

# **Okehocking Hills Civic Association**

## **Recap of Zoom with Vincent Mancini**

September 2, 2021, 4:00PM

Zoom Conference Call

*Present on call: Roe Mizas, Leslie Petruzzi, Annie Thorne, Brian Mackrides  
and Vincent Mancini, Mancini & Kodumal P.L.L.C.*

### **Background**

- The Covenants & Restrictions were professionally reviewed and renewed in 2021 with very minimal updates. Now we'd like to make some substantial changes including adding penalties (fines) for non-compliance and potentially changing, adding or removing restrictions. We'd like to understand what that revision process would involve, what we legally can and cannot do, and what approval percentage we'd need from homeowners to make substantial changes.
- The Board was referred to Vincent Mancini of Mancini & Kodumal P.L.L.C. in Media, PA. These notes document the introductory meeting between the Board and Mr. Mancini.

### **Meeting Recap**

#### **1. Review of Civic Association structure and responsibilities.**

#### **2. To make amendments (add restrictions):**

- a. We likely need **67%** of homeowners to approve new restrictions. (That's **40** of the 59 properties in OK Hills)
  - i. Because our document is silent on the topic of amendment, the UPCA (Pennsylvania Uniform Planned Community Act, 1996) defines this percentage.
  - ii. Per Vince, the 67% number is subject to further research and interpretation.
- b. Vince suggested that we take a survey of neighbors to gauge interest in specific amendments before we pay him to draft up the amendments.

#### **3. To make normal administrative changes:**

- a. We need a quorum at a duly organized meeting and need to get a majority vote of approval from that quorum.
- b. Our By-Laws state that a quorum is  $\frac{1}{4}$  of members, or 15 households. (This is the number we use as a threshold for Board elections.)
- c. Our Covenants do not define a quorum, but the UPCA says that we should use the By-Laws quorum for the Covenants if it's defined. (If our By-Laws did not define a quorum we'd use the 20% quorum defined by the UPCA.)

#### **4. Next Steps:**

- a. Board to send Vince an email with Covenants and Restrictions, By-Laws, and contact information for all board members and officers.
- b. Vince will review documents (2-3 hours for preliminary work) and make us a list based on what he sees in the documents. The list will include

- i. Changes we know we want:
    - 1. enforcement of non-monetary restrictions
    - 2. increased penalties (compound interest or other stronger fee) for late payments
    - 3. added clause saying that in the event that legal action is commenced to recover assessments or enforce non-monetary covenants, the property owner is liable for all attorney's fees and litigation costs.
  - ii. Vince's thoughts on some of the other potential changes we discussed:
    - 1. above-ground pools
    - 2. more restrictive noise ordinance
    - 3. maintaining septic systems
    - 4. external maintenance (grass and trees)
  - iii. Any red flags in our documents.
- c. Based on Vince's feedback, the Board will put together a non-binding survey for neighbors that identifies the proposed changes and asks neighbors their opinion. We need 40 votes in favor of any new restriction, so this survey will help us to gauge if a proposed restriction has the support to pass.
  - d. Based on the results of the survey, the Board should decide which amendments are worth pursuing (and paying for) and communicate this to Vince so he can proceed with drafting selected amendments.