



The Quail Runner

Quail Run Condominium Trust

Volume 3, No. 3

September, 2005

The Quail Runner, our condominium's newsletter, is published four times a year in March, June, September, and December to bring you information Unit Owners need to know. The Trustees would appreciate your comments and suggestions about how to improve The Quail Runner. Please send in your ideas and material for publication. See contact information on Page 10.

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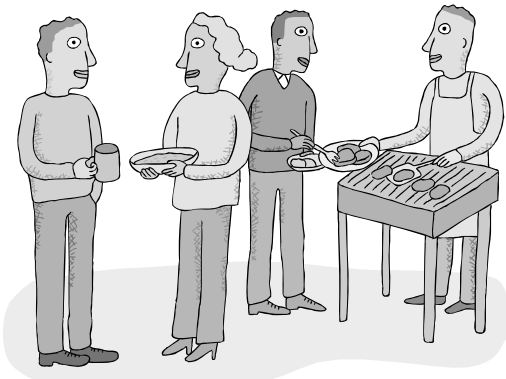
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Quail Run Summer Social

Friday August 26th started out hot, dry and cloudless. At 6 p.m. nothing had changed. What a wonderful day for a party! And party we did. It was the day of the Quail Run Social. Unlike last year when we ducked rain drops and ate in the dark, this year the weather was in our favor.

The tables around the pool with bright yellow tablecloths and colorful balloons invited everyone to relax and enjoy. The food was plentiful, delicious and well displayed. Jim the "chef" did his usual magic at the grill keeping the hamburgers and hot dogs always ready for the hungry.



Having candles on each table kept the bugs at bay so that everyone was able to stay, talk, meet and make new friends.

Quail Run is a great place to live. I was happy to help make the social such a huge success and a fun night for everyone. Far from

being a "job" to get done, I had the pleasure of talking to all who called to volunteer a special dish or dessert. I am looking forward to next year and to a larger Quail Run "family" social.

[Our thanks to Flo Fitzsimmons for organizing the event and writing this article.]

From the Desk of Your Property Manager

I just spoke with Rich DeFilippo, and he informed me that he is in the process of shutting down the pool. I think that we had a successful summer with the pool. We noticed that many people used the pool as part of a fitness program and we also saw grandchildren enjoying the pool. I believe that this year pool usage was at an all time high. There will be some minor repairs to the pool to eliminate some leaks around the lights and drains.

The end of the summer social held on August 26th was very successful and since I didn't chose the date, it didn't rain. I want to thank Flo Fitzsimmons for volunteering to organize the social. As last count, I believe that some 70 people had great food and enjoyed meeting new and old friends at the pool.

It is not too soon to think about the coming winter season. This past winter we had a substantial

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Have a Happy



...and a Fulfilling Thanksgiving!



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insurance claim on our master policy. The claim resulted from a frozen water pipe breaking when the unit owner was away on vacation. You will be receiving more information on ways to safeguard your home if you are away for an extended period of time during the winter.

As you know, Nancy Cahill has been promoted and Kris Ashby took over Nancy's duties. Kris will be taking a maternity leave as of October 4th and will be returning on December 5th of this year. We will hire a temporary replacement and you will receive a notice with more details before the end of September. In any event any calls for information, 6-Ds and work order requests should be called into the regular number, 781-935-4200, ext. 270.

The Board and management company are getting ready for the annual meeting and establishing a budget for next year. You will be receiving a notice about the annual meeting in the coming months.

Jim Boyle

Proposal for Support and Cost Sharing Program

Statement of the Problem

A major and persistent challenge faced by your Quail Run Trustees involves the allocation of resources to respond to requests (sometimes demands) from Unit Owners for the repair, refurbishing, remediation of defects in, or improvements to their properties.

- In this less than perfect world we have all purchased – and live in – imperfect condominium units.
- Some unit owners have high standards and expectations and "need" to have things improved. Some have low tolerance for flaws, even those which existed at the time they purchased their units.
- There is a limit to the fees that Quail Run unit owners are willing to pay to support the "common good". Condominium fees are analogous to all taxes used to support the

public good.

Since the demand continually expands but the financial resources are limited, the Trustees are challenged to set priorities and control spending.

Proposed Solution

The goal is to create a mechanism that will:

- Encourage and support the efforts of individual Unit Owners to solve what they perceive to be their most pressing problems.
- Provide financial resources for the highest priority needs.
- Control the expansion of financial demands and burdens to the Quail Run Owners.

Your Trustees are proposing a **Support and Cost Sharing Program** that would encourage Unit Owners to be cognizant of the fact that they are members of a community where we are all responsible for controlling costs.

When Unit Owners request repair, remediation, or improvement of Common Areas of which they have exclusive or primary use (for example, building exteriors, foundations, wiring, plumbing, walkways and stairs, etc.) or of components of their units for which the Trust bears responsibility (for example, adjacent landscaping features, decks, etc.) the following would apply.

The Trustees would provide **support** by expediting and assisting Unit Owners in:

- Defining the problems which are the bases for their requests.
- Elucidating possible solutions.
- Assuring the requested solutions conform to the Quail Run Rules and Regulations, and
- Providing assistance of the Property Management Company in implementation and supervision of any necessary work.

The Trust would engage in **cost sharing** with Unit Owners at a variable percentage of the cost of their project, ranging from zero to sixty percent (0-60%), depending on the importance of the project to the common good (as judged by the Board of Trustees) as well as on the availability of funds.

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This proposal will be presented for your vote at the Annual Meeting in November (date to be determined). We are soliciting your opinions, comments and suggestions, which can be mailed to Joel Seidman at 11 Douglass Green, or e-mailed to him at: jseidman@massmed.org.

[See also next article on "The Responsible Party."]

[Your Trustees are discussing the possible adoption of a resolution which would detail Unit Owners' responsibilities to prevent water damage and mold within their individual unit by taking reasonable measures such as replacing water heater at appropriate intervals, replacing standard washing machine hoses with high pressure lines, shutting off the water main when leaving on vacation, keeping the unit adequately heated, etc. The resolution would also make the Unit Owner liable for any costs incurred by the association as a result of the Unit Owner not taking those reasonable measures.

The following article about this resolution was abstracted from Condo Media, a publication of Community Associations Institute, to which Quail Run and our management company belong.

The Trustees are soliciting your comments, criticisms, and suggestions, which may be mailed to Joel Seidman at 11 Douglass Green or e-mailed to him at jseidman@massmed.org.]

The Responsible Parties Resolution Details Owners' Obligations and Their Liability

Insurance companies hate mold and they aren't terribly fond of water, either. This will hardly qualify as news to any association that has purchased an insurance policy recently or tried to renew coverage after having filed a claim for mold or water damage. A mold or water claim on your insurance record is the equivalent of a scarlet letter, virtually guaranteeing that your insurer will increase your premium costs and possibly refuse to cover you at all.

Obviously, the fewer claims you file the better. And, filing no claims is best of all. If you don't have leaks or water infiltration, you won't have water damage; if you don't have water damage or excess moisture, odds are you won't have mold or the legal liability it can spawn. Because associations control their common areas, boards can take steps to prevent water and mold problems there. But they don't have the same control over what happens in individual units, which, unfortunately, is where many problems begin.

A washing machine that overflows or a hot water heater that cracks in one unit can soak through the ceilings and walls of all the units below it. Mold that grows in one unit can infiltrate the walls of connecting units and spread throughout an entire complex. The association can immediately fix leaking windows and attack mold growing in the common areas, but how can the board make sure owners respond equally fast and effectively to problems in their own homes?

Put It in Writing

Apartment owners, who have far more control over rental units than association boards have over individually owned residences, have begun to add language to leases requiring tenants to notify management of water or mold-related problems, and making tenants liable for any damage if they fail to do so. We recommend associations adopt similar language, in the form

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of a board resolution that details the obligations and legal liability of unit owners as well. A model resolution our association clients have adopted:

- Specifies the reasonable measures owners must take to reduce the risk of mold and water damage in their units.
- Requires them to notify the board of water or mold-related problems within their units that they cannot control.
- Makes it clear that owners will be liable if their actions damage other units or common areas, subject the association to damage claims, or increase the association's insurance costs, any or all of which could result if water or mold problems spread beyond an individual unit.

Owners are quick to assert their right to control what happens within their walls; this resolution simply underscores their obligation to act responsibly to prevent problems from damaging other units or the community as a whole.

While the resolution responds directly to concern about the potential for costly mold damage claims (which insurance policies don't cover), it also addresses a variety of unit-specific problems that have plagued community associations for almost as long as they have existed, primary among them floods in individual units resulting from faulty washing machine or dishwasher hoses, or broken water heaters. The model resolution specifies that owners must replace water heaters before their warranty expires; use braided metal hoses or their high-pressure equivalent on washing machines; and use only licensed plumbers and electricians for electrical or plumbing work within their units.

Housekeeping and Maintenance

The resolution also details specific housekeeping and maintenance activities that seem obvious but are often ignored or neglected, such as: cleaning and dusting surfaces regularly; immediately removing moisture that accumulates on windows, windowsills or other surfaces in the unit; leaving heating, ventilation and air conditioning ducts unobstructed; properly caulking, repairing and, if necessary, replacing windows

and skylights to prevent leaks and condensation; immediately cleaning, drying, and disinfecting spills and leaks; and retaining a professional remediation company, if necessary, to mitigate any damage to the unit resulting from interior spills, leaks or other water damage.

Since cold temperatures can cause broken pipes, while hot, humid conditions encourage the growth of mold, the resolution directs owners to maintain a minimum interior air temperature of no less than 55 degrees and (if the unit has an air cooling system) no higher than 77 degrees, while maintaining the relative humidity indoors to between 30 percent and 55 percent "at all times."

Additionally, the resolution notes that it is the sole responsibility of the owners to ensure that all exhaust fans and appliances are vented properly to the exterior, and to inspect, clean and otherwise properly maintain the vents (including changing the filters) at least annually to make sure they are unobstructed and functioning properly.

Emergency Response

In many cases, what would otherwise be a relatively minor, or at least a controllable problem — a leaking pipe or a burst water heater — balloons into a multi-unit crisis because the owners aren't home to stop the leak or call for help, or because they ignore the problem or fail to deal with it appropriately.

To address those risks, one provision of the resolution requires owners to notify the board in writing when they will be away from their unit for two days or more, and to provide the name and phone number for someone who can be contacted in an emergency. Another provision requires owners to report "immediately, in writing, delivered to the board" any evidence of leaks, water infiltration or "excessive moisture" in their units or in common areas; any sign of mold or fungi growth within the unit that the owners are unable to remove with "a common household cleaner," and any failure or malfunction of a heating or cooling system serving the unit. The goal is to ensure a fast and appropriate response to any water-related problem.

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Owners' Liability

The resolution states that owners will be liable for any damages resulting from their failure to comply with the terms the resolution details. Those include:

- Expenses the board incurs for cleaning, maintenance, repairs or mold remediation within the unit that the owner fails to handle effectively.

- Expenses the board incurs to remediate damages to other units or common areas, including attorneys' fees and the cost of hiring industrial hygienists.

- Any fines, other costs or attorneys' fees the community association incurs to enforce the resolution, as well as damages suffered by the association or other unit owners and occupants.

The resolution hasn't been challenged in the Massachusetts courts, but we don't think there is any question about its enforceability or about the board's authority to adopt it.

Spread the Word

Although boards don't need owner approval to implement a resolution of this kind, as with most matters, it is a good idea to inform owners well in advance that the idea is being discussed and to solicit their input before taking final action. After the resolution is adopted, the board should circulate copies to all owners and tenants, post the resolution on the association's Web site, publish it in the newsletter, post it on community bulletin boards, and take steps to make sure all residents are aware of the obligations the resolution defines.

In addition, the board should make sure the resolution is recorded at the Registry of Deeds to give future owners constructive notice that they are purchasing units subject to these duties. Some communities may have specific concerns that this language does not address. For that reason, and because this is a legal document, boards should have their association's attorney draft the resolution to make sure it is enforceable and responsive to their community's needs.

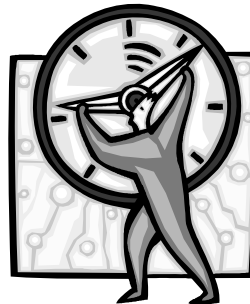
Simply having this resolution in place obvi-

ously won't prevent water or mold damage or the litigation resulting from those conditions. However, clearly detailing the obligations of owners may short-circuit any suits filed against the association involving damages caused by the owner or the owner's negligence, and should shift liability away from the association if the litigation proceeds.

While the resolution alone won't guarantee lower insurance rates, it may encourage a more favorable response from insurers, especially in combination with another more common resolution requiring affected owners to pay the master policy deductible when the association's coverage is triggered. The resolution most likely will reduce the risk of water or mold-related problems that could spread to other units or affect the community as a whole. The single most effective way to control insurance costs is to reduce your insurance risks. And that is precisely what this resolution is designed to do.

Fall Season Check List

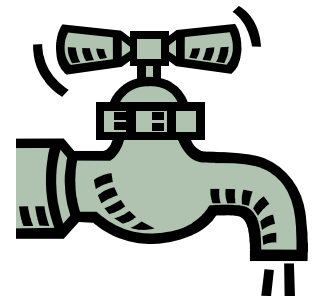
The pool is closed. Sundown comes too soon. The days are still warm and pleasant, but the night air has a definite nip to it. You haven't used the air conditioning in over a week, and you have thought more than once about turning on the heat. Fall is surely here and winter can't be far behind. Unit Owners should be thinking about the tasks that must be done to prepare for the cold weather. Here are some reminders.



Saturday, October 29, 2005 Set clocks BACK one hour before retiring.

Change batteries in smoke and carbon monoxide alarms.

Tuesday, November 1, 2005 Shut off and drain outside faucets (sill cocks).

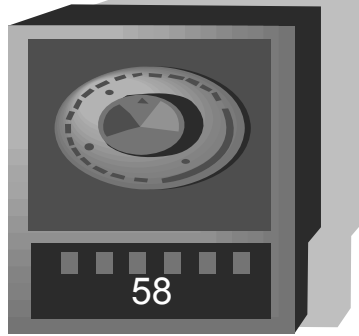


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Leaving on vacation?
Shut off water at main valve and open the lowest faucet in your unit. Leave thermostat set no lower than 58 degrees



From the Unit Owners' Handbook

[Since we may well get plowable snow before the next issue of The Quail Runner appears in December, we are publishing this reminder now — with apologies for using that four-letter word — snow!]

4.3 Snow Procedures

The snow removal contractor hired by the Trust is responsible for the clearing all main roadways, parking areas, driveways and walkways and applying sand as necessary throughout the season. The contractor will attempt to vary the starting point for plowing of the driveways and sidewalks, but this practice is not always possible. Please do not ask the plow operators to interrupt the process to clear your driveway or walk. If there is an emergency, which requires your unit to be cleared, please contact the Management Company, and a message will be dispatched to the contractor. Special attention is paid to sanding problem areas such as the hills on the main road and the road to Michael's Green, Kendall's Mill and to Vine Brook Way.

Your assistance is appreciated during this process. When you hear the equipment on the property please make sure your vehicle is in the garage or moved to a cleared area. Please clear any snow from your vehicle **before** the area is plowed.



Cutting Class

Summer had arrived and the shrubbery was lush – too lush. In many locations around Quail Run the ornamental bushes were overgrown, impinging on walkways and forming unwanted green curtains in front of windows. Pruning was clearly necessary, but wary of causing damage by indiscriminate hacking, members of the Landscape Committee asked Greg Carbone of Bartlett Tree Experts to give them a lesson on proper pruning procedure.

On June 29th, Greg was joined by Jackie Katzenstein, Peter Kelleher, Eleanor Merz, Eileen Lynch, Pinky Samoiloff, Bobbie Seidman, Jim Boyle, and Rich DeFilippo, while Geri and Arthur Downing observed from their car.



Greg chose one of the units at Michael's Green as a model, and over the next hour-and-a-half, the group wielded five pair of pruning shears and a bow saw under Greg's watchful eye and tutelage. (Eleanor Merz took copious "how to" notes to pass on to others.) They first attacked two massive rhododendrons that were obstruct-



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ing the front walk and obscuring the windows. While a bush this high and dense is great for privacy, it blocks light from coming into the unit and conceivably could provide cover for some nefarious person bent on burglary. They were timid at first, but Greg encouraged them to cut vigorously and deeply to lower the bushes, thin them to allow room for new growth, and shape them to be pleasing to the eye.



Next they tackled a burning bush, an ornamental cherry tree and a crabapple. When they were done, all the ornamentals they had worked on looked natural and appropriate; none looked as if they had been cut back severely. Yet the

pile of collected clippings was 10 feet across and 4 feet high.

After inspecting the results of the group's work, their teacher gave them an A+.

[Joel Seidman]

Some Great Hints

- Flies or bees bothering you? Spray them with hairspray and they will take a quick dive.
- Sealed envelope? Put it in the freezer for a few hours, then slide a knife under the flap. The envelope can then be resealed. (hmm..)
- Use empty toilet paper rolls to store appliance cords. It keeps them neat and you can write on the roll what appliance it belongs to.
- For icy door steps in freezing temperatures get warm water and put Dawn dishwashing liquid in it. Pour it all over the steps. They won't refreeze. (Wish I had known this for the last 40 years.)
- Crayon marks on walls? This works wonderfully! A damp rag, dipped in baking soda. Marks come off with little effort.

[Thanks to Frank Pedulla — look for more in future issues.]

Dryer Vent Cleaning

Recently, some residents from Kendall's Mill and Michael's Green were able to have their dryer vents cleaned at a 20% discount. This was possible because the residents formed a group which committed to having the work done on the same day. They were given the 20% discount by Continental Clean Air, in Wakefield. Continental Clean Air ordinarily charges \$135 for one cleaning. Other companies charge as much as \$185 for one cleaning. So this was a bargain! We had 9 residents in the group, and the work was done quickly, efficiently, and with good natured courtesy...all in one day! We were so glad that we did it, as our dryer vent was packed with lint, a dangerous situation.

If you are interested in pursuing this for your cluster, all it takes is for one resident to get the group organized. The phone number for Continental Clean Air is 781-938-5622. Please say we referred you, because we promised we would.

Eleanor Merz and Hal Scheibert
6 Kendall's Mill

Meet Your Neighbor

Have you ever wanted an answer to a question about the city of Woburn or about the community of Quail Run? You could ask your neighbor, Dotty Metrano of 3 Johnson's Grant, who possesses a wealth of knowledge about both subjects.

Dotty's father, born in Woburn in 1899, worked for the US Postal Service delivering mail to the community for over 35 years. Dotty, raised, educated, and married here, has lived her entire life in the West Woburn area.

In early 1986 a news item in the Woburn Times, describing a future development to be located off Russell Street, piqued her interest. After a trip to a small office trailer in the middle of nowhere (on the location of our mail delivery station) Dotty was set on a path that would lead her to much joy and happiness in her present home.

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On February 11, 1987 our neighbor Dotty moved into one of the first completed town houses at Johnson's Grant. As she recalls, it was bitterly cold – snowing and sleeting – and with no stairways, walkways or landscaping in place “everything was a bloody mess.” Dotty takes great pride in the fact that she has resided at Quail Run for over eighteen years ... longer than any other resident!



Dotty keeps extremely busy. In addition to her monthly excursion to Mohegan Sun Casino in Connecticut and her favorite pastime of ferreting out bargains at yard and garage sales, Dotty is also an officer in the Woburn American Legion Ladies Auxiliary.

Proud of contributing to the beauty of Quail Run, Dotty lovingly cares for the beautiful plantings surrounding her patio and personally prunes and looks after the more than 175 tiger lily plants that help make Johnson's Grant's common areas a pleasure to behold.

Dotty is an amazing historian of the City of Woburn, particularly regarding the West side where she has enjoyed living all of her life. Recorded in an impeccably organized and detailed journal, Dotty has carefully noted every real-estate transaction as well as a great deal of additional pertinent information regarding Quail Run since February 1987.

As any of her neighbors would be happy to attest, Dotty Metrano is an exceptional friend and neighbor, always there with a helping hand.

[Thanks to Jack Deasy]

Take a Walk – 3

Three Short Walks

Shaker Glen and the 1775 Battle Trail

The following three little walks are on or in sight of interesting and historic land features that are very close to Quail Run. The starting points for all three can be reached on foot in 15 minutes or less – from the Quail Run mailboxes.

Two of the walks touch on some remnant edge points of a beautiful but little known and little visited topographical feature in our neighborhood known as “Shaker Glen”. Shaker Glen is a gorge, part of the topography of the land in our area. It runs from Lowell Street all the way to the “Four Corners”. Today it is largely filled in and built over by development, except for some of these remnants that still can be found, mostly because they are “unbuildable”.

The third walk follows a protected little strip of historically important woodland in Woburn, the “battle road” taken by the Woburn “Minute Men” in 1775 to help protect Concord from attack by the British.

A street map of the area might help you find the location of these three walks. The map at the back of the “Woburn 2005 Community Connection Yellow Pages” phone book or the Woburn map in an Arrow Street Atlas would do.

A Panoramic View of Shaker Glen

from the Dix Road Extension

Dix Road is the second side street on the other side of Russell St. (after Roman Road on the way to the Four Corners). Walk down Dix Rd. until it ends as a dirt path on a power line easement. According to the map, Dix Road continues as a street, identified as Dix Road Extension, and goes all the way through to Lexington St. However, it really does not. There is this dirt path section. When you come to the dirt path, continue on it, and when you are directly under the power lines you will find another dirt path going off to the left. If you follow that to a

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steep edge, you will see Shaker Glen spread out before you and below you! Enjoy the view, but don't try to climb down!

You may return to Quail Run the way you came, or, if you are up for a much longer (and hilly) walk, you could continue on Dix Rd. Extension (The dirt path becomes a street again.) to Lexington Street, and then turn around, or turn right on Lexington Street to Lowell Street, or left to the Four Corners, for a much longer walk home.

Parliament Lane and Douglas Road

Parliament Lane (in Woburn) and Douglas Road (in Lexington) are two parallel and adjacent side streets. They are almost on the town line, one on the Woburn side, and the other on the Lexington side. Walking west on the Russell Street sidewalk and crossing Russell at the end of the sidewalk will reach them. Exploring these two side streets allows you to see a little bit of the upper Shaker Glen.

Parliament Lane is in Woburn but has backyards on its west side touching the Lexington line. This street not only has a large collection of interesting and attractive deckhouses but also some glimpses of the upper reaches of the Shaker Glen Gorge down at its end.

Douglas Road, in Lexington but with backyards on its east side touching the Woburn line, not only has many very large houses, but also, at its end, the entrance to a piece of protected Shaker Glen conservation land. The conservation land entrance is identified by a rustic wooden sign that can be found by walking to the end of Douglas Road, 50 feet or so past Fulton Road. This land includes a short trail which takes ten minutes or less to walk. Unfortunately part of the trail was overgrown and impassable on last check. However, the land and trail are worth finding and exploring to the extent that you are able.

The City of Woburn has set aside a beautiful but challenging Shaker Glen Conservation Area in the lower reaches of the gorge. It can be reached via Summit St. near the Old Reeves School (where we vote). However, its use re-

quires another whole "Take a Walk" article!

A USGS topographical map of this West Woburn area that shows all streams and water bodies, or even a good street map that does the same, would show you that by taking these walks you have been exploring the upper reaches of a watershed that feeds and maintains Woburn's beloved Horn Pond.

The Battle Road Woodlands

The City of Woburn has wisely set aside a little strip of woodlands between busy Russell Street and hilly Revere Road to commemorate Woburn's involvement in the historic first battle of the Revolutionary War. The minutemen marched here, on our doorstep, in 1775, and this little strip of woods and the trail through it commemorate that event.

The trailhead of the wide and very well maintained Battle Road Woodlands trail at 16 Brisco St. can be reached in a ten or fifteen minute walk from the Quail Run mailboxes. You have a choice of two different ways to get there:

By Streets and Sidewalks: Take Russell Street sidewalk east (toward Four Corners). Turn left onto Stevin Drive. Pass Belford Circle on right. Turn right onto Revere Road. Turn right onto Brisco Street. The trailhead is at 16 Brisco Street, marked by sign.

By Russell St. Sidewalk and Path: Take Russell Street sidewalk east (toward Four Corners). Turn left onto old school site parking area. Go to left of lone tree and red fire hydrant. Find the oval horse exercise path, then the straight path leaving oval at one o'clock and follow it to the trailhead at 16 Brisco Street.

The Battle Road Trail through the Battle Road Woodlands is an easy ten-minute walk. For most of the way you don't see or hear the traffic or the busyness on nearby Russell St. or Revere Rd. The grade goes down until you cross a stream near the end (usually dry). Then you turn left, go up, and level out at the end. The end is a bit surprising, but pleasant. The trail ends on Revere Road at another trail sign and on a well-kept lawn, between 12 and 16 Revere Road. This lawn is part of the trail property.

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The Quail Runner needs to hear from you.

We ask that all Unit Owners try to contribute material for publication. We will accept almost anything – social notes, requests for participation in activities, items wanted to buy or to sell, essays, editorials, poetry, letters, wildlife sightings, tips for Unit Owners, restaurant reviews, photographs (we publish in black and white only), etc. Please send any of these to the editor by November 27th for inclusion in the next (December, 2005) issue of the *The Quail Runner*. Articles should be limited to 500 words. The Trustees reserve the right to accept, reject, or modify any submission. We cannot publish anonymous submissions. The editor can be contacted by e-mail or by mailing articles, questions or other submissions via US Postal Service.

New Unit Owners

Sylvia and George Haroules
16 Saw Mill Brook Way



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WEB SITE**

www.quailruncondo.org

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Contact Joel Seidman at
781-937-0406
jseidman@massmed.org to
submit material for publication.**

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You have three choices for returning home.
1) Retrace your steps on the Battle Road Trail.
2) Turn left onto the Revere Road sidewalk at # 16, and follow it to Stevin Drive, where you will turn left again to Russell St. 3) Turn right onto the Revere Road sidewalk at # 12, and follow it to Cambridge St., where you must use the walk signal to cross the street to the sidewalk (in front of St. Barbara Church), then walk down to the Russell St. walk signal, to cross Cambridge St. again. *(Choice # 3 not recommended)*
[Thanks to Hal Scheibert]