

**Highlands at Ocean Point Condominium Association**  
**Trustee Meeting**  
**December 4, 2014**  
**Unit 414**

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

Observers: Bill Nolan, Rita Potocski, Nancy Carini, Ginny Sands, Joanna Zarkadas, Mal Marvill

At a regular meeting of the Highlands at Ocean Point Board of Trustees, held in unit 414, on Thursday evening, December 4, 2014, the chair called the meeting to order at 6:30 p.m.

### **1. Introduction of New Trustees**

The chair opened the meeting by acknowledging and introducing new trustees Pam Claughton, treasurer, Helen Jones, secretary, and Lesley Pitts.

### **2. Financial Review 2014**

The next order of business was an update on 2014 finances. The treasurer noted that the property value will be assessed by an independent insurance company in 2015, the cost of which is estimated at \$1,000. The chair noted that that the cost of the appraisal will have to be found somewhere in the budget. There was a question as to whether the Special Projects budget line should be reduced by \$1,000 to move that amount to insurance; it was suggested that this should not be done until we have an actual cost for the assessment.

### **3. Maintenance Update**

The next order of business was a maintenance update. The Maintenance Coordinator distributed to trustees copies of the HOP Maintenance Log from August 29 through December 4, noting that some requests have not yet been entered in the log.

There was a question about log entries for Dec. 2 and 4 regarding an alarm on building 29. The Maintenance Coordinator explained that the phone line reported trouble at 8:30 am, was fixed, and at 10:00 am the alarm went off again. It needs to be looked at again.

The Maintenance Coordinator also reported that the street light out in the parking lot of building 30, reported on Dec. 2 and showing in the log as still open, has been fixed, and is no longer open.

She also reported that handyman Earle Miller has been focusing on outdoor projects while the weather allows. He has been assessing what is needed on each deck on Building 25, and has been working on 3 or 4 decks. In particular, the deck on unit 2506 (F. Forte) has needed extensive repair.

#### ***Update on quotes in process:***

- **Quotes for dryer vent cleaning:** We have received two quotes for cleaning the dryer vents:
  - Earth Green Dryer Vent Cleaning Services quoted \$4,500 to do all 74 vents.

- Cape Cod Appliance quoted \$275 per unit (which comes to \$20,350 for 74 units; \$4,400 for 16 units/one building). This company's approach is very thorough; they take off the front of each dryer.

There was a proposal to accept Earth Green's bid, but ask them to do half the vents in 2015 and the rest in 2016, and then put all vents on an every other year schedule.

Assuming their rate for half the units would be half of the quoted \$4,500, this only saves us \$2,250; some trustees expressed a preference for getting them all done at once. **A decision about dryer vent cleaning will be made in the context of prioritizing and budgeting for special projects, item # 6 on the agenda.**

- **Quotes for a keypad locking system on Building 4:** We have a single quote, from Associated Lock, for a code lock that will accommodate up to 50 codes. The cost is \$350 for the first lock, and \$300 for each additional lock, or \$950 for all 3 doors. There was a suggestion that we could purchase a coded lock from Home Depot for \$225.

Discussion included the observations that several unit have cleaning people who need access, that UPS and FedEx will not leave packages over a certain value outside, that there are several children in the building, that the alarm company and the elevator company also need access to the building, and that the building doors already have locks if people want to use them and commit to carrying keys.

One person observed that we should be very sure this is a solution that owners want and will use before we spend close to \$1,000 on it.

**Decision: It was proposed, and agreed, to convene a meeting of Building 4 owners and tenants, and determine what solution has the most support and will be implemented by everyone. This meeting will be convened in the summer, after those who leave for the winter have returned.**

*Updates on maintenance issues discussed in prior meetings:*

- Water, building 4: Trustee Jones requested an update on the November 17 decision to bring in an independent contractor to assess the cause of the water problems on Building 4 and recommend a solution or solutions. She expressed appreciation for Earle's removal of the shingles outside her sliders, and wants them replaced before the weather gets worse, but not before the assessing contractor looks at the building. She also reiterated her Nov. 24 request for Earle to similarly remove the shingles from above the bedroom windows of unit 409 (Hubers) to view the flashing there.

The Maintenance Coordinator stated that she will have Earle remove the shingles from the unit 409 bedroom windows, and will solicit estimates for the Building 4 assessment from Roberts Roofing, Wilcox Aluminum, and PK Construction. Trustee Zabriskie offered to walk around the building with the contractor, once hired.

- The non-working lamppost near unit 401 has been removed as requested at the September meeting.
- As requested at the September meeting, all decks, all buildings, will be inspected by Earle for mold annually, in the spring.

- As requested at the September meeting, 3 additional recycling bins (cost: \$100 each) will be added to the 5 we already have.

The overflow of recycling bins continues to be a problem. Materials are put in the barrels loose, and users are filling the bins to overflowing, so that the covers don't close. The wind then blows loose contents of the bin all over the parking lots. This is especially bad at building 4, where the bin has little protection from the wind.

The problem is that we don't have the room for the number of barrels or recycling bins that we need. There was a question as to whether we could place a large quantity of barrels or some large bins (recycling dumpsters) along the driveway at the wastewater treatment plant. It was pointed out that this is OPMT property and would require their cooperation.

Users will be reminded to stop using the bins as soon no more can be added without having the cover left partially open. This may mean putting recyclable materials in the trash when the recycling barrels are full. The Maintenance Coordinator will send out a reminder; this will be mentioned in the next newsletter, as well.

#### **4. Approval of 2015 Lawn Maintenance Contract**

The next order of business was the lawn maintenance contract for 2015. The Maintenance Coordinator reported that Egan has lowered their 2015 bid to \$27,000 as we requested they do. [The Board reviewed a second quote at the November budget meeting; a third, higher, bid was received but not reviewed by the trustees.]

**On the motion of trustee Zabriskie, seconded, the Board unanimously accepted Egan's revised \$27,000 bid for lawn care for 2015.**

#### **5. Approval of 2015 Budget**

The next order of business was approval of a budget for 2015. Following the November 17 budget meeting and the receipt of final quotes, a final draft of a budget for 2015 was presented for a vote.

An observer (Bill Nolan, former HOP treasurer) questioned the wisdom of the plan to consider taking out a loan rather than increasing condo fees by 3% as had been planned in a previous year. He stated that the plan had been to increase fees by 10% over three years: 5% in 2014, and 3% and 2% in 2015 and 2016 respectively.

The chair noted that there had not been much owner support for another increase, and that this would be considered again next year. The treasurer explained that the incentive for considering a loan is that interest rates are currently very low.

**On the motion of trustee Zabriskie, seconded, the following budget was approved for 2015.**

The Maintenance Coordinator will convey the final budget to Lorell Management.

**INCOME**

Condo Fees Revenue		\$372,748
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**EXPENSES**

Administrative & Professional

Admin. Management Lorell	\$12,500	
On site property management	\$9,000	
OPMT	\$91,316	
Legal	\$1,500	
Accounting	\$2,500	

Total Administrative & Professional		\$116,816
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Operations

Office expense, web site & postage	\$1,500	
Misc. Fees	\$500	
Insurance	\$47,432	
Electricity	\$22,000	
Water	\$8,000	
Trash	\$12,000	

Total Operations:		\$91,432
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Maintenance and Repairs

General repairs & supplies	\$18,000	
Maintenance contractor	\$18,000	
Roof repairs	\$3,000	
Janitorial	\$7,000	
Lawn maintenance	\$27,000	
Lawn care weed control	\$5,500	
Snow removal	\$8,000	
Elevator maintenance	\$10,000	
Elevator phones	\$2,000	
Fire sprinkler	\$6,000	
Fire alarms	\$5,000	
Sensor alarms	\$2,600	
Pest control	\$500	

Total Maintenance & Repairs		\$112,600
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Major Projects		\$14,644
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Reserve Fund		\$37,256
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<b>GROSS EXPENSES</b>		<b>\$372,748</b>
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## 6. Discussion of Special Projects for 2015

The next order of business was a discussion of special projects.

- Building 24 needs painting and replacement of some wood. We have an estimate of \$15,000 for painting, and \$35,800 to replace wood trim with Azek.

There was a question as to why the trustees are considering replacing wood with Azek on building 24 next year, since when building 29 was done in a previous year, the Board decided we couldn't afford Azek, and all trim was painted; in fact, rotten wood was painted over. The chair clarified that rotten wood on building 29 had been initially painted over, but that that was stopped and all bad wood was replaced before the final painting. Being a petroleum-based product, the cost of Azek is currently way down, which makes it a consideration in the current budget.

Former HOP treasurer Bill Nolan proposed that for jobs as high as \$15,000-\$30,000, the Association should put out a Request for Proposals (RFP), and get no fewer than 5 bids.

The trustees agreed to put out an RFP for the work on Building 24. Trustee Jones mentioned that she has written many RFPs and offered to help with it. Since she has not written RFPs for construction projects, though, she would need help from others better prepared to describe the scope of work in specific terms. Trustee Zabriskie and the Maintenance Coordinator agreed to help with the RFP for building 24.

**Decision: H. Jones, J. Zabriskie, and D. Crone will collaborate on an RFP to be write an RFP to be issued by January, so that bids can be reviewed before the March trustees meeting.**

- Assessment of Building 4: There was a question as to whether the assessment of building 4 can be considered a special project for the purpose of budgeting the cost. Some agreed that the assessment could be considered a special project, and the chair agreed that it could be paid for out of the special projects line.
- Cleaning of dryer vents is the third special project prioritized for 2015.

**The above are the three special projects identified for 2015; a decision on funding of them will be addressed under item #11, Discussion on Using Some Reserve Funds**

## 7. Discussion of Snow Plowing Guidelines

The next order of business was a discussion of when to have snow plowing done. [This had been discussed at some length at the September trustees meeting and the November budget meeting.] The current practice is to plow only when there is 3 inches or more. The Maintenance Coordinator confirmed that Egan has not increased their quote from 2014, and cited the 2014 bid as follows:

1"-3"	\$300 for a full plow
3"-6"	\$425
6"-9"	\$550
9"-12"	\$850

Each additional inch over 12"	\$ 75
Sanding	\$275
Shovelers	\$35/hour
Ice Melt	\$.50/lb

**The decision is that, whenever there is less than 3" of snow, we will determine each time whether to plow depending on whether it is really icy, and that we will pay for sanding only if there is a dire need.** Therefore, the agreement with Egan will be to not plow for under 3" of snow unless we call them.

The Maintenance Coordinator reminded trustees that Earle has put a bucket of ice melt near each dumpster; and that residents should be reminded to use it as needed.

The chair reminded trustees that our contract is for snow plowing, not snow removal, and that we typically lose some parking spaces to snowplow piles each winter. There was a question as to whether Egan could push the snow to the grassy hill between buildings 29/25 on one side, and 30/24 on the other side. The chair replied that the town puts their plowed snow from Highland Terrace there.

The Maintenance Coordinator indicated that Amerigas has put reflectors at all the propane intake valves, and that she will have Earle put a very high reflector stick at the intake at Building 29, which often get buried under snowplow drifts. There was a question as to whether Egan has been reminded to instruct his drivers not to pile snow on top of the propane intake valves at Building 29. The Maintenance Coordinator replied that Egan knows that.

## **8. Power Washing Decision**

The next order of business was a discussion of power washing of buildings. [This had been discussed at length at the September trustees meeting and the November budget meeting.]

The chair noted that when this issue was discussed at the September trustees meeting and the November budget meeting, we seemed to be in agreement that we would cease power washing of buildings, except for decks. The treasurer noted that the cost could be put to meet other needs.

**On the motion of trustee Jones, seconded, the Board unanimously voted to stop the power washing of buildings, except for decks.**

## **9. Discussion of Issues for Building 4** (light post, door locking system, mold, drainage and gutter system)

The next order of business was a discussion of several issues related to building 4, including a nonworking light post, a request for locks and a buzzer system on the front doors, mold, and a concern with drainage and requests for gutters.

At the September meeting, an owner had requested that the non-working lamppost near unit 401 be removed or repaired. Completed; this was addressed in the Maintenance Update, item # 3.

During the budget process, an owner had requested an intercom/buzzer system on Building 4 for increased security. This was addressed in the update on quotes in process under the Maintenance Update, item # 3. A meeting of building 4 owners will be convened in the summer to determine what solution has the most support and will be implemented by everyone.

At the September meeting, an owner had requested that the maintenance budget include cleaning of mold from decks, especially those that don't get any sun. [This was not limited to building 4.] The Maintenance Coordinator confirmed during her Maintenance Update, item #3, that Earle Miller will check all decks on all buildings and address mold as needed, and that the timeline for this is the spring.

At the September meeting, an owner had requested gutters on building 4 to redirect the water that rushes down from the roofs after heavy rain and wind. At the November budget meeting, trustees decided to bring in an independent contractor to assess the situation and determine the cause or causes of the water problems, and recommend a solution or solutions. This is on the agenda as a separate item, #10.

#### **10. Possible Contractor Review of Building 4**

This was discussed under "Updates on Maintenance Issues Discussed in Prior Meetings", in the Maintenance Update, item # 3, and again under Special Projects, item # 6. **Estimates will be solicited from Roberts Roofing, Wilcox Aluminum, and PK Construction to assess building 4's water problems, and make recommendations.**

#### **11. Discussion on Using Some Reserve Funds (depending on final scope of work and cost associated with special projects)**

The next order of business was a discussion of whether to draw on the reserves account to fund special projects.

Trustee Jones reiterated her concern, expressed previously, that it feels risky to draw from the reserve funds without taking into consideration the significant future costs projected in the 2012 *Capital Needs Assessment and Replacement Reserve Analysis*. She distributed to trustees an analysis she did of the shortfall that will occur over the next 17 years, assuming condo fees and reserve fund contributions do not increase annually, if we do need to pay for the major projects itemized in that report, pointing out that if we draw off of reserves, that will only exacerbate the problem.

The chair clarified that he is proposing to draw from reserves in this year only, because the process of applying for a loan takes a long time, in order to address the large projects discussed earlier (building 24, building 4, dryer vents) this year. He also clarified that funds borrowed from reserves in recent years have been paid back, or we are on track for fully paying them back.

**We agreed to make no decision at this point, until we look at the estimates for the items listed under special projects (item # 6).** There was a question as to whether a future decision to draw from reserves would be contingent on starting the loan process. It will not, as we need to wait for the March meeting to develop a long-range plan, so that we will know how much we need to borrow.

#### **12. Long Range Plan Discussion Set for Next Meeting and Discussion of Funding Options (condo fee increases, special assessment, bank loan, and use of reserves)**

The next order of business was a long range plan for maintenance, savings, and options for funding large projects. The chair reminded trustees that the 2012 *Capital Needs Assessment and*

*Replacement Reserve Analysis* will be reviewed and discussed at the March 2 trustees meeting, in the context of developing a long range plan.

**The scheduled next order of business, the Highlands website, was deferred to the end of the meeting, after all other business has been completed.**

### **13. Future meeting dates**

The next order of business was future meeting dates. The following meeting dates, previously set, were confirmed:

- Monday, March 2, at the pool clubhouse unless weather prohibits. Since the Manomet Library is not available on Monday evenings, and the elementary school will charge us \$20/hour for a meeting room, the alternate location will be in unit 414 if the clubhouse is not an option.
- Thursday, June 4, at the pool clubhouse.

Future dates will be set at the 2015 Annual Meeting of Unit Owners.

### **14. Old and New Business**

The next order of business was old and new business.

#### ***Inquiry Regarding Liability to Attend to Rust on Exterior Propane Lines (e.g., to gas grills)***

Trustee Zabriskie inquired as to whether the Association or the individual unit owner is responsible to maintain exterior gas lines on decks to gas grills, for example, removing rust. Opposing opinions on this question were expressed; there was a request for time to investigate the question before making a determination.

#### ***Request for Authorization to Correct Minutes***

The secretary requested Board authorization to correct an error in the minutes of August 23, 2014 Annual Meeting of Unit Owners. The owners meeting minutes incorrectly recorded an \$1,800 budget line item as the Maintenance Coordinator's cell phone. This line is the Office Expense line, in which the Maintenance Coordinator's cell phone is included.

**On the motion of the secretary, seconded, the Board unanimously approved a correction to the posted minutes of the Annual Meeting of Unit Owners that will change the label for that \$1,800 budget line to Office Expense.** The secretary will make that change.

### **15. Hearing on Unit Owners' Appeal of a Charge**

The next order of business was a hearing of a unit owner's appeal of a charge. The chair offered the owners the option of a private hearing or open; at the owners' preference, the hearing remained open. The unit owners presented a statement to contest their being charged \$255 for damage to a heat sensor in a common area, citing the Association by-laws', Section 5.3, mention of owners being charged for damage to common areas as the result of negligence, and their understanding of past practice for damages costing under \$500.

The consideration of the appeal focused on two questions: is negligence the basis for assigning the cost to the unit owner; and, if so, was there negligence in this situation? Four trustees expressed the opinion that there was no negligence; one believed that there was negligence.

A consideration important to the trustees was that we do not currently have a common understanding of what constitutes negligence, whether the Board would need to individually determine negligence in each future similar incident, and what precedent this judgment would set. One trustee expressed the opinion that, irrespective of negligence, the unit owner should pay for the damage.

After some discussion, the chair called the question: a “yes” vote would reverse the September decision to invoice the unit owners, in which case the Association would pay for the damage; a “no” vote would deny the appeal, in which case the unit owners would pay for the damage.

**There being 1 “yes” vote and 4 “no” votes, the appeal was denied; the unit owner will pay for the damage to the heat sensor.**

## **16. Demo of new web site**

The final order of business was the Highlands website. The secretary and unit owner Nancy Carini have been working on the design of a new platform to host the webpage. As soon as the new web host, Weebly, is paid, they will move the Highlands documents over to the new platform.

**At the motion of the secretary, seconded, the Board formally expressed its thanks to Nancy Carini for the work she has done to design and set up the new website, saving the Association an estimated \$400.**

The demo of the new platform highlighted better organization of the information on the website. There was a lot of positive response from the trustees and observers to the new site.

The next steps are: The Maintenance Coordinator will get together with Nancy Carini to make a payment to Weebly. Once this is done, the Association secretary will have access to work on the site directly, and we can begin moving existing documents over to the new platform. Once the documents have been moved over, the new site can “go live” and be made accessible to unit owners.

## **17. Adjourn**

Since questions had been accepted as they came up during the discussion of the budget, maintenance issues, and other agenda items, there was not a separate question and answer period at this meeting.

On motion of trustee Jones, the chair adjourned the meeting at 9:00 p.m.

Respectfully submitted, Helen Jones, secretary, December 9, 2014

Approved: Rick Cash, Chair, December 10, 2014