

MINUTES OF ASHLEY FARMS BOARD MEETING

Date of Meeting: August 22, 2012 @ 8:00 PM
Place of Meeting: Green Street Tavern

Board of Directors Present: Karen Parenteau President
Felicia Szczepanski Secretary
Karl Rutledge Treasurer
Kay DaDeppo Board member
Absent: Dennis Zella Board member

Homeowners Present: (as signed in)

Eric Tews, Jeff Laver, Jerry Tomlin, Christy Moore, Lynn Elliott, Craig Cole, Cindy Herweyer, Tony Cattivera, Jeff & Becky Zannetti, Larry & Gail Pokropowicz, Mary Ann & John Vadalablene, Mike & Pam Riske, Debbie Paul, Michelle Reges, Deanna Slezak & Gary Quesada (attorney for Cattivera).

This meeting was called to order to address fines and enforcement against homeowners for maintaining above ground swimming pools in violation of Ashley Farms Deed Restrictions, rules and regulations.

Many homeowners in attendance received legal notice from the Association attorney stating that their swimming pools were in violation of the Association's deed restrictions and the criteria of a Board of Directors Resolution dated April 2011 which stated in part that inflatable pools may be placed in yards from Memorial Day to Labor Day. It was also noted in the 2011 Resolution that swimming pools requiring rigid structural bracing or any assembly or disassembly would not be allowed.

All homeowners having swimming pools in violation of the deed restrictions and the 2011 Resolution did not receive notice of fines due to lack of access to the homeowner's yard and/or no complaints received. The Board indicated that its investigation and enforcement are continuing. The Board made clear that there are no exceptions made to the swimming pool restrictions. Efforts will be made to inform ALL swimming pool owners in the same manner and allow them an opportunity to address the Board at our next scheduled meeting.

The meeting had open discussion and homeowners with both types of pools (inflatable and rigid construction) expressed dissatisfaction with the Board's Resolution to distinguish between the types of pools allowed. The Board explained that their 2011 Resolution was drafted to follow the spirit and intent of Deed Restrictions that do not allow any pools to be "built" that exceed one (1) foot above grade.

The attorney for Cattivera explained that he disagreed with the Deed Restrictions in that they (Deed Restrictions) do not apply to temporary pools. He went on to describe how a Judge may interpret the wording of the Deed Restrictions if there is any ambiguity.

After discussion and presentation of homeowner comments, the Board reaffirmed its decision to assess fines against homeowners in violation of the pool restrictions. The assessment and schedule of fines as set forth in the notices sent to homeowners will be enforced as written. The Board reiterated that a homeowner with a pool in violation of the restrictions will not be assessed fines if the swimming pool is drained and removed by Labor Day 2012.

The Association secretary, Felicia Szczepanski, resigned her position. A letter of resignation was received and accepted. The next Board meeting will be held on September 20, 2012 @ 8:00 PM at the AMVETS Hall (small bldg behind front hall) located at 51285 County Line Road, New Baltimore, 48047.

Respectfully submitted,
Karl Rutledge, Treasurer