

Minutes of the Tollgate Association Annual Homeowners'  
Meeting

Sunday, November 13, 2005

Attending:

Tom Smolinski, Edie Smolinski, Julie McNamara, Terry Zawacki, Bill Arthur, Kathy Doherty, Kevin Stephenson, Mark Kaye, Bob Donaldson, Cindy Donaldson, Ed Bronikowski, Ella Lyons, Steve Lyons, Gayle Phillips, Garry Sauner, Tony D'Erme, Jacques D'Erme, Paul Ehmer, Anki Ehmer, Joe Romer, Theresa Romer.

Proxies:

There were 16 proxies submitted.

Location:

Home of Bob and Cindy Donaldson, 118 Tollgate Way.

Meeting time:

Meeting called to order by President Garry Sauner at 5:42 p.m. With proxies and those attending, there was a quorum.

Treasurer's Report:

Treasurer Bob Donaldson reviewed spending for the year, noting that we had several projects, among them the street lights and repairing the gazebo at the head of the street. In addition, a bill for pruning and tree removal and replacement of about \$6,000 has yet to be paid. In all, we will end the year with \$726.90 in the bank. There is no reserve because we spent it for the street lights and the gazebo.

In reviewing costs for the coming year and the lack of a reserve, the Tollgate Board decided in early November to recommend an annual dues increase of \$200, bring total annual dues to \$1400.

Ella Lyons suggested the increase be smaller and the budget tightened. She said residents should have received longer prior notice of the dues increase.

Mark Kaye said the proposed budget seemed a cost of doing business. Joe Romer said he saw proper spending for shrubs and maintenance of the grounds as an investment. The dues are low by comparison with the value of the property, he said.

Kathy Doherty said the landscape committee had to turn down several requests for plantings this year because the landscape budget was diverted to pay for the gazebo repairs. She also said the landscape money covers more than new shrubs; it also pays for extra mulch, disease treatments and other items.

Terry Zawacki said we haven't been able to improve the fronts of some homes, which are public areas, because of a lack of money.

Paul Ehmer said the increase would be just \$17 a month.

Joe Romer moved to accept the budget with a \$200 annual increase in the dues, and the motion was seconded.

Garry Sauner said he had received an objection from Matt Kahn about the dues increase, and Matt said there should have been at least 10 days' notice. Garry and Bob Donaldson read from the by-laws and said there is no 10-day requirement for notice of a dues increase. There is a 10-day notice requirement for the Annual Meeting and it was met. The By-Laws require 2/3 of the residents to approve a dues increase, Garry said. That means 20 households of the 29 on the street must approve the increase.

Ella Lyons moved to amend Joe Romer's motion to make the dues increase \$100 a year. Joe declined the amendment.

The residents then voted as follows:

Arthur-Doherty	Yes
Bronikowski	Yes
Connor	Yes by proxy
D'Ermes	Yes
Donaldson	Yes
Ehmer	Yes
Guyette	Yes by proxy
Melhem	Yes by proxy
Kaye*	Yes by proxy
Kirschner-Talamonti	Yes by proxy
Lyons	No
McCahill	No by proxy
McNamara	Yes
Murray	Yes by proxy
Norton	Yes by proxy
Parsons	Yes by proxy
Rivkin	Yes by proxy
Romer	Yes
Sauner-Phillips	Yes
Smolinski	Yes
Stephenson	Yes
Zawacki	Yes

\*Mark Kaye left the meeting after participating in earlier discussion and left a proxy.

There were 28 of 29 households present in person or by proxy. The total vote was 20 in favor of the budget and the \$200 dues increase and 2 against. Six proxies were voted "abstain" because the bearer did not know if the homeowner knew of the dues increase. The motion carried.

Several proxies weren't voted, although they could have been, out of concern that the signers may not have been aware of the proposal to raise dues. The only proxies voted were those where the bearer knew the thoughts of the signer. In retrospect, a number of the homeowners whose proxies were not voted knew of the increase and approved.

#### Tree Committee Report:

Chairman Bob Donaldson reported that a number of dead trees have been removed and two more are yet to be taken down. They will have to be replaced. Two other trees, one in front of units 127 and 129, and the other in front of 105, need more water.

#### Landscape Committee Report:

Chairman Kathy Doherty said the committee held several meetings to discuss the drainage situation behind 108-122. The situation bears watching but appears to be under control for now. The Landscape Committee will in 2006 look at the neighborhood more holistically, especially to see where the water problems are and set priorities.

The committee didn't spend much for planting in 2005 except for the bed in front of 110-112. The committee needs more members, she said, although Mark Kaye and Marie Murray have volunteered.

#### Social Committee:

The Christmas Party will be Dec. 11 at Terry Parson's house (127). Chairman Ella Lyons said we might not do as many things in 2006 as in 2005, but will perhaps do some different things. President Garry Sauner thanked Ella, Gayle Philips, Theresa Romer, Sherry Beyer, the D'Ermeses and Donaldsons and others who opened their homes or otherwise helped with the parties this year.

#### Architecture Committee:

Chairman Garry Sauner said he is working on guidelines for owners to follow in painting and designing the fronts of their homes. The aim is to make clearer what the rules are.

#### Old Business:

Garry Sauner said that work by Tollgate residents had prevented a land use designation change of medium density and low density (6.0) along the Cherry Street property adjacent to Tollgate. The city has adopted a plan that will call for retention of low density residential (4.0) in the area, which means four homes. The only question now is whether they will be large ``McMansions,`` he said.

#### New Business:

Residents and board members agreed that we will all try to improve communications and provide greater notice when important matters such as a dues increase are to come before the residents. Had the board known in October of the need for a dues increase it would have stated such when the notices of the annual meeting were sent to homeowners. It was also suggested that we change the proxy process to have the signer name a specific person to cast his or her proxy. This would better ensure that the votes would be cast they way the signer would prefer.

#### Nominating Committee:

Homeowners elected Steve Lyons to the board for 2006-2008. The meeting adjourned at 7:26 p.m.