

Drum Point Village West Minutes of the Board Meeting
August 10, 2005

Board Members Present: Bob Martin, Gene-Ann Pesano, Paula Groppe, Corinne Redman

Homeowner's Present: Fred & Maria Weintraub, Gladys Pfeiffer, Lynn Monteiro, Harriet Martin, Isabel Byrne

- **First Order of Business: Call To Order**

- **Second Order of Business - Township Re-Inspections**

Gene-Ann had a list of things that the Board wanted the Township to re-inspect. She is also going to contact Scott MacFadden with the unit numbers: 12, 21, 24, 25, 37, 39, 43, 45, 50, 51, 54, 57, 61 & 65 White Swan Way. Gene-Ann received a letter from Scott MacFadden from the Township that stated as a follow up to our meeting on July 6th, I offer the following to confirm our conversation. At the meeting you provided me with a list of outstanding items to be addressed by the Township. The following is a list of what we agreed to with regard to positions.

1. **Window wells:** The Townships Department of Public Works personel will install window french drains connected to the recently installed storm drains.
2. **Driveway drains:** The Township will install concrete swales between the driveways of each unit.
3. **Re-Inspections:** The Township will re-inspect 2 units in each building. The Association will select the two units (#18 & 57 White Swan Way in particular will be re-inspected) due to the mold problem.
4. **Open Dirt spots:** concrete is not required in crawl spaces therefore small open dirt areas are not in any violation of any codes.
5. **Patios:** The 3 patios pitched towards the foundation will be repaired when the driveway swales are installed (# 37, 43 & 46 White Swan Way)
6. **Uninspected Units:** This will confirm that 2 units are not inspected as a result of the failure of unit owners to give us permission to do so.
7. **Parking:** The township will temporarily suspend no parking regulations from one side of Black Fox Trail during the construction of the swales in between the driveways. You won't be able to use your driveways.
8. **Storm Drains:** The Township will install a storm drain on White Swan Way near the parking area of the drainage in the existing basin.
9. **Curbs & Sidewalks:** The Township stated that the curbs and sidewalks are the responsibility of the Association not the Township. If they had been damaged by the Townships snow plows then the Township would have fixed them.

The completion date the Township has targeted for is September 30th for the work described above.

As a follow-up Gene-Ann did talk to him this week as we had some more open questions such as: The point of contact for the whole thing will be Jim Priola. They will restore the lawns or pay for the restoration of lawns. They will give us time before they do the crawl space inspections and driveways so we can have time to contact the homeowners and advise them of what is going on.

- **Third Order of Business -Crawlspaces & Curbs**

Fred Weintraub said that some people in the development had wet, moldy insulation torn

down in their crawlspaces at their own expense so they could continue to live there and continue to live in this community should be reimbursed. If they have some documentation of the expenditure they had (Fred Weintraub=s neighbor had a guy come in with suits and hoods and everything to rip down the insulation). Fred Weintraub stated that between the units, there are holes that go through the seperating foundation walls in the crawl space and wants to know if they are supposed to be there. He thinks more than an inspection of a couple of them has to be done because it is probably a predominant raviden knot. Some inspectors have mentioned it and some have not. Bob Martin said it is really our space and it wouldn=t make any difference. It belongs to the Association and what little air passes between them means absolutely nothing. Fred Weintrab said that he disagrees with that because when they were built it should have been built and sealed the way it is supposed to be. The fact that it isn=t and there maybe a problem that happens in the Community now that is something that we inherited by their lack of doing their jobs. Bob Martin asked Gene-Ann if she could consult the engineer for clarification. The units that originally had mold were # 17, 24, 29 & 31 White Swan Way.

- **Fourth Order of Business: - Homeowner=s Requests**

Greg Arcure of 25 WSW - wants to put a fence between 23 & 25 WSW. Bob Martin talked to 23WSW and they were in agreement with it. The fence is approved with the specific requirements and Paula Groppe will send out a standard letter to him.

Paula Groppe of 43 WSW - would like to enlarge her patio to 12x18 when it is under new construction. Bob Martin made a motion to accept the request to approve the enlargement of the patio as long as it is within the guidelines of what 56 WSW was enlarged to. Gene-Ann seconded the proposal. All agreed.

Fred Weintraub of 37 WSW - would also like to enlarge his patio. He wants to widen the patio going toward the fence not going outward.

- **Fifth Order of Business - Old Business**

Gene-Ann has a report from Termite and Pest Control that 2 more Mignatti buildings now have a sentricon system. One of the homes was treated for termites which is covered at the annual meetings. Another home was treated for mice in the crawl space. A Miller home had a bird=s nest removed from the attic. A Mignatti house had birds in the attic. A large hornets nest was also removed form one of the back patios on the Mignatti side.

Just recently Ozane was in to do the annual inspection on the Miller units. Some homeowner=s let them in and others didn't.

Bob Martin went to Isabel Byrne=s unit on 11 Black Fox Trail because she said their was a bird=s nest but there was nothing there. Bob Martin also cleaned out her neighbors gutter due to 3 balls that were backing it up.

Bob Martin said that there was also a request from Isabel Byrne of 11 BFT to inspect the inside of her house for mold. A letter was sent back to her saying that we do not essentially inspect the inside of people=s houses. If she wants an inspection on the inside of her house it is up to her to take care of it. A newsletter also went out that quoted and cited information from a Condo Association newsletter at law that the Homeowner=s Association if they do something in a timely matter to rectify any situation that we are aware of we are not liable. We did that in this case. Paula Groppe read a copy of the letter that was sent out to this homeowner on August 4th:

August 4, 2005

Dear Isabel:

It is regrettable that you have a leak in your unit. This Board of Directors wants to be reasonable with you as well as all of your neighbors in Drum Point Village. Surely, you are aware that if the Board makes one exception and violates a restriction for one homeowner, the results would be chaos.

If you feel that your place needs to be inspected then you should do so at your time and expense. Once we were notified, we did not let the leak go without looking into the cause. We determined the cause, and once the cause was determined, we quickly rectified it. The outside of the condominium we take care of and the inside of the unit the owner takes care of. Any damage to your property is your responsibility. We did not cause the leak due to our negligence.

This issue of water leaks (from pipes and roofs) was clearly discussed in the Nov. 2004 newsletter (http://home.comcast.net/~dpvw/pdfs/2004_11_signals.pdf). The information in that article is from an attorney who provides the same advice to NJ-CAI. NJ-CAI represents both associations and homeowners. The advice in that article is very straightforward, and fittingly, it is the same advice we have provided to all homeowners.

The basic rule of insurance....you cannot insure what you do not own or lease. We insure what we own for property damage. We do not insure the property of the homeowner's property damage.

Surely, your homeowner's insurance should cover any damage that you may have. You will find enclosed a copy of the aforementioned Newsletter^ for your convenience.

We, the Board of Directors, are your neighbors and we want the very best for you and trust that your damage is minor. We hope that you understand and appreciate our position as it is the only correct and fair position available.

Very truly yours,

Robert P. Martin President

Sixth Order of Business - New Business

Fred Weintraub requested some information from the Board about the siding. The Board came up with a couple of things.

Isabel Byrne wanted a little information about the lawn because the lawn is so horribly done now. Bob Martin stated that he contacted Brickman and gave him specific areas that needed to be remediated. He is going to send his people around to check if all the sprinkler heads are turning and watering those areas. They were coming to do this today.

Isabel Byrne also brought up the gutters that were getting backed up. Bob Martin said Corinne Redman said that the gutters are cleaned out twice a year by George Morano of GM Landscaping. Gene-Ann said that George Morano is a landscaper and she would not want him to take a part the gutters.

Isabel Byrne said that she could not find in the Bi-Laws where the inside inspections were the responsibility of the homeowner. Gene-Ann read a part of the Bi-Law to her. She said that what her and her attorney do not understand is you touch base on it if there is an outside problem that is causing the inside damage, why that is not. Bob Martin told her to tell her attorney to check into Condominium Law. Condominium Law says that we cannot be responsible for things that do not belong to us. We are not responsible if we address the problem in a reasonable manner and fashion. If we ignore the problem, then we are liable but we did not ignore the problem. Just after this happened Gene-Ann a professional property manager who manages 17 Condo Associations. She stated that if we don=t own it, we don=t fix it!

Board Members voted to approve some minutes of previous meetings which were transcribed and submitted to Board Members via e-mail for review. However, inadvertently omitted from meeting agenda therefore not approved at subsequent Board Meetings.

- **Seventh Order of Business - Closing of the Meeting**