

53 Clark Avenue Annual Condo Meeting—December 5, 2022 6pm

Meeting called to order at 6:07pm

Present:

Trustees Present: S.Cuénoud, A.Worsley, T.Pauliny

Owners Present: C.Shadoian Fossett, A.Larkin, F. Margolin, J.Raphaelson, J.Starr, S.Strimer

Present via Proxy: B.Bellavance-Grace (proxy present M.Doherty), A.Bleiweiss (S.Cuénoud)

KPM Members Present: D. Golec

10 Units represented by in Attendance & 2 Units by Proxy. Master Attendance/Proxy sheet maintained at KPM.

There was a quorum of 64.77%

1. Call to order.

Minutes from last meeting unanimously approved.

2. Property Manager's Report

a. YTD financials

Donna explains the way the budgeting, accounting and the team at KPM works.

b. Budget 2023 discussion.

In the last 5 years, we have made a lot of changes, including the fire remediation, the new roof, repainting the building, and dehumidifying the basement. We are now looking forward to making a plan for the coming years, thinking about things like a new fence, drainage in the parking lot.

Reserve Planning for Future Capital Improvements

We are trying now to be proactive rather than reactive. Maintenance such as repainting hallways, etc. should be on a schedule. Nb. Materials and labor costs have gone up, as have labor costs of the KPM team. The reserve account should be kept healthy. We had \$32,000 outlay this year in capital improvements. We will be ending the year with just over \$30,000 in the bank.

3. Old Business

- a. On Insurance costs: our insurance costs have gone down substantially (\$7000) since we lost our original insurance due to the fire, though not to the original levels, due to covid driving up costs of labor and materials (which tallies to the cost of rebuilding and therefore insurance; most people's insurance has gone up in any case). We went back onto market this year and got the most competitive quote. (Nb.

On this topic: having a non-smoking bylaw and more owner-occupied units would improve the insurance premium).

- b. Exterior painting has been completed.
- c. Legal issues on hold. One legal cost we are looking forward to in the future is to address the inconsistency in mailing addresses. Also we have on hold a plan to clarify the relationship between phase 1 and phase 2. These issues were not considered urgent while the repainting of the building was happening.
- d. **Non-smoking property bylaw**—We are returning to discuss this again. This vote for this amendment to the by-laws was passed at a previous annual meeting. Debbie, the previous condo manager, did not register this vote with the town. There was no record of the vote in the minutes since the secretary did not submit the minutes. Janet notes she does not think there were enough owners to pass it after the meeting. Jared disagrees: he was on the board at that time and asserts there were enough people to register the vote, but it was not registered. In any case, many people are now new, and so Trustees would like to bring this to the floor again. Andrew would like to say that he has a medical condition which allows him to smoke marijuana and is prepared to take this to court if that right is interfered with. Donna asks for more opinions. Donna notes there are many options; Eg. No smoking whatsoever; No smoking in common areas and decks, but allowed in apartments. Janet raises concerns about the smoke from the street wafting up to second floor if a rule is put in place to disallow smoking in the building, and that this could impact property prices. Janet favors fewer restrictions. Jared says we don't want to be the last building in the community that hasn't banned smoking and he worries that this will end up attracting smokers and lowering property prices. Smoking fumes are toxic, especially to children, and smoke lingers in hallways and travels through walls and ducts even when smoking occurs within an apartment. Donna notes non-smoking buildings are indeed considered at higher values when realtors assess buildings. Andrew objects to say fire in kitchen would be banned under this policy. Donna explains that this is not the case, since most condo units she manages have non-smoking rules in place. Jared asks about numbers needed to vote and asks for a poll on whether this should be put to a formal vote later. Donna says there are enough votes to put this to a vote by email. This will be distributed to all owners by email.

Options for this poll: Option 1—no smoking in building whatsoever. Option 2—smoking within unit but not on deck (where smoke is more likely to travel through windows/ onto others' decks). Option 3—no restrictions/no change.

Section 5—Owner Concerns

- a. Andrew raises a concern re. lawn mowing. He is trying to create “an environmentally-sound environment.” He complains about lawn mower fumes which he states cause cancer. Donna states this concern is noted.
- b. Janet raises a concern about the limits of rental vs owner-occupied units, since she worries this might become an issue in the future. At present, she states only 30% of units can be rented according to by-laws. Janet wonders about priority system or time limits on rentals so that owner-occupied units can’t be rented out in the short term because we are “full up on long term rentals.” Jared asks to clarify where 30% figure comes from. Andrew notes he thinks it is 20%. There is disagreement re. this figure. Chris asks how many units are being rented currently. Janet thinks it’s 3 currently; Stephanie notes it is 5. Donna knows it is favorable to insurance company to be majority owner-occupied and notes that common areas are usually kept up much better in this situation.
→We will check on by-laws re this question, so that everyone can be informed.

6. New Business.

- a. Parking—KPM is working on getting quotes to address the drainage situation. It is hard to get contractors currently. On parking stickers, anyone not present at previous meeting can see the minutes for last meeting.
- c. Deck discussion. Trex—Any owner who replaces decks needs to match the current color since we need to adhere to the by-laws. (Andy objects to this; Amelia notes we are following by-laws).
- d. Last meeting, owners expressed a desire to legally clarify what parking is available to each owner.
- e. Gardening Committee—Stephanie and Patricia and Amy. Stephanie notes that email will be sent over the winter to update. (Andy objects to gardening committee: Donna notes it is permitted in by-laws).

7. Election of Trustees.

a. Felix makes a motion to re-elect current Trustees. Chris seconds. All in favor, except Andrew, who is opposed. Donna asks if others would like to volunteer, noting that an odd number is preferable, and that the by-laws say there should be between 3 and 5 trustees. Andrew puts himself forward to be a trustee. Janet also volunteers. Donna asks for seconds. There is no motion to second this from owners present. Board remains the same as last year.

8. Future Meetings/ Adjourning the Discussion.

Felix asks if we could have the annual meeting one week later in the year since the first week of December is very difficult. Donna notes that there are options and we can talk about it amongst trustees.

Janet would like to raise the issue that the zoom format reduces attendance. She would like the meetings to become in-person or hybrid, citing zoom fatigue. Janet states discontent in building comes from lack of communication. Donna notes that hybrid meetings are very difficult to

manage. Janet says that attendance has dropped because of zoom. Donna notes that often attendance is low at annual meetings when there are no major issues in the building, as there have been previously.

Donna notes hybrid meetings are very hard to manage, since attention is needed in two places at once for everyone to feel they have space to speak. Amelia says perhaps we should have a straw poll vote regarding the question of whether to hold annual meetings in person or online.

Next board meetings: 4pm 4/5/23, 10/11/23 (budget review), 2023 Owner's meeting 12/4/23 at 6pm via zoom—though we will discuss times and question of zoom in the next meeting.