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# The Seasoned Observer

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Issue 153 “All that is needed for evil to triumph, is for good people to do nothing,” May 2015

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I don't know what it will ever take, to have any board, even listen to a suggestion that comes from this paper or me personally, but I will tell you it gets very frustrating. Now I know I am not the smartest man at Four Seasons, but I will bet I am not the dumbest either and I am sure, some of the suggestions coming from this desk are not only logical, but downright necessary for the good of all of us. When our community can look better and save us all money in doing so, it doesn't take much to recognize a good idea.

To begin with, why we are not using our purchasing power that we have with respect to self-insuring our waste water pipes remains a giant mystery. That issue is so simple and so proper that it will always escape me as to why our Board just does not do it, let alone all the other purchasing we can do as a community and save money. I recap that savings on page 4, but there is much more we can do.

Let me call your attention to the Board's and the Architectural Control Committee's (ACC) latest issue, mold on the sidings of many homes. Clean it up in two weeks or face a \$50 fine until it is removed. Now let me call your attention to Wayland Village or the Manor Homes in Devonshire. I bet you will never find mold on any of their homes. And I bet their driveways all appear to have a fresh coat of sealer. And let's not overlook the uniformity and look of fresh edging and mulch in all their beds. For them it is simple, as part of their separate maintenance fee, they have their homes power-washed when needed and driveways sealed using their minimal bulk buying power. Their mulch beds are taken care of by all of us as part of common areas, a topic that still rubs me the wrong way. See page 19.

But let's turn our attention to the mold issue, the cleaning of homes. I want to throw in, the driveway sealing and perhaps the cleaning of our sidewalks. This will require the simplest of math and I will detail it for you. I think it is safe to say, that power-washing our homes, sealing our driveways and cleaning our sidewalks on a three year cycle would be more than adequate to keep things looking neat and clean. So let's see what that would cost.

I don't think anyone would argue with an estimated price of \$100 to power-wash our homes. We see the job done for approximately \$139 for a single home, but what if we offered a job of 400 homes each year for three years. Is \$100 out of line? Probably too high, but let's leave it at that number

Doing the math, \$100 every three years comes to 36 payments of \$2.77 per month. Let me be sure we all understand what I am saying. If you are willing to spend \$2.77 every month, your home will be power washed every three years. Now let's turn to driveways. I again think it is safe to say for about \$60 we can have them done on the basis of giving a company 400 homes to do every year for three years. We see it done today for as low as \$50, but we want to be sure we get the good material and a professional job. So we turn to our little math problem and see that \$60 paid over 36 months (3 years) is \$1.66 per month.

And so we don't charge the Condo owners for something they already have, we should suggest the cost to them based on 400 homes, theirs included, would be less than the price they get for 54 homes and therefore it might even save them a few cents. Accordingly, if we added \$4.43 to our dues, every home would be power-washed over a three year cycle as well as every driveway sealed. Before discussing the cleaning of sidewalks, let us be sure we understand that some homeowners will not want this done to their property. To that we say, "Use it or lose it." Just like we all pay for the indoor pool, the bocce courts and whatever else, use it or lose it. Besides, if you don't want yours done, for sure you want to be sure your neighbor does, especially when looking to sell.

Finally the sidewalks. We have seen products that would clean the rust and iron stains from our sidewalks for approximately \$18-20 per home. With 400 homes as our basis, the cost will be about 50 cents per month in our dues to have that done. Therefore, for about \$5 per month, our community would look that much better.

*Continued on page 3*

# What's Inside

## The Seasoned Observer

### Our Staff

Editor-in-Chief	Marty Horak
Columnist	Ginny Schwab
Columnist	Barnaby Attaway
Columnist	Frank Loeb
Columnist	Dan Prado
Good Eats	Marie Carraro
You Can Do It	Jim Cavallo
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To read prior issues of The Seasoned Observer  
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### We Need YOU!

*The Seasoned Observer needs you to sit around our table(s) as we plan for and discuss how to make Four Seasons the best it can be.*

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- Our front page article begins with things we can do to insure the look of Four Seasons and how our bulk purchasing power can be effective.
- A quick review of the self-insurance plan for our waste-water pipe is offered for the Board of Trustees' perusal. Page 4
- A law-suit has been filed by Marty Horak and Dan Prado offers his opinions on the whys and wherefores. Page 10
- Once again we are reminded of the need to have spade edging and mulching done as a part of our HOA dues. Can it be done without spending another dime? Marty thinks so. Page 14
- Did you know that we all pay for the condos to be mulched? Page 19
- Are the Trustees running the HOA as they should? What is the President's role as an officer compared to being a trustee? Where is the oversight all corporations seek to have? Page 23
- Most of us take pills of one kind or another. We live longer and better for it. But are you sure the medics will know what you take and why in the case of an emergency. Dr. Frank Loeb gives you a simple solution Page 27
- Our very best to a very special person. Page 29
- When you can't see the trees for the forest, you're standing too close. When you initiate a compliance plan for mold removal, adding steps that benefit no one, you need to step back and have another look. Page 32
- For anyone looking for home care, we suggest you read the press release found on page 36. It appears the Visiting Angels may be just that.
- Maybe it is time our dues rose to \$210. What would we get for that extra twenty? Read the article and you may come to the conclusion it would be a wise investment. Page 38

# It's Time To Help...

*Continued from page 1*

Those who can no longer climb a ladder to remove a spot of mold, and be threatened with a \$50 fine, or seeing your neighbor's driveway needing a seal would no longer be seen and those terrible stains on our sidewalks gone forever... all for \$5 per month. Each year, after dividing our community into three sections, one would be getting power washed, one having their driveways sealed and the third getting clean sidewalks, all on a rotating basis.

Let's be as blunt as we can be. Most of us, if not all of us moved here to retire, not have to mow our lawns ever again, not shovel the snow, to not have to do things we were able to do, when younger, stronger and in most cases, in a lot better shape. So why can't our Board and committees recognize that and begin to make rules and regulations that help us rather than add an extra burden?

We certainly agree our community and all its homes must meet a standard that insures the look we all bought into when purchasing our home. We agree, we do not want to see mold on any home, or even mailboxes. We agree our beds must be kept neat and free of weeds and we agree that maintaining the outside of our home and property must be presentable to anyone, but there are other ways to reach that goal without the intrusion of the "Mold Police" demanding it be fixed now or face the consequences.

In the beginning of this article I showed how a \$5 charge in our budget could keep our homes free of mold, our driveways sealed and the sidewalks clean. For those who do this themselves, they pay much more. For those who can't afford to do it themselves, this \$5 increase may be acceptable and for those select few who couldn't care less, I say too bad. You bought a home here, maintain it!

When will our Boards begin to make new rules and regulations designed to improve life at Four Seasons? When will they make our tasks easier to do and not disregard the needs we get, especially as we age; or recognize everyone just does not have the financial means they once had. Remember, when one spouse passes on, there is a reduction in Social Security payments, pensions, etc.

I recall when one resident wanted to increase the width of her walkway to her front door to enable her to easily manipulate a wheelchair from the driveway to her home. The then Board's suggestion was why couldn't she take her husband inside through the garage and wiggle through the laundry room? I won't even attempt to justify that thinking. Or how one Board Trustee and HOA President wanted to restrict the use of walkers and canes as it would signify we are aging and not an active adult community, thereby having a negative effect on home values. Open your eyes; see who and what we are. All it takes is a little common sense and the ability to accept a good idea, no matter from whom or where it comes from! ■

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# Self-Insure...

By: Marty Horak

I know many of you know this story and many have given me their names to add to a list so we can self-insure. But let this brief article go directly to our Board of Trustees who have the ability to merely say..."From now on, the HOA will insure your waste water pipe, from your home to the main sewer line in the street." So to each of the Board members I call your attention to the following:

Every so often, the homeowners of Four Seasons receive a message from what appears to be American Water, but in fact they are only the billing agent, for an insurance policy to protect you from the cost of repairing or replacing your waste water pipe. They tell you how the cost could be \$5-8,000 and even with their large deductible, you will save substantial money by having the insurance. The cost is only \$12 per month. What they don't point out is that only \$12 a month comes to \$144 a year and if we assume a homeowner will live here for ten years, that's \$1,440 per home... "Not so "ONLY" any more.

As a side note, can you image if every homeowner took the insurance. This company would get \$175,000 per year and on a ten year basis, a million and three quarters for a problem that more than likely

will never happen. In the approximate 20 years since Four Seasons' first home was built, we know of one home that had such a problem and it was the result of the pipe being defective during installation. We spoke with several plumbers, all of whom never saw such a problem in all the years they were working.

Based on all these facts, we initially felt by self-insuring the possibility, if we got \$20 from every homeowner, (less than two monthly payments to American Water's invoice for the same), we would have a nest egg of \$20,000 available if ever such a pipe should fail by anyone's home. And if it did, we would then chip in a few dollars to the fund to keep our nest egg at \$20,000.

The only problem with the plan was who would hold the money, the HOA and Wentworth both refused to, and keeping track of who paid and who didn't etc. Both of these problems can be solved if we cannot get the Board to merely do the right thing and as the article began, merely say "From now on, the HOA will insure your waste water pipe, from your home to the main sewer line in the street."

Now let us show the Board the basis for their doing so. *Continued on page 6*

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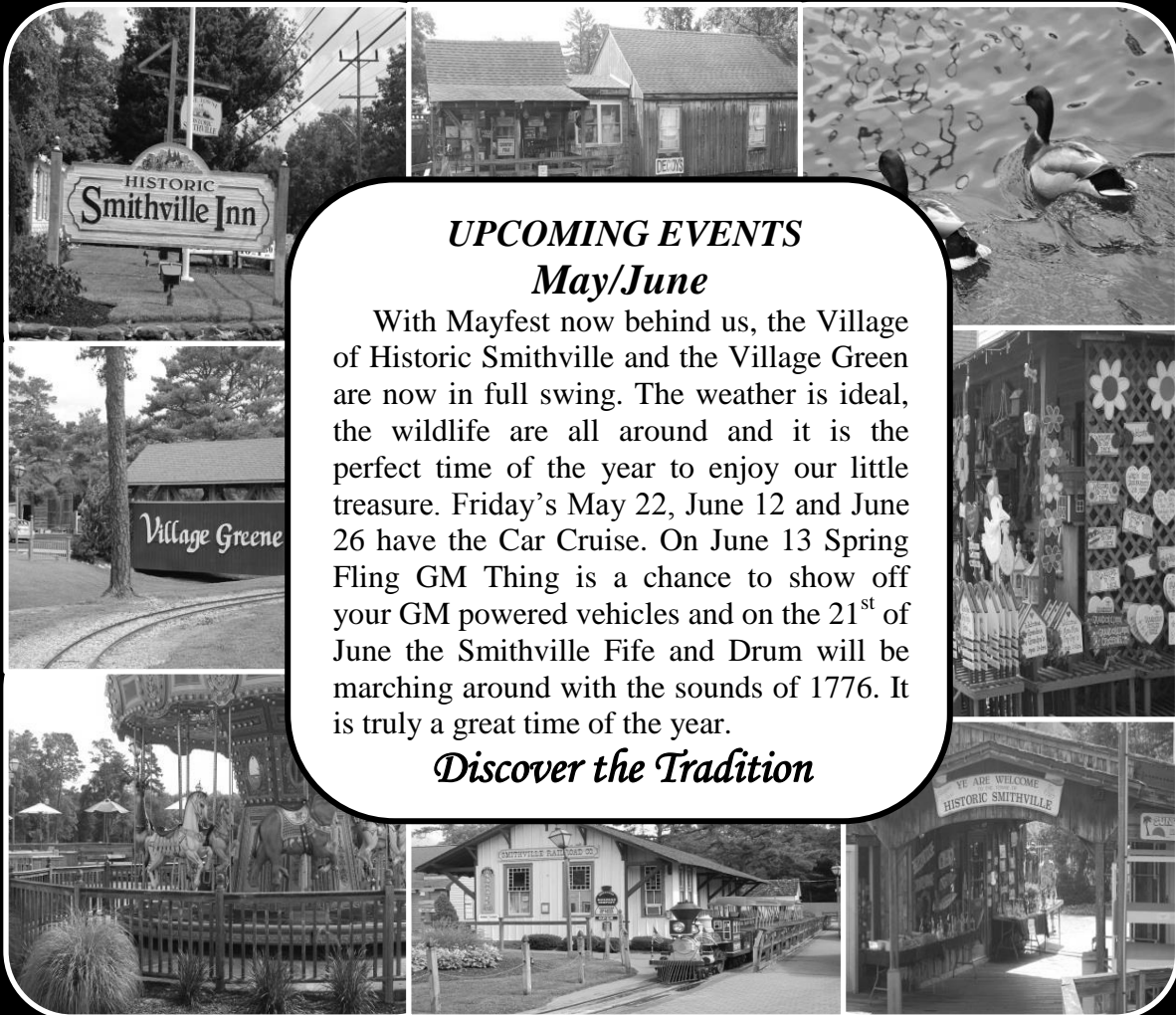
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# Self-Insure...

Continued from page 4

To begin with let's review exactly what pipe we are speaking about. As we use water in our home, whether from washing dishes and clothes, or taking that morning shower to flushing a toilet, all that water and waste is taken from our home into the main sewer line that runs under the street in front of our homes, via a single pipe. These pipes are made of a high grade plastic, that will not rot or decay or breakdown over a period of time. We can assume if we lived where giant trees could have their roots damage the pipe, then perhaps a problem could possibly occur, but as mentioned, the probability based on every expert is minimal to none.

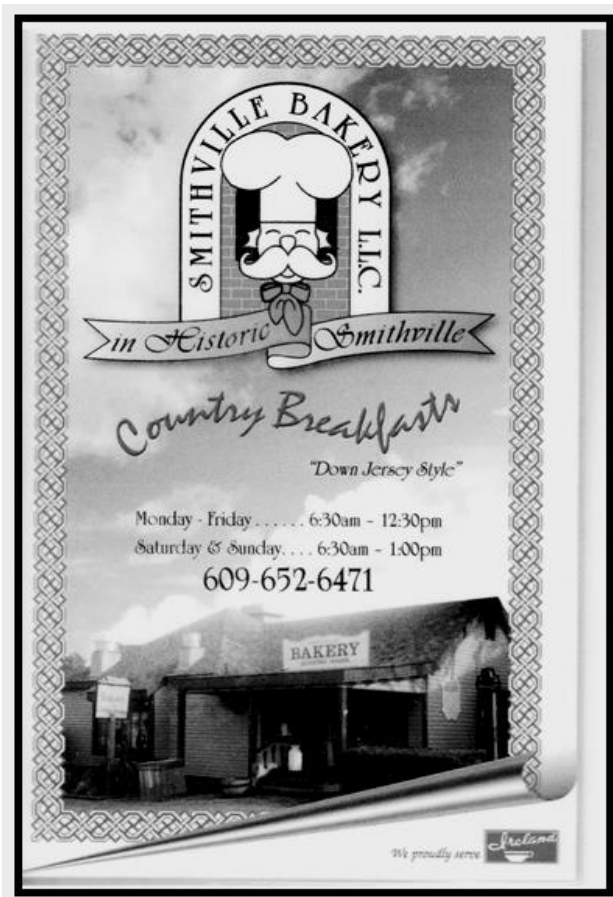
Accordingly, the risk of insuring is extremely low and if for any reason, Four Seasons at Smithville had a number of homes that failed, the coverage is always available from a small increase in dues as opposed to everyone paying \$12 per month.

We have heard the remark that the HOA is not in the insurance business. However, let us remind them that they are when it comes to the sidewalks in front of our homes. Should they crack or rise or need replacement, the HOA is responsible. But before you claim that sidewalks are on HOA property and not the homeowners allow us to point out our irrigation

system, which runs under every homeowners' property is not only insured by the HOA, but if you review the Reserve Studies" you will see that we are putting away in excess of two million dollars to cover their failure and yet, once again, the probability of those pipes braking are few and far between. The main reason for failure is when the water in the lines is not blown out before the possibility of freezing during the winter. Each year we see those lines being cleared and so once again, the possibilities are remote and yet we are putting away large sums of money just in case.

There is little to no doubt that if the Board was to say, "From now on, the HOA will insure your waste water pipe, from your home to the main sewer line in the street," that the money in the irrigation pipe reserve would be more than adequate to cover a waste water pipe running side by side with those for irrigation.

We strongly believe this current Board of Trustees is looking to do good for our community. We believe their intentions are good and even when we point out what appears to be an obvious better way; we understand time is not always on our side. But in this case, if the Board will merely say, "From now on, the HOA will insure your waste water pipe, from your home to the main sewer line in the street" they will be saving all those homeowners now paying \$12 per month a good amount of money. And they will additionally be giving those who elected not to take the insurance based on the lack of probability of its failure, perhaps a better night's sleep. ■



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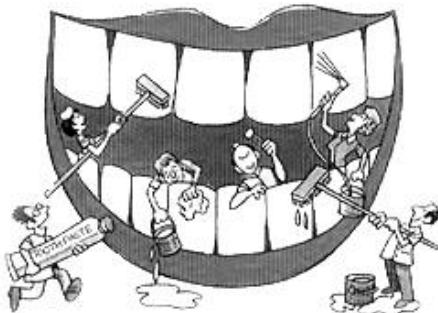
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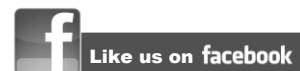
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# Letter To The Editor...

Dear Editor;

A number of years ago, i requested that the Sub-Code Fire Official from Galloway Township make an inspection with me of all the villages. We checked the location of every fire hydrant. He agreed there was a serious need for additional ones and some should be removed, due to the fact they were at the end of a cul-de-sac, or simply in the wrong place to be effective. He went on to say, that he doubts anything would be done due to the lack of funds. Needless to say, that is what has happened.

If the call comes in for a structure fire and the house is beyond the amount of hose in the bed, of an engine, usually 1,000 feet, an additional engine is needed to supplement the extra hose, and that takes time. A house fire doubles in size every few minutes, which makes hooking up to a hydrant as fast as possible. In some villages, there are houses 1,500 ft. away, or more, .....where is the one nearest you????? Sad to think what might happen. Doubly sad to see no response from anyone.

**JIM CAVALLO**  
Chatham Village

## Editor's Response:

Jim,

Like you, I have no idea how to encourage some of our residents to speak up. A few months ago (January), we published an article on just this topic. We showed a map of Chatham Village that was prepared by Hovnanian before construction showing where fire hydrants were to be placed. And we showed the actual locations today. We were shocked to learn that some 13 hydrants were never installed.

We felt that any resident living in Chatham Village who took the time to see where the closest hydrant was to their home, or used the map we published, would have been demanding better protection. And according to our information, Dominick Morretti our HOA President's home is located at the end of a cul-de-sac with no hydrant in sight. Pulling hose around corners is certainly not preferred and yet, still no reaction. ■



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## In My Opinion...

By: Dan Prado

If you have not heard, Marty Horak has filed a lawsuit against our Homeowners Association (HOA), the present Board, some former Trustees, management personnel and some members of a certain committee. As you may know, Marty has been banned from entering the clubhouse for approximately two years. This action against Marty was initiated by the last Board and has continued after two new members were elected September 2014.

Marty has made every attempt to resolve this matter for the past two years to no avail. The *Seasoned Observer* (SO) has provided the residents with the written opinion of a distinguished Rutgers law professor confirming the HOA was violating Marty's Constitutional Rights and also is not in compliance with HOA rules. In spite of the overwhelming proof that the Board was violating Marty's rights as a resident, both Boards refused to restore Marty's rights to enter the clubhouse. Furthermore, Marty was required to pay his full monthly dues, although he could not enjoy the

amenities contained within the clubhouse or others on HOA property. The Trustees would not even allow Marty to attend our HOA business meetings.

**This article is based on my opinion only and does not reflect the opinions of Marty or his attorney. My opinion is based on being both a witness to and a recipient of some of these actions.**

I am shocked and dismayed that our leaders would not realize the position into which they were placing our community. I believe that this outrageous behavior by our leadership should not be condoned by the residents. I was approached by some residents many months ago expressing their disapproval of the treatment that Marty was enduring. These residents predicted that unless the Board ceased this abuse of their authority, the matter would have to be resolved in a court of law, and that prediction has now come to fruition.

In my opinion, in the future, the residents must maintain oversight to insure that the Trustees and critical committee members operate within the scope of their authority. *Continued*

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## In My Opinion... *Continued*

If you recall, the lawsuit involving our former pool company resulted in a substantial expense to the residents. Our loss in this lawsuit was not only an unnecessary expense, but reflects poorly on how Four Seasons treats our contractors. Apparently, some Trustees lack the experience and common sense needed to manage this community fairly and efficiently. It is essential that we form an oversight group to avoid future reoccurrences of this nature.

I have experienced appearing before the Board and having them totally disregard the written rules contained in our Public Offering Statement (Governing Documents). As one former Trustee stated, "we can do anything we want." This is unacceptable and unethical behavior and should not be tolerated by the residents. I was there at the ADR filed against Marty when the wives of two trustees refused to recuse themselves, something Tony Annacone promised they would. The lesson that these elected leaders need to learn may be available to them in the very near future.

The residents could have attended an HOA meeting and told the Board to resolve this issue by allowing Marty back into the clubhouse. Unfortunately, many residents privately expressed their disapproval with the Board's action, but failed to confront the Trustees and demand a resolution. The Board's actions are clearly in retaliation to articles and opinions expressed by Marty and the staff of the Seasoned Observer, and as you know, such ideas and suggestions were always for the good of the Association. Do any of you expect that Marty should accept to have his rights violated indefinitely?

As this legal process moves forward, Marty will be unable to discuss any details with the staff of the SO or the residents. But at some point in the future the facts will surface and in my opinion, the Board's outrageous behavior will become public. I am not an attorney, but in my opinion many residents have had their rights violated over the years and have been powerless to contest what the Trustees have unjustly and arrogantly enforced. Only a court action will require the Board to justify their actions.

*Continued on page 12*



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## In My Opinion *Cont. from page 11*

Seasoned Observer staff members have been banned from meeting in the clubhouse for years, under threat of being fined by the Board. All in violation of our First amendment rights of free speech, free press and freedom to assemble. The Judiciary Committee had ruled years ago that the SO could not be denied use of the clubhouse. Terry Lucarelli was the chair who wrote that opinion stating that the Seasoned Observer was being subjected to discrimination and that the Board had overreached its authority. Later the Judiciary Committee reversed itself and condoned the SO being disallowed access to the clubhouse.

The days of our Trustees refusing to justify their behavior will be ending soon, as they respond to this lawsuit. Unfortunately, the community will again pay for the deplorable acts of a few residents. ■

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# A Word or Two About Mulch...

By: Marty Horak

Whenever we have an issue where we point out money savings ideas, we would be remiss if we did not mention the most important need most seniors require, and a subject mentioned all too many times. The topic... "MULCH."

The best suggestion is for everyone, especially members of our Board, to take a drive through Wayland Village and the Manor Homes of Devonshire. You will get the feeling you are in a country club, where all the homes are in some way a part of the entirety and the landscaping and freshly edged beds, filled with rich black mulch complete a clean and finished picture. There appears to be no contest of whose property can look nicer, whose property has the largest ornaments, but rather a simple and clean look, one that I personally wish remained with our single family homes.

As time went by, those in leadership roles permitted various colors of mulch, stones, low walls and virtually little to no restriction on the type of plants in our single family home beds.

It is more than likely too late to go back to what Hovnanian provided and envisioned when he landscaped all of our homes just before our taking ownership. And as a reminder, for the first several years he edged the properties and added new mulch, knowing full well it was one of the major selling features to a prospective buyer. There is something very nice about uniformity, but that picture is well beyond reproduction at this time. So what can we do?

Let's begin with the acknowledgment that in some manner we are required to keep our property weed free and presentable in a neat manner. Let us also acknowledge that many of us can no longer lift a bag of mulch, spade edge our property and even for some, bend over and pull weeds from our beds. Most of us were told that these items would never be our responsibility when we moved here. We were told to throw away our gardening tools, the HOA would take care of everything. As much as we would like that, we like the idea of a higher maintenance fee even less. I am told many times, "Marty, don't you dare recommend raising our dues."

*Continued on page 16*

*The Original...*

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By Carl Spinelli

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Before those residents start screaming at me for mentioning a need to spend money, we all have to be honest with ourselves and admit, it is our responsibility to maintain the outside of our homes to a standard requested by both the ACC (Architectural Control) and the L&G (Landscaping and Grounds) Committees.

We should also assume that putting down a coating of fresh mulch every year or two would be an ideal way to control the weeds and give each of our properties a finished look. And if we assume that to be fair to our neighbors and the community as a whole, getting that done is a requirement. Once again a drive through the condo villages will give you a good sense of what that can do.

For those still young enough and strong enough who wish to do the work themselves, we can estimate a minimum of twenty bags of mulch for a one inch top coat, to 40 bags for a two inch, weed controlling cover and at approximately \$4 per bag, we'd have an expense of \$80 to \$160 in mulch alone. We set no price for the labor of edging, lifting the mulch bags, and spreading the contents.

Time for a little math and estimating. I believe it is safe to assume that DTE or any other professional landscaping service can purchase the mulch in quantity for about fifty percent of our cost. If we find it too expensive to have this done every year, why not every other year. And if we assume the cost of the mulch to be in the \$50-60 price range per home, and we assume another \$100 per home for labor, our monthly cost would be approximately \$13 if done yearly and about \$7 if done every other year.

Each and every time we made such a suggestion the answer from the Board has always been, the residents don't want to pay more in their dues. The question that is never asked, if this was a part of the dues, what other expenses are you willing to lose in favor of mulching. And if that is ever asked, hold on to your hat, because items to delete will come flying at you.

Step one is the obvious one. Let's get a firm quotation from DTE or any other professional landscaper. Get the quote if done yearly. Now the remainder of this article will make a few estimates and prior to implementing, *Continued*

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firm quotations will be needed. But let's begin with our current dues of \$190 per month. With 1,216 homes we generate \$2,772,480 per year. We know some homes are vacant and no dues money is seen. But our budget calls for an amount for bad debt so let's just set that aside for this purpose.

What I am going to do is based on prior years' expenses, begin to list the things we have and the related costs making up that \$2,772,480 requirement. Some items are a must and we can assume for example, utilities, salaries etc. cannot be touched. In any case, I am going to list as things we want; the \$5 per month (\$72,960) for the power-wash, driveway seal and clean streets, as well as an estimated \$15 per month for mulching which would require \$218,880 if done every year.

If we as a community wanted the above items as part of our dues, but wanted the \$190 to remain, then obviously we need to cut about \$300,000 from the current budget. Now it's your turn. It is not for me to determine what each of you want, but I do think it is the ideal way to let our Board know how you feel. The rejection of getting our properties mulched and spade edged has always been presented as an increase in dues, as opposed to one rather than something else, and why should Mulching be the extra and not one of the following:

- Mulch/Spade Edge                   \$219,000
- Power Wash/Driveways            72,500
- Pool                                    95,000
- Payroll                                300,000
- Utilities                              165,000
- Landscaping                         750,000
- Snow                                  300,000
- Irrigation                            200,000
- Clubhouse                            80,000
- Administration                     500,000
- Reserves                             400,000

All of the above are rounded out estimates and the total is approximately \$300,000 more than our current budget and if left in place would raise our dues to \$210 per month. And we know that for every \$100,000 we must contribute approximately \$7 per month.

I have little doubt that we can always nickel and dime \$50-100,000 from our budget, but for this purpose let's do some thinking.

The first step is to look over that list and see if Mulching and Power Washing are things you would want at the expense of others. Now I am sure, based on the number of residents who use the pool, the vote to delete that in favor of the Mulch would become obvious. However, there is a standard to the lifestyle every person here bought into, and as the expression goes, "Use it or lose it." I suspect items like the pool, gym, tennis courts etc., must remain. But I will also suggest that between the budgets for snow of \$300,000, which is backed by a reserve of a Weather Fund holding \$400,000 and the amounts we put away in reserves deserves a second look.

This past winter was one of the worst we ever had as far as snow removal. We had none for the prior two or three years. We do have a reserve of \$400,000 which would more than likely cover a few snow storms before any additional assessment would be needed. But let's look at what that would mean. Let's assume we cut the budget for snow to \$150,000 per year and we have another terrible winter.

The \$150,000 is used and so is the \$400,000 in reserves. And the winter is so bad, that we need another \$150,000 to pay the bills for the removal. The solution is to assess every homeowner approximately \$10 extra to raise the \$150,000 needed. The question is, are you willing to take that gamble? Are you willing to bet against another season of snow like last year and use the money to mulch your property, with the knowledge if we get the snow, it may cost you in an assessment. But if not, you had your cake and were able to eat it.

Likewise are you willing to lower the reserve contribution based on historical data which suggest we are putting away more than we need to. But once again, if repairs and replacements are high, we may be hit with an assessment. From this writer I am one vote for getting Mulching, Spade Edging, Power-washing, Driveways sealed and our sidewalks cleaned by taking that risk of assessments. After all, I will no longer have to purchase mulch, break my back, or pay for my driveway, etc. One question left, how do you feel?

*Continued on page 18*

# A Word or Two About Mulch ...

Continued from page 17

I want to be sure we all fully understand the risk factor and why in many cases, it is no risk at all. If you are a homeowner who purchases mulch to top your beds and do the spade edging yourself, that cost will no longer be yours to make. It is only in the event that we have so much snow, or so many repairs that cause us to need an assessment. The odds are, the cost of the assessment will be less than the amount you use to pay for buying new mulch. Or for sure for those residents who hire an outside contractor.

Your risk is almost zero. The overwhelming odds are it will save you money each year. For those homeowners who don't add new mulch, or spade edge, but are still required to maintain a neat and weed free bed, your risk is the cost of an assessment should the need arise.

I cannot offer a risk/reward for those who do nothing and are only concerned about lowering the dues. We all must accept the fact that the end result for every home must be as the ACC and L&G call for.

And we owe it to our next door neighbor whose home value is certainly influenced by the sight of yours.

Perhaps it is time for our Board to realize these things need to be done and if it is done by the HOA at least it will be to the standard they want. And if it raises the dues by ten to twenty dollars and they feel it is necessary not to lower the budgets for snow, reserves or anything else, then maybe it is time to move in that direction. When we are told the residents don't want an increase in our dues and therefore we cannot spade/edge and mulch the answer must be, are you willing to do that on your own. And if they say yes, it is easily explained how it will cost them more. And when they say no, you need to take the position of it must be done if we do in fact want our community to look at its best.

Instead of discussing whether or not to build a cover for the entrance to our clubhouse in case it rains, why not apply those funds you are so eager to spend on what the majority of us need and from what the entire community will benefit? ■

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# Condo Mulch...

Let me begin by saying I am not looking to take anything away from the condos, but I do feel every resident, especially those who moved here over the past few years, have an absolute right to understand why we see the condo properties mulched and spade edged each year and single family homes not. And although you may be aware that the condos not only pay the same HOA maintenance fee as all the single family home owners, but in fact they pay a second fee which covers the insurance and maintenance of their units, it does not, and I repeat, does not pay for the mulching we see.

In April we saw all the driveways in the Manor Homes sealed. That cost comes from their second fee and is a lesson we need to take on bulk purchasing as outlined in our front page article. However, let's review the mulching.

Condo owners own from the paint on the outside wall in. They do not own the outside structure and its upkeep is part of the second fee. The grounds are classified as common elements or to be more specific to our wording, common ground. And years ago, a resolution was passed that said anytime the common area is mulched, or spade edged, or trimmed and weeded, the common area around the condos shall receive the same treatment. Their position is; common area is common area.

However, here's the part the condo owners will be upset with me for stating. Their driveway and the beds around their units are all not owned by them. However, you and I cannot park our car on their driveway, sit on the patio behind their home or for sure plant something in their flower bed. But they can. They have what is called "an expectation of privacy." The rights to their flower beds are in reality no different than those of the single family

homeowner. I might suggest, they probably have restrictions on what changes can be made and what cannot be planted. I do remember that flowers were restricted in some of the common area and allowed in others; but that pertains to the rules and regulations of the condo owner's Governing Documents.

To be clear, as part of our HOA maintenance fee, currently at \$190 per month, we are all, condo owners as well as single family homeowners, paying for the mulching, spade edging and general care of all common areas, including the street trees, the clubhouse area and yes, all the condo units.

From the single family owners' position, seeing the beds adjacent to each condo owner, a bed that the condo owner has the ability to plant in and modify, whose upkeep is being paid for by them seems unfair. However, from a community standpoint, it is a lesson we have still failed to learn, that this community needs that very same service to every home here. Our clubhouse area, the condo area and all the single family homes need that fresh coat of mulch each year and elsewhere in this issue we make the suggestion just how it can be done. ■



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# It's Wrong At The Very Top...

By: Marty Horak

Sometimes when you think things are wrong, something is not just right, it pays to step back, have a good look from the outside looking in and more often than not, clarity takes hold. We did that with our Association and believe we found the basics of a corporation's guidelines not being adhered to. So let's have a look.

Fact: In every corporation, every company incorporated, if there are three or more shareholders, you must have a minimum of three directors. (*one shareholder, one Director, two shareholders, two Directors, three or more, three Directors minimum*).

Fact: The shareholders elect the Directors and the Directors' job is to appoint officers to run the company and their role is to safeguard the shareholders by overseeing what the officers are doing. They do not get into the daily operations of the company. If they feel the officers from the President and Chief Executive down are not doing the job, the directors can replace them.

Fact: The Directors report to the shareholders and the officers report to the Directors. From this you can see that the Directors are the oversight the company has protecting the shareholders' investment and monitoring the performance of the officers.

In every good company, and especially the big ones, like IBM, or Apple, or GE, the shareholders seek to get the very best Board of Directors they can. They want the smartest, most imaginative, leaders in industry etc., to help guide the officers in their decision making.

Fact: The officers in most companies are not required to be Directors. We often see the Chief Executive Officer also a Director but it is not mandatory.

That is except for what is of our interest, our corporation, and our Bylaws.

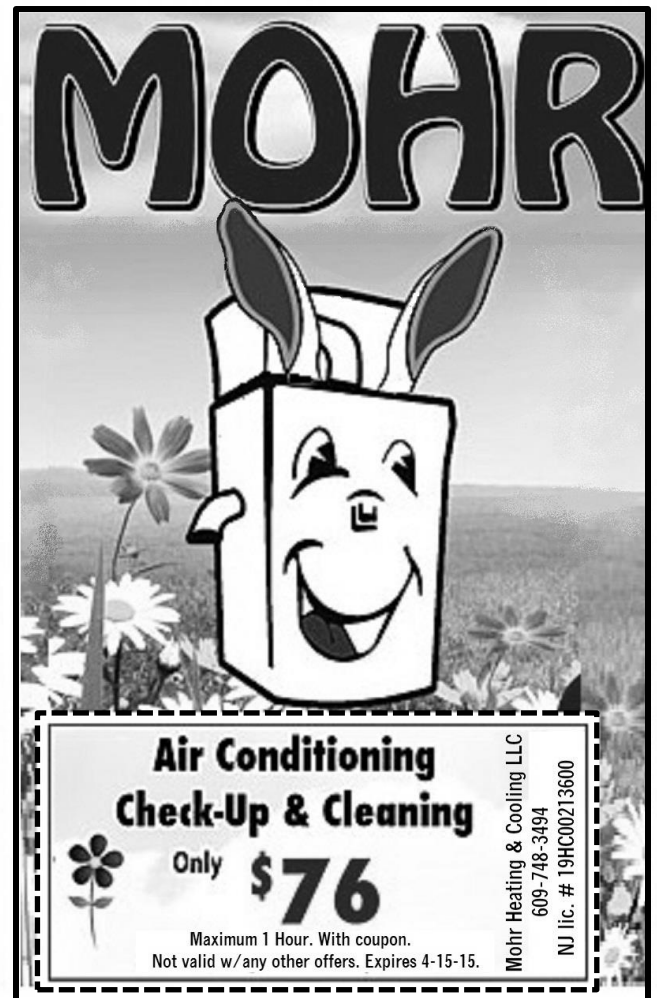
Our Governing Documents require that both the President of our HOA and the Vice President be Trustees (Directors). The role of Treasurer and Secretary do not have to be Trustees.

So with all the above in our heads we begin to look at our corporate chart, who reports to whom and how is the actions of our President and other officers monitored by the Trustees in order to protect all the homeowners who are in our case the shareholders?

Fact: With 1,216 homes we have 1,216 shareholders, sometimes referred to as stake-holders and each home represents 1/1216 in value.

Our problem, in my eyes, begins with the fact that all the officers are also Trustees and therefore the monitoring or oversight normally the responsibility of the Trustees are monitoring themselves and that can't be efficient.

*Continued on page 24*



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# It's Wrong At The Very Top...

Continued from page 25

It appears that every decision made at Four Seasons is a result of a three out of five minimum vote of all Trustees. And yet, if we turn to our POS and look at our Bylaws, Article VII , Provision 7.04 it says the following:

**The President shall:** (a) be the chief executive officer of the Community Association; (b) preside at all meetings of the Community Association and of the Board of Trustees; and (c) have all of the general powers and duties which are usually vested in the office of President of a non-profit corporation.

When you begin to realize what role (power) the President has, he does not need three trustees to agree with everything he wants to do. He has the power to run the Association in any manner he sees fit. If he steps out of line, or does things not in the best interest of the Association as deemed by the Board of Trustees, he can be forced to change his course, or be removed. In this case, the five Trustees, himself included, act as the oversight this association so desperately needs.

However, based on the way we run things, the trustees make all the everyday decisions and there is no oversight, and that my friends is a critical error.

In my eyes we have two choices. We can begin to be sure that the roles of Treasurer and Secretary are not held by Trustees. Perhaps the Finance chair can be the Treasurer and anyone can be Secretary. In this way, three of the five trustees (not the President and Vice President) can play the role of oversight. Or, in my opinion what this community would benefit most from, is a selection by the shareholders, not the Board, in finding a group of residents to represent them and act as an oversight committee. Our Bylaws would not allow them to have any power, unless an amendment was made, but it would give the homeowners a voice to hear from and a sense of order.

Will that ever happen? For some reason I have always gotten the feeling that our community is run by five trustees, voting unanimously more times than not, representing a sense of insecurity to be independent. I can only hope I am wrong. ■



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As we plan our vacations, we visualize the clean fresh air we will breath, the meals served to us, the beds being made and a host of pure relaxation events to occupy our day. Why leave the little guy out? No you don't have to bring him or her with you, but why not let them spend an equal amount of time on vacation, enjoying the luxury of a personal suite, a park to play in and the friendliest of folks to keep them occupied with no signs of depression.

I can only urge all of you who own a dog or cat to take a short drive over to the All Star Pet Resort on Cologne Ave in Galloway. Take Moss Mill Road towards the Renault Winery and when you reach Cologne Avenue, turn left and a short distance down the road you will find the resort. Go inside, check the grounds and be advised that several of our residents who have boarded their pets there have reported when it came time to pick them up, they didn't want to leave. I guess they enjoy their vacations as much as we do and never want them to end.

I have been a dog owner since I was about 10 years old. We had as many as three at a time. They eat with us, they sleep in our bed and they are as much of a child as any of our sons and daughter. And so I know how careful we are and how much we worry when they are not with us. But should the time come, when they can't make that trip, or if you just want a safe place to give your dog the exercise he/she needs by running free in a large enclosed area, go visit the All Star Pet Resort; your pet will thank you for it. ■

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# Monthly Quiz

Here is this month's **Seasoned Observer Quiz**. **The FIRST TWO people** to e-mail the Observer, or Marty with the correct answer will win a \$10 gift certificate to one of our local retailers/restaurants. (In case of ties, prizes will go to first time winners whenever possible)

**To be fair, and giving everyone a fair chance to read our paper, we will not accept answers until the 25<sup>th</sup> of the month**

Kevin likes the opera but not the ballet. He has a boxer but won't get a bulldog. He will travel to Colorado but not Alaska. He collects dimes but not nickels.

**Does he like bananas or grapes?**

Rhonda will go see the ballet but not opera. Her favorite number is eight and she doesn't like nine. She likes salmon but not trout. She hates Mondays but likes Wednesdays.

**Does she use a comb or a brush?**

## Last Month's Quiz...

The code below hides two nonsense sentences. Only the 10 most common letters in English are used in the codes. The most common letter appears 10 times, the next most common appears nine times, etc. What are the two sentences and what are the ten most frequently used letters in English?

1. Q UWGZW G BWGU GBUWGUWX QB  
GZQG.
2. ZWW, QUZ UPP JPU UP JPPU QB  
WXQW-JW GK PB

ABCDEFGHIJKLMNOPQRSTUVWXYZ

ANSWER

1 - I TEASE A NEAT ANTEATER IN ASIA

2 - SEE, IT'S TOO HOT TO HOOT IN ERIE-  
HEAD ON

Last Month's Winners

Nancy Schweiker, John Mikulski, Coleen Glen  
Harvey Snyder, Pat Brink, Paul Boris  
Mary LaMantia

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# Living Better Through Chemistry...

By: *Frank X Loeb, M.D.*

Y'all ken fess up now. Very few of us are not using chemical compounds to keep our lives more comfortable. There's nothing wrong with it although some of those of us seem to believe admitting to using medicine(s) is a confession of weakness or biologic failure of one sort or another. I don't know but I've always looked at those who staggered through life under burdens such as that probably should have avoided using air in their tires because they were too weak to carry their cars on their backs!

Why someone should feel ashamed to ask for a little boost in helping their heart do its job when needed is not so different than the parent who refuses to allow his child to use an encyclopedia to help prepare a school report on Madagascar. I'm not proposing a tattoo containing every salty detail of one's past medical record but a small dog tag sized metal amulet can be engraved with enough information to easily save someone's life.

The quantity of information provided often is immaterial. Simply the fact that a patient takes a drug targeted at cardiac function is enough to provide a whole course change in his management in a crisis. In the same way the simple word Insulin can shine a spotlight on an otherwise foggy picture and why this guy's blood vessels don't work the way they should.

The fact that someone takes a medication not only opens questions about the drugs and their side effects but also makes it imperative to discover why he's taking it. For example not only do the risks presented by Coumadin and its recently released pals come into play when the health care provider is confronted with a seriously ill patient but the provider must be acutely aware of the sinister nature of the diseases for which the drug is used. The same is true of the rest of the major "life preservers" used on a regular basis.

I don't believe the drugs used on a routine basis today are given nearly the respect by health care providers trained in recent years as they are by those of us trained in the latter half of the 20<sup>th</sup> century. These are the drugs responsible for the "intensive care" era and the terrific advances in the ability to save lives that have occurred over those years.

*Continued on page 28*

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However, my own experience has shown me how cavalier more recently trained providers can be when using these agents singly and especially in combination. Deliberate distortions in dose and frequency of administration have appeared on prescriptions given to me which, had I not been well coached in Pharmacology, might have led to serious complications. In one situation I was given Coumadin and Aspirin which almost resulted in the loss of one of my legs.

In the past I have likened drugs to poisons because, by any way of examination that is precisely what they are especially if not properly used. Both the provider and the patient MUST understand this. How these drugs react in the pathologic environment is of primary importance in crisis situations when given singly but as more drugs are added the risks of their use rises, at times, exponentially! For that reason the first provider must, to the best of his ability, be aware of what / how much / why these agents are being employed.

The best way I have found of ascertaining this information is my trusty / dusty stainless steel Rx amulet on a chain around my neck. Available for about \$15.00 on the internet. ■



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# Our Very Best To A Wonderful Lady...

From Marty

Many years ago, sitting at the Clubhouse front desk, was the person we all got to know as she knew us. Her name was Debbie Peters and when Wentworth forced her to resign, the clubhouse was filled, all in support of Debbie as Ed Corless, Wentworth's Vice President took the heat. All our pleas failed to save poor Debbie.

How difficult it must have been for her replacement to step in. After all, through no fault of her own, she had to be bucking the tide. But lo and behold, in a very short time, we all learned that our new face, sitting behind that desk, was just as friendly, just as professional and just as good a welcome to anyone walking past her. We may have lost Debbie, but we gained so much more with our own Gerry Ardito.

It's always the little things. The little extra, the friendlier hello, the rush to get whatever you might need, the answers to your questions and I guess above all, a friend to all who live at Four Seasons. I have never heard a bad word or a bad thought about Gerry and from one who gets it from both sides; that is quite an accomplishment. How many people do you know who haven't got an enemy in the world?

That's what Gerry Ardito appears to be, that one in a million and we were so fortunate to have her all to ourselves.

But nothing is forever, and we sadly learned Gerry will be retiring this month. I am sure we will see her at the clubhouse, perhaps on trips and parties and whatever other joys she might seek. But not behind the desk that she filled so perfectly.

And so it is with the greatest of pleasure that we raise our glass to a truly wonderful lady. We hope that all her dreams will turn into reality and that she will enjoy the years of retirement for many, many to come. On behalf of all associated with the Seasoned Observer, and I suspect for virtually every resident who has ever entered the clubhouse and communicated with Gerry, we thank you so very much for all that you have meant to this homeowners' Association. Be healthy! Be happy! and ENJOY!!!!



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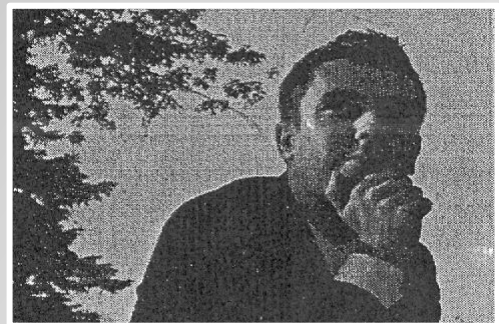
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# Step Back and Have A Good Look...

By: Marty Horak

"Can't see the forest for the trees." I am sure most of us have heard that expression used many times during our lifetime. It means that if you look at things one at a time, you might not realize that a branch of separate "trees" go together...Or the one meaning I have come to like, "If you are too close to a subject, you don't see the whole picture. Bottom line, sometimes you are just too close to the subject that you just can't see it at all.

Years ago, when growing up, one of my favorite TV comedies was the Abbot and Costello show. Their who's on First is one of the great classics. But let me remind you of the time Lou had a sign in front of a large fish. The sign read..."**Fresh Fish sold here today.**" Abbott came along and began to pick the sign apart.

Why do you have the word Fresh? It's not necessary. If it wasn't fresh, the smell would drive everyone away, so cross it off... too many words. Next came Today... You're standing here; they know it's today and not tomorrow and certainly not yesterday, cross it off, too many words. And why "Here?" You're standing here; they see the fish, they see you standing here, cross it off.

In the end, following this pattern no sign was needed, just a big fish in Costello's arms.

By now you must be asking yourself what the heck is Marty talking about now. Last month, Dan Prado offered an article on the lack of common sense being demonstrated by our Architectural Control Committee (ACC) with new procedures and fines. And as I read it again and verified the plan as published by the Committee's chair, Tony Annacone, the obvious jumped out at me. Too close to the trees to see the forest, and in this case too close to a plan developed, not to be able to sit back and see the entire picture. Just like too many words in the for sale fish story, far too many steps and people involved with what the ACC was trying to do.

Let's recap the plan offered by the ACC to eliminate mold on anyone's home and/or mailbox. We have no complaint about the objective. One question never addressed, will that include the mold on most of the roofs at Four Seasons? And let's be clear, there are two schools of thought on whether or not to attempt to remove that mold.

*Continued on page 33*

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## Take A Good Look...Continued

One theory says the mold is harmless, and in attempting to remove it, you can violate the integrity of the roof's sealing ability. Another theory is the mold can work its way into your home causing all kinds of health problems. The answer to whether or not mold on the roof is to be cited by the ACC inspectors remains unknown to this writer.

But let's look at the procedure. First they find it necessary to issue photo IDs to all members of the ACC so, I suspect, when they walk by your home, you can't scream get off my property, or for some other important reason that the ACC feels such identification is necessary. If they find mold, you are given a slip of paper, placed in your mail-chute. We find it strange that in the policy as written it never says the inspector will knock on your door in an effort to speak with you and discuss the mold they found, but merely place the notice in your mail-chute. "So why the need for photo identification?" You won't see them and they won't see you.

The procedure calls for a copy of that notice to be sent to Nicole to be logged into a computer program. And if you do not contact Nicole within two weeks, claiming you cured the violation, she will send you a letter giving you one more week or fines will begin to incur. Let's suppose you remove the mold and you contact Nicole. Nicole will then contact the ACC and they will send an inspector to verify if in fact it was removed. So let's stop there for a moment. Does it not make much more sense for the inspector to keep a copy of the notice when first given, return to the home two weeks later to see if the correction was made? And if not, deliver another violation letter giving the homeowner the additional seven days (*a period of time we feel is grossly inadequate and as Dan pointed out in his article last month, another case of our leadership showing a lack of compassion*).

Then once again have the inspector return to see if the violation was corrected, a step they must make regardless of Nicole's involvement or not. Then and only then, should Nicole be involved to issue a fine and post that in a computer. We see absolutely no advantage to Nicole posting tentative violations that get corrected on a timely basis in a computer system just designed to create more paper work, and more than likely useless paper work.

*Continued on page 35*



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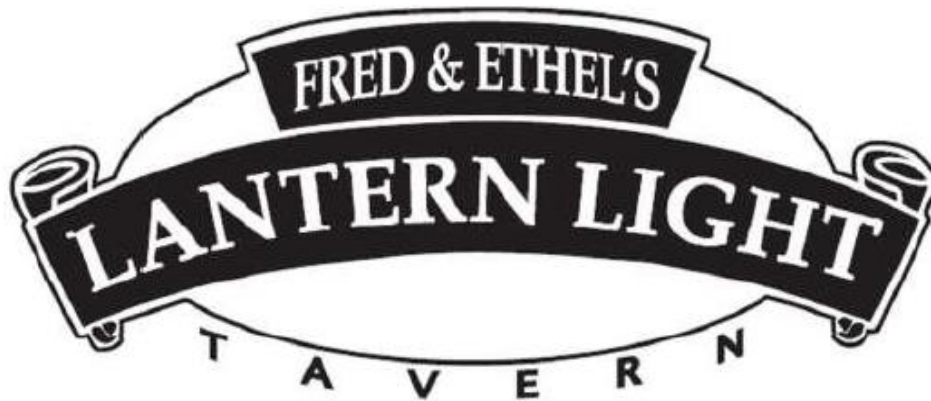
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And when we are told it was approved by our Board of Trustees, once more we see the need for an oversight committee. A group standing back, taking a good look and offering a few suggestions when necessary, or as the expression suggests, the only way to see the whole forest is by standing far enough away so a tree or two doesn't block your vision.

The more we look at the procedures this ACC is implementing, the more obvious it becomes how irrational the entire plan is. However, knowing that Tony Annacone is the chair of this committee, you can be assured it will remain as is, without ever even a hint of acknowledgement it was flawed.

Let's add one more fact to the entire puzzle. Several months ago, this paper published an article about the amount to be charged for a first violation. When you go to our Governing Document Bylaws, Article V, Section 5.1 (f) you find the provision which calls for fines at the discretion of the Board. However, back on April 27, 1999, a resolution was passed, signed by our then HOA President, William Cadigan and witnessed by George Wenzel, Secretary and filed with the county clerk's office

of Atlantic County stating that any first offense is set at \$25. (*this resolution was earmarked not to include other type fees such as late fee fines and other fees not cited as violations*). This document can be found on our Association's Website and we suggest our leadership personnel begin to take notice.

We question why the ACC and obviously our current Board, by approving the plan, agree to a \$50 fine when our Governing Documents, based on the above mentioned resolution, still require it to be \$25 for a first offense. There has never been a resolution overriding that and so we continue to wonder why policies and resolutions are ignored and our leadership feels they can do, as Tony Annacone so clearly stated, anything they want.

And let me be clear to all of you, the only reason they can do anything they want, is because the rest of us don't do anything about it. I said it once and I'll say it again, in unity there is strength and until such time as a loud voice is heard, the rules, the regulations, and the policies will be as the select few want it to be. ■



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### Visiting Angels of Atlantic County, NJ Receives 2015 Best of Home Care® Provider and Employer of Choice Awards

Egg Harbor Twp, NJ – **Visiting Angels of Atlantic County, NJ** today announced that it has received both the “Best of Home Care Provider of Choice” and “Employer of Choice” Awards from Home Care Pulse. Awarded to only the top ranking home care providers, based on client and caregiver satisfaction scores gathered by Home Care Pulse, Visiting Angels of Atlantic County is now ranked among a small handful of home care providers across the country who have proven their ability to provide an exceptional working experience to employees, and the highest quality care to clients.

“We want to congratulate Visiting Angels of Atlantic County on receiving both the Best of Home Care Provider of Choice Award and the Best of Home Care Employer of Choice Award,” says Aaron Marcum, CEO and founder of Home Care Pulse. “Since these awards are based on real, unfiltered feedback from clients and caregivers, Visiting Angels of Atlantic County has proven their dedication to providing a great work environment and solid training to employees, while maintaining their focus on client satisfaction. We are pleased to recognize their dedication to quality, professionalism and expertise in home care.”

Best of Home Care award-winning providers have contracted with Home Care Pulse to gather feedback from their clients and caregivers via live phone interviews each month. Because Home Care Pulse is an independent third-party company, they are able to collect honest and unbiased feedback. These award-winning providers have received the highest satisfaction scores in areas such as professionalism, compassion of caregivers, training, and client/caregiver compatibility.

“We are so proud to be a recipient of these two awards and credit our caregivers and office staff for their compassion, dedication and teamwork. Visiting Angels is committed to providing the best care possible to our client’s in the comforts of their homes,” said Pat Laychock, co-owner and operator.

“Our goal at Home Care Pulse is to empower home care businesses to deliver the best home care possible,” says Aaron Marcum, CEO and founder of Home Care Pulse. “We are happy to recognize Visiting Angels of Atlantic County as a Best of Home Care award-winning provider and celebrate their accomplishments in building a team of happy, qualified caregivers who provide outstanding care for their clients.”

#### About Home Care Pulse

Home Care Pulse is the industry’s leading firm in performance benchmarking and quality satisfaction management and serves hundreds of home care businesses across North America. They are the industry’s top resource for education, business development, certification, and proof of quality, including the prestigious Best of Home Care® awards. Visit [www.homecarepulse.com](http://www.homecarepulse.com) to learn more about our VANTAGE program, or visit [benchmarking.homecarepulse.com](http://benchmarking.homecarepulse.com) to learn about the Private Duty Benchmarking Study, the home care industry’s largest and most comprehensive annual study, featuring benchmarks on finance, sales, marketing, operations, and more. ■

To find out more about the “Best of Home Care” award or Home Care Pulse, please visit [www.bestofhomecare.com](http://www.bestofhomecare.com)

See Visiting Angels Ad on page 8

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# Is It Not Time To Spend Another Twenty? *By: Marty Horak*

Now that you read the articles I wrote in this month's issue, you can see I am devoting my efforts to pointing out how we can have many improvements to our homes on a minimal cost basis. Sometimes we find we must spend a little up front to get a better return down the road.

We buy a better car and find it either last longer or sells for a higher price years later. We buy a high efficiency heating unit and see our energy bills lower for years to come. I am reminded of a story told to me years ago, about the Rabbi's wife who purchased a brand new mink coat for \$10,000. One of the parishioners drooled over its beauty and told the wife if she ever was to sell it, think of her. Well three years later the Rabbi's wife sold her the coat for \$5,000 and purchased a new coat for \$10,000. And for the three year increments that followed, the same event happened; The Rabbi's wife sold the coat for five and purchased a new one for ten. And the moral of the story was, each was paying five thousand, one for new and one for a three year old. I am writing this article to suggest that maybe it is time for us to spend a little up front when we evaluate the end result.

Let us assume when we go to sell our home, the buyer will almost always ask the following: How much is the dues and what do you get for it. Today we would say; "Our dues is \$190 and we have a beautiful clubhouse, with a pool room, gym and indoor pool. During the summer we have an outdoor pool, bocce courts, tennis courts, a pickle-ball court, shuffle board and more." And then the next question might be, what about those who don't use any of that, what is done for us? And our answer is; "Our lawns are fertilized, seeded, watered and mowed and when it snows more than 2 inches, it is removed for us."

Let's see what would the answer sound like if we paid the \$20 to do all the steps outlined earlier in this publication.

So once again we are asked, how much is the dues and what do you get for it. Now we would say, Our dues is \$210 and we have a beautiful clubhouse, with a pool room, gym and indoor pool. During the summer we have an outdoor pool, bocce courts, tennis courts a pickle-ball court, shuffle board and more."

*Continued*

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And when that follow-up question is asked; what about those who don't use any of that, what is done for us? We would now be able to say: "Our lawns are fertilized, seeded, watered and mowed and when it snows more than 2 inches, it is removed for us. In addition, every three years, all our homes are power washed, our driveways are sealed and the sidewalks cleaned in front of our homes. You will no longer need any of your gardening tools as the beds around your home are maintained by the association as part of your dues."

Time to be honest with ourselves. If you were the buyer, would you prefer spending that extra twenty? And more than that, would this community's home values not go up because our dues offered so much more? We need to be reminded as new retirees begin to search for the place they want, older communities like ours will be matched against new. If we don't have the best looking, the most efficient and the one the retiree can truly retire in, we lose.

Let me remind all of us. Today we have 1,216 homes. How many of those homeowners use the pools, use the gym, use the tennis courts, etc. etc. I suspect it is no more than ten to a maximum of fifteen percent. And yet, the eighty five to ninety percent of homeowners are paying for the amenities' they never use. They pay for the pool, the gym and so forth. At least this last twenty dollars we are speaking about goes to the benefit of every homeowner. It goes to the upkeep of your home and your neighbors. And if that doesn't have a long term reward, I don't know what will.

In the articles before this one, I suggested how we can get some or all of these steps and not have to spend twenty dollars more. But I submit, even if these ideas are refused, we should take a good hard look at spending the extra twenty. One thing is for sure. For those who do this themselves, who power wash their homes, re-seal their driveways, buy new mulch each year for their beds, and use outside contractors to do some or all of it, will save money. Let's take a lesson from our condo owner neighbors. The power of bulk buying is used for the fifty or so units in both Wayland Village and the Manor homes of Devonshire. With 1,216 homes, not to use our buying power is nothing short of insanity. ■

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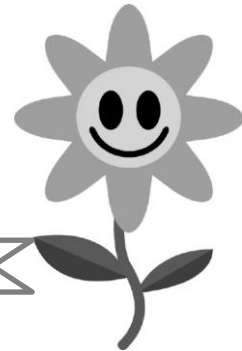


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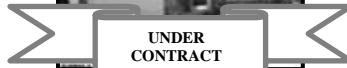
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544 Carlisle Ln  
Juniper - \$207,500



Chatham Village  
539 Carlisle Ln  
Ivy Model



Manchester Village  
12 Sanders Place  
Wentworth - \$214,900



Manchester Village  
10 Lostock Ct  
Ivy Model



Wexford Village  
24 Brampton St  
Wentworth \$219,000



Wexford Village  
7 Wicklow Ct  
Freesia \$249,900



Wexford Village  
32 Brampton St  
Evergreen \$329,000



Devonshire Village  
100 St. Georges  
Ivy \$210,000



Devonshire Village  
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Nottingham Village  
4 Marlowe Ct  
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