

**Washington House Condominium Association
Council Meeting Minutes
6 February 2013**

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

Mr. Chase welcomed residents to the meeting with the reminder that this is the first of two annual meetings required by the Code of Regulations, the purpose of which is to have owners vote on a candidate to fill the Council position that expired in January. Other business will also be conducted and voted on by Council members only. Open comment will also be invited at the end of the meeting.

C. Approval of Regular Council Meeting Minutes of 12 December 2012

There being no corrections to the minutes, a motion was made by Ms. Scott, seconded by Mr. Persak, to approve the minutes of the 12 December 2012 meeting as submitted. Motion passed unanimously: Vote 5 to 0.

Aye — Bobbs, Chase, Persak, Sawyer, Scott

D. Treasurer's Report

Mr. Chase reported that Treasury duties of the Council have been reassigned to Ms. Scott. He and Ms. Scott have been working together for a month to transition the monthly billings, collections, and other bookkeeping activities of the Treasurer. Owners are asked to direct their questions regarding such matters to Ms. Scott. She and Mr. Chase will continue to work together, as needed, until a complete transition of these duties is completed.

The WHCA Operating account has a current balance of \$34,319; the R/R account balance is \$79,984 after payment of \$5,000 for the economizer replacement. While this was a legitimate use of R/R funds, Council intends to put the \$5,000 back in the R/R account as soon as the funds are available.

Expenses are running as expected. Mr. Persak may discuss some onetime receivables later in the meeting. There is only one outstanding quarterly dues payment. All invoices are sent at the first of the month. After 30 days, an e-mail reminder is sent for any unpaid accounts. This reminder gives owners a 5-day grace period to pay the fees. If fees are not received at the end of the five days, another invoice, which includes the 5% late fee, is sent.

"That is the end of the Treasurer's Report," Mr. Chase said. " Ms. Scott will be giving this report at the next meeting."

E. President's Report

Mr. Chase stated that he has turned over documents for an annual audit to Mr. Vincelette (WHCA CPA) and will be working with him to complete the 2012 audit. He reminded Council members that the 2011 audit was based on materials supplied by Daystar Sills. In discussion with Council members it was agreed that an audit of the first year of operation under the WHCA owners' Council, based on documentation in the hands of and completed by members of

Council, is warranted to ensure that the WHCA financial books have been properly established and proper procedures implemented.

There have been no sales, and therefore no lien payments, since the last meeting. Build-out has been completed on all of the remaining unsold units. The inspection was supposed to be today. The liens are still in place. Two were paid on the sales in 2012 setting the precedent.

Following the discussion of the Emergency Action Plan at the December meeting in which Ms. Persak expressed a lack of confidence in the ability of emergency response personnel to enter the building quickly given the Knox box is on Main Street and the emergency vehicles would be coming down Delaware Avenue, Mr. Chase met with the Fire Marshall who agreed that another Knox box should be added to the south entrance of the building as well as one at the entrance in the lower level garage. The Knox boxes have been ordered and will be installed when they arrive.

F. Building Issues and Maintenance Report

Mr. Persak discussed the major facilities and grounds items undertaken since the December report:

1. Squirrel removal has taken place and access points into the building structure in the Upper Level garage area have been sealed.
2. The 5-year inspection and test of the main fire system pipes has been completed.
3. Mr. Persak and the Avalon crew have dealt with three frozen/cracked main storm drain pipes affecting 36 WH units.
4. Alpha Engineering was engaged to evaluate possible solutions to the ongoing deck/patio leaks. Based on its recommendation for solutions and contractors to do the work, Mr. Persak has, following discussions with Council members, been working with a local vendor to determine next steps. He surveyed all patios and sun decks for cracks and recoating. Plans have been developed for a demonstration project to show the effectiveness of the recommended corrective method. Work on this is now scheduled to start next Monday, weather permitting.
5. Having finished the build-out of the unsold units, Daystar is in the process of removing left over building materials. Some items have gone to Habitat for Humanity. Other redeployment options are being investigated for items Habitat couldn't use and which are still on the premises.
6. All residents are reminded to remove any items they may have stored in any area other than the storage cage assigned to their unit, either in the lower or upper storage rooms. Consult the Owners' Handbook for how to handle items that you want to discard. DO NOT put unwanted items such as electronics, TVs, tires, furniture, etc. by the compactor room. Any items found to be improperly stored after 28 February 2013 will be discarded. Residents/owners are asked to contact Mr. Persak with any questions.
7. Now that Daystar has finished the build-out of the unsold units, shampooing the common area carpets will begin. The WHC cleaning crew will begin this work this week, doing one section at a time, until all common area carpets have been cleaned.

At this point Mr. Chase noted that Mr. Persak "has been doing a heck of a job. If he were not here, doing what he does, we would have to pay for this work." Mr. Persak expends many hours not only negotiating with vendors and the Daystar Sills crew but also shoveling snow, moving recycle bins, following up on trouble reports, and constantly checking for and dealing with problem areas in the building. A round of applause was forth coming as a show of sincere appreciation from all residents and owners for Mr. Persak's efforts that benefit us all.

Mr. Boyle asked Mr. Persak to post activities that other owners could help with. Mr. Persak said, in general, that if you see something "out of whack" let him know.

Mr. Boyle said the next time snow needs to be shoveled, let him know, and he would help. Mr. Persak said he didn't expect that to happen again but that communications with Avalon had broken down and he thought it would be easier to shovel it himself than to call to have someone sent out.

Mr. Chase suggested that Mr. Persak send an e-mail to residents when work needs to be done and give them the opportunity to respond.

G. Committee Reports

1. Community Liaison Committee – John Hornor

a. Comprehensive Development Plan

Three meetings were held to give residents a chance to comment on the Comprehensive Development Plan. Mr. Hornor attended two (for the central and south areas of Newark encompassing the downtown area). The meetings were mainly informational and not well attended. Items covered included city zoning and adjacent area maps for possible annexations; survey of City residents' likes, dislikes, strengths, weaknesses, and what they want to see in the City; one item from an area adjacent to the city regarding county voting on a possible shopping center on Possum Park Road across from Holy Angels, which comes up every five years or so.

Mr. Persak asked if there was any other way to provide input on the plan. Mr. Hornor suggested the Planning Department. Ms. Wiswall said the man she spoke with at the session she went to couldn't answer her questions. Mr. Hornor noted that the man is new to his position.

b. Municipal Elections – Tuesday, 9 April 2013

MAYOR: Vance Funk is running for reelection

DISTRICT 2 COUNCIL MEMBER: Currently Councilman Clifton has not decided to run again and no other nominating petitions have so far been filed.

c. Outgoing Businesses

The Newark Newsstand, Marines Recruiting Center, Bowling Alley (in 2014), and Grotto's in College Square.

d. New Businesses

Green Turtle on South Main Street; Little Teriyaki and a liquor store next to Kinko's on South Main Street; and Red Bowl, which replaced Joanne's Buffet

f. Newark Shopping Center (owned by Angelo, Gordon & Co, L.P. of New York City)

The proposal has been presented to the Planning Commission by Atlantic Realty (of Vienna, Virginia) with the intent of selling the approved plan to a developer. Basics of the plan are:

- i. Replace the bowling alley with a 220 unit apartment complex with common space (gym, meeting room, etc.) and retail on the ground floor and a structured garage on the property providing 2 spaces per unit.
- ii. Rehab the Enterprise Rent-a-Car building into another restaurant (removing the trees in the process).
- iii. Placing a new marquis on the movie theater.
- iv. Dividing the building on the west side of the shopping center into two buildings with a walk-way/bike path from Pomeroy Station into the shopping center. The dumpsters at the back of the buildings would be screened off.
- v. Include a strip of green space in the middle of the existing parking lot.
- vi. Add a bank pad at the north end of the shopping center.

Atlantic Reality has until 12 February to present its new plans (addressing the wetlands problem, fire lane placement, and the square footage calculation for the 220 units) to the Planning Department. If they make this date, the project will be on the March City Planning agenda then on to City Council.

The Planning Department is currently doing a survey of vacant apartments in the downtown area, which will include apartments approved but not yet built.

The Newark Post article regarding the project and a layout of the above changes will be posted to the WH bulletin board for residents interested in attending the Planning and/or City Council meetings. Individuals with concerns are encouraged to attend both meetings. It was noted that we lose the right to complain if we don't participate in the meetings.

2. Safety/ Security Committee – Mary and Kent Woods

An updated version of the Emergency Action Plan has been posted to the WHC web site.

3. Handbook Committee – Bobbs, Swan, A. Zak, K. Hornor

A revised and updated version of the Residents Handbook has been posted to the WHC web site.

H. Owners Vote on Council Member

Mr. Chase reviewed the rotating schedule of elections for Council members established by the Code of Regulations to ensure that experienced Council members would always be on the Council. The individuals elected to serve on the first owners' Council had two 3-year terms (Mr. Persak and Ms. Scott), two 2-year terms (Mr. Chase and Ms. Bobbs) and one 1-year term (to which Mr. Sawyer was appointed following the resignation of the elected Council member). All Council members will serve 3-year terms from this point forward. No additional nominees were presented to fill the initial one-year term that expired in January. Fortunately, Mr. Sawyer had agreed to serve again.

Ballots were distributed. Twenty-one (21) ballots including two proxy ballots were cast at the meeting by residential unit owners. Fourteen (14) absentee ballots were received from eight residential unit owners and two commercial unit owners. Total ballots cast were 35 — all FOR Mr. Sawyer.

Mr. Chase asked Council members if there was any other business. Ms. Bobbs stated, for the record, that the *Trespass Enforcement Authorization Letter* required annually by the City of Newark Police Department to allow them to act as our agent in any case of trespassing on WHC property was mailed.

I. Open Public Comment

Mr. Hornor asked if anyone else has heard a sound on the roof from next door. It sounds like a belt slipping. Mr. Persak, Ms. Swan, and Mr. Sawyer all said that they have heard it. The consensus seems to be that it comes from Lang's building on the east side of Washington House. Mr. Persak said he will follow-up and requested that residents also call Mr. Lang directly at 302-731-1340 to register their concerns.

J. Adjournment

There being no other business, Mr. Chase called for a motion to adjourn the meeting. Ms. Bobbs placed the motion that this meeting of the WHCA Council be adjourned. The motion was seconded by Mr. Persak. Motion passed unanimously: Vote 5 to 0.

Aye — Bobbs, Chase, Persak, Sawyer, Scott

Nay — 0

The meeting adjourned at 7:40 p.m.