

Brennan Estates Board Meeting  
 New Castle County Conservation Center  
 Wednesday June 19th, 2019 7PM

Members of the Board:	Position:	Section:
Heather Pasquariello	President	Meadows
Ernest Dempsey	Vice President	Meadows
Geraldine Thomas	Treasurer	Meadows
Rose Ann Smith (absent)	Correspondence Secretary	Terrace Townhomes
Daniel Mawn	Board Member	Terrace Townhomes
Zenobia Thompson (absent)	Board Member	Arbors
Courtney Glasgow-Rinaldi	Board Member	Meadows
Sekhar Arutla	Board Member	Southwoods
Vickie Coulter-Phillips	Board Member	Terraces Singles
Errol Rodriguez	Board Member	Woodlands

President Pasquariello brought the meeting to order at 7:07 PM

Senator Hansen asked for a list of potholes in Brennan, Heather handed said list over. Senator Hansen announced two events. HOA Leaders Forum July 16<sup>th</sup> 6:30 at Troop 2—storm drain management. Constituent Coffee September 25<sup>th</sup> at the food bank café located at 6:30 222 Lake Drive. The speaker at this coffee will be a representative from DeIDOT.

Senator Hansen gave a snapshot of her day at the general assembly. She spoke on the ignition interlock device program cleanup bill. As it stands, if someone with a DUI is on probation, they have to complete a program, if they choose not to drive rather than completing the program, they are faced with various issues. Senator Hansen implemented a new tax on aviation jet fuel at 5 cents per gallon. The 9 general aviation airports in the area wanted the tax as the tax funds maintenance of aviation fields. Senator Hansen than spoke of PsyPAC Psychologist telehealth ability compact. There is a huge need for Psychologists in the southern parts of Delaware. Psychologists aren't going there to live and practice, so Senator Hansen spoke on her bill to allow psychologists to treat patients over the phone allowing out of state psychologists to treat patients, if the patients choose. Senator Hansen also spoke on the current issues with the DSHS. Specifically pertaining to adults with intellectual abilities in need of day healthcare or a nurse—DDDS Crisis with providers. Senator Hansen said that if they don't get their act together, Delaware's 9-member advisory council will help with issue through a full review (AKA "Sunset Review") of the DDDS. At this review, they will be required to discuss what their purpose is and how much they spend among other items.

Senator Hansen received calls from constituents notifying her of issues. She came to learn that health insurance agencies can refuse people healthcare if they get tested by, say, ancestry.com and have health issues revealed. If they ask for the results of the test, people are finding that they often cannot refuse to turn over the results to their health insurance agencies without having the insurance companies overcharge or deny them coverage. Senator Hansen wrote a bill saying the health insurance agencies are not allowed to deny healthcare. She intends for this to be a big bill for next year.

**Parking on Ballina (Dan):**

Dan Mawn with parking situation. Parking on Ballina has been very difficult. DeIDOT surveyed the road and said the area is unsafe. They installed signs stating a "no parking zone." This caused many issues with particular people. There were fights with police from community members because the police officers enforced the no parking zones. Dan noted that 3 townhouses have 15 cars, which causes the

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entire issue with the lack of overflow parking. It is a big concern for residents. Majority of the issues are with renters.

Dan asked what to do about the fact that there are so many cars and not enough parking. DeIDOT told Dan that it was up to the Brennan Board.

Brad from Aspen noted that he had some ideas on a path forward for Brennan. Heather told the board that Aspen has a lawyer that will read our deed restrictions and bylaws to determine what can be done.

**Sidewalk Concrete:**

Errol went through neighborhood and took pictures.

Brad spoke about a company that will do inspection on sidewalks. Precision Concrete will come through and shave down the pieces that are the most unsafe and give quotes for the rest of the work to be done for the board to review, revise and approve.

**Playground Inspections:**

President Pasquariello told the board that come next month, the company that did the playground inspections will give Brennan a recommendation to replace one of the playgrounds. This is expected to be expensive.

**Aspen Management Plan:**

Julie, Brennan's contact at Aspen, introduced the Aspen management plan for Brennan. It was an outline of the year for Aspen and the Board to stay on same page. She asked what items the board is looking at as a community to improve on.

Heather noted that the playgrounds are a key item. Send Aspen recreation spaces so Aspen can prioritize them. 2 to 5-year plan to make sure everything is covered.

**AR (Accounts Receivable) Report:**

Cathy from Aspen told the board that through June 18<sup>th</sup>, about \$40,000 has been collected.

She noted that \$7,000 were from back balances. There are now 4 large homeowner balances with payment plans set up and in 6 months, the debt will be drastically reduced.

The County told Aspen that they have no mechanism to stop receiving and cashing the checks that Brennan residents send in even though the checks must go to Aspen. Rather than simply not receiving the checks, they are reporting and cashing the checks and then cutting a check to Aspen for that same amount in bulk. This is done on a quarterly basis.

Gerri told Aspen that she will work to get the County to stop accepting the payments.

Full financials expected in July from Aspen. Heather told Aspen that she'd like to reiterate that if any homeowner is in financial need, we want to work with them. Cathy totally agreed.

**Legal Opinion –Translate Deed Restrictions**

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Aspen wants to take Brennan documents to attorney Dan Lascoe to give the board a plan to go forward. Brad wants to go to this lawyer to read and interpret the documents. The result of this endeavor will be an actionable fine structure and ability to update rules and regulations.

Gerri noted that roofs are a huge issue. Cathy responded that she knows that the Board is sitting on a lot, but there will be an issue moving forward if the deed restrictions are not interpreted by a lawyer. Gerri told the board that a homeowner put on a new roof. It was black and not approved. They didn't submit an architectural review, so it doesn't meet Brennan code. The new homeowner will be responsible.

There are many things that Aspen is unclear on after having read the documents. Some items are very clearly defined, while others are contradicted in various places. Dan Lascoe charges \$375 an hour.

A MOTION was made to APPROVE giving Brennan deed restriction and bylaw documents to a lawyer for legal review and advice and that lawyer should be, as recommended by Aspen, Dan Lascoe.

All APPROVED.

Dan asked if Aspen was doing anything about the Deed Restrictions as they stand now. All the deed restrictions that are clear in the documents, are enforced by Aspen. All others that can be up for interpretation are not.

Dan asked Aspen if they deal with unregistered rentals. Aspen suggested that he send it to the county. Errol asked what he hopes to get from it. Dan replied that he just wants the violation letters to go to the real owner rather than the renters.

**Legal –Neighborhood Resources:**

Heather intends to conference call with attorney.

**Altra Contract/Scope of Work:**

The board now has an all-encompassing contract. We used to pay a-la-carte, all in one contract. This does not include snow or salt during winter. They have not raised rates, and defined rates and included details. They are allowing monthly payments. 3-year contract, 2 year extension if no complaints.

Heather made a MOTION to APPROVE the contract. All approved. The MOTION passes.

Jenny had a question about tree maintenance that are in common areas encroaching on private property line. They are more than welcome to cut it if it's on their property line.

**Lights Up Front :**

Brennan got an email back stating that there is no way that the state workers caused an issue with the lights at the front.

Brennan must hire an electrician to fix the issues

Allen Dean has been used in the past, and Brennan Board will look into using him again.

**Conclusion**

The meeting concluded at 8:33.