

VINEYARDS OF SARATOGA HOMEOWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING
November 9, 2023

BOARD MEMBERS

Jim Foley	President
Michael Toback	Vice President
Laurel Smith	Secretary
Gloria Felcyn	Treasurer
Charles Sudderth	Director
Tom Schmidt	Director
Pam Nomura	Director

OTHERS PRESENT

Bill Oldfield	Community Management Services, Inc.
Chris Burns	Homeowner
Tony Fisher	Homeowner
Jeffrey Klopotic	Homeowner
Catherine Klopotic	Homeowner
Kelly Aronica	Property Manager 19206
Brijen Raval	Homeowner
Andrew Thrall	Homeowner
Christina Botki	Homeowner

ITEM I - Call to Order – President Jim Foley called to order the Board of Directors meeting at 7:06 PM.

ITEM II – Open Forum

Tony Fisher asked if anyone heard anything about the pumpkin patch development since the last building commission meeting. Jim Foley said he would talk about it later in the meeting.

ITEM III – Review and Approval of the Minutes

- A. The Board reviewed the October 12th, 2023 Board of Directors Meeting and October 12th 2023 Executive Session Board of Directors Meeting minutes. Laurel Smith motioned to approve all minutes as submitted. Pam Nomura seconded, and the motion passed unanimously.

ITEM IV - Committee Reports

A. Financial Report

Gloria Felcyn reported to the Board on behalf of the Subcommittee of the Board. The subcommittee has reviewed all nine of the documents in accordance with California Civil Code 5500 for the months ending September 30, 2023 and October 31, 2023. Gloria Felcyn briefed the Board and members on the financials.

Delinquencies were briefly discussed. A payment plan proposal for 19630 was discussed. Michael Toback motioned to approve the payment plan. Gloria Felcyn seconded, and it passed unanimously.

B. Security

- Tom Schmidt reported there were a couple of incidents since the last meeting, but the video cameras had not been of help.
- Jim Foley reported that he received a report from the owner of 19106 that a strange man came to their door. The man was incoherent, and they could not figure out what he wanted. Jim Foley investigated and said he believes there may be homeless people living right on the other side of the southern Vineyard's wall.

C. Maintenance

- Tom Schmidt a gate at the northwest corner of the complex still needs to be repaired. Jim Foley stated that the landscaper needs to trim back some vegetation before it can be repaired.
- Tom Schmidt reported that the gutter for Carole DiFilippi's unit does not appear to have been checked. The Association Manager will check with Commercial Gutter on that gutter.
- Jim Foley reported that the first part of the additional drainage behind 19123 and 19124 approved at the last meeting was scheduled to start.

D. Landscaping

- Chris Burns reported that the annual tree maintenance is underway and will take several weeks to complete.
- Tom Schmidt asked if the HOA's landscaper or Santa Clara County Water District would be planting along the creek. Chris Burns reported it will be a collaborative effort and the SCCWD will be planting replacement trees along the creek bed.

E. Newsletter

- HOA Christmas Party December 2nd.
- Tentative plans for a Super Bowl party.
- Reminder to use safety precautions when walking at night.

ITEM V – Association Manager's Report

- A. Work orders were reviewed.
- B. The calendar was reviewed. The Board asked the Association Manager to add the Christmas party to the calendar.
- C. Correspondences were reviewed.

ITEM VII – Other Business

- A. Charles Sudderth motioned to amend the agenda to include a discussion about a messaging service that had been discussed briefly at the last meeting. Michael Toback seconded the motion, and it passed unanimously.
- B. SB 326 inspection was briefly discussed. Jim Foley reported that the asbestos & lead testing company has not contacted him. The Association Manager will get in touch with them.
- C. Lighting upgrade. Michael Toback briefed the Board and members present on the status of the solar lighting project approved at the last meeting. The wiring and solar panels are in place. The lights still need to be installed.
- D. The installation of a security gate was briefly discussed. Jim Foley reported he is meeting with Sector Security on Friday November 10th.
- E. The water use study was briefly discussed.
- F. The well project was briefly discussed. Jim Foley has been doing some research on this and will have an update at the next meeting.
- G. SB9 Poison Pill – Jim Foley briefed the Board and members present on his plan to prevent units from easily being able to split their unit to build ADUs. Michael Toback suggested amending the CC&Rs to address SB9 and other new laws. Jim Foley is going to contact the attorney, Jeff Barnet, who last updated the CC&Rs.
- H. Jim Foley briefly spoke about termites in the community. He is working on an article on termites.
- I. A messaging broadcast system was discussed. The Board wants to have the homeowners who developed the idea to move forward with a pilot program.

ITEM VIII – Prior Meeting Executive Session Summary

The Executive Session in October was on legal matters and discussion about a request for ADR.

ITEM IV – Hearings

A hearing for improper garbage and recycling by a resident of 19206 was held. The property manager for the unit wanted to know if there were any previous violations. The Association Manager explained that it is standard operating procedure to hold a hearing for this type of violation because of the frequency of these types of violations. The manager, Kelly, stated that the owner and tenant apologized.

A hearing for improper recycling by a resident of 19908 was held. The homeowner admitted he had violated the rule. He explained he did not have the proper equipment to dispose of the box when he went to dispose of it. He had been notified about the issue and properly disposed of the box properly.

A hearing was held to obtain reimbursement for legal fees related to various issues with the Klopotics. Michael Toback briefed the Board and members present on some issues that the Klopotics had regarding the invoices that were submitted and some other questions that had been asked by the Klopotics. Catherine Klopotic stated they are being charged for Jim Foley's time. Jim Foley and Michael Toback responded that the total was based on attorney fees from CMS, James Hillman, Sharon Pratt. Jeff Klopotic stated that the previous assessment was still unclear because documentation on the charges had not been presented and he quoted a court case that found in a similar situation that the HOA could not charge the homeowner for the charges levied. He further stated that the trespassing charges were also not valid because the CC&Rs give owners an easement to access utilities. He then stated that Jim Foley's invoice was invalid because his area of expertise was not needed for the small claims court cases and that at the end of the case the judge stated that neither party owed the other anything. Catherine Klopotic started to state that the Board does not like her husband. Jim Foley interrupted asking if the statement was valid to the hearing or not. She stated that she believed it was. She continued with further comments and then stated she does not believe the current hearing was what is best for the community.

ITEM X – Adjournment

Jim Foley motioned to adjourn the meeting at 8:53 PM. Laurel Smith seconded, and the motion passed unanimously. The next meeting of the Board of Directors is scheduled for December 14, 2023. The meeting will be held at the Vineyards clubhouse.

Vineyards of Saratoga Homeowners Assoc.

Date