

**Highlands at Ocean Point Condominium Association  
Trustee Meeting  
June 4, 2015  
Pool Clubhouse**

Attendance: Trustees Rick Cash (chair), Helen Jones (secretary) Jan Zabrieski, and Lesley Pitts; Maintenance Coordinator Donna Crone. Absent: Pam Claughton (treasurer)

Observers: Jim and Donna Francke, Gerry LaCasse, Joanna Zarkadas, Ginny Sands, Marilyn Marvill, Nancy Carini, Andrea and Neil Swart, Rita Potocsky, Debby Dugan, Tom and Marie Young, Sue Brissette, Dan Lane

At a regular meeting of the Highlands at Ocean Point Board of Trustees, held in the pool clubhouse, on Thursday evening, June 4, 2015, the chair called the meeting to order at 6:33 p.m.

### **1. Previous meeting minutes review**

The first order of business was the review of previous meeting minutes. Having received prior to the meeting the minutes of a special meeting on May 28 and the record of trustee decisions made between the March 2 and June 4 and meetings, **on the motion of the Secretary, seconded, the Trustees present unanimously accepted both documents with no corrections.**

**Decision: The May 28 minutes and the March-June trustee between-meeting decisions record are approved for posting.**

### **2. Maintenance and projects update**

The next order of business was an update on maintenance and projects. Maintenance Coordinator Donna Crone distributed the first page of the maintenance log (5/7/15 through 5/31/15), and reported the following:

- On June 8, 9:30 am, Bob Wilcox will be here to assess the north wall on building 4.
- On June 15, Dryer Vent Wizards will return to clean vents in buildings 25 and 29. All other buildings have been done. When they return on June 15, they will also look at the vent in 409, which has been reported to have not been properly cleaned when they did building 4 in May.
- Dryer Vent Wizards identified only one repair in May, need to reconnect a disconnected vent in 414. Repairs to other units that were identified last time the vents were cleaned were brought to Dryer Vent's attention. Such units mentioned were 2403 and 3002.
- The damaged sidewalk and driveway at building 4 will be repaired within the next two weeks. Donna will email residents several days in advance so that people will know to move their cars.
- On Saturday night, May 30, the fire alarm in building 24 went off. It turned out to be a heat detector in unit 2408. The fire department had difficulty finding the source and, once found, told Donna that their map to building 24 is wrong. However, Sounder

Systems says the map is correct. During the next fire alarm inspection next fall, Donna will accompany Sounder and write down the zone for each heat detector so that the map can be corrected. Donna stated that this is not an issue in building 4.

- All decks on building 29 have been inspected for mold, and those with mold power washed and sealed. Some remain to be checked on building 25, then Earle will return to finish building 4. It was noted that 406 and 410 have significant mold and need cleaning.
- On Friday June 5 or Monday June 8, the painter will return to work on the trim on building 24. Donna will notify building 24 residents.

No action taken.

### 3. Financial review and update

The Chair postponed the financial update due to the absence of Treasurer Pam Claughton, in the hope that she might arrive before the end of the meeting.

### 4. Building 4 security issues and residents meeting

The next order of business was the planned meeting with building 4 residents on security issues. The Chair proposed to schedule the meeting for June 22, June 23, June 24 and June 25. Residents will be polled to determine the date that works for the most people, and polled on their preferences for security. The Secretary was asked to draft a poll and run it by the Trustees before sending to all building 4 residents.

**Decision: A meeting will be held during the week of June 22. Building 4 residents will be polled to determine the date and polled on their security preferences.**

### 5. Pet policy follow up

The next order of business was a follow up on several violations that had been brought to the Board's attention in March. The Secretary reported that response to the pet policy letter sent in April was low, There are 10 dogs and 3 cats registered, and there are at least 7 dogs and 5 cats that we know of that are not registered or approved. Several applications were received incomplete.

**On the Secretary's motion, seconded, the Trustees voted unanimously to send a follow up email to all residents and owners, and to follow up on incomplete applications.** The Secretary was asked to draft follow up communications for the Trustees review.

**Decision: The Board will send out follow up emails on incomplete applications, and a follow up email reminder of the requirement to register pets, to all residents.**

### 6. Non owner residents policy and rules; contact list update

The next order of business was a review of non-owner resident policy and rules. We learned when we sent out the pet policy letter that Lorell's tenant files were very outdated. With Donna Crone's help, the list has been updated to the extent possible, but we still do not have complete contact information for all residents. We also do not have a copy of each lease or

rental agreement, and it is not clear whether the leases we do have contain all of the provisions required. The Chair asked what percentage of units are currently non-owner occupied, and what the maximum percentage of rented units allowed is. The Secretary reported that we currently have 13.5% units on-owner occupied, and she will check on the maximum allowed and report back. *[Note: It was subsequently determined that the maximum rented units allowed in the by-laws is 20%.]*

The Chair requested that the Secretary summarize what we have and don't have in terms of non-owner information and lease requirements, and report back in an email to Trustees. No action taken.

#### **7. Update on gas grills policy letter**

The next order of business was an update on the gas grills letter. The Secretary reported that the letter, requested at the March meeting, hasn't yet been drafted, but it will be soon. No action taken.

#### **8. Owner request to install insulation**

The next order of business was a review of an owner request to install insulation. The proposal not having been received yet, the review is postponed until Trustees have the proposal. The decision will likely be made by email, between scheduled meetings. No action taken.

#### **9. Website update**

The Chair postponed the website update and demo to the end of the meeting, so that observers could gather around the computers set up on the side of the room.

#### **10. Long range maintenance plan update**

The next order of business was an update on the long range maintenance plan. Trustee Pitts reported that she has developed a tool for the committee to use in reviewing the Capital Needs Assessment to track what has been done, what hasn't been done, and decide whether or not to do the outstanding items. She proposes that we look ahead five years to determine what should be done in the near future, using the Capital Needs Assessment suggestions and input from the Maintenance Coordinator, the Board, and others. The next steps will be prioritizing and costing out the work. With the tools almost completed, the committee is close to ready to start meeting with others for input. No action taken.

#### **11. Condo expo report – seminars and exploration of bringing in solar power**

The next order of business was a report back from Trustees Pitts and Jones on the condo expo they attended on April 30, sponsored by New England Condominium magazine.

Trustees Pitts and Jones attended two seminars, and visited several vendors. The first seminar, presented by the law firm of Goodman, Shapiro & Lombardi, was billed as a primer on condo life and covered what trustees and unit owners should do, should not do and cannot

do. The second, presented by two management companies, covered the board-management partnership.

One vendor, Ecosolar, made a proposal to bring solar energy to the Highlands. This company does not charge for installation, because they continue to own the panels. Instead, Ecosolar proposes to pay the Association to lease our roofs (or open ground areas) to install their panels. The benefit to the Association would be the lease income and a reduction on electricity rates for residents who choose to buy their electricity from them. Since the expo, two additional companies have been identified who offer a similar arrangement. Trustee Pitts plans to look at the details of all 3 companies' proposals, and then schedule each to come talk to us. No action taken.

## **12. Annual meeting**

The next order of business was the Annual Meeting. The Chair requested that anyone who wishes to place an item on the agenda send agenda items to either Chair Rick Cash or Secretary Helen Jones. Chair Cash also announced that he does not intend to run for another term when his term expires this summer. No action taken.

## **13. Old business**

The next order of business was old business. Trustee Zabriskie asked for an update on the repairs to building 4. It was clarified that the next step is to have Wilcox come and assess the soft spots. No vote has yet been taken on who will actually do the work; that will be open to bids per Trustee vote April 27, 2015. No action taken.

## **14. Financial review and update**

It was noted that several people have not received a statement for the special assessment. The Chair reported that he called Lorell Management and there appears to have been a miscommunication. The Chair asked how many people present have not received a statement; 6 out of the 15 households present had not. The Chair asked the Secretary to send an email to all owners with instructions to call Lorell Management to request a statement if they didn't get one yet. He noted that people have until the end of the year to pay it.

The Chair reported that the 2014 end of year financial statements are available and will be posted to the website soon. He noted that we withdrew some funds from the reserves to pay for the high snow removal bills and the winter damage to OPMT's boardwalks and tennis courts, and that these funds will be replaced with funds from the special assessment come in.

**Decision: The Board will send out an email with instructions to call Lorell for a statement.**

## **15. New business**

The next order of business was new business. At this point, the Chair opened the floor to observers for questions and comments. Questions and comments focused on reserve funds, dryer vent cleaning, deck washing and other maintenance issues, gas grills and consistency of

rules and regulations, repainting a tennis court for pickle ball, and possible openings on the Board of Trustees.

### **Observer Questions (Q) and Comments (C)**

C: The Board should send an update on gas grills on decks above the first floor letting people know they can have an electric grill.

C: New England Condominium magazine is a worthwhile resource for condo owners, and it's free. The Board should put a notice about it in the newsletter.

Q: Is it necessary to be home when the dryer cleaning company comes?

A: No, but we have to get into your unit to turn on the dryer during the cleaning.

Q: Did you say that all decks on building 29 have been washed?

A: No; only the middle decks that had been painted because the wrong stain had been used and has now been corrected.

Q: The previous owner of unit 2914 painted the deck, and it looks awful. Can it be corrected as well?

A: That is a common area, and it relates to the uniform appearance of the building, so it will be done.

Q: There is a strip of grass that needs mowing next to the driveway beside units 2912 and 2914 (right of way to allow access to the pond) Does Egan know that they need to mow this strip?

[There ensued some discussion as to whether or not that strip is Highlands land, in which Sue Brissette and Virginia Sands provided some historical information that supports it being Highland land].

A: Donna will ask Egan to weed whack that area.

Q: When the dryer vent cleaners came, they discovered that the vent was disconnected about 2 feet in from the wall, and my kitchen ceiling would have to be opened up to reconnect it. When will that be done?

A: Earle will open up the ceiling and reconnect it on a rainy day when he can't do outdoor work.

Q: Will the repairs identified in several units with disconnected vents be corrected? I understand that it's a fire hazard and a mold hazard.

A: The Chair talked with the fire marshal about disconnected vents venting into the attic. He was advised that as long as it vents into a vented area (as long as the attic itself is vented), and he said it is OK.

Q: Earle washed our deck and deck stairs, and he sanded and sealed our deck. When will he come back to sand and seal the stairs?

A: He will return to finish the stairs after he finishes all the decks.

Q: Is it necessary to seal the decks?

A: It is recommended.

Q: The condo docs say that we have to have three separate reserves accounts, a Capital Expense Fund which we have, a Working Capital Fund, which we don't have, and a Real Estate Tax Fund, which we don't have. Although we are no longer required to have the Real Estate Tax Fund, I believe we are required to have the other two.

A: At one point we had \$10,000 in a separate account, but we moved it into the reserves.

C: The declaration of trust requires two separate formulas for the two types of reserves, one is 10%, and the other is 1/6<sup>th</sup>. I'm not sure we're incorporating both formulas.

**Moved (Jones) and seconded (Pitts) that we look at the condo docs and assess the degree to which we are or are not in alignment with them. Votes in favor: Jones and Pitts. Votes opposed: Cash and Zabriskie. The motion is defeated.**

Chair Cash commented that we will probably do that anyway, but he's not sure we need a motion to that effect.

C: If we had that Working Capital Fund, we could have used it to cover the winter expenses, and not had to levy a special assessment.

Chair Cash commented that we probably would have had to raise condo fees.

C: If we had been contributing to that Working Capital Fund all along, we would have had money in that account. It would be worth our while, going forward, to make such contributions, in case we have a similar need years in the future.

The Chair commented that there is more than enough in reserves, that we could have taken it out but didn't.

C: Jim Francke volunteered to work on the committee that will look into the reserves accounts.

The Chair clarified that a committee was not being set up, but that the Secretary was going to check the records. The Secretary offered to work with Jim Francke in looking at the reserves question.

Q: Are all the decks to be washed?

A: No. All decks are to be inspected for mold, but only those with mold will be washed.

Q: Are all the decks to be washed?

A: Jim Francke noted that his deck has some mold, and requested that his be washed.

Q: Do we have a contract for the repair of building 4's sidewalk?

A: Yes.

Q: Since the bid came in \$1,000 under what had been budgeted, what happens to the extra \$1,000?

A: We never had in the 2015 budget sufficient funds to cover all the maintenance and special projects we committed to this year. The Board had voted to withdraw up to \$10,000 from reserves as needed to get it all done. That the sidewalk repair came in under budget just means that we'll need to withdraw less from our reserves.

Q: Will the tennis courts be repainted to allow pickle ball to be played on them also?

A: Yes. One idea is to repaint one of the courts for pickle ball, using the existing net, and see how much use it gets. If it gets a lot of use, the idea is to take out the existing net in one of the two courts, install two nets in the other direction, and paint two pickle ball courts on that court.

Q: Are the Rules and Regulations dated January 2013 the only rules and regulations, or are there others?

A: Those are the last filed at the Registry of Deeds, and are the rules and regulations in effect.

Q: The spring newsletter said that owners above the first floor who want to have a gas grill on their deck must have the propane piped in. In the January 2013 Rules and Regulations, the section on gas grills, page 4, is quite lengthy, but there is no mention of a requirement to pipe gas in directly. The rules say that gas grills must be kept at least 10 feet from a building and are not permitted on balconies above the first floor where people live. The Board should have a consistent policy.

A: The fire code changed in 2008; this change was probably overlooked in the 2013 update to the rules and regulations. Nevertheless, we have to be in compliance with the state fire code.

Q: If a building burned down, and it was determined that a gas grill was the cause of the fire, and we were not in compliance, would insurance cover the loss?

A: Probably not.

Q: The Board should have a consistent, accurate policy.

A: We can consult with the fire marshal again, and rewrite the rules again. Each time we change a document and record it at the Registry of Deeds (as required) though, there is a cost.

C: Thank you for cleaning the dryer vents; my dryer never worked so well.

Q: A question for Trustee Zabriskie – now that you have sold your unit and moved out of town, will you be leaving the Board?

A: Trustee Zabriskie plans to talk it over with his wife and make a decision. He will be here for the July 27<sup>th</sup> Annual Meeting.

## **16. Adjourn**

There being no further business, the chair adjourned the meeting at 7:47 p.m. and invited observers to gather around a side table for an update on and demonstration of the newly designed website.

## **17. New website demonstration**

At this point, observers rose and gathered around a side table where Nancy Carini and Helen Jones had set up two laptops to compare the existing and new websites. The new site will also be demonstrated at the Annual Unit Owners Meeting, after which it will go live and replace the existing website.

Because time was short and it was hard to hear, the Secretary offered to send the URL for the new website to all observers so they could explore it further on their own, and send comments, questions and suggestions.

Respectfully submitted, Helen Jones, Secretary, June 10, 2015

Approved, Board vote by email, June 14, 2015