
Glencannon

NEWSLETTER

May 2011



GHA is online!

Remember to visit the new Glencannon website at www.glencannonhomes.org!

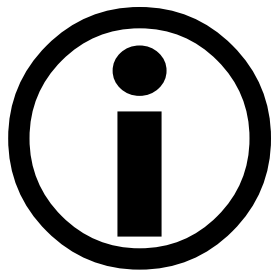
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GLENCANNON BOARD OF DIRECTORS

Frank Scarpaci, *President*
Dave Sarver, *Vice-President,*
ACC Chair, Financial
Lisa Ackerman, *Playground Chair*
Tony Sacco John Morton
Richard Flood Terry Creighan
Rita Manolas

PHONE: (724) 745-4911 ♦ EMAIL: glencannon15317@yahoo.com



Glencannon Resource Page

Babysitters

Krystina Litton	746-6747
Mary Lloyd	745-5988
Ashley Lucot	746-2730
Sarah Ackerman	745-3989
Carly Cappelli	743-3345
Katie Rosemeier	223-9653
Sarah Rosemeier	223-9653
Kaylyn Kusluch	746-8649

Teen Yard Work

Nolan Poness	746-5210
Riley Poness	746-5210
Justin Hopf	746-8655
Mark Gault	678-0664
Patrick Bonner	746-0249
Cody Kusluch	678-5640

Dog Walking

Bethany Henderson	746-4087
Janine Dolanch	328-0716
Natalie Ackerman	745-3989

If you would like to add your name to any of the above lists, just call the Association at 724-745-4911.

Canon McMillan School District

Administration Building	746-2940
Borland Manor Elementary	745-2700
N. Strabane Intermediate	873-5252
Canon McMillan High School	745-1400
Transportation Department	745-1502
St. Patrick Catholic School	745-7977

North Strabane Twp. Municipal

Animal Control	746-4344
Police/Fire/Ambulance	911
Township Office	745-8880
Police Administration	746-8474
Maintenance	745-1404

Utilities

Waste Management	800-866-4460
Allegheny Power	800-255-3443
PA American Water	800-474-7292
Equitable Gas	412-395-3050
Verizon	800-660-2215
Comcast Cable	724-745-4734
Gas Leaks	800-253-3928
PA-1 Call	800-242-1776

Glencannon Pool	724-745-1360
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Glencannon Homes Association

P.O. Box 831 ♦ McMurray, PA 15317 ♦ 724-745-4911
glencannon15317@yahoo.com

Lawsuit Update

By Marcia DePaula & Phillip J. Binotto Jr., Counsel for Glencannon Homes Association, Inc.

On April 15, 2011, counsel for Glencannon Homes Association, Inc. ("GHA") met with the GHA Board to provide them with an update of the status of the lawsuit filed by GHA against North Strabane Township, Canon-McMillan School District, McDowell Estates, L.P. and Heartland Homes ("Defendants") in the Washington County Court of Common Pleas, Docket No. 2010-5793. **[Please see additional note regarding this meeting at the bottom of this page.]** The following is a brief summary of the status as to each Defendant.

GHA has served discovery requests upon all of the Defendants. In order for the parties to gather additional information, the discovery deadline has been extended until August 19, 2011.

McDowell Estates

On March 22, 2011, Attorney DePaula and GHA's expert reviewed and gathered documents from McDowell Estates, L.P. at its offices. These documents included various inspection reports from the Erosion/ Sedimentation Control Inspector of the Washington County Conservation District between 2006 and 2010. Some of the inspection reports include the following findings: (1) failure to permanently stabilize the earth disturbance site; (2) failure to prevent sediment or other pollutant discharge into waters of the Commonwealth; (3) site conditions present a potential for pollution to waters of the Commonwealth; (4) site conditions which constitute violations of the Clean Streams Law; (5) failure to maintain effective Best Management Practices. GHA's expert is in the process of analyzing the documents to determine if the inspection findings had an effect upon the erosion and sedimentation in Glencannon.

On or about April 26, 2011, subpoenas were served upon Gateway Engineers, Wash Co. Conservation District and PA Soil & Rock in order to obtain additional documents relating to McDowell Estates.

Heartland

GHA is waiting for discovery responses from Heartland.

Canon-McMillan School District & North Strabane Township

On March 15, 2011, counsel for Canon-McMillan School District and North Strabane Township argued their preliminary objections to the lawsuit before Judge O'Dell Seneca. Attorney De-

Paula argued against the preliminary objections. As of April 25, 2011, Judge O'Dell Seneca has not issued an Order regarding the preliminary objections. However, based upon the arguments of counsel, it appears that the parties are agreeable to an amendment to the lawsuit to clarify the allegations.

Specifically, one of the issues raised was that the School District does not own the recreational playing fields...but has leased the property from the Township for 99 years. It is GHA's position that a 99 year lease may be considered ownership based upon prior court decisions. Therefore, GHA will most likely amend the lawsuit to allege liability against both the School District and the Township for the recreational playing fields and allow the Court to decide if both or one of these parties should be held liable for the negligent maintenance of the storm water management system and the alterations to the property which may have caused erosion and sedimentation build-up in Glencannon.

Another issue raised by the Township was that the 2010 repairs made to McDowell Road occurred after the DEP issued a notice to GHA in 2009; therefore, the repairs could not have caused the damages. However, as explained to Judge O'Dell Seneca, GHA is seeking damages for negligent maintenance of the storm water management system along McDowell Road and other repairs/ alterations to the road prior to the DEP notice. GHA is also seeking current and future damages from the 2010 repairs to the road. It appears that the paving has caused an increased volume of storm water runoff which drains into Glencannon at a noticeable gap in the curb of the road.

The above allegations against the School District and the Township would fall under exceptions to governmental immunity in the Political Subdivision Tort Claims Act, 42 Pa.C.S. §8541 et seq. and under the Storm Water Management Act, 32 P.S. §680.1-680.17.

Conclusion

Once discovery is completed, the parties will schedule the matter for trial. GHA's expert would testify at trial as to his findings regarding all of the parties. GHA is requesting damages of at least \$300,000. In addition, GHA would want the parties to make any necessary repairs to prevent the sediment accumulation in the Pond in the future. If the parties are unable to make these necessary repairs, then GHA would want the parties to pay their portion of any future maintenance and repairs to the Pond.

This meeting on April 15th was attended by GHA President Frank Scarpaci, Vice President Dave Sarver, and Board members Lisa Ackerman, Tony Sacco, and Rita Manolas. Following the meeting, the Board members in attendance unanimously agreed to proceed with the lawsuit based on the information provided at this meeting.



Glencannon Community News

A.C.C. Approval

Any resident planning to change the exterior of their property must obtain approval from the A.C.C. Chairman. North Strabane Township will not issue a building permit to any resident of Glencannon unless they have this approval from the Association. Approval must be obtained for decks, doors, windows, sidewalks, patios, sheds, painting, etc. A copy of the A.C.C. form is available on page 11 of this newsletter. Let us know if you have any other questions.

Payment Reminders!

Your monthly association dues of \$43 should be sent to:

**GLENCANNON HOMES ASSOCIATION
P.O. Box 831, McMurray, PA 15317**

If you are ever unsure of the current balance on your account, please give us a call at 724-745-4911 and we will be happy to let you know.

Please include your lot number with your payment!

You may include a payment voucher, write the lot number on your check, or list it as the account number if you pay your bills online. This makes it much easier for us to ensure that your payment is credited to the proper lot!

Glencannon Community Yard Sale: June 18, 2011

A community yard sale is being planned for the Glencannon community! If you would like to participate, please send your name, lot number or address, and a summary of items you plan to sell to the yard sale chairperson by June 4:

Rich Egnosak

*466 Hunting Creek Road
Canonsburg, PA 15317*

Selling Your Property?

If you are planning to sell your property, please contact the Association Secretary once you have accepted an offer and a tentative closing date has been determined. The manager will then prepare the Resale Certificate Package.

As a reminder, under Act 180, the Association has 10 days to provide the resale certificate and other items to the seller. Please notify the Association Secretary as soon as possible so that a resale certificate can be prepared.

The fee for a resale packet is \$75.

May Board Meeting

The next Glencannon Board Meeting will be held on Tuesday, May 10, 2011 at 7:00 p.m. at the Hilton Garden Inn Southpointe, 100 Corporate Drive, Canonsburg.

All residents are invited to attend!

Contacting Glencannon

To better serve our community members, we have set the following phone hours when you can be assured that your calls and emails will be answered in a timely manner. (If there is no answer during these hours, PLEASE leave a message as we are most likely on another call.) If you would prefer to meet us at the pool office, please call to set up an appointment.

Glencannon Phone Hours

MONDAYS 2:00 p.m. — 8:00 p.m.

WEDNESDAYS 9:00 a.m. — 5:00 p.m.

FRIDAYS 9:00 a.m. — 5:00 p.m.

You may reach the Association Secretary, Sara Minshull, by phone at (724) 745-4911 or by email at glencannon15317@yahoo.com.

Glencannon Homes Association Financial Report ♦ March 31, 2011

General Operating Fund

Checking	\$25,171.08
Money Market	\$47,800.85
Total as of 3/1/2011	\$72,971.93

General Fund Revenue

Association Fees	\$29,708.04
Resale Packets	\$75.00
Money Market Interest	\$3.79
Newsletter Ads	\$917.00
Rec Center Guests	\$0.00
Rec Center Deerfield	\$0.00
Total	\$30,703.83

General Fund Expenditure

Rec Center	\$1,744.11
Commons	\$0.00
Grounds	\$9,199.39
Trash	\$5,696.51
Administrative	\$8,474.61
Total	\$25,114.62

General Operating Fund

Beginning Balance	\$72,971.93
Deposits	\$30,703.83
Disbursements	\$25,114.62
Transfer to Capital	\$14,000.00
Total as of 3/31/2011	\$64,561.14

Glencannon Recreational Center

2011 RULES AND REGULATIONS

ONLY RESIDENTS CURRENT IN THEIR ASSESSMENTS MAY USE THE RECREATIONAL FACILITIES.
Violation of the following rules will result in revocation of swimming privileges.

POOL RULES:

1. No diving or flipping into the pool at anytime.
2. Running and horseplay in the pool area is forbidden.
3. Water games in the pool are permitted only with the consent of the guard and when they don't interfere with the enjoyment of the pool by others.
4. Soft throwing and water balls, kickboards and other water equipment may be used only with the consent of the guard.
5. Non-swimmers must stay in the shallow end of the pool.
6. Talking to the guard on duty is forbidden except to request information.
7. Children 13 years of age and under will not be permitted in the area unless accompanied by a parent or an agent of the parent acting as the guardian. Authorization shall be submitted to the guard in writing. **CHILDREN MUST BE WATCHED BY THE GUARDIAN AT ALL TIMES! A GUARDIAN IS DEFINED AS A PERSON 15 YEARS OF AGE OR OLDER.**
8. Children 13 years of age and under who have not been certified as competent swimmers cannot be in the deep end of the pool. All children wearing water wings or flotation devices of any kind are considered non-swimmers by the staff and need to be accompanied/supervised by a responsible adult or guardian in the pool at all times.
9. Each parent is responsible for the safety of his/her child at the baby pool and must supervise at pool side.
10. Members and guests are permitted to enter the pool area only through the bathhouse gate.
11. Entering the pool area at any time when it is closed is forbidden
12. Glass or metal containers, sharp objects, or other dangerous articles are not permitted in the pool area at any time.
13. Throwing of rocks or other foreign materials in or around the pool is forbidden.
14. Littering in the pool area is forbidden - Ashtrays and trash cans are available, please use them.
15. No pets are permitted in the pool area.
16. **NO ALCOHOLIC BEVERAGES** are permitted in the pool area at any time.
17. The Homes Association is not responsible for any valuable lost in the pool area.
18. Smoking, food, drinks and gum are not permitted in the pools or on the concrete apron around the pools at any time.
19. All members and guest using the recreational facilities must respect the rights and property of the neighboring residents at all times.
20. All persons must leave the pool at any time when directed to do so by the guard.
21. The baby pool is only for infants and toddlers up to age 4 years old.
22. Only guard chairs are permitted on the concrete apron or in the pools.
23. No loud music interfering with the enjoyment of the pool by others will be allowed.
24. No chair saving. Chairs are available on a first come, first serve basis.
25. All parties during normal hours must be approved by the pool manager at least two weeks prior to the scheduled party.
26. No person showing evidence of a communicable disease, bodily discharges, open blisters or cuts and bandages will be allowed entry to the swimming pool area. Persons suspected of being under the influence of drugs or alcohol shall be prohibited from entering the water.

POOL SCHEDULE:

1. The pool will open for the season on a daily basis.
2. The pool hours (weather permitting) will be 12:00 p.m. - 8:00 p.m. Monday through Friday and 11:00 a.m. - 8:00 p.m. on Saturday and Sunday for the entire pool season. Wednesdays will be night swim days. The pool will open 12:00 p.m. - 10:00 p.m.
3. A rest period for Adult Swim will occur promptly during the last 15 minutes of each hour and will end promptly on the hour in which the pool is open. All persons other than adults (high school graduates) must leave the pool promptly when the guard signals the beginning of a rest period and remain out until he signals its end. When children are out of the pool during Adult Swim, they are not to be in the Baby Pool and are to be in the grass areas. The side of the pool closest to the pond is reserved for lap swimmers during this time. Children 2 years of age and younger are

permitted in the pool with their parent/guardian during Adult Swim.

4. The pool may be closed during the hours of inclement weather, at the discretion of pool management or the head guard on duty.

GUEST REGULATIONS:

1. Members may bring a guest to the pool at any time, subject to the following regulations.
2. Any Glencannon Resident in arrears on assessment cannot be a guest of a member in good standing.
3. Guests must be accompanied by a member in good standing and obtain a guest pool pass. Residents **MUST** stay with their guests at all times. There is a maximum of 10 guests permitted in at a time with out prior notice.
4. Guest fees: \$3.00 per person daily admissions (children 5 and under are free). A season guest pass will be available for \$30.00. (One pass per unit good for one person only). All guests must be accompanied by resident.
5. There will be no fee for use of tennis courts when accompanied by a Glencannon resident.
6. A vacation pass is also available for \$15.00. Purpose: To eliminate the problem of having a member present when out of town guests are visiting, and to make the guests feel comfortable using our pool facilities.

DIRECTIONS: The member must fill out the vacation pass form and return it to the pool manager. Once approved/disapproved, the member will be notified (approximately two weeks after the request). Payment must be paid in full one day prior to arrival date. Only after payment is made and the pass is filled out will the vacation pass(es) be issued (this will be done at the pool). The pass(es) must be returned on the departure date or one day later. To ensure prompt return, there is a \$1.00 per pass/per day charge for pass(es) past due, and members will not be allowed usage of the pool.

RELEASE FORM: This can be filled out anytime and brought to the pool when picking up the pass(es). If anyone is less than 18 years of age, a parent or guardian must sign the form on their behalf.

VACATION TIME: Seven days (one week) is the maximum time for each vacation request, but there is no limit on the number of requests.

AREA ALLOWANCE: This is a vacation pass not a guest pass and only under special circumstances will a request be approved within a 25 mile radius (fill out special request/comment line for consideration).

PAVILION RENTAL: The fee to exclusively reserve the full pavilion during regular pool hours is \$25 for 3 hours, plus \$3.00 per guest. The pavilion will have water and electricity available. (If the pavilion is not already reserved, residents may use the pavilion informally during regular pool hours for no charge.)

AFTER HOURS POOL USAGE: Please contact the pool manager about renting the pool for an after hours party. The fee to rent the pool from 8:00 p.m. to 11:00 p.m. is \$75.00. This includes use of the pavilion.

OTHER COMMONS FACILITIES: Tennis, Volleyball, Pavilion (10:00 a.m. to 8:00 p.m. weather permitting)

1. Only members in good standing and their guests can use the courts. Guests must be accompanied by members at all times.
2. Reservations for the courts may be made with the Association Manager. Use of the tennis court and volley ball court will be limited to one hour increments. Anyone wishing to use the softball field for an organized event must reserve the date and time at least one week in advance through the Manager. Fees may be charged depending on the type of reservation.
3. No skateboards, rollerblades, heellies are permitted on the courts at any time.
4. When any party/individual is done with the volleyball court they must rake the court.
5. Not pets are permitted on the courts at any time.
6. Any individual playing tennis/volleyball/basketball must shower before swimming

ENTIRE REC. CENTER:

Damage to any property in the recreation area by any member or guest will result in the liability of the responsible party for any repairs or replacements necessary as a result of their actions.

Glencannon residents **MUST have a 2011 pool pass to use the pool this summer!**
Photos for pool passes will be taken at the pool office on Saturday, May 14, 2011 from 9:00 a.m. until 12:00 p.m.

As in previous years, residents of upper Deerfield may also purchase pool passes at a cost of \$150 per family.

Glencannon Regular Meeting Minutes

April 12, 2011

Board members present: President Frank Scarpaci, Vice President Dave Sarver, Lisa Ackerman, Tony Sacco, Richard Flood, Rita Manolas, John Morton, Terry Creighan

Meeting was called to order by Mr. Scarpaci at 7:20 p.m.

FINANCIALS: The board reviewed the financial information for March 2011 that had been distributed prior to the meeting. Mr. Sacco requested more information on the check to Elite for \$3,066.94. This check consisted of the regular end-of-month payment to Elite, plus an additional invoice for \$697.48. [Mrs. Minshull later provided Mr. Sacco with a copy of this invoice.] Mr. Sacco also asked about the Eckert Seamans invoice from October 2010 for \$2,680.00, and Mr. Scarpaci and Mr. Sacco discussed the charges from this invoice related to board membership and eligibility. Mr. Scarpaci stated that consultation with the lawyers on this matter was necessary due to the questions that were raised by Mr. Morton and other Board members at that time. Ron Siegel, a resident in attendance, requested a copy of these responses. Another resident requested that they be published on the Glencannon website. The board agreed to post this information on the website. Mr. Morton clarified that he put the letter together at the request of Mr. Scarpaci and the Board concurred with its content.

Mrs. Minshull told the board that the total amount of past-due accounts receivable has decreased by over \$9,000 between the end of January and the end of March. This decrease is attributed to sending monthly statements to all residents and following up on past-due accounts.

Mr. Scarpaci made a motion to approve the February financials. Vote: 3 yes (Mr. Scarpaci, Mr. Flood, Mr. Creighan), 3 no (Mr. Morton, Mr. Sacco, Ms. Manolas) and 1 abstention (Mrs. Ackerman)

REC CENTER: Mr. Scarpaci reported that Pat Hogan has been addressing deficiencies with the pool pump and filter systems. Mr. Scarpaci added that the board has been discussing what to do about the pool office, and has considered dividing the space to make it possible for the manager to continue working in this area when the pool staff is present.

Mr. Creighan discussed the pricing and installation of the security system that was previously approved by the board, and noted that it should be well under budget. Mr. Creighan made a motion to purchase and install a security system for the rec center. Mr. Sacco seconded the motion. Vote: 7 yes (Mr. Scarpaci, Mr. Flood, Mr. Creighan, Mr. Morton, Mr. Sacco, Ms. Manolas, Mrs. Ackerman)

Mr. Scarpaci stated that a pool clock and grill need to be purchased and that several pool lights are burnt out and need to be replaced. The board discussed the purchase of a grill and agreed to aim to spend approximately \$600. Two residents in attendance offered to research options and report back to the board next month. The board discussed the purchase of a pool clock, and estimated that the projected cost would be \$100 to \$200 for a battery-operated, weather-resistant clock.

ACC: Mr. Scarpaci stated that the board would like to form a committee to assist with handling ACC requests and issues. A resident from Old Meadow Road expressed concerns about a neighbor who

installed a fence that is attached to her fence and crosses her property line. Although the neighbor submitted an ACC request that was approved, the proposal they submitted is different from the way the fence was actually installed. Mr. Morton recommended that the resident contact the code enforcement officer for North Strabane Township.

OLD BUSINESS: Mr. Scarpaci reported that he and Mrs. Ackerman recently met with State Senator Tim Solobay regarding the pond situation and asked if any funding can be directed to Glencannon from the federal level. They also have learned that North Strabane Township is not releasing Canon-McMillan School District from the lawsuit as per their attorney. [Mr. Sarver arrived at the meeting at this point.]

NEW BUSINESS: Mr. Sacco discussed the issue with the storm sewers on upper Hunting Creek Road and showed photographs of the muddy pond that forms due to the backup of water. Mr. Sacco said that he contacted the roads supervisor for the township, and they were uncertain of whether or not the township has an easement. If there is an easement, this problem would be the responsibility of the township. If not, it would be the responsibility of Glencannon. Mr. Sacco will look into finding out if there is an easement.

Mr. Scarpaci stated that the official ballots for the election of board members will be created after nominations are held at the next meeting in May.

Mr. Scarpaci discussed the Citizens Bank CD that is up for renewal in June and suggested moving the money from this CD to the Edward Jones investment account. Due to the potential instability of the market in the coming months and questions the Board had for Edward Jones concerning this move, the board decided to table this decision until May.

Mr. Scarpaci mentioned the possibility of forming a bylaw revision committee, since the board has been told by attorneys that the bylaws are too vague in many areas. Mr. Siegel stated that he does not think that the bylaws should be revised, and added that such a change would require the approval of a large percentage of residents. He also said that policies and procedures can be implemented without changing the bylaws.

OPEN DISCUSSION: Vicki Falleroni, a resident in attendance, recalled an incident at the March board meeting where another resident accused the board of "hiding" something regarding the financial information. Ms. Falleroni said that in October, when she joined the board, Mr. Scarpaci consulted with her regarding the association's financial information and asked her to look over the association's records and offer feedback. Mr. Scarpaci, along with Mr. Sarver and Mr. Sacco, believed that there were problems and discrepancies in the reporting of the association's A/R at that time. Ms. Falleroni stated that she has 15 years of accounting experience, and someone who was "hiding" something would never have given her this kind of access to the financial records and asked for her input.

Ms. Falleroni also said she believes that residents whose properties have ongoing complaints against them for ACC violations or exterior appearance issues should not be permitted to serve on the board, since residents who do not respect their own property would not set a good example for the community as a whole. Ms. Manolas stated that such residents cannot be prohibited from serving on the board, but it is the responsibility of voters to check on the candidates and their properties prior to voting.

Cheryl Cokley, a resident in attendance, read a letter to the board regarding her attempts to serve on the board. Mr. Scarpaci stated

that the board will consult with their attorneys regarding this matter. She gave a copy of the letter to Mr. Scarpaci and requested the letter be included in the official meeting minutes.

Mr. Siegel asked if statements will continue to be sent to all residents on a monthly basis. Mr. Sarver responded that statements were sent out to all residents for the first several months of 2011. In the future, monthly statements will only be sent to residents whose accounts are past due, and quarterly statements may be sent to other residents as well. Mrs. Minshull added that the statements have been very useful for many residents due to the numerous data entry errors that occurred in 2010. Residents were able to identify incorrectly entered payment amounts, missing checks, and other errors on their accounts, and Mrs. Minshull was then able to correct these problems.

Mr. Siegel also suggested that the results of the pond vote send a message to the court that most Glencannon residents do not care about the pond. He also questioned the new portion of split rail fence that was installed above Pheasant Cove, and expressed concern that this sets an expensive precedent. Mr. Scarpaci stated that this portion of the fence was necessary due to safety issues with young people riding bikes on the hill.

A resident of Deerfield Drive discussed the ongoing issues with the retention pond in that area not draining properly. Mr. Scarpaci stated that the court already determined that this is a private property matter that does not involve the Association. The resident asked Mr. Sarver what he is going to do about the retention pond, since the drain is on his property. Mr. Sarver stated that he is having someone come to look at it in early May.

A resident of Cricketwood Court stated that there are trees on

common property near the pond that need to be trimmed due to overgrowth and broken branches. She also stated that the pond drain is noisy after rainstorms and seems to be clogged. Mr. Scarpaci said that this is an ongoing issue and Ed from Elite has already cleaned out this area several times. She also asked Mr. Creighan what his qualifications are in terms of working with the security system for the rec center. Mr. Creighan stated that he works in television production and has installed security systems before. The resident also commented on board meetings starting late, and Mr. Scarpaci stated that there were issues with the hotel regarding the room rental that contributed to the late start for this meeting.

Another resident asked the board if it would be possible for residents to see the meeting agenda prior to the meeting. Mr. Scarpaci agreed that it would be ideal for the agenda to be published in the newsletter each month or posted on the website. Mr. Sacco added that he would like for information on the website to be voted on by the board prior to it being posted. Mr. Creighan stated that the information posted on the website has been consistent with the information that was provided to the board by the attorneys.

Mr. Scarpaci made a motion to require that all board members be current on their assessments at every meeting. The board agreed to table this discussion and vote until the executive meeting.

A resident of Cricketwood Court reported that there are trees from the woods that are falling onto common ground and need to be addressed.

Mr. Scarpaci made a motion to adjourn the meeting. Mrs. Ackerman seconded the motion. Meeting was adjourned at 9:33 p.m.

Respectfully submitted by Sara Minshull.

LETTER TO THE BOARD

As this Board is aware, in August 2010, I was elected to serve as a member of this Board. Just days before I was to begin serving, I was informed that my nomination was invalid because "it was brought to the Board's attention" that I owed Association fees of \$10.00. The \$10.00 was a finance charge due from balances that were unpaid in November and December 2009. As this Board is, and in August 2010 was, aware, the non-payment of the November and December 2009 assessment was due to an automatic deduction error by my Bank, and in January 2010 when this was discovered, I immediately paid such fees along with a \$5.00 finance charge, at the time being informed that was all I owed.

In October 2010, I received a letter from Board counsel, Marcia DePaula informing me that my nomination was not valid under Article V of the By-Laws in that I was not in "good standing." She stated:

"Specifically, you were past due on paying your assessments for November and December of 2009 and incurred late fees. While you have represented that your Bank made an error by not debiting the homeowner's fees, the Board must uniformly enforce the By-Laws as to all members of GHA. Both the prior and current practice of the Board is to not allow nominations of any Member of GHA if all amounts are not paid, including assessments, interest, costs and attorney's fees."

As this Board is aware, at no time prior to August 2010 did I ever receive any notice of a \$10.00 finance charge for late payments. Association records clearly reflect that nothing was owed. This is critical because the responsibility of delivering and notifying homeowners of amounts owed, falls upon the Board. Having failed to notify me, and having Board records indicating that all payments were current, technically at the time of my nomination and election, nothing was due and therefore I was in good standing.

Further, the By-Laws do not appear to read as stated by your Counsel. Ar-

ticle V reads: "All nominees, if Members of the Association, should be in good standing; that is, they shall have paid all annual, monthly, regular, and special assessments due the Association before their names can be placed in nomination."

There is no mention of finance charges. Again, at the time of my nomination, all annual, monthly, regular, and special assessments were paid.

Continuing, Article VII, Section 2(d) provides that it is the duty of the Board of Directors to provide a certificate setting forth whether or not any assessment has been paid. "If a certificate states that an assessment has been paid, such certificate shall be conclusive evidence of such payment." Records, as initiated by Dave Sarver, an officer of this Board, reflects that the \$10.00 finance charge was paid as of January 2010, establishing conclusive evidence of payment and therefore nothing was due as of August 2010.

Lastly, the validity of a \$5.00 per month finance charge is questionable. The authority to assess an interest charge appears to come from Article IV, Section 8 of the Declaration of Covenants, Conditions and Restrictions. Section 8 provides: "Any assessment not paid within thirty (30) days after the due date shall bear interest from the due date at a rate of six (6%) percent per annum." Based on a \$43.00 monthly assessment, this equates to a finance charge of roughly 22 cents per month. Therefore, in January 2010 when the assessments were paid, I owed approximately 66 cents in finance charges. Having paid \$5.00 in January, not only did I not owe, it appears I was due a refund.

I therefore am requesting, and providing this Board with the opportunity, to correct the previous error and allow me to assume my seat on the Board. I am providing a copy of this statement to the Board and ask that it made part of, and referenced in, the official minutes of the Board.

Thank you.

Cheryl Cokley

Glencannon Executive Meeting Minutes

April 19, 2011

Board members present: President Frank Scarpaci, Vice President Dave Sarver, Richard Flood, Terry Creighan, Rita Manolas, and Lisa Ackerman (Ms. Manolas excused herself at 8:45.)

Meeting was called to order by Mr. Scarpaci at 7:06 p.m.

The minutes from the April regular meeting on 4/12/2011 were reviewed by Mrs. Minshull and corrections were made. Mrs. Ackerman requested a wording change under Open Discussion. After exploring the issue, Mr. Flood made a motion to keep the minutes in that section as they were written. Vote: 5 yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Ms. Manolas), 1 no (Mrs. Ackerman). Vote to accept the minutes as corrected: 4 yes (Mr. Scarpaci, Mr. Flood, Mr. Creighan, Ms. Manolas), 1 no (Mrs. Ackerman) and 1 abstention (Mr. Sarver).

OLD BUSINESS: The issue of whether or not to include residents' letters in the community newsletter was discussed. Mr. Creighan stated that it has been the practice of previous boards to publish signed letters, and that the board should establish their policy on the matter. Mr. Scarpaci agreed that letters have been consistently printed in the past. It was decided to continue with the policy of printing such letters.

NEW BUSINESS: Mr. Scarpaci made a motion that all directors must be current with their association dues as of the last day of the previous month in order to vote at meetings. Vote: Unanimous yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Ms. Manolas, Mrs. Ackerman).

Mr. Scarpaci made a motion to continue with the lawsuit on the pond in light of positive information from the attorneys. Vote: Unanimous yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Ms. Manolas, Mrs. Ackerman).

Mr. Scarpaci inquired if the board wants to stay with the accounting firm of Cypher and Cypher. After discussion of two bids from other firms, the issue was tabled until the board can acquire a third bid.

REC CENTER: Mr. Scarpaci made a motion to pay Wendy Hogan minimum wage to open the volleyball courts on nice days and weekends and to rake the court twice a week (as she has done in the past). Vote: Unanimous yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Ms. Manolas, Mrs. Ackerman). Mrs. Manolas excused herself at this point.

After much discussion of competing bids, Mr. Scarpaci made a motion to pay up to \$3,000.00 to install a wash-out, spigot and electric switches and outlets in the pool pavilion. Vote: Unanimous yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Mrs. Ackerman).

Mr. Sarver made a motion to pay \$200.00 to paint the new guard-rail that was installed above the pool area. Vote: Unanimous yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Mrs. Ackerman).

Mrs. Ackerman made a motion to pay Elite to paint the commu-

nity information board at the pond. Vote: Unanimous yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Mrs. Ackerman).

Mr. Scarpaci mentioned the aerator was damaged by vandalism and needs to be repaired.

The board members are still conducting research on a grill for the pavilion.

Mr. Scarpaci opened discussion about a security system in the pool area. Mr. Creighan stated there is a sale right now for the security system, and recommended that the board act quickly to purchase it at the current price of \$900 (\$200 off the original price of \$1,100). The flagpole was mentioned as a possible placement for a camera (if it was moved to a better location). A decision was not made yet.

Mr. Scarpaci asked the board members their opinions on buying an Amish-made building to use as a guard house. That way, the area the guards have historically used can continue to be used as an office for the Association Secretary. Mr. Scarpaci quoted a price of \$3000.00. The board is going to meet at the Amish business and check out the feasibility of this idea.

After much discussion, Mrs. Ackerman made a motion to charge \$25.00 to reserve the pool pavilion for a period of 3 hours during regular pool hours. (The standard \$75.00 fee for reservations after hours 8-11, still stands as does the \$3.00 fee for each non-resident.) Vote: 4 yes (Mr. Scarpaci, Mr. Flood, Mr. Creighan, Mrs. Ackerman), 1 no (Mr. Sarver).

Mr. Scarpaci made a plan to discuss pool issues with Mr. Pat Hogan. Among the issues: pool passes for association members as well as residents on Deerfield, pool rules, lights for the pool, the wall near the men's room which is pulling out and the state of the pool furniture.

OPEN DISCUSSION: Mrs. Ackerman mentioned the yearly community yard sale. She is in contact with an experienced resident who is willing to oversee the yard sale process this year. She made a motion for Rich Egnosak to be the chair of the yard sale. Vote: Unanimous yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Mrs. Ackerman). More information will be in the newsletter.

Mrs. Ackerman asked Mrs. Minshull if she is going to have regular office hours for spring, summer and fall. Mrs. Minshull confirmed that anyone can call during the hours listed in the newsletter or meet with her by appointment.

After discussing the issue, Mr. Scarpaci made a motion to pay \$50 each for 7-8 concrete barriers to be installed on Upper Hunting Creek Road. (This is where the railroad ties were removed.) Vote: Unanimous yes (Mr. Scarpaci, Mr. Sarver, Mr. Flood, Mr. Creighan, Mrs. Ackerman).

Mrs. Ackerman mentioned she is in contact with a personal trainer who is willing to do a fitness "boot camp" with interested residents on Saturday mornings. More information is to follow.

It was decided to hold the next executive meeting at the pool pavilion.

Mr. Scarpaci made a motion to adjourn the meeting at 10:08 p.m. Mr. Creighan seconded the motion.

Respectfully submitted by Sheila Parker.

BOARD VACANCIES

for the Glencannon Board of Directors will be available soon!

One vacancy will be available in May (unexpired term) and three vacancies will be available in June (townhouse, single family, and open). Nominations for the June vacancies will be accepted at the May regular meeting, then official ballots will be distributed to all residents. Nominees must be current on fees and assessments.

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Hours:

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AD SIZE	AD FEE	TYPING FEE
Full page	\$60	\$6
Half page	\$45	\$5
Quarter page	\$30	\$4
Business card	\$17	---
Line ads		\$0.40/word

Discounts apply when consecutive ads are placed:

- 2 free ads when you purchase 10
- 1 free ad when you purchase 5
- 1 half-price ad when you purchase 3

**Deadline for all ads except full-page ads
is the 15th of each month. Full-page ads
are due by the 20th of each month.**

REMINDERS!

Glencannon ACC regulations require that **GARBAGE CONTAINERS** be stored indoors or *inconspicuously* outdoors (not in front of your residence). Garbage containers should be placed in front of your residence no earlier than 6:00 p.m. the night before collection day, and should be removed following collection on collection day. Thank you!

Also, we ask that residents please remember that Pennsylvania and the township of North Strabane have laws pertaining to **DOGS**.

Pennsylvania State Law: All dogs must be under control and may not be allowed to run at large. Dogs are personal property and owners are responsible for damages caused by their dogs. This means that when your dog is not on your property, it must be under the direct control of you or a handler. The best way to control your dog is with a leash.

North Strabane Township Ordinance: It shall be unlawful for the owner of any dog or dogs to allow or permit such dog or dogs to run at large in the township of North Strabane.


We ask that all residents please leash all pets and clean up after them. Thank you for your cooperation.



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Request for Review
Architectural Control Committee
Glencannon Homes Association, Inc.

Name: _____ Date: _____

Address: _____ Date Rec'd: _____

Telephone: _____ Lot: _____

Project Description:

Owner's Signature: _____

ACC Recommendations & Comments:

ACC Committee's Signatures: _____

INSTRUCTIONS: Prepare a written description and a sketch of the proposed improvement or change in sufficient detail so that the committee can make a decision. Provide a site plan, including unit location, and indicate where on the property the improvement is to be located. The ACC has 30 days in which to respond to your request. If you do not receive a response in 30 days, the request is automatically approved.

MAIL REQUESTS TO:

Glencannon Homes Association ♦ P.O. Box 831 ♦ McMurray, PA 15317

May 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 Garbage & Recycling	5	6	7
8	9	10 BOARD MEETING 7:00 p.m. Hilton Garden Inn Southpointe	11 Garbage	12	13	14
15	16	17	18 Garbage & Recycling	19	20	21
22	23	24	25 Garbage	26	27	28
29	30 <i>No school</i>	31				

Special offer for Glencannon residents: The Pittsburgh Civic Light Opera (CLO) is currently offering Glencannon residents a special rate on individual tickets. Call (412) 325-1582 and mention offer code 22359 and ask for the Glencannon Homeowners Exclusive Discount.