

Brennan Estates Board Meeting  
Olive B. Loss Elementary School Library  
Wednesday January 9<sup>th</sup>, 2019 7PM

Members of the Board:	Position:	Section:
Heather Pasquariello	President	Meadows
Ernest Dempsey	Vice President	Meadows
Geraldine Thomas	Treasurer	Meadows
Rose Ann Smith	Correspondence Secretary	Terrace Townhomes
Daniel Mawn	Board Member	Terrace Townhomes
Zenobia Thompson	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 7:01PM  
Councilman David Carter of the 6<sup>TH</sup> District was in attendance.

Councilman Carter noted that it was a very busy first month. He stated that he was looking to change codes to benefit Maintenance Corporations and cited County tax including annual dues as an example. He expressed that it was a complicated issue, but something worth working towards.

He noted that trash is an issue that's taking priority. Multiple trash collecting companies are serving the same communities, causing traffic, and other issues. He also stated that sitting water was also an area that he is looking to get really involved in, as it creates other issues such as mosquitos and damages land.

#### **Approve News Letter**

President Pasquariello asked the board to look over the newsletter that will be sent to all member of the community. The Board took some time and decided that the Newsletter is approved with the exception that a few minor edits be made.

#### **Aspen – Update**

President Pasquariello opened this topic by stating that Aspen will provide a Monthly Recap Sheet which will include delinquent properties, violations, and status—which would mean if the issue has been resolved or if that home owner has paid.

Geraldine Thomas asked if bringing on Aspen would mean that we keep board member duties the same or if we change them. President Pasquariello responded that all duties would remain the same, Aspen would just help facilitate what the Board wants and will help in getting results for the betterment of the community.

President Pasquariello stated that currently, we have handshake agreement. Brennan Estates Maintenance Corporation has not signed anything yet, but there is a mutual understanding that if the budget passes, we will be signing with Aspen.

If budget passes, Aspen will send out a letter with annual dues billing on March 1<sup>st</sup>.  
The board will invite Brad from Aspen to come to the Annual budget meeting.

Gerri asked if Aspen will be given the ability to deposit and write checks. President Pasquariello said that she believes that to be the case. President Pasquariello asked Gerri if she could continue to handle

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refinance and settlements for a bit until Aspen gets acclimated. Gerri agreed, stating that it was no problem.

**2019 Projects**

The Board will have to decide who will volunteer to be Aspen Liaison. Board members to think about if they would like to volunteer for this position.

**Lights Project**

When new sidewalk was put in, the transformer was broken, causing the lights in the front to go out. The lights need to be fixed. Heather to take this job.

**Tree Pruning Project**

There are dead trees around Brennan Estates. They need to be marked and removed **Errol and Rose** agreed to take this job.

**Sidewalk Concrete Project**

There are some sidewalks that need to be redone. The board will need to map where new concrete needs to be.

There will need to be 2 lists. Our sidewalks (Brennan and Ballina) and home owners' sidewalks that need to be fixed. Also downward sloping sidewalks and curbs. They are all treated differently and should be marked appropriately. **Errol and Rose** agreed to take this job.

**Pot Holes Project**

**Ernie** to take this job. Separation cracks, if they could be filled instead of patched, that would be great.

**Street Lamps – Delmarva Project**

There are some street lamps out. **Vickie** to take this job. Heather to send Vickie DELMARVA link to mark them on their website.

**Small Gazebo on Primrose Project**

The small gazebo on Primrose needs restoring.

Signs are put together, up, and primed. New paint coming in as last batch was defective. Anti-vandalism paint was used to help uphold quality.

Plaque to be put in at the start of spring.

A couple Board members noted that there was some vandalism on the Meadow sign. Meadow Sign to be looked at for vandalism.

**Playgrounds Project**

Annual inspection in April. **Heather** to take this job.

**Tennis Courts Project**

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Brand new nets will be installed as soon as the weather breaks. If there are any cracks in the surfacing of the court, directly call the company. **Sekhar** to take this job.

**Conclusion**

A MOTION was made to conclude the meeting. All Agreed. The meeting was concluded at 8:23 PM

**Next Meeting Date**

The ANNUAL meeting will be held February 13<sup>th</sup> at 7 PM in the Olive B Loss Elementary School Library.

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President Pasquariello opened preliminary annual meeting at 6:30 PM.

Preliminary Vote:

41 yes

21 no

The meeting was called to order at 6:58 PM. Several members of the community were in attendance. President Pasquariello welcomed everyone to the 2019 annual maintenance corporation meeting.

President Pasquariello asked Aspen representatives to introduce themselves and give a synopsis of what they do.

Brad Carillo owner and Kathy Kline director of community services introduced themselves to the community members in attendance.

Brad noted that they manage 45 communities across Maryland and Delaware. They manage several communities in the immediate area. He noted that Aspen acts as the administrator for the board. The board makes decisions, Aspen acts on it. Aspen does collections & billings and in that sense, they do "full management."

The reason behind proposing that Aspen be hired are deed restriction violations go unnoticed and so they are unaddressed and are never fixed, several members of the community are not paying their annual dues, and there are several things around the community that simply remain undone regardless of how much the Board members do on their own.

Brennan needs professional help. People aren't paying dues. Homes in the community are not being cared for properly. Management companies ensure property value.

Renters are issues for townhomes—they don't take pride in their homes, because they aren't their homes.

Brennan Estates is the only sizable maintenance corporation without management company citing 824 homes within the community.

Community members ask questions, essentially what they are paying \$74,000 for. \$74,000 is what was proposed in the budget to pay for Aspen.

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Brennan Community members expressed their concern and confusion about the need for a property management company. President Pasquariello expressed that every year the board sends letters, and meets every month, and fixes all the problems that the community tells the board about themselves. Community members rarely get involved in the efforts themselves. Essentially it comes down to the fact that people need to respect their homes and be more prideful of home ownership.

A resident asked how the board is going forward with collecting back-owed fees. Brennan lawyer Bob Villahura and Gerri explained. The board takes the top 10% and they're working their way down the list. This way it's targeted and focused and there is no waste of community member's money. This is for Attorney collections only.

Aspen spoke to what they typically do to collect payments.

Community members asked questions about items in the budget and various deed restrictions as well as what to do about changing the deed restrictions. The board answered all their questions.

A community member asked the board if Brennan Estates could add garbage collection to the annual fees. Heather spoke about legislation in the works to assign One trash company per community to reduce the amount of pollution. It's in the works, but not yet available.

**2019 Budget Passes**

A final tally was made of the votes. (83 yes 29 No) Budget passed.

**Conclusion:**

A MOTION was made to conclude the meeting. All agreed. The meeting was concluded at 8:30PM

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Errol Rodriguez (Absent)	Board Member	Woodlands

President Pasquariello brought the meeting to order at 7:04 PM.

State Senator Stephanie Hansen & Representative Earl Jaques were in attendance as well as Aspen representatives Brad and Cathy.

President Pasquariello opened the floor for Senator Hansen and Representative Jaques.

Stephanie Hansen spoke on her opiate impact fee bill. She expressed that she hoped it will pass in the house. This bill will charge opiate manufacturers based on strength. 10 mg Oxycodone will generate a charge of 4 cents per pill or 15 cents per pill for brand name. The Senator mentioned that she was upset that she had to remove the words “can’t pass cost to consumer,” but it will be applied to 46 manufacturers to pay fees. \$2.8 million is expected to go into state Opiate treatment centers. She does not believe costs will be passed to consumer. The sunset provision is set on this bill, which means that in 5 years it will die if it turns out to work other than in Delaware’s favor.

Senator Hansen spoke on her Genetic discrimination bill to prevent healthcare companies from covering you if you have the brachia gene. If you wanted to be genetically tested for genes to see if you have any kind of illness, if you have brachia gene, healthcare cannot cover you anymore.

Senator Hansen also spoke on her littering bill. Currently it is \$50 for any amount of littering. Dumping now subject to \$500 fine. Mass balloon releases to be potentially banned. Release of any balloon considered “littering” already. Mass balloon releases, already bad as the balloons come back down into the oceans and are fatal to sea life. Senator Hansen asked how to tell people about it. She posed that it might be a good idea to write and submit a bill just so we get talking about it. Senator Hansen asked Board their opinions. Balloon places to put up signs notifying people of proper balloon disposal.

Senator Hansen is trying to open government. The government has boards and commissions with empty seats. The current boards and commissions have difficulty meeting because members live too far away. Web conferencing not currently available. Disabled community- don’t have ability to serve on boards and commissions. Professional boards with plenty of open seats. Social justice and social service board. Citizen-based boards have many open seats. Senator Hansen asked for ideas on how to get the word out. Lydia Massey is the contact person for the board positions should anyone have questions.

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Earl and Stephanie to get rid of qualifications for absentee voting. Currently you must fulfill a set of 6 qualifications.

Stephanie and Earl do constituent coffee. April 25<sup>th</sup>. Troop 2 6:30PM to unveil a brand-new voting machine. Starting to use them for school board meetings.

Earl noted that there are a couple of road issues. Ballina is on schedule for 2019. They'll be doing the roads in Brennan in blocks. Frasier road will be done this year. Earl is trying to talk them into a bike path. A bike path would cause issues because utilities needs to be moved a bit. 2019 plans. May 1<sup>st</sup>. Rt 40, 896 Intersection. Keene Elementary 4 – 7 PM will be open for public input for road. DelDOT wants public to look at their plans. You can also see plans and give input on the DelDOT website.

Senator Poore is sponsoring a bill for public work in Delaware. The low bidder is not sure to get the bid. It's based on performance instead.

Representative Jaques cited several proposed building projects. Frenchtown and Frasier, there is a proposal for development of wetlands. Across from the school on Frasier, a proposed 55+ community. Strip shopping centers proposed at LaGrange. Historic field, proposal to put in 500 apartments around Route 40 and 72 sometime this summer.

Brennan Meeting Content:

Aspen gave update. They are trying to get everything entered and get billing done. They mentioned that they are here at the meeting to talk about transition and fill out questionnaire.

Aspen to make sure that all due amounts are accurate. Aspen asked the board for account ledgers as of tonight and for the board to not deposit any checks. Aspen to get updated delinquent list from Heather. 2/28/19 from county to be sent to Aspen.

December Bank Statements to determine financials. Treasurer and Accountant to provide these bank statements to Aspen.

Aspen to contact Brennan lawyer Bob Villahura to see exact list of contacted people on delinquent list so they do not contact them again.

Aspen asked for all the hard files the Board has or copies of documents. Gerri has legal and financial, Heather has deed restrictions.

Aspen noted that given the work load, an expected time frame is about 60 days for data entry, intro letter and billing. 90 days and 6 months to be 100%

Aspen asked for a startup check so they can begin to pay our bills Aspen also suggested to Brennan that the Board may want to switch banks with a couple different benefits. They suggested Union Bank.

**Election Results**

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There wasn't enough time at the February annual meeting to tally up the board votes. The votes were officially tallied and everyone on the ballot for open Board positions was voted in.

Arbours        Zenobia Thompson – 2 year term

Meadows       Gerri Thomas - 2 year term

Meadows       Ernie Dempsey – 2 year term

Terraces TH    Dan Mawn – 2 Year term

Woodlands     Errol Rodrigues – 2 year term

**Conclusion**

A MOTION was made to conclude the meeting. All agreed. The meeting was concluded at 8:30 PM.

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Olive B. Loss Elementary School Library  
Wednesday May 8<sup>th</sup>, 2019 7PM

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Vickie Coulter-Phillips (absent)	Board Member	Terraces Singles
Errol Rodriguez	Board Member	Woodlands

President Pasquariello brought the meeting to order at 7 PM

Member of the Brennan community, Jimmy Hall, from the townhome section asked to say a few words. He noted that he was a long-time resident. He said that he valued and appreciated the work the board does. He expressed to the board that he was very confused and upset by the increase in HOA dues and called the board to ask questions. He wished to thank board president, Heather, for calling him back about the \$75 increase. He didn't understand the \$75 HOA increase and she explained all the reasons why it was important and necessary. He expressed that it was a difficult price for him to pay, but he was extremely grateful that she took the time to explain everything to him.

County councilman Carter stood to speak. He explained to the board and community members in attendance that he was deep into his budget. He informed everyone that there was a debate on Monday to try to set aside money for land preservation. There is also a new library that will be built. Councilman Carter told everyone that there were plans for a change in traffic impact study to take place. The county has noticed that large density of traffic in specific and vital areas and there are talks planned with the aim of moving density traffic down. He also mentioned that there will be shifting of feeder routes with schools. He compelled the board and community members to come to the planning master scenarios. He finished by noting that drainage issues have waned off a little bit, as that has been his main priority with mosquito season approaching.

The new development "Summit Bridge" doesn't have drainage. Councilman Carter worked to get codes enforced. State already sprayed for mosquitoes already. Federal and State New Castle County Conservation have been working diligently to address this.

Representative Earl Jaques stood to comment on the progress on some of his priority projects. He noted that he is still waiting for paving to be done in Brennan. Frazer road is about 2 weeks away from paving being started. Councilman Carter brought up traffic south of canal. Representative Jaques noted that there are plans for a new road, Spur road, but it is not designed yet. He noted that we are 5 to 10 years away from anything happening. The only other big thing he had to note was that the Appoquinimink school district and the Department of Transportation were in talks about a New Olive B Loss. Negotiated and in talks about purchasing a specific plot of land. The board inquired about where this plot of land was and was told that it was a plot of land that the board has been maintaining the water retention on.

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The board asked when this school would be built. Representative Jaques told the board that the school would have to have a referendum and then after it passes, it will be built. This new school will not be expected for at least 3 years.

Georgia Takas from Girl Scout Troop 533 asked the board if she could do a project in Brennan to qualify for and earn her Gold award. The project that she would like to complete includes fundraising for, buying, and installing Eight-foot benches at the Brennan basketball court. She noted that the timeline for her project would be about a year. Each bench cost about \$300 - \$400, including shipping costs, the total would be about \$1000. The board appreciated the presentation.

President Pasquariello made a MOTION to approve the project. No disagreements. Permission for the project was granted.

**Board Community Project Updates:**

Earl is working on some of the potholes.

Errol will get his curbs and sidewalks list to Heather as soon as he can

Electric in the front is blown out. The lights are for safety, next door app starting to show complaints of safety. The board is working to get this fixed as soon as possible.

**Playground Inspections:**

Overall, there are a few things that need to be repaired or replaced, but it is overall alright. A community member suggested power washing the play castle. The spring-riders are going bad. Annual playground inspection \$2500 (\$750 per playground) are necessary going forward.

**Brennan Website Updates:**

Jim Hansen noted that the delinquent page was removed. Aspen suggested that we take it down for a bit. \$128K in payments so far. They are ready to move on to round 2 letters. So far, HOA collection is going well.

**Other Items:**

A community member noted that she was thrilled that the board brought on Aspen. She's ready to see the neighborhood turn around. She asked the board for advice and what she can do on the dry pond behind her home. She said that everything is growing in and asked if the board can have someone cut the vegetation down because there are so many mosquitos. The board told the community member that what she has behind her property is called a "dry pond." What makes it a "dry pond" is that it doesn't hold water all the time. For it to drain properly, the board must keep vegetation in the pond. To ease the community member's worries, board member Gerri told her that they will talk further, and Gerri will go and see for herself what can be done.

President Pasquariello explained that dry and wet ponds are different. This whole area is buggy. Brennan board to see what they can do to help.

President Pasquariello informed the board that Aspen changed some wording in the Brennan – Ultra contract.

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Errol told everyone about an email that was sent. There was ATV riding and a community member was upset about it and wants to purchase the signs saying that ATV riding is not allowed himself.

Several issues concerning ATVs have been expressed via NextDoor app where Brennan Estates is referred to as "Claireborne" or "Ballina."

**Conclusion**

The meeting concluded at 8:24 PM.

**Next Meeting:**

The next meeting will be Wednesday June 12<sup>th</sup>, at Olive B Loss Elementary School, at 7PM.

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 New Castle County Conservation Center  
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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.