

SHERMAN PINES HOMEOWNERS' ASSOCIATION, INC.
Edgewater Management Group, LLC

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MINUTES OF BOARD MEETING HELD
May 19, 2021

Time: Meeting started after the annual meeting at 7:02 - 8:21 PM

Present: Scott Wiggins, Kelly Wolfe (EMG), Brendan Graney, Mike Olson, Ryan Dickey, Mike Young

Absent:

Agenda:

- **Approval of prior board meeting minutes**
- **Financials Update**
- **Old Business**
- **New Business**

Approval of Prior Board Meeting Minutes

We approved the meeting minutes from the August 27 2020 and January 26 2021

Financials Update

Key Bank as of 5/19/21

- Checking Account - \$46,242.87
- Money Market - \$16,504.31
- Key Bank CD - \$32,212.87
 - Interest rate .05%
 - Matures 7/5/2023
- HRCU CD - \$186,833.91
 - Interest rate 1.24%
 - Matures 2/8/2022

Old Business

- Rules and Regulations - The below are some areas that need further alignment.
 - Insurance to be carried by owners - this will need to be checked since it may or may not be needed. A check with the lawyer or someone in insurance to confirm.
 - Parking - this still needs some work. Some sections talk about garage, Minibikes, etc. Limit on recreational vehicles on the property to 5 days or something similar? if not parked in the garage of the homeowner
 - Fencing - need clarification on what stockade fencing is since we do not want chain link fencing. Here is a definition that was found on the Internet. A stockade fence is a

- simple fence constructed with wood boards that has pointed edges placed tightly against one another, giving you a solid panel.
 - Driveway section of the by-laws needs to be reworked.
 - **We decided to put this on hold until we are ready to get the signatures needed. We will try a new lawyer that Edgewater has been using to review the language and see if our proposed changes are allowed.**
 - **5/19 - We will consider after other changes that are need to the rules and regulations**
- Septic system declaration clarification - we are asking a lawyer for clarification on the language in the declaration on whose responsibility is it for the tank.
 - 5/19 - The lawyer wrote back the following:
 - Neither the covenants and restrictions nor offering plan definitively prohibit, authorize or require the HOA to fund individual homeowners' septic tanks. They are silent on this. I do not believe it was contemplated by the organizers of the development that they HOA would pay for these costs. I note that the initials plan did not provide for the establishment of a reserve for this portion of the system. The board can decide what to do and clarify it in a resolution.
 - We decided that we would have a resolution drafted and approved by the board that the tank to the leach field is HOA and the house to the tank is homeowner responsibility. That resolution will be approved within the next two weeks after this board meeting.
- Lighting of the signs will be explored.
- 5/19 - We are waiting on another electrician quote and we will select one to add power to both entrances. This will allow us to also get a water tap from the Town of Queensbury and install a sprinkler system and timer.
- Entrances appearance seems to be an issue for some homeowners. Part of the problem is the fence area that we do not own and the landlord asked us not to mow it. We cannot mow due to liability issues this would create for the HOA and our lawn care maintenance company. We will look in the spring of 2021 to enhance both entrances with Town of Queensbury water charged to the HOA and removing/replacing some of the older shrubs, etc.
- 5/19 - see above for the water and electricity. No change on the homeowner expect that the property is now for sale.

New Business

- 5 Fawn Lane - Leach Field was approved and is being installed
- 61 Peachtree Lane - Leach Field was approved and is installed
- 39 Autumn Lane - Trees, Garage Door, and Paint Shutters were approved
- 39 Autumn Lane - old building materials in common land (Still open - we are checking options to get this area cleaned up)
- Fence repair common area fence behind 52 Peachtree Lane (Still open - we are checking on options to repair or replace as needed)
- HOA Letter was approved and mailed to all homeowners
- 25 Peachtree Lane - Trees remove request was approved
- 28 Autumn Lane - Fence request was approved
- 20 Autumn Lane - Garage Door change from single to double door was approved
- 46 Fawn Lane -
 - Request to map out the leach fields so the kids can play on common land - board denied the request to map the leach fields, the liability to the HOA is too great to encourage activities on the common land.
 - Riding mower was being used to clean up the leach field. Is this acceptable? Checked with Stone and they said that was fine
 - General use of common land including a path that leads to other areas on Fawn Lane. Is it OK for kids to use this wooded space?

- In our Rules & Regulations:
- DECLARATION: SECTION 4.08. Rights and Easements to Owners. Every Owner shall have a pedestrian easement for ingress and egress over and to all Association Property. The Association Property shall not be altered in any way and nothing shall be constructed on or removed (other than debris) from the Property without prior submission of plans to, and written consent of, the Board of Directors.
- DECLARATION: SECTION 4.02. Right and Easement of Enjoyment in and to Association Property. Every Owner and such Owner's guests, licensees, lessees and invitees shall have a right and easement of enjoyment in and to all Association Property. The Association Property shall not be altered in any way and nothing shall be constructed or removed (other than debris) from the Property without prior submission of plans to the Architectural Committee and consent of the Board of Directors in accordance with Article VII of this Declaration (Architectural Control).
- Dead tree that is not clear if it is common land or association property - The property line was measured by hand, checked on the Queensbury website and determined that the tree is on homeowner property. The tree is diseased and approval was granted for it to be taken down.
- Tree roots approach the septic tank - Stone will check the roots but the tanks are deep into the ground so surface roots should not impact the tank.
 - While contractors and arborists generally believe that no tree is safe to plant too closely to a septic system, certain species are definitely unsuitable. Elms (Ulmus sp.), gum trees (Eucalyptus sp.), cypress trees (Cupressus), maples, particularly silver maple (Acer saccharinum), birches (Betula sp.), walnut trees (Juglans), poplars (Populus sp.) and willows (Salix sp.) pose the greatest threat to septic tanks and sewage systems
- 5 Fawn Lane - fence replacement with vinyl was approved
- 39 Autumn Cover replacement on septic tank - HOA expense to have this replaced and was approved. Needs to be scheduled with Stone
- Mulch at entrances was put on hold if we get water and electricity then we will be redoing the areas and power washing the signs.
- Don Burnham was removed from the HRCU CD since he was no longer a board member. We need to get another person on this CD so we have two signatures on file.
- SNS was hired for mowing in 2021
- Dog park request was rejected. The request did not come from a homeowner and the person would never give the address or name of the homeowner
- A more detailed leach field projection Excel file has been developed and we adjust the cost estimate to reflect 2021 costs since we were using costs from 2012
- Annual HOA Garage Sale will be June 19th and we will put an ad in The Post Star and also post on Craigslist

Next Meeting Date & Time

Next meeting will be sometime in the fall or sooner if needed.

Thank you.

Sherman Pines Board of Directors