

Minutes – 3.26.19

32 Masonic Street Condominium Association Owners' Meeting

The Owners' meeting was held at the offices of Hampshire Property Management Group at 5:00 PM

Present:

Robin Freedenfeld (RF) -Owner/Trustee  
Patrick Leighton (PL)-Owner  
Henry Walz (HW)  
Susan Walz (SW)  
Carson Poe (CP)- Owner  
Theresa Poe (TP) – Owner  
Tom Lesser-Representing Paul Gorman (TL)  
Graham Immerman (GI)-Trustee  
Donald Grose (DG)-Trustee  
Maura Manijak (MM)– HPMG  
  
Scott Keiter, Keiter Builders (SK)

Absent:

Paul Gorman  
Masha Gessen

1. Scott Keiter, Owner of Keiter Builders, gave a progress report for the fire rebuilding at Masonic Street.
  - a. A general discussion followed about what was being done with regards to the fire loss:
    - i. A registered design professional was required by the City of Northampton to oversee the work on the building – Jody Barker will do this work
    - ii. An electrical engineer would be hired, as required by the wiring inspector
    - iii. M.J. Moran, Mechanical Contractors will provide evaluation of mechanical systems.
    - iv. Each is writing report that will be submitted to Building Department
    - v. Next week each will meet with Building Department Electrical and Plumbing Inspectors
  - b. A discussion took place about code review process and code upgrade issues, such as fire alarm system, electrical devices, fire separation assemblies.
    - i. Once the Building Department agrees with the = reports, they will be presented to the insurance company.
    - ii. The scope of work outlined by the reports will be priced.
  - c. SK reported on phone conference with insurance adjuster and how work would be priced.
  - d. SK reported that the Building Commissioner has determined that the building is vacant.
    - i. Keiter Builders will take control of the building
      1. There will be a time when access to the building will be limited, controlled by Keiter Builders
        - a. When the permit is taken over, the building is under the control of Keiter Builders
    - ii. HW asked about the bookstore
      1. SK said that it would remain open.

- e. Once the pricing for the project is complete, procurement will begin.
    - i. SK didn't know the scope of the project, so couldn't address how long this phase would take.
  - f. RF asked if owners can use their own contractors.
    - i. SK: Jody Barker will work with separate contractors.
      - 1. Owners can hire their own contractors but Jody Barker will control the project, and so the contractors.
      - 2. They will need to file for their own building permits.
  - g. Discussion took place about how contractors would work with Keiter Builders to estimate costs in format acceptable to insurance company.
  - h. PL asked about the estimate done by Jason Gale and Advanced Restoration.
    - i. SK: Gale's estimate didn't account for code review process, the nature of mixed uses in the building, and other fire control issues.
  - i. SK outlined
    - i. the fire alarm system would be replaced
    - ii. The electrical system is not compliant with code and much of it will need to be replaced
    - iii. Demising walls and fire blocking will need to be added
    - iv. Demolition of fire damage exposed systems that will now need to be brought up to code, which is mandated by the law and the city
  - j. PL asked if there was a cap to the code upgrades
    - i. MM thought there was
    - ii. PL understood that Advanced Restoration reported to him that there was a cap to how much would be covered.
  - k. TP asked SK how many condo association Keiter Builders has worked with.
    - i. SK: Keiter Builders has worked on projects with multiple units and does \$15-20 million a year in sales, with 35 people on staff.
  - l. PL asked how the existing conditions were documented.
  - m. DG commented that Jody Barker is competent with code review
    - i. TP said she considered hiring him for code review
  - n. TL asked how code review would be done
    - i. SK explained process of reviewing building code
  - o. A general discussion took place about code review
  - p. TL asked about how information about the specs for his client's unit would get conveyed.
  - q. PL asked if Jody's report would include electrical and mechanical engineer's reports
    - i. SK: those reports would be included
  - r. SK outlined protocol for communication:
    - i. Owners can contact him for technical information
    - ii. Policy and procedures would go through the Trustees.
2. A MM and HPMG reviewed the financial report
- a. RF signed proof of loss from insurance company
  - b. MM: Advanced Restoration has been paid \$50,000 for demolition services
  - c. MM presented 2019 financial budget
    - i. Based on history
    - ii. Need to build a reserve
    - iii. Reviewed legal expenses incurred - \$17,000
    - iv. Proposed new condo fee – 10% increase
    - v. Presented 2018 expenses compared to 2019 budget

- vi. Increasing the condo fee to pay for the legal expenses won't be enough; there will need to be a special assessment
      - vii. Discussed legal fees connected with Paul Gorman
    - d. CP asked about Mark Dolphin – a general discussion followed:
      - i. Hasn't been paying condo fees
      - ii. A general discussion took place about actions to take with regards to Dolphin: certified letter, other ways to find him.
        - 1. Certified letter was sent but returned as undeliverable
      - iii. Next steps to take were not determined.
    - e. SW noted that there was nothing in the budget for snow plowing
      - i. MM: snow plowing is shared so actual cost is determined at the end of the season
    - f. A general discussion took place about snow plowing
- 3. A general discussion took place about Special Assessments
  - a. Special assessments vs lower condo fees
  - b. Payment plans
  - c. Plan for paying off legal fees
  - d. Separate law firms
    - i. Discussion took place about what each firm was doing
  - e. MM: will send out copies of legal fees to owners
  - f. Discussion took place about legal fees and how to pay for them
- 4. A general discussion took place about Board of Trustee Elections and Terms
  - a. DG nominated for 2 years
  - b. GI nominated for 1 year
  - c. RF nominated for 1 year
  - d. THERE ARE CURRENTLY TWO OPEN TRUSTEE POSITIONS -NO NOMINATIONS WERE PUT FORWARD FOR NEW TRUSTEES.
- 5. A general discussion took place about legal case with Paul Gorman:
  - a. TL: insurance company is involved
  - b. RF: if money is paid by Gorman's insurance company, unit owners who paid special assessment will be reimbursed.
  - c. TL: if insurance company doesn't pay Gorman, association might make late claim
  - d. CP: asked that detail be made that owners would be paid back.
- 6. HW asked about status with windows
  - a. TP said she couldn't discuss
  - b. MM: new windows will be handled by David
  - c. RF asked where did the eight (8) windows went.
  - d. MM: windows are part of fire loss.
- 7. A general discussion took place about unpaid special assessments:
  - a. CP: haven't paid their share; have put money into escrow with attorney
  - b. Needs detail of special assessment to explain origin and explain what's being assessed
    - i. Need to clear contradictions
- 8. A general discussion took place about parking during construction

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- a. Condo persons can use Button Street
9. CP asked that the Master Deed be amended to show that their two units were now one single unit.
  - a. Need for updated plan for condo layout
  - b. A general plan followed about the need for an accurate plan of units.
10. CP discussed removal of signs on front of building so that the requirements of the zoning ordinance were met.
11. MM announced that HPMG was giving the Association a 90-day notice that it would no longer be providing management services and ending its contract with the Association.
12. The meeting was closed at approximately 6:30 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'DLG', followed by a long horizontal line extending to the right.

Donald L. Grose  
Secretary