

**53 Clark Avenue Condo**

**Annual Meeting Minutes DRAFT**

**November 20, 2023 at 6pm.**

Owners present at the meeting:

Stéphanie Cuénoud (Trustee)

Amelia Worsley (Trustee)

Jared Gilbert

Beth Bellavance-Grace

Nathalie Mouillefarine

Felix Margolin

Rebecca Lavinson

Javier Suarez

Patricia Wachter

Christopher Shadoian

Janet Raphaelson

From KPM:

Donna Golec

Melissa Stevens (Our new Property Relations Manager)

**I. Call to Order**

Meeting called to Order at 6:10pm

**II. Review and Acceptance of Annual Owner's Minutes**

Motion to accept last year's minutes: accepted unanimously.

**III. Property Manager's Report**

**a. YTD 2023 Financials**

Donna explains year-to-date income statement and balance sheet. Year to date: we are currently running a profit of approx. \$9,000 (see spreadsheet) and we are aiming to contribute approx. \$13,000 by the end of the year to the reserves. So far we are on track to contribute \$13,000 to reserves so that we have a cushion for future capital projects. As of the end of October, we had \$42,852 in our reserve. This is a healthy number especially compared to previous years, and will add to the value of our apartments.

**b. Budget 2024 discussion**

We increased the fees by 3% this year to try to keep up with inflation and looking forward to some large projects we will discuss. The biggest wild cards are snow and insurance. Snow varies

with climate. The current economic situation is playing havoc on insurance. In the insurance market, deductibles have sometimes been raised from \$25,000 to \$50,000. Luckily we are back in the standard market but the premiums are higher than they were. Snow—we are under budget for snow in 2023, but we have set aside \$8500 for snow in the rest of the year. If we continue to have excess funds we could put it into the reserve or use the money for a project.

Note to owners: Please see the new online system, **Buildium**. You have received emails about this from KPM. You are able to set up your own account and see condo finances and accounts there. You can also make work requests there. However, if you prefer not to set up an online account, it's not required—you can still use paper checks or call KPM on the phone.

### **c. Reserve planning for capital improvements**

#### **Overview of Completed and Upcoming Projects**

##### **Projects Completed:**

Flooring repaired and replaced in B entryway (which was in need of repair).

Locks changed in whole building.

Bike rack purchased and installed.

Assorted deck support repairs.

Gutter repair and replacement at the back of the building—delayed due to bees, we needed to wait until they were dormant.

Commercial grade dehumidifier replaced in basement.

Resignation of Milltown landscaping led to new company; meetings with them.

##### **New projects we can foresee in the future:**

Carpet cleaning of all entryways.

Refurbishment of iron fence.

Refurbishment of new walkways.

Common area windows will be replaced as they fail.

Driveway parking lot—drainage and possible installation of EV charger, pending more discussion by owners, since this is a large-scale project.

New landscape plan.

#### **i. Update on Bike Rack—in process**

Stephanie updates everyone on the bike rack. We chose an inexpensive option for the back of the building which is in the process of being installed and will later be covered for protection of bikes. Question from Bob about whether we wanted a motion detector—Stephanie suggests it's not needed.

We just received a quote of \$575 for flooring under bike rack

Action item→Stephanie, who has taken the lead on this project, will evaluate the quote and put a decision in writing re. whether to go forward with the flooring for the bike rack.

#### **ii. Fencing**

We have budgeted 10,000 for fence. As yet we are not sure what contractors will be able to do.

Action item→KPM will get quotes for restoring fence. Replacement may also be necessary.

**iii. Walkways**

We have budgeted 5,000 for walkways, but we need quotes in order to discuss further.

Action item→KPM will get quotes for walkways.

**IV. Old business**

**a. Inconsistency of Mailing address.**

Amelia explains we previously tabled making legal changes to apartment numbers on deeds but now we have no major project due to be paid and therefore have more funding available, we could address it. Owners noted that they would like to address this and would prefer to keep everyone's *mailing address* to be the same, changing the deeds, not the mailing. We would need to enquire of the costs to change number on the deeds. Felix asks whether we can call the Registry of deeds to see how much it would cost to change a deed. Donna says the biggest cost would be for the lawyer to prepare the amendment, and that Attorney Breton had already started on this. Donna notes we don't have anything in the budget for legal fees at the moment, because we needed to ask owners whether to proceed, but we would take the funding to do this from the \$6000 maintenance budget.

Vote taken—majority in favor of contacting lawyer Attorney Breton, who had already begun this process, about the costs involved in going forward.

Action item→ Donna will contact Attorney Breton and then the Board about costs. Board will then vote on this. (Nb. this will likely not require a majority of owners to vote, though all owners will be informed of the change).

**b. Relationship between pahse 1 and phase 2**

--No news on this.

**c. No Smoking Amendment**

In the past, there have been issues with smoke travelling between walls of apartments. Having a “no smoking” rule in place is what most condo units have—since smoke travels through ventilation system, and because it has a shared benefit for insurance. Previously a no smoking amendment was passed but was not recorded with the town, as noted in many sets of previous minutes. We discussed whether we should return to this issue with Attorney Breton. Nathalie asks if this definitely has to be done through a lawyer. Donna explains it does need to be because it is an amendment to the deeds. Donna later clarifies that this includes tobacco, marijuana and all kinds of smoke, and includes decks as well as apartments.

Motion made that we include a no smoking amendment in our deeds—motion seconded. A majority of owners vote yes on changing the amendment. Beth asked a question about what it means that those might vote against this amendment are not present at the meeting. Donna noted that legal will create an amendment for a formal vote and then this has to go to all owners to sign off and approve or disapprove. We would need 76% of owners will need to approve to pass this amendment of our deeds.

Action item→ Donna will contact Attorney Breton about this issue and move forward, staying in contact with the board and owners as it proceeds.

**d. Parking discussion –and f. –and h. Discussion of designated parking spots and drainage issues**

Donna notes that we also tabled the issue of looking into designated parking spaces with Attorney Breton and are now returning to it.

Beth would like to ask that people leave less space between cars during snow ban and pull all the way up to the sign when on the street. Felix said it can be hard to clean around car with shovel during snowstorms if people do this. Melissa notes that Chris suggested by phone that parking at an angle at the wider part of the street—nb. legally, we can't do that unfortunately. Rebecca asks if there are 2 unassigned parking spaces for every unit. Trustees note that this is part of the discussion we would have to have in the future with legal, since there is not in fact room for each apartment to have 2 car spaces, and the question of who has deeded parking spaces requires investigation.

Felix asks if we can relocate dumpsters to front of parking lot to make more space. Donna notes this will mean members of the public are more likely to use them, raising costs. Patricia asks about whether we can move them to the middle of the back of the lot to create more spaces. Stephanie explains we can't move it to the back middle due to the water standing there.

Amelia explains that this issue has very much been on our minds and we have come to the conclusion after much discussion and consultation with Bob and Scott and also the refuse company that we cannot move the dumpsters before draining the lot. This would be a large-scale project.

Amelia and Stephanie note that we had prioritized the fence, since that has been on the docket and delayed for much longer than the parking lot, and we are at the point of perhaps losing it without maintenance. We thought we would move to the drainage of the lot after the fence, but this is open to discussion. Patricia notes that the parking lot is not draining at all, and perhaps we can't wait much longer on this. She asks, could we negotiate with Tully about the 8 spots—could we buy them? Donna said Tully wants to use those spaces. Patricia and Felix note that they think renovation of parking lot should come before fence.

Donna notes that we can get quotes for the parking lot but wants to make clear that a new parking lot would be \$40-60,000 dollars and at this point would likely require a special assessment. Pat asks if we could do something about drainage in the short term. Donna notes that this is likely not possible because we have already looked into it, and it's a bigger job than it might seem on the surface. For a job of this scale, it would be important to make a plan for the entire parking lot, and planning stages of renovation with a contractor. Patricia notes it will improve property values to improve parking.

Donna notes that Tully, the owner of the other part of the condo, would have to be involved in any parking lot renovation. Donna notes he contributes condo fees that cover insurance and access to the parking lot. Stephanie wonders if Tully's spots should somehow be separated from this renovation if they are not part of our project? We discuss removing landscaping at the front to make more room.

Amelia notes that this issue is indeed tied up with questions about the fencing—whether it will need to be replaced.

On EV Charging-- Donna notes it would likely be pay as you go by the owner using the charging unit, though we would jointly pay for installation. There are also incentives for installing EV stations that the public can use, though this is likely not a good idea since we already worry about not having enough spots. There are lots of questions about this that would need to be discussed further and decided on later, after quotes.

→ Action item—Donna will look into contractor's quotes for drainage, landscaping at the back of the lot, and repaving. Board will compare these quotes, taking into account the complexity of the fencing question.

→ We will table taking action on putting funds into the legal question of how many designated spots we might each have until we know what drainage and repaving and landscaping might cost.

→ We will table the question of EV charging stations until after we have quotes for the fence, drainage, landscaping and repaving.

#### **e. Decking discussion**

We return to this longstanding issue—we need to maintain consistency on colours. One owner needs to install a new deck this year. Donna says the Board could vote on a selection of samples that match the stained decking from an owner's contractor if they want to provide them. Beth prefers board to suggest a color.

→ Board will find Trex samples and suggest one that matches.

#### **f. Designated parking lots**

—already came up above

#### **g. Rental units—setting limits?**

We are at five rentals at the moment. Pat asks if we want to set limits on rentals. Is there an effect on insurance asks if a building is owner-occupied, Pat asks? Donna: generally insurance try to keep it to max. 5 rentals at a condo this size. Pat worries that if have too many short-term rentals, then tenants tend not to understand the building. Janet wonders if we should put limits on rentals so the units. However, Chris, Amelia and Rebecca explain that their personal situations mean that they could not have bought an apartment if renting were not allowed, so this is a benefit for them.

→ This can be kept open as an issue for discussion as we continue to think about what best serves the community as a whole.

#### **h. Drainage issues**

--already came up above

#### **i. Annual meeting location.**

Question about in person versus zoom for meetings. Chris prefers zoom. Janet wonders about hybrid. Donna asks where we would meet—Janet says perhaps at the music school? Or someone's apartment. Felix prefers in person but thinks zoom allows for more people. Janet

notes that without the annual meeting people who live in the building don't meet each other without in person meetings. Beth thinks community feeling/meet the neighbours is a separate issue. Donna notes you can have "fall social" or some similar event that happens on a weekend. → Since there is no consensus, we will stick with zoom and board will continue to evaluate possible options for next year.

## **V. New Business and Owner Concerns**

### **--Maintenance of outside stairs—back of B section of building**

--Patricia ask if back outdoor B entry stairs are slimey. Could they be sanded/ cleaned?

--Patricia also asks if door back there is working properly—could door be planed or made to fit better? Felix recently checked door and Stephanie also; Amelia thinks Bob has already addressed the door but not the steps.

Action item→ Donna and Melissa will check if the work order on the door was definitely closed.

Action item→ Melissa will put work order in for back stairs to be cleaned and made safe.

N.b. Note to all owners: Donna and Melissa note that pictures can be very useful for work orders. Please feel free to send to KPM email address.

## **VI. Election of Trustees**

Donna asks if anyone is interested in joining the board. We need a minimum of 3, max of 5—an odd number for voting. Rebecca has submitted an intent to run form. Felix makes motion for new board, which is seconded. Vote occurs.

Amelia Worsley—Re-elected as trustee.

Stéphanie Cuénod —Re-lected as trustee.

Rebecca Lavinson—Elected to trustee.

## **VII. Adjourn and Next Meeting Dates**

Proposed future meeting dates:

Board—4pm 4/3/24 and 10/9/24

Owner's meeting: Nov 18 2024 at 6pm via zoom.

*Nb. If something comes up we will schedule more meetings.*

Beth thanks the current board for their work.

Patricia would like to thank Tara for all the work she did before she left.

Felix thanks Donna and others at KPM, and Amelia adds that Bob, Scott, Gretchen and Melissa, who have been doing lots of work behind the scenes. We are very grateful.