

**Highlands at Ocean Point Condominium Association**  
**Trustee Meeting**  
**March 2, 2015**  
**Unit 2908**

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

Observers: Dave Pitts, Andrea Swart, Kyle Huber, Rita Potocsky, Nancy Carini, Barry Brodil

At a regular meeting of the Highlands at Ocean Point Board of Trustees, held in unit 2908, on Monday evening, March 2, 2015, the chair called the meeting to order at 6:30 p.m.

**1. Review and acceptance of previous meeting minutes**

The first order of business was the review of previous meeting minutes. Having received the Jan. 26 minutes and the record of trustee decisions made between the Dec. 4 and March 2 meetings, prior to the meeting, the Trustees unanimously accepted both documents with no corrections.

**Decision: The January 26 minutes and the December-March trustee between-meeting decisions record are approved for posting.**

**2. Financial update & budget review**

The next order of business was a financial update. Treasurer Pam Claughton distributed a month-by-month General Ledger Budget Projection for 2015. Trustee Zabriskie asked whether any units were in arrears on their condo fees; the Chair replied that one or two units are. There were no other questions or comments on the budget.

**3. Maintenance update**

The next order of business was a maintenance update. Maintenance Coordinator Donna Crone distributed to trustees copies of the HOP Maintenance Log from January 23 through February 27, noting that not every snow-related call has been entered in the log. All items were marked closed except for two open roof-related items from February 15 and 20.

Trustee Pitts noted that the leaking sprinkler in her basement is not closed, but is still leaking; Donna will have FSS come back and investigate.

Rick Cash mentioned that, in checking on unit 403 during the owner's absence, he noted a small leak in the living room, near the back door; Donna will check this out.

The Chair inquired about the status of getting the maintenance log onto the website. The Secretary noted that a static, non-interactive version can be posted on a regular basis whenever the Maintenance Coordinator sends it for posting.

The Chair asked whether the maintenance log could be live, and updated on the website. The Secretary explained that we are still working out the basics on the new website, and not ready to tackle an interactive application yet, and it doesn't make sense to develop that functionality on the old website since we will be shifting over to the new one. There was a

question as to whether the new website is live yet. The Secretary clarified that it is not. Moving the documents over from the old website to the new one has not been as user-friendly as we had hoped, and progress is slow, but technical assistance is available and we will get there. Observer Nancy Carini reiterated that she can help.

**Decisions: The Maintenance Coordinator will email the maintenance log to the Secretary every Friday. The Secretary will work with the website administrator try to get it posted routinely every Monday.**

#### **4. Snow plowing update and policy review including cost**

The next order of business was an update on snow plowing. The Maintenance Coordinator distributed an analysis of snow-related expenditures for the 6 snowstorms on January 26, Feb. 2-3, Feb. 13-14, Feb. 17, Feb. 22 and Feb. 25, totaling: \$7,070 for snow plowing, \$5,540 for shoveling, \$900 for ice melt, \$1,170 for salting, and \$500 for machine time to move snow on Jan. 26, resulting in \$15,180 spent on snow through Feb. 25. It was noted that this most recent snowstorm likely brings the total up to \$16,000, which is double what we budgeted for 2015.

Chair Cash proposed that we wait until the annual meeting to decide how to cover the overage. We may be able to make up for it by underspending in other line items, rather than impose a special assessment, but we will have a better idea by the summer. In the meantime, we can overrun the snow budget line, and if we have savings in other line items, adjust the budget at the end of the year.

There was a question about a discrepancy between the rates we were quoted at the December 4 Trustees meeting and the rates Egan has been charging. The Chair clarified that incorrect rates from an earlier year were quoted at the December meeting, and that the rates Egan is charging are consistent with their 2015 proposal.

Trustee Jones requested that we review bids in writing in the future, rather than verbally. The Chair agreed, and noted that, additionally, the proposal should be signed by both the vendor and the Board.

**Decision: The Board will review bids in writing in the future. Bids accepted should be signed by both the vendor and the Board to formalize the contract.**

#### **5. Pet policy review**

The next order of business was a review of the Highland Pet Policy. Chair Rick Cash noted that several pet violations have been noted, including 3 dogs larger than the policy allows, at least one unit with 2 dogs, incidences of renters having dogs, of dogs being allowed off-leash on the property, and owners failing to clean up after their dogs. He opened the discussion as to how the Board wants to handle these issues.

The discussion revealed that there is a belief that the Trustees made an exception for at least one oversize dog; however, the Secretary pointed out that there is no record of that decision. The Secretary proposed sending a letter out to the Highlands community calling attention to the pet policy, giving owners a period of time to come into compliance, “grandfathering” in any dogs already on the property who are not causing any problems, and formalizing any

exceptions to the policy that may have been made verbally in the past. In the discussion, Trustees requested that the letter also clarify that similar exceptions for new pets would not be made when the current dogs are gone, and that, in the future, the requirement to get approval before acquiring a dog will be enforced. The Trustees requested the Secretary to draft such a letter for their review.

**Decision: The Board will send out a letter as described above to promote compliance with the pet policy.**

## 6. Rules enforcement issues

The next order of business was a consideration of several current issues related to enforcement of the Highlands Rules and Regulations. Infractions of the rules regarding gas grills had been raised during the pet policy discussion. There were concerns about safety and compliance with the state fire code. The Chair asked the Secretary to draft a general letter to the Highlands community reminding them of the requirements for having a gas grill, and asking them to comply.

Chair Rick Cash posed the question as to whether the Board wants to implement its enforcement responsibility by responding when there is a complaint, or by proactively walking around the buildings looking for infractions of the rules. Most trustees stated that they do not want to proactively seek out infractions, but will investigate complaints.

There was a question about how a Trustee should handle the situation when she or he notices a situation, especially a repeated infraction after discussions and a fine. The example of feeding birds was discussed.

There was a question as to why feeding birds is prohibited. The Maintenance Coordinator explained that there are two reasons. First, birdseed attracts rodents such as squirrels, raccoons, and rats. There have been incidences of squirrels in attics, and we don't want to do anything to exacerbate the problem. Second, when birds are attracted to the property, they land on people's railings and leave droppings on decks below, annoying many residents. There was some discussion of allowing birdseed to be spread away from the buildings, but the decision was to encourage people who are concerned about birds to feed them off the property.

In the specific case that was discussed of an owner continuing to spread birdseed after being fined once, the Trustees decided to send a letter reminding the owner of the situation and the rules, and warning that if birdseed is seen on the property again a fine will be imposed. The Secretary was asked to draft such a letter. A decision on the amount of the fine, if it comes to that, was requested, so as not to have to wait for the June meeting or vote by email. On the motion of Trustee Claughton, seconded, Trustees unanimously voted that, should a fine be imposed after the warning letter is sent, it will be \$100.

**Decisions: No birdseed or feeding of birds will be allowed anywhere on the property. (No change from current rule) A warning letter will be sent to a repeat violator of this rule. Any subsequent violation of the prohibition against feeding birds by this owner will result in a \$100 fine.**

## 7. Building four update including; sidewalks and On-Site Insight update

The next order of business was an update on building 4. Chair Cash reported that the On-Site Insight engineer's evaluation of building 4 that was to have been scheduled today was postponed, as the company is overrun with dealing with roof ice dams; also, the deep snow makes the back of the building inaccessible. With a two week notice, they will fit us in; Rick Cash will call them to reschedule when the snow is gone. The engineer, Dave Jackson, will meet with the Board to walk us through the 2012 needs assessment the same day, but it will likely be an early afternoon meeting.

**Decision: A special Trustees meeting will be convened when the engineer is scheduled.**

Trustee Zabriskie reported that the entire sidewalk in front of building 4 is badly damaged due to frost heaves, and his concern for the Association's liability if anyone falls. It can't be repaired until the spring, but he requested some kind of marking to help people avoid falling there. The Maintenance Coordinator will have handyman Earle Miller place cones and spray paint the area as an interim safety measure.

**Decision: We will place cones and spray paint damaged sidewalks as an interim safety measure until repairs are possible.**

## 8. Special projects review and decisions

The next order of business was review of special projects planned for 2015.

### Replacement or painting of wood trim on building 24:

The Maintenance Coordinator reported that she sent a Request for Proposals (RFP) to replace or paint the wood trim on building 24 and 30 to four potential vendors within a day or two of the Board's January 16 approval of the RFP. She distributed two proposals submitted in response to the RFP, one from Kevin Creed, who power washed building 30 last year, and one from Iarossi Painting, who has done painting for us in the past. Wilcox Aluminum responded that they were not able to submit a proposal for the work at this time. The RFP requested quotes on various options for the work, described as Job #1, #2 and #3.

The quotes for each option outlined in the RFP were:

Job 1 was for removal of all existing wood trim and replacement with Azek or similar material on building 24 only. Creed quoted \$41,500; Iarossi quoted \$85,000.

Job 2 was for painting of the wood trim on building 24, including removal and replacement of any rotted wood only with Azek or similar material. Creed quoted \$14,400; Iarossi quoted \$27,000, which includes a soft wash of the building.

Job 3 was for removal of all existing wood trim and replacement with Azek or similar material on both building 24 and building 30. Creed quoted \$80,000; Iarossi quoted \$160,000.

Iarossi also submitted an unsolicited quote for \$50,000 to paint the trim on both buildings.

Iarossi's quotes are higher than Creed's in all cases. If the trim is to be painted, Iarossi would require a "soft wash" of the building to remove any mildew, dirt, grime and salt to enhance paint adhesion. This wash is included in Iarossi's quote. If all trim were to be replaced, the soft wash would not be required. Creed made no mention of washing the building.

Trustees had questions about both quotes. Trustee Claughton pointed out that we have time to solicit more bids. Chair Cash noted that he can call a special meeting at any time to review additional bids rather than wait for the June meeting.

**Decision: The Maintenance Coordinator will send the RFP to additional vendors to solicit more bids. The Chair will call a special meeting when we have more bids to review.**

Other special projects:

We already have bids for dryer vent cleaning and the structural engineer's evaluation of building 4; we are waiting for warmer weather for both.

### 9. Set future meeting dates and date of Annual Meeting of Unit Owners

The next order of business was the setting of meeting dates. Chair Cash noted that the date of the next Board of Trustees meeting is already scheduled for June 4 and confirmed that that date still works for everyone. He then noted that last year's Annual Meeting of Unit Owners was August 21, and proposed scheduling it earlier this year. He suggested that last Monday in July, which was acceptable to all.

**Decision: The Annual Meeting of Unit Owners is scheduled for Monday, July 27, at 7:00 p.m., in the pool clubhouse.**

### 10. 2015 trustee elections

The next order of business was the 2015 trustee election. Chair Cash inquired as to whether one or two terms would be expiring this summer. The Secretary checked the record, and reported that the minutes of the July 17, 2013 Annual Owners' Meeting state that, "By unanimous acclamation, Jan Zabilski (sic) was elected to the BOT for three years." Accordingly, Trustee Zabriskie's term expires in 2016. The record indicates that Trustee Cash returned to the Board in the summer of 2012; accordingly, his term expires in 2015.

Therefore, unless there is a premature resignation, there will be an election for one trustee at the July 27 Annual Meeting of Unit Owners.

### 11. OPMT and beach issues

The next order of business was discussion of issues related to Ocean Point Management Trust (OPMT). Chair Cash reported that all 3 boardwalk stairs will need to be replaced, and that there is significant damage to at least two of the boardwalks as well, and possibly all three.

In particular, the north boardwalk will need to be cut back significantly or rebuilt; this is the boardwalk used by the public. Since OPMT has two other boardwalks and stairs to pay for, we should explore the town's interest in restoring public access to the beach and willingness to pay for the north one.

**Decision: The Maintenance Coordinator will ask Ann (OPMT treasurer) to contact the town about the north boardwalk.**

It was also noted that OPMT needs to repair or replace the tennis courts this year to protect our property value, and that there has been a request to fill in one tennis court to make a community garden. These issues will be referred to OPMT.

## **12. Discussion of funding for long range plan, and future projects.**

The next order of business was funding for a long range plan and future projects. Chair Cash opened the discussion by asking Trustees how they wanted to fund projects outside the annual budget. He reminded the Board that we have the option of taking out a loan, imposing a special assessment, increasing condo fees, or using reserves.

It was noted that we had agreed in previous meetings that, before we made such a decision, we would develop a long-range plan so that we would know what our spending needs are. We have the capital needs assessment and reserves analysis report from 2012, and Chair Cash reminded us that we have been addressing some of the issues from that report, year by year. It was also pointed out that we may not need to do everything in that assessment, at least not on the schedule it projects. It was also noted that we have not yet made the decisions about which projects we don't need to do, and why, which projects we have already done, which projects we do need to plan for, when we will need to do them, and how much we will need in the reserves account for those projects. We have not yet used the report to plan beyond the current year in order to ensure that we are saving adequately to meet future needs.

In the discussion, Trustees noted that fire alarm systems and elevators are the biggest capital costs, and that some central fire alarm panels were replaced after the 2008 lightning strike and resulting special assessment in 2009. The Maintenance Coordinator noted that the elevators are maintained monthly, and while they have an life expectancy of 20 to 25 years, our use is much less than is typical of a commercial elevator, and they are likely to last longer.

Trustees were asked whether anyone would be interested in working on a long-range report and reporting back to the full Board. Trustees Jones and Pitts were interested, Maintenance Coordinator Crone offered to assist, and Chair Cash asked to be kept informed.

**Decision: A subcommittee comprised of Lesley Pitts, Helen Jones, and Donna Crone will begin going through the 2012 needs assessment and reserves analysis document to identify what has already been done, what may not need to be done, what may be able to be postponed, what does need to be done, and when. The subcommittee will report back to the full Board with analysis and recommendations.**

## **13. Old business**

The next order of business was old business; no old business was identified.

## **14. 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 gas grills, snow issues, and maintenance issues.

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

C: The issue of propane tanks on gas grills on decks above the first floor is a major safety issue. The Board should require that unit owners either be in compliance with the state fire code or get rid of the grill.

Q: Is our insurance company likely to increase our rate if we are not in compliance with the state fire code?

A: No.

Q: Do we put out stakes to guide snow plows?

A: Only where the underground propane tanks are. We have found that the stakes disappear or fall down. Egan knows where our curbs are.

Q: Will the black coyote silhouette be replaced before the geese arrive?

A: Yes.

Q: What about all the “speed ditches” caused by frost heaves?

A: The town is responsible to repair damage to Highland Terrace.

Q: I have a “tornado” coming down my flue that blows out my pilot light. Can I bring someone in to look at it?

A: Yes; this is the unit owner’s responsibility.

C: Earle Miller has been painting the hallway in building 29, and is doing a great job. His work is meticulous.

C: I really appreciate the way Donna stays on top of coordinating the moving of cars for snow plowing. Her emails have been very helpful.

At this point, the Board went into executive session to discuss some issues regarding rules infractions. Minutes of that session will be included in the official record and kept by the Secretary, but will not be posted to the website.

### **15. Adjourn**

There being no further business, the chair adjourned the meeting at 8:30 p.m.

Respectfully submitted, Helen Jones, Secretary, March 6, 2015

Approved, Rick Cash, Chair, March 6, 2015