepared to make a firm commitment to adhere to the resulting deals.

Board of Directors Membership

It was announced that Greg Macri would be resigning from the board at the end of the year. The board of directors will be electing a new president at their next board meeting. If you have any interest in representing your street as a member of the board, please contact one of the current members.....we would love to have your support.

Respectfully submitted,

Peter Smith

Secretary/Treasurer

Whippoorwill Homeowners Association