

**Washington House Condominium Association
Council Meeting Minutes
19 September 2012**

Those present at 7:00 p.m.

Presiding: President, Bruce Chase
Vice President, Bob Persak
Secretary, Pamela Bobbs
Enforcement Officer, Joy Scott
Member at Large, Len Sawyer

A. Attendance via Sign-in

B. Opening Remarks

Because there were some new faces in the crowd, Mr. Chase began the meeting by inviting attendees to introduce themselves by name and unit number and welcomed newcomers to WHCA. He then went on to remind attendees that the format for these meetings is for the Council to complete its business and then to open the meeting for public comment. The Council may also invite public comment during the discussion of specific topics, but in general, public comments are held until the Open Session portion of the agenda. He reminded attendees that the only required Council meetings, and business requiring a vote of all owners, are the December meeting in which the budget for the coming year must be approved by vote of owners and in January when candidates for open seats on Council are elected by owners.

Attendees were reminded that Council Meeting Minutes will be available upon request and are posted to the WHCA web site at www.whcaowners.com.

C. Approval of Council Meeting Minutes — 18 April 2012

MOTION BY MR. SAWYER, SECONDED BY MS. SCOTT: THAT THE MINUTES BE APPROVED AS WRITTEN.

MOTION PASSED UNANIMOUSLY: VOTE: 5 TO 0.

Aye — Bobbs, Chase, Persak, Sawyer, Scott.

Nay — 0

D. President/Treasurer Report — Bruce Chase

1. Financials

a. Checking and Replacement/Repair

- i. *Checking Account:* As of 9/19/2012 the checking account balance is \$18,700 with income from third quarter dues paid in full. There are no delinquencies among owners, but the unsold units are delinquent.
- ii. *Replacement/Repair (R/R):* This account is mandated by law and was established first in January of 2012 when the turnover took place. Currently we have \$56,800 in the account and are on track for having \$74,000 by the end of this year. It is not fully funded, but, if costs and income remain constant, we should be able to reach the fully funded point within the five years (from turnover) allowed.

b. Expenditures versus Budget

We are at 90% of budget at the end of the third quarter because of a number of onetime charges that had to be paid before the end of the year. In addition there have been some unexpected and unbudgeted expenses including:

- i. Card Access System
- ii. Cages for the equipment that the fire marshal said could not be stored in a closed space and around the cooling units to protect them from vandalism
- iii. Move of the AC from the south stairwell to cool the computer room
- iv. One time audit expense of \$9,000 required for the transition
- v. At the end of the year, some of the unexpected expenses may be taken from the R/R Fund if needed.

- vi. With the income from the two liens, it is expected that we will come in on budget by the end of the fourth quarter
- vii. Owners should contact Mr. Chase if they want details of the budget figures
- viii. In answer to a question regarding increased condo fees, Mr. Chase said that it is not anticipated. The Association had some rather large legal bills this year that it doesn't expect to have next year so the hope is that the current fees will remain in place for a couple of years.
- c. Status of Sales and Liens
 - i. One of the owners of the LLC that purchased Unit 305 (Mr. Joe Crusco) is with us tonight. His son, Michael, will be living in the unit while attending UD.
 - ii. A new sales agent, Rhonda Lancaster, has been engaged by WHP, LLC and is on site three days a week and on weekends. Her hours are posted on the bulletin board outside of the Community Room.
- d. Possible OPEN HOUSE
 - i. Ms. Lancaster has been talking with Council members regarding assistance with an Open House. Any owners willing to help staff the open house and/or have their units open to show are asked to contact Ms. Scott.
 - It is Council's understanding that WHP, LLC intends to build out the remaining nine unsold units as it appears the units are easier to sell when there is more than dry wall.
 - Suggestion was made from the audience to have Ms. Lancaster either leave the door to the sales office open when she is on site, or post a sign outside of the sales office (unit 209) so that people know she is in the building.
 - ii. *Ongoing Discussions with Daystar Sills*
Discussions with Mr. Sills are ongoing. WHCA Council is operating from a position of strength but is nevertheless trying to bring closure to these discussions.

2. Policies (see Residents Handbook at www.whcaowners.org)

- a. Association Policy Governing the Use of Electrical Outlets in Common Areas — this policy was directed toward electric cars. Ordinary usage of electrical outlets in common areas of the facility is OK for clean up, etc. just not for continuous use.
- b. Policy Regarding Attachments to Exterior Walls — this policy was necessitated to preclude the inadvertent penetration of the barriers behind the brick/stone facade. This facade is also not designed to support weight. When this policy was distributed (3 July 2012) owners were asked to notify Ms. Bobbs by e-mail if they had any items hanging from their balcony walls. Only one owner has done so. Council would like to have an inspector come to inspect items hung on all of the balconies at one time to make a determination of the safety of the hanging items. Owners are once again asked to inform Ms. Bobbs at oneira.pab@gmail.com of any items (large or small) they have attached (by any means) to the balcony walls. The balconies are 'limited common space' which means that although they are for individual owners use, the structural repairs are an Association responsibility. For those items that have been attached and which the inspector finds no immediate problem, owners will be asked to sign a waiver which will be attached to the unit's deed. Mr. Axe asked if this included patio doors and Ms. Scott responded that it did.
- c. Use of Gas Appliances and the Need for Installation of a Gas Alert Safety Device — There have been three incidences of gas leaks from residential units in the recent past. Council has purchased a gas sniffer device to help confirm the unit from which the gas is coming. However, to save the time it takes to check multiple units when a resident reports smelling gas, owners are urged to e-mail Mr. Persak at bpersak@yahoo.com to inform him of (a) what gas appliances are installed in their units (exclusive of the HVAC system) and (b) whether or not they have installed a UL listed home gas detection device. These devices are available at Home Depot, Lowe's and online from Amazon.
 - i. Mr. Axe asked what kind of device to buy. Mr. Persak said as long as it is UL listed, it should be OK. Council is not in the position to recommend a specific unit.

- ii. Ms. Joos asked about the outside leaks that occurred before anyone had moved in. These are not as serious because they are outside with plenty of air circulation.
 - iii. Mr. Boyle asked if the list included fireplaces. Yes.
 - iv. Mr. Crusco asked about common areas. There are no gas appliances in common area.
 - v. Mr. Axe suggested that Council make this recommendation a policy.
 - vi. Ms. Scott reminded residents that if someone reports gas and Emergency Response personnel cannot get inside of the unit quickly, they will break down the door. The owner of the unit will be responsible for repairing the door and any damage caused to the hallway in the process. While it is true Council has keys to the units, timing in these situations is critical. It could happen that no Council member can be contacted in time or that s/he cannot get to the key box in time. The cost of a gas alert safety device is much cheaper than replacing a door.
- d. Late Fees for Condo Dues Payments — Mr. Chase said that a late fee policy is needed to deal with condominium association bills that are not paid within 30 days. Right now the bills say 'Due upon receipt.' He suggested the fee be 5% and opened the discussion to the floor.
- i. Mr. Sun asked if there could be a fixed date for the sending of the bills so that arrangements could be made for payment if an owner was going to be out of town. Mr. Chase said that the bills are triggered to go out the first day of each quarter. If he is going to be out of town, he will send them before he leaves but they will be dated the first day of the quarter and would be due not later than 30 days from the date of the invoice. For individuals paying on a monthly, rather than a quarterly schedule, payment would be due 30 days from the first of the month.
 - ii. Messrs. Kao and Granados asked about automatic payments from the bank. Mr. Chase said that right now the Association cannot handle on-line payments but that individuals have made arrangements with their banks to make the payments on a monthly or quarterly basis to the WHCA account at Citizens Bank.
 - iii. Mr. Sun asked if the 5% is a onetime charge for each invoice or would it be applied to each month the payment is late and if it applied to the unsold units. Good questions, Mr. Chase said. Yes, the fee will apply to the unsold units and is a per payment-due fee (quarterly for those who pay quarterly, monthly for those who pay monthly).
 - iv. Mr. Montgomery said he felt the 5% was high. Mr. Chase said that it amounts to ~\$65 over three months or about \$21 per month.
 - v. Mr. Axe said he felt the 5% was reasonable.
 - vi. Mr. Boyle said that before the transition the payments were due by the 15th of the month. Mr. Chase reminded him that the date on which the payments were sent varied greatly prior to the transition. Now they go out a day or two early only if the Treasurer is going to be out of town. At this time, 50% of owners want their invoices delivered electronically and 50% want a hard copy.
 - vii. Following this discussion: MOTION WAS MADE BY MR. CHASE, SECONDED BY MR. SAWYER: THAT COUNCIL IMPLEMENT A POLICY STATING THAT "A LATE FEE OF 5% WILL BE ASSESSED ON ALL WHCA BILLS NOT PAID WITHIN 30 DAYS OF THE INVOICE DATE." MOTION PASSED UNANIMOUSLY.
Aye — Bobbs, Chase, Persak, Sawyer, Scott
 - viii. Mr. Chase said that some owners have asked to pay monthly. If you want to, see Mr. Chase after the meeting. All owners will be invoiced quarterly, but you can pay monthly.

3. Issues

- a. Building and Roof Access — Unit owners must contact Mr. Chase and/or Mr. Persak in advance of scheduling any work that requires access to the roof to ensure that one of them is available at the time the work is to be done. If work is scheduled and neither Mr. Chase nor Mr. Persak is available, the owner will have to reschedule the work with the vendor.
 - i. Mr. Axe asked if he could just give the vendor a key to the roof. Mr. Persak said no, there are insurance issues involved. Someone has to be with the workers when they go on the roof.

- ii. Mr. Axe asked about maintenance of the fitness room equipment and new owners moving their own equipment into the room. Mr. Chase said the Association owns the equipment in the fitness room and maintenance is done two times a year unless someone reports a breakdown of some kind. Putting additional equipment in the fitness room is a question of space. Each piece of equipment the Association bought requires a certain amount of floor space around it for safe use. Equipment that violates this safety measure cannot remain in the Fitness Room.
 - b. Access Cards — Council is now in charge of cutting new access cards.
 - i. The charge for each card is \$25 irrespective of whether it is a garage only key or a full access key. Residents are reminded NOT TO LEAVE full access keys in their cars because there have been vehicle break-ins. A building access key left in a car creates a safety hazard for everyone in the building.
 - ii. If you need an additional key, e-mail Mr. Chase at jamienbruce@mac.com telling him your name, unit number, and the kind of card you want. You will be billed for the card in the next quarterly billing cycle.
 - iii. Also inform Mr. Chase if one of your cards is not working or lost so it can be deleted from the system.
 - iv. NOTE: Owners are responsible for the use of the key cards issued to them. If damage is done by someone who enters the building or upper level garage using your key card, you will be billed for the damage.
 - c. Recycle — Recycling bins are currently emptied once a week. If it becomes necessary to go to a twice a week schedule there will be an additional cost (a) for the pick-up estimated at \$150/month and (b) to have the bins taken down stairs and put back in place. To keep from having to add another pick-up until it is absolutely necessary, residents are asked to:
 - i. Flatten small cardboard items before putting them in the recycle bins.
 - ii. Take large cardboard items to the first level and either put them in the compactor room or leave it outside of the compactor room by the wall opposite the doors.
 - iii. If the recycle bin is full, take it down stairs or put the recycle down the trash chute. DO NOT leave it on the floor or on top of the recycle bin.
 - iv. In response to Ms. Joos's comment that there are too many signs in the trash rooms, Ms. Scott responded that Council reached the same conclusion. A new sign is in process and she will be meeting, one-on-one, with new residents when they move in to ensure that they know the procedure for dealing with trash, recycling, etc.
 - v. Mr. Axe asked why Styrofoam cannot be recycled. Ms. Scott responded that it can be but needs a separate bin and WH does not have a bin just for Styrofoam. Therefore it must be put down the chute.
 - d. Volunteer Organization — Mr. Chase noted again that owners are trying to run the organization with all volunteers. This works ONLY if EVERYONE participates. If you see trash on the property, pick it up and dispose of it properly, if you see or create a mess, clean it up. The more residents and owners can do themselves, the less owners will have to pay to have someone else do it.
 - e. Winter Snow Issues — Mr. Chase cautioned residents to be careful of the sheets of snow that slid off the roof in the winter and to be careful of the 'red' ice that forms on the bricks around the walk ways. They can be very slick.
 - i. Mr. Persak said that Council is considering the purchase of more cones to put on both sides of the building, with notices to "watch for falling snow and ice."
 - ii. In response to Mr. Axe's question about using salt, Mr. Persak responded that calcium chloride pellets are used on the concrete, but salt can be used on decks with drains. Avalon will be doing the de-icing as needed.
4. Mr. Chase closed this agenda item with the reminder for all attendees to sign in if they have not already done so.

E. **Building Issues and Maintenance Report — Bob Persak**

1. Installation of storage and equipment cages — Cages have been built around the air conditioning equipment on the lower and upper level parking areas to protect the units from vandalism. The upper level cage is also used to store the gas run equipment that the Fire Marshall said had to be removed from the electrical room.
2. Mini-Split A/C Unit Moved — The mini-split A/C unit in the south stairwell has been relocated to the security room to cool the computer and equipment.
3. Sprinkler Head Repairs — Residential and common area sprinkler head repairs have been completed.
4. Miscellaneous Repairs — A broken drain pipe, holes and damage in the drywall, soiled and torn carpeting, and the toilet in the Community Room have all been repaired.
5. Power Wash Garage — Both levels of the garage have been power washed.
6. Building and Unit Leaks — In process:
 - a. *Status of Repairs* — Some repairs have been completed successfully, some not. Deck surfaces are being redone. An outside inspector is looking at the materials to use on the sun decks.
 - b. *Owner Survey* — Significant problems with sun deck leaks have developed in 307. Mr. Persak will be presenting an updated Owners Survey to Mr. Sills to resolve differences in what has been completed vs. what has not been completed. Only 53% of owners have returned the survey to Mr. Persak. Possibly those people who have not had problems with leaks, didn't think it was necessary to return a survey. Mr. Persak will again contact those who reported problems in the past but who have not returned an updated survey.
7. HVAC Upgrade — In process:
 - a. *Reposition Stairwell Vent Fan* — The center stairwell fan, located on the roof, will be reconfigured and repositioned in preparation for addressing the problem with the north hallways HVAC unit. This work will start in October.
 - b. *Reconfiguration of HVAC Unit* — During the Alpha Engineering Inspection, it was noted that there was no economizer for the unit that covers the north hallway. Unfiltered air was going through the system. A new economizer has been purchased. Installation work will be on-going for a month on the roof starting in October.
8. Carpet Cleaning — In Process: One hall way is being cleaned each week until all of the carpets have been cleaned. This process will be undertaken at least once each year.
9. Gutter Repair — Two years ago snow and ice caused problems with the gutters. The damage will be repaired this fall. Workers will be using ladders on the decks and a lift for things they cannot reach with ladders. Homeowners will be informed when this work begins. Generally, it is expected the workers will not need to enter units to complete this work.
10. Ground Level Lobby Door Repair — Upcoming: The safety system on the ground level doors is working poorly due to individuals abusing the security locks by yanking the doors until they open. Next week work will begin to replace the system with a magnetic lock system. If residents see anyone trying to yank the doors open, please say something to the person. If you are not comfortable doing that, write down the date and time you notice this happening and give it to a Council member. The person can be identified on the video tape from the date and time information enabling Council to follow-up with the individual. Owners should note that if someone visiting their unit or someone living in their unit causes damage to the security system (or any other part of WH), the owner(s) of the unit will be responsible for repair and/or replacement.
11. Fire Alarm Speaker Repairs — Upcoming: Repairs will begin next week on the fire alarm speakers that did not pass the test recently. These are mostly in the garage and the electrical room.
12. Replacement of North Stairwell Carpet — Upcoming: Council is planning to replace the carpeting on the first level of the north stairwell with a rubber stair cover. This work is expected to begin in the next few weeks.
13. Removal of Bats — Upcoming: Now that the pups are able to survive on their own, the bats on the 406 balcony will be removed by wildlife control personnel.
14. Battery In Combination Locks — Reminder: Residents who have combination locks on their front doors are reminded to change the batteries annually. If you don't it may go out and require you to use a key to get in, which could be problematic if you don't have the key with you.

15. Q&A

- a. Mr. Caruso asked why the internal hallway doors were not "handicap" friendly. Mr. Chase explained that the builder managed to pass the building inspection done by the City of Newark without "handicap" friendly doors. The Access Button entry doors on the first and second levels and the Main Street entrance were installed only after a court case. Because the doors are fire doors, they need to be closed at all times.
- b. Question was asked about the number of gas detection devices needed if a unit has both a gas stove and a fireplace. One should be sufficient, given the size of the space.
- c. Mr. Flynn asked if there should be a sign posted in the Community Room to clean up after use including putting the cover back on the Pool Table. Council will take the sign under advisement. A new pool cover has been ordered.
- d. Mr. Axe asked if there was a dummy code to get into the building. A dummy code is not necessary for residents. They are to use their key cards. Mr. Axe noted that Cosi and Winehouse have key cards if someone locks him/herself out. If personnel in these establishments know who you are they may be able to help.

F. **Committee Reports**

1. Safety/Security Committee Report — Pamela Bobbs for Mary and Kent Woods, co-chairs
 - a. The second draft of the Emergency Action Plan (EAP) is currently under review by Council and is expected to be returned to the Committee by mid-October.
 - b. Ms. Scott has developed a Quick Reference for each floor denoting the location of the fire extinguishers, alarms, evacuation routes, contact numbers, etc. This sheet can be laminated and put in a convenient place to grab in case the alarm goes off.
 - c. The EAP will be added to the www.whcaowners.org website as a separate document (not part of the Handbook as previously envisioned).
 - d. The first edition of the EAP is expected to be available at the end of October, travel and work schedules permitting.
 - e. PLEASE NOTE: the Safety/Security Committee no longer handles decals or packing placards. These will be included in the new "Welcome Package" being developed by Mmes. Bobbs and Scott and distributed at the time of move in. Replacements will be available from the Council Secretary.
2. Handbook Committee — Pamela Bobbs
 - a. Updates to the Residential Handbook are under way to incorporate recent changes in the handling of various items like access cards, placards, decals, etc. and to reflect the changes that have occurred in various operating aspects of Washington House.
 - b. Residents and owners are invited to send comments regarding improvements, corrections, and/or additions to the handbook to Ms. Bobbs at oneira.pab@gmail.com not later than the 22 of October.
3. Community Liaison Committee — John Hornor
 - a. Council News:
 - i. Passed 5-year Capital Improvement Plan in July.
 - ii. New City Manager candidates are interim manager Carol Houck and current city manager of DeSoto, Texas Tarron Richardson (who is a native of Wilmington). Public meeting is being held concurrent with this WHCA Council meeting and a decision is expected to be made in executive session tomorrow. A third candidate withdrew earlier this month.
 - iii. Water rates may go up again — controversial item. State Assemblymen John Kowalko (our representative) spoke against the increase. Councilman Clifton said water rates are being raised (to pay for system updates) rather than raising property taxes, as Mr. Kowalko suggested, because increased water rates spread the cost more evenly over the whole population unlike property taxes, which are not paid by a number of tax-exempt entities. These properties and county developments use City water and sewer, and are therefore included in the increase where they would not be included in a property tax increase.
 - b. City News:
 - i. Opened the Pomeroy Rail Trail that links to Hall Trail and White Clay Creek Park.

- ii. Next city park will be on the site of the old Curtis Paper Mill factory. The smokestack is being removed because it is too costly to preserve it. A monument will be erected with the story of the old paper mill.
 - iii. New apartments on Elkton Road are going up on site of the old car wash business next to Rittenhouse Station.
 - iv. Campus Edge building is completed and is a very nice looking building. The first retail store has been leased by T Mobile.
 - v. Lang Development Group says the 12 two and three bedroom apartments (with washer and dryer) approved for the property adjacent to Washington House on Delaware Avenue are scheduled to be ready for June 2013 occupancy.
- c. New Businesses and Restaurants
 - i. Twisty's Boutique moved into the site where Moxie's was on Main Street
 - ii. Alec and Anna (Jewelry)
 - iii. AT&T Store
 - iv. Jakes Burgers (on South Main)
 - v. Smoke Shop (Next to Iron Hill)
 - d. Soon to Open
 - i. Green Turtle in Rittenhouse
 - ii. Tankini on Elkton Road
 - iii. Taverna on Main Street next to Washington House
 - e. Closed
 - i. Grouch's Deli
 - ii. Joanne's Buffet
 - iii. Flavor
 - f. Moved
 - i. Geckos to the house in front of the Newark Coop
 - ii. Moxie's to Traders Alley
4. Taste of Newark
 Tickets are on sale at the Municipal Building at 220 Elkton Road or from Mayor Funk for the 2013 Taste of Newark on Sunday, 30 September from noon to 3:00 p.m. Tickets are \$45 prior to the event and \$60 at the door. Tickets are limited.

G. Open Public Comment

1. Messrs Chase and Persak noted that the air conditioners on the roof are old Freon units that will become more costly to operate as Freon units are replaced with new technology. When newer models are installed, it will require lines for all units to be insulated. Council will be studying this problem to determine how best to proceed. The newer units are mandated effective 2015.
2. For safety reasons, the Directory is no longer optional. It is necessary for Council and others to be able to contact unit residents in the case of emergency and on other significant issues.
3. Mr. Flynn asked if the vacant units are paying dues. Mr. Chase said no, that is the purpose of the liens. Mr. Flynn asked if they are paying water. No, not until they are occupied as there are no fixtures in the units to enable them to use water at this time.
4. Ms. Swan asked if there is a policy covering washing outside windows. Mr. Chase said owners are responsible for getting their windows cleaned but the Chases and the Boyles have found a vendor who does all windows for \$95. Contact either of them after the meeting for contact information.
5. Mr. Hornor thanked the Council for their time, effort, and hard work.

H. Adjourn

With no further questions, Mr. Chase asked for a motion to adjourn.

- a. MOTION BY MS. PERSAK, SECONDED BY MR. SAWYER: THAT THIS MEETING BE ADJOURNED. MOTION PASSED UNANIMOUSLY: VOTE: 5 TO 0.
- b. Aye — Bobbs, Chase, Persak, Sawyer, Scott
- c. Nay — 0
- d. Meeting adjourned at ~8:205 p.m.