

Highlands at Ocean Point Condominium Association
Board of Trustees Meeting
October 17, 2016
Pool Clubhouse

Attendance: Lesley Pitts (Chair), Helen Jones (Secretary), Gary Gersten (Treasurer), Pam Claughton, Emily Gallup; Baldwin Realty Group Onsite Property Management Representatives Tony Baldwin and Shannon Swift.

Observers: Donna Crone, Elaine Bean, Mal Marvill, Rick Cash, Bill Brissette, Gerry LaCasse, Rita Potocsky.

At a regular meeting of the Highlands at Ocean Point Board of Trustees, held in the Pool Clubhouse on Monday evening, October 17, 2016, the Chair called the meeting to order at 6:06 p.m.

Summary of Board Actions Taken in the Meeting:

The Board voted to:

- Hold homeowners responsible for maintaining and winterizing any spigots with turnoff valves accessible only through their units. Request BRG to draft a letter, on behalf of the Board, to remind owners with such spigots to winterize them.
- Require owners with existing underdecking to remove it by December 31, unless it is inspected by BRG and written documentation exists that it is approved.
- Approve a maintenance schedule for decks and asphalt maintenance.

Additionally, the following happened, although no Board action was taken:

- It was agreed that the Trustees will use the November 7 scheduled meeting as a closed budget working session, and the November 22nd scheduled meeting as an open regular Board of Trustees meeting.
- It was agreed between the Trustees and Baldwin Realty Group that they will submit a Maintenance Status Report a week before each Board meeting.
- The Chair requested BRG to solicit evaluations of our sprinkler system from 3 companies and pursue a 2017 maintenance contract with a different company. (Reiterating a Board vote at the June 20 meeting)
- The Chair requested BRG to submit, prior to the November 7 budget meeting, a design for lighting for the building 4 parking lot, to match the rest of the property, with a cost comparison for tying it into the existing electrical panel vs. solar.
- It was agreed that the OPMT Maintenance Log will be posted on the Highlands owners' maintenance webpage. That way, it will be password-protected, but still accessible to Highlands owners.

I. WELCOME AND REMINDERS

The Chair welcomed observers and reminded them to avoid side conversations so that the Trustees can hear each other, and to avoid having more than one person speaking at a time.

The Chair noted that BRG had submitted to the Trustees a written Maintenance Report in advance of the meeting, in order to allow for a more efficient meeting. Trustees will not be discussing items that were sufficiently updated in the report, but Owners are welcome to ask about any issues during the portion of the meeting dedicated to observer questions and comments.

II. REPORTS

A. FINANCIAL STATEMENT AND TREASURER REPORT – Treasurer

The Treasurer distributed an analysis of income and spending against the budget through September, and reported that we are where we projected to be. He reported that, when we take out the insurance claim, Association spending is within a half a percent of projected expenses. Maintenance costs have exceeded the budget line item, but we have appropriately paid some out of capital reserves, so the budget is not overspent.

The Treasurer noted that he works very closely with Lorell to monitor month by month spending, and that therefore it is important that BRG forward invoices to him promptly.

There has been no borrowing against the reserves this year, and all reserves payments have been made. The Association currently has \$210,000 in reserves; compared with \$205,000 one year ago.

No action taken.

B. UPDATE ON INSURANCE CLAIMS – Treasurer and Onsite Property Manager

1. In Buildings 24, 30 and 29

The Treasurer distributed a unit-by-unit Financial Status of the February 2016 Water Damage claim as of 10/17/2016.

Payment for the recoverable depreciation is impeded by work not being underway in two units. Work has not begun on unit 3006; contracts for vendors for unit 3010 have been received. Adjuster Jeff Sabel is working with the insurance company to try to get the recoverable depreciation on the rest of the units.

The next steps are to follow up with units 3006 and 3010; further discussion is deferred to executive session.

No action taken.

2. In Building 4

The Treasurer reported that Arbella erroneously opened two claims for this leak, one with John Shea as the adjuster assigned by Arbella, and one with Bob Margetta. The claim under John Shea is the one that will remain; Margetta's will go away.

Arbella initially agreed to a \$17,000 settlement, and sent a check to Lorell for \$7,000 (minus the \$10,000 deductible). This payment included ServPro's \$12,000 bill for water extraction. This settlement was premature, however, as repairs estimated at \$31,000 were not included. These costs will be added.

We are advised that we may deposit the \$7,000 check as long as we endorse it that "this is consideration of partial payment of the claim."

The Treasurer projects that it will be some time before this claim is settled, but that we can still call on our contacts at HUB International if we need help.

No action taken.

C. MAINTENANCE – Onsite Property Manager /Baldwin Realty Trust (BRG)

Based on their review of BRG's maintenance report, submitted to the Trustees prior to the meeting, the Trustees identified certain topics for further follow up discussion.

It was agreed between the Trustees and BRG that they will submit a written maintenance report a week before each Board meeting. (Next report due November 15th for November 22nd meeting.)

1. Sprinkler system

BRG consulted BKA Architects and Engineers, who advised that, rather than hire a mechanical engineer to assess the sprinkler system, it would be more effective for the Association to first have several different sprinkler companies evaluate the system and provide recommendations. After we have the recommendations of several companies in hand, if we still believe we need to consult a mechanical engineer, we can hire one at that point to review the companies' reports and advise us.

In the ensuing discussion, it was noted that we are dealing with two issues with the sprinkler system. We have ongoing drips and small leaks, which is one issue and may warrant a certain type of response. We need to remember that the February leaks were caused by extreme weather which caused the pipes to break, and that similar breaks happened all over Massachusetts that weekend. The problem is that those breaks affected the same people who had had problems before.

At the end of the discussion, **the Chair asked BRG to finish getting assessments from at least 3 sprinkler companies. She also asked BRG to pursue a 2017 sprinkler maintenance contract with a different company, given the sparse reports FSS has provided.**

2. Owner requests for solar lighting for building 4 parking lot

Prior to the meeting, an owner had called the Trustees' attention to the fact that there are no light posts to illuminate building 4's parking lot, as there are at the other buildings, and that it is quite dark in the lot at night. The owner proposed that posts topped by solar lamps might be more affordable than electric ones, and requested that the Board look into it.

In discussion, BRG asserted that, since there is power out there anyway, it might not be too expensive to tie in electric fixtures to the existing panel.

After discussion, **the Trustees requested BRG to submit, prior to the November 7 budget meeting if possible, a proposed lighting design for the building 4 parking lot, to match the rest of the property, with a cost comparison for tying it into the existing electrical panel vs. solar.**

3. Plan for ensuring that all spigots are winterized

BRG reported that Earle winterizes all spigots with turnoff valves in common areas. The question is whether the Association or the owner should be responsible for winterizing spigots for which access to turnoff valves is only inside a unit.

It was pointed out that, even if Earle turns off a spigot, there is no way the Association can be sure that the owner won't turn it back on and forget to turn it off. Going forward, the homeowner should be responsible if the turnoff is inside the unit.

The Board unanimously voted to hold the homeowner responsible for maintaining and winterizing if the turnoff is accessible only from inside the unit, and to send a letter to that effect. The letter should remind owners to turn off and drain the water line to the spigot. The Association needs to limit its liability for any damage caused by spigots whose turnoff valves are accessible only through private units. *[Note: On the vote of a majority of Trustees via email, this vote was subsequently rescinded in order to*

bring the language of the Board's action in line with our attorney's recommendations. New language will be proposed for a vote at the December meeting.]

The Chair asked BRG to draft the letter on behalf of the Board for review prior to sending.

She also asked BRG to have Earle compile a complete list of where all spigots on the property are located, both Association-maintained and Owner-maintained, so we will know where the Owner-maintained ones are, and which Owners need to be notified annually.

4. Underdecking

It has come to the Board's attention that some underdecking is not installed to allow for proper drainage. BRG has recommended that the Trustees require removal of such underdecking by December 31, with the proviso that, if an owner wishes to reinstall underdecking, it must meet criteria recommended by BRG and sanctioned by the Board.

BRG proposed the following criteria for approval of underdecking:

- Use of weather-resistant materials
- Pitched away from the building
- Appropriately located gutters and downspouts

The Board voted unanimously that any owner who wishes to keep their existing underdecking may request its inspection by BRG. Any existing underdecking without documented approval from BRG that it meets the criteria must be removed by December 31.

5. Maintenance Schedule for Decks and Asphalt Maintenance

The Board unanimously approved the following partial maintenance schedule, included in BRG's written report:

Decks

1. Power wash (every two years)
 - a. Buildings #4, #24 and #30 – Even Years
 - b. Buildings #25 and #29 – Odd Years
2. Seal (every four years)
 - a. Buildings #4, #24 and #30 – 2020, 2024, 2028, 2032, 2036
 - b. Buildings #25 and #29 – 2021, 2025, 2029, 2033, 2037

Asphalt

1. Crack fill (every two years) – Even Years
2. Seal (every four years) – 2020, 2024, 2028, 2032, 2036

D. UPDATE RE KINGSTON PROPANE – Trustee Pam Claughton

Trustee Claughton reported that, although the Highlands Board had voted to accept Kingston Propane's last proposal, the company withdrew the proposal when we sent them some questions. Although the Dunes and the Highlands each can make its decision independent of the other, and can contract separately with Kingston, Kingston will not separate the Dunes and the Highlands in their proposal, but insist on considering us one entity. The Dunes tanks need to be replaced, and Kingston will not give us a new proposal until they know what the Dunes tanks will cost. As of today, we are still waiting to hear from Kingston Propane.

No action taken.

E. SECRETARY'S REPORT - Status of minutes, website, correspondence, and newsletter.

1. Minutes:

The Secretary reported that she is behind two Board meetings (June 20 and August 16), but was trying to catch up. Owners meeting minutes due are July 25 and August 16. She will make every effort to ready for review and approval this week and posted by next week.

2. Website updates needed:
 - a. The minutes mentioned above need to be (and will be) posted once approved.
 - b. Financial reports: The August and September monthly reports have been sent for posting; the rest of the financials are up-to-date.
 - c. The Secretary suggested that, when we have an approved 5-year maintenance plan, we post it to web, and that, in the meantime, we post the approved maintenance plan and schedule for decks and sealcoating. She noted that she will need the complete 5-year maintenance plan in a single document for posting.
 - d. Trustee contact info: We need to move T. Baldwin to the Onsite Property Management Company portion of the contact page, and update the Trustee contact information with Emily Gallup's photo and contact information.
 - e. Owner contact info: We need to finish contact information that was being compiled, including where we have permission to share it and where we don't. The Chair and Secretary need to get together to coordinate information that each of them has and to review the data set.
 - f. OPMT maintenance log: The Secretary asked how we want to handle security of maintenance information, in the interest of owners who may have their condo on the market and may not wish to have maintenance information made public. The problem is that if the OPMT maintenance log is posted on a Highlands password-protected page, Dunes owners can't see it. We have a page for OPMT information, but it is not password-protected, and we can only have one password for the site. BRG stated that Dunes owners won't be looking for it, and that we can just post it to the password-protected Highlands page.

Decision: Post the OPMT maintenance log to the password-protected Highlands Maintenance page.

3. Newsletter:
 - a. A newsletter committee of 4 is meeting Friday afternoon.
 - b. We should include an update about how we are addressing the sprinkler system, as well as a report on the recent energy audit and information on the new cleaning company.
 - c. As long as the info is complete and clear, we can use the brief info in the maintenance report to include updates in the newsletter on upcoming projects—pruning/trimming, replacement of damaged plantings, plan for widows walks, checking heaters, winterizing spigots, etc.
 - d. Based on decisions we make tonight, we can include the maintenance schedule for decks and sealcoating, under decking, spigots, solar lighting, etc.
4. Correspondence – In consideration of owner confidentiality, the Secretary recommended that correspondence be discussed in executive session.

III. OBSERVER QUESTIONS AND COMMENTS

- C: The underdecking the Board approved for Unit 2413 (Santos) was installed upside down; the water collection area is too narrow, and it is noisy when the wind blows every night.
- BRG: BRG will look into it. Our understanding was that the product was designed to be reversible. Installation needed to be halted for deck washing; it's possible that it's noisy because installation is not yet completed.
- C: As an owner, I support having an engineer look at the sprinkler systems, rather than 3 companies. An engineer will draft a scope of work for the companies to bid on.
- Q: Will the sealcoating company fix cracks in the sidewalks? They pose a danger of tripping and falling.
- BRG: We believe so. The cracks in the sidewalks are caused by the cherry tree roots. The trees are 30 years old, and the roots are spreading and destroying the sidewalks; most of them will probably have to come down. *[Note: It was subsequently determined that the sidewalks were not included in the quote.]*
- C: Building 30 has railings down and wood trim off at the building foundation. It needs more attention that a piecemeal approach.
- BRG: Make sure it is on the Maintenance Request Log. Don Eaton will do it in November, when he finishes washing the decks. We will need to cut out certain sections of the wood trim and replace them with Azek.
- BRG: Speaking as an owner, it would be helpful for each building to have a "Building Ambassador", a single point of contact for BRG, to work with BRG on that building. BRG would like to come up with a suggested list of ambassadors for each building.
- C: That could be a great idea, as long as owners still have a voice when they need it, and can directly contact BRG and the Board when they need to.
- BRG: Of course.
- C: There should be a policy, if you're going away for more than a week, it should be mandatory that you shut off your water, have someone come in and check for any problems, and what else?
- BRG: Shutting off water when you're going to be away is good practice, unless you have baseboard heat and can't shut your water off. Owners should know where their cutoff valve is, and test it ahead of time to make sure it's not so tight that you can't turn it off if you need to.
- Q: Will T&K have a chart of the parking spaces when they come in to sealcoat? The last time, they sealcoated over all the numbers.
- BRG: They know where all the spaces are.
- Q: Are you considering looking at a new cleaning service? I've talked to 3 realtors who came to view unit 410 (on the market), and they all talked about the same three issues: a lack of cleanliness of the common areas, brown mold inside the entrance, and the poor condition of the grounds. Egan is supposed to weed 4 times a year. Building 4 has 14 residents all using the same common entrance; several residents have children; these conditions may mean that building 4 may need more care than other buildings. The clubhouse walls are dirty, and have holes in them.
- Chair: *(Checking the current contract, confirmed that)* Egan's contract includes a spring cleanup, weeding 4 times a year, and shrub trimming in late May and September.

BRG: The Board has already terminated the contract of the previous cleaner, and hired commercial company. There will be a cleaning log in each building, to record what was done, when, and who did it. The basement carpet has been removed and will be replaced with tile. Painting will be done by Earle, but as long as the good weather holds out, he needs to prioritize outdoor work.

C: Some of the problems that are being raised here predate this Board. It's important to recognize that they are dealing with many, many problems that previous Boards did not deal with.

Q: Are they going to sealcoat the sidewalks, and, if so, how am I supposed to get out of my condo?

BRG: The sidewalks are not done at the same time.

C: I didn't know the dumpsters were going to be moved.

Q: Is the tree trimming not going to be discussed tonight?

Chair: It was addressed in the Maintenance Report that the Trustees reviewed prior to this meeting, so we didn't discuss it. BRG is getting quotes from arborists. In the meantime, we have asked BRG to have any low branches taken out that are causing a safety issue.

Most observers left the meeting after the Question and Answer session.

IV. BUDGET PLANNING:

A. Update on RFP for new property management company - Chair

The Chair has all the needed information gathered, and will convene a committee to draft an RFP for management. (This refers to the management services currently provided by Lorell Management, not the onsite property management/maintenance BRG is providing).

B. Discussion of Handyman contract for next meeting

The Chair distributed a draft of a contract she had prepared for the Board's consideration; in discussion, a few edits were noted:

- For the contract with the Highlands, in the first paragraph, "Ocean Point Condominium Trust" should be changed to "The Highlands Condominium Trust". His contract with the Dunes and OPMT should be similarly edited to reflect the hiring entity in each case.
- "Maintenance Administrator" should be changed to "Onsite Property Manager", per decision made in executive session.
- In the last paragraph under bullet #2, "... as directed by the Company's Board of Directors." should be changed to "... as directed by the Association's Board of Trustees."
- Under bullet #3, "... plus GST." should be deleted.

C. Any other contracts to be reviewed for next budget cycle.

Other than sprinkler system maintenance, previously mentioned, no additional contracts were identified.

No action taken.

V. ANY OTHER BUSINESS

It was noted that, with Tony Baldwin's resignation from the Board of Trustees upon accepting the contract for Onsite Property Management, a vacancy was created on the OPMT Board. Since the OPMT Trust stipulates that the Board of Trustees for OPMT shall come from the Boards of Trustees

of the Highlands, Dunes and Residences Trustees (3 from the Highlands, 3 from the Dunes, and 1 from the Residences), since Tony is no longer a Highlands Trustee, neither can he be an OPMT Trustee. New Highlands Trustee Emily Gallup said that she would be willing to consider taking on that responsibility.

No action taken.

VI. EXECUTIVE SESSION

At this point, the Board went into executive session, and any remaining observers left. Minutes of that session will be included in the official record and kept by the Secretary, but will not be posted to the website.

VII. ADJOURN

There being no further business, the chair adjourned the meeting at 9:43 p.m.

Respectfully submitted, Helen Jones, Secretary, November 5, 2016

Approved, Lesley Pitts, Chair, December 17, 2016