

VILLAGE OF FOUNTAINVIEW CONDOMINIUM ASSOCIATION MEETING
AT THE NEWARK SENIOR CENTER AND VIA ZOOM
JUNE 14, 2023

Before the meeting, Renee Bensley, Director of Planning and Development for the City of Newark, along with Jessie, and George were invited by Carrie Bolen to provide an update on the City's part of the 3000 rebuild. Renee said the City met with ServePro on May 25th to talk about moving into the reconstruction phase of the recovery effort of Bldg. 3000 in Fountainview. ServePro reported that they were in the process of preparing the final estimate of what needed to go to Travelers to get everything approved. The City offered at that time to do a unit by unit walk-through with them to get feedback on what units would need permits for the work that needed to be done. At that time, documentation was requested from the City to give to Travelers regarding what upgraded items would be required in the building. If the building reached a 50 percent threshold for renovations, then the entire building must be brought up to current code standards and not what the standards were when the building was built. That walk-through took place on Tuesday, June 6th and it was determined during that walk-through that due to the amount of demolition and the resulting restoration that's required, that 60 of the 64 individual units along with the common areas would need building or renovation permits from the City. Because of the volume of the permits required, ServePro indicated that they were going to submit for permits for all 64 units so everyone has a clean certificate of occupancy after all the repairs are completed. During the demolition process, another item that arose was the rotting of some exterior sheathing. As a result, the City requested a structural engineer to come out to inspect the building, state where there were issues, and what repairs would be needed. That report was received on June 1st. The engineer noted several installation defects of the stone cladding that's on the outside of the building; the cladding was unable to drain moisture away and that caused the exterior rot underneath. They drilled in 38 locations for further assessment; 35 of those 38 locations came back with normal moisture levels. However when the testing was done, there had not been any significant rain in any recent time and that may have accounted for the low readings that were within normal boundaries. The board has been working with the engineer to prepare a plan for the scope of work that will be bid out. As part of that, the exterior of Bldg. 2000 also was tested as there was visible bulging from the stone cladding. When that section was tested, they were able to easily remove the stone with hand tools; a situation that should never happen. There proved to be insulation issues in that section too. The report also said that while there was no testing on Bldg. 1000, the same insulation defects were visible. So it is likely that Bldg. 1000 also has similar issues with the stone cladding installation. Based on that, the City already had issued a notice of violation for Bldg. 3000, and are finalizing notices for needed repairs on Bldgs. 1000 and 2000 as well. The board should be receiving those notices before the end of the week. From there, the board will work with the engineer to see what needs to be done and prepare a path forward for repairs. They also will work with the City in regards to the permits that need to be pulled, and the inspections that need to be done.

Carrie questioned Renee as to what kind of time line can be expected to complete certain renovations for all the buildings but especially 3000 as it is imperative to get residents back into their condos and would that time line be reasonable. Carrie reiterated that VOF will get these issues fixed, but that time is needed.

Renee replied that the City is willing to work with VOF the entire time. The City has not been punitive,

that no fines have been issued for work not being done, and no final notices of violations have been issued. Carrie verified that VOF has met all the demands, and Renee agreed. Renee said that the City will be looking for a plan from the board on how to move forward. The City is issuing the notices because there is an issue, and there is a legal responsibility to document those issues and to issue those notices. Again, Renee said that the City will work with VOF to get everyone back in the way everybody wants to be. Carrie said that Falcon reported that the facade issues of 3000 would not affect the rebuild. Lisa Bolin concurred with Carrie's statement, and that the work could continue on the inside. Renee agreed that they could work in tandem, but that people cannot be moved in with holes in the exterior. Carrie then asked about the needed permits – while ServePro will apply for the permits for the Association's part of the rebuild then who applies for each individual rebuild - the contractors that they hire? Yes, Renee said.

Bill Scheper questioned if bringing everything up to code would include the sidewalks and the parking spaces. Renee said that it would only affect what is inside the building shell.

Lisa Bolin verified that the City will work with us meaning that they will keep looking at our plans and as long as the work moves along and we are making progress the City will be satisfied. However, Lisa wanted to be certain that we would not receive a deadline to have everything fixed. Renee said that is not the scenario we're working under right now. As long as we're seeing good faith effort and progress then you're good to move forward. George said that a 90-day deadline will be seen in the notice of violations for 1000 and 2000, but that is to keep the process moving. Those deadlines can be extended as long as both parties are working in good faith, and he didn't want Fountainview to be surprised by the deadline. Lisa said she understands the 90-day deadline, but wants to know that if she calls the City and says this is where we are today there will be flexibility. George replied that this kind of open dialogue is what the City is hoping will happen throughout the entire process. Renee said the City has provided a list of benchmarks that we've asked to be met within certain time periods, and those have been met. Lisa said that as we get the bids in, and start to receive information from the engineer then we can assess financially what the community is facing and how we can determine to move forward .

One resident questioned if 3000 will remain the priority in the rebuild. Renee said that as far as construction goes that is between the board and the contractor. The City is there to help with permitting and inspections. But as far as the actual execution of the reconstruction, the contracts associated with that, and the staging of the work that is between the board and the contractor. Carrie said that the board was in agreement that getting 3000 back in is number one priority over all other issues.

One resident questioned if the siding would be reevaluated when it has rained more. Renee said it was her understanding that the board is working with the engineer now to develop a scope of work, additional testing, and everything that is needed to be able to bid out the project to see what the cost will be.

Jeanette Adams asked if VOF could look into getting smart meters for 3000. Renee said that is up to the board and not the City to make that decision. That cost is on the homeowner and not the City. Lisa Bolin said she would look into it with the City.

A resident questioned why she was receiving water bills when she is not there. Carrie said Travelers has said that each owner must submit those bills to their own insurance company as Travelers is not responsible for those charges.

The City presentation ended, and the regular meeting commenced.

President Carrie Bolen called the meeting to order at 7:02 pm.

ROLL CALL

PRESENT: Bill Anderson, Paula Kelly, Deborah Ingram, Carrie Bolen, Kelley Piel, Lisa Bolin (FSR), Linda Malm, and Mary Ellen Fish (on Zoom). Audience: 26, Zoom: 16

ANNOUNCEMENTS

TRASH BINS FOR 3000: Carrie called the City last week to have them empty those bins for the last time. There will not be any more pick up for 3000 until residents are moved back in. When ServePro comes in, they must have their own trash receptacles which they will have emptied as well.

LOCKS AND CODES FOR BLDG. 3000: These have been changed for security purposes. Only Carrie Bolen and Bill Anderson have the codes; Lisa Bolin has a key and a code, and Logan Brown has a key only. Nothing is being given out until people start to move back in. There is a security guard there every night from 6 pm to 6 am. If residents absolutely have to get back in, then accommodations will be made to do so as it is a construction zone. Pat Kvochak said that this was ridiculous and wants access to her unit and questioned when residents are going to get codes and keys. Carrie repeated that the building is closed and condemned. Pat said people were walking in and out including herself who has been checking on her unit weekly. Carrie asked her why she needed to get into her unit, and Pat replied that she still has belongings in there which she needs. Pat intends to take it up with an attorney.

NEW BUSINESS

APPROVAL OF NEW SPRINKLER COMPANY: Bill Anderson said three bids were solicited for the fire alarm maintenance/inspection and the sprinkler system (wet and dry), dry standpipe system, fire pump, fire extinguisher service and maintenance inspection, and emergency exit lighting appliances. The three vendors were Bear Industries, Ark Systems, and Sobieski. Bear did not bid everything that was requested. Ark, a Maryland based business, bid everything but extinguishers and exit and emergency lighting appliances. Their bid was \$16,449.00. Sobieski, a Newark, De. based business, will do everything for \$16,477.00 (\$28.00 more than Ark). Bill said the extra \$28.00 is worth the cost because these vendors get paid travel time from their business. Bill wants a contractor who will take care of everything and do it all in one visit. Bill recommended Sobieski and also likes that they are only one mile away while the Maryland business is about an hour-and-a-half away.

MOTION: Bill Anderson moved that VOF accept the one year contract from Sobieski for \$16,477.00 all inclusive of all fire protection equipment for all three condominium buildings, the Villas, and the TH's.

Deborah Ingram seconded the motion.

DISCUSSION: They will do quarterly inspections.

VOTE: All were in favor. The motion passed.

Bill also added that he wants Sobieski to pressure test the dry pipe attic system in Bldg. 3000 asap. The test is conducted at 50 lbs. above the normal operating pressure. The test parameters are approximately 225 psi for two hours. The purpose is to check for leaks.

MOTION: Bill Anderson moved that VOF hire Sobieski to do the pressure test on the dry pipe attic system in Bldg. 3000.

Kelley Piel seconded it.

DISCUSSION: Carrie questioned if anything needs to be done to the TH's or Villas. When Wayman came out and did the spring inspection in April, all those recommendations that were needed to be done

were completed by Sobieski except TH #36. That home has not had a five-year test on the internal part of the system.

VOTE: All were in favor. The motion passed.

APPROVAL OF ALLIED LOCK CHANGING:

Carrie said that this has been done, but that a formal vote is needed. Deborah said that the locks were changed in Bldg. 3000 for obvious security reasons and done by Allied Lock and Safe Company at a cost of \$670.50.

MOTION: Deborah Ingram made the motion that we move forward with securing Allied Lock and Safe Company to change the locks in Bldg. 3000 at the cost of \$670.50. Mary Ellen Fish seconded it.

DISCUSSION: Carrie said this also needs to be done in 1000 and 2000. There has been much discussion about it in the past, but it was always speculated that it would cost thousands of dollars. The \$670.50 allowed every key and every code in 3000 to be changed.

VOTE: All were in favor. The motion passed.

APPROVAL OF CERTA PRO'S INVOICE FOR PAINTING OF THE DOORS FOR BLDGS. 1000 AND 2000:

Carrie said that all the doors whether stairwell or exit door in Bldgs. 1000 and 2000 are banged up with missing paint in spots. Bldg. 1000 doors have never been painted. To have all the doors and their framework in Bldgs. 1000 and 2000 painted will cost \$5850.00. Also under consideration is having Plexiglass on the the lower half of all the first floor exit doors. The cost comes out to be about \$200 per door with the framework. While we are not trying to make improvements in the community with the issues in 3000, Carrie does not see this as an improvement but maintenance.

MOTION: Carrie Bolen made the motion to have all the exit doors painted in Bldgs. 1000 and 2000 in the amount of \$5850.00 by Certa Pro. Mary Ellen seconded it.

DISCUSSION: Someone expressed concern about color matching. Carrie hopes that we will get close to it.

VOTE: All in favor. The motion was approved.

APPROVAL OF POWER WASHING OF STAIRWELLS IN BLDGS. 1000 AND 2000:

This was originally for all three buildings as it has never been done; 3000 is on hold. The updated invoice to power wash all the walls, stairwells and railings in 1000 and 2000 is \$1166.00, Carrie said. In the same conversation, Carrie asked Gemini why VOF was being charged for cleaning 3000. With the issues with 3000, no one thought about it, but they agreed to give us a \$3000 credit, and that will cover the power washing. When 3000 moves back in, those stairwells can be power washed.

MOTION: Deborah Ingram moved that we hire Gemini Building Systems to power wash the stairwells in Bldgs. 1000 and 2000 and that includes all staircases and railings. Bill Anderson seconded it.

VOTE: All were in favor. The motion passed.

APPROVAL OF SERVPRO FOR REBUILD:

This was previously voted on via email; now is the formal vote to have ServePro do the rebuild for the Association's responsibility for 3000. That does not include individual units. Residents need to have a separate contract with ServePro if you want them to rebuild your unit.

MOTION: Deborah Ingram moved that we hire ServePro to begin and complete the rebuild for Bldg. 3000. Mary Ellen seconded it.

VOTE: All were in favor. The motion passed.

APPROVAL FOR BOOM LIFT TO ACCESS THE NORTH END OF THE ROOF OF BLDG. 3000:

Carrie said that daylight can be seen through the roof of the unit where the water break occurred.

The boom lift is to get up there to assess the situation. The cost is \$2300.

MOTION: Kelley Piel moved that we approve a boom lift for \$2300 to access the roof of Bldg. 3000. Bill Anderson seconded it.

VOTE: All were in favor. The motion passed.

TREASURER'S REPORT: Kelley Piel read the Treasurer's Report that will be posted on the bulletin boards and the website.

MOTION: Bill Anderson moved that we accept the Treasurer's Report as read by Kelley Piel. Paula Kelly seconded it.

VOTE: All were in favor. The motion was approved.

COUNCIL OPEN FORUM

Carrie is aware that everyone is concerned about the water bills from Bldg. 3000. The most recent bill from 4/23 – 5/23 was for \$541.00. The previous bill was for \$2200.00. This dropped because no one was there, and there has not been any usage. But the City has numerous sewer and miscellaneous charges that are part of the water bill. Council has just started talking about how we are going to figure out the water bill for 3000. Lisa suggested we continue to bill as we have been doing. But residents should be submitting their water and utility bills to their homeowner's insurance, Carrie said, as directed by Travelers. Lisa suggested that we wait till the first of the year and settle up with the City. She said there is no way to get a true credit amount for 3000 right now. So we look at the end of the year and see what surplus we have against the water usage. Council should be able to figure out what's due to the residents of 3000. Electric we have nothing to do with. But water is part of the HOA fees. Those residents will get a credit up against what they charged. That will be for January 1st, Carrie said, and then when the move-in is complete, we will reevaluate it again as long as we have the bills for the end of the year. Carrie said that we are willing to figure it out and that everyone deserves a credit. There have been many sprinkler breaks in Fountainview so residents should have insured themselves just as if they were in a single family home. If someone chose not to carry an adequate amount of insurance that is not Council's responsibility. It is no different than if your house burned to the ground, and you did not carry enough insurance to rebuild, Carrie said. Carrie reiterated that it is recognized that there is a water bill problem and asked everyone to please allow us some breathing room to find a solution. Pat Hagan said that the end of year numbers would not be available until February, but also questioned how the money will be divided up. Carrie said it would be a credit and not a refund. Jerry Clifton wanted to clarify that each building has a main juncture coming into the building. If zero water goes through it, the city still is giving you a water bill because we have to pay for the people who are working for the City. The City cannot lay off two people because one building is not utilizing any water. Secondly, he wanted to address the issue with smart meters. Corrozie was given the opportunity to put smart meters in. But he chose to go with cheap meters that probably broke after about five years. While the City tried to work with the previous Association, there were some inherent problems such as the inconsistent placement of the meters in the condos. Meaning, some were behind washing machines others were elsewhere. Also, if you have individual meters, the City has a storm water fee, and the fee is about \$4. The water bill automatically would get another \$4 from each condo. The same applies to the electric, there is a \$10 service fee because the City has to hire people to repair things whether you are there or not.

FACADES: Carrie said there are spots in 2000, several in 1000 that have not been fully identified and two spots in 3000. Lisa added that there could be more in 3000. If you look at the end of 2000 where the patch is down, the same problem is on the right side of 2000 which is also bulging. Council's initial discussion has been about taking down the facade completely and replacing it with siding. It will be symmetrical. When you look at the building you won't see anything different as it will be siding on

both sides all the way down. The facade will be a huge expense but it has never been right from the beginning. We don't know about 3000; we may replace with siding because siding will be much less expensive and more durable. We don't know the cost. Falcon talked about possible financing – taking a loan. Lisa said that once we have an estimate of the proposal and the work that needs to be done, we have to figure out what the HOA has versus what the HOA needs to complete all the repairs. Then we would start to look at banks, and FSR can recommend some. Council can look for loans as well. Carrie asked how a loan would be paid back. Lisa said that would be up to Council; it could be an assessment which could be spread out over a year or six months depending on the loan amount.

A question from Cathy C (Zoom): It was mentioned that utility and water bills should be submitted to our homeowners insurance. Should our Association fee be submitted to our homeowners insurance too? Carrie said that would be a question for your homeowner's insurance.

Lisa said that while this issue with 3000 has been going on, residents have been submitting work orders for other projects. The reason that we have not moved forward yet is that we don't know the expense that will be incurred for the stone cladding and siding fix on all three buildings. It will not be covered by the insurance; it will be coming out of the Association's pocket. Carrie thinks siding will be the answer because the facade is too expensive. Carrie had a heated discussion with Renee about citing VOF on 1000 and 2000. Carrie felt that Renee was pushing us backward because 3000 is where we need to focus. The citations have not been received yet. Lisa added that while there is the question of improvement, the original work was never done correctly to begin with. The conversation that Carrie had with Falcon is that Bldg. 2000 was never built to code. Falcon said that there is a wire mesh and there was to be concrete on it that was supposed to be 1 ½ inches thick per code and it was a ¼ inch. Carrie thought it was unfair for VOF to be cited for work that the City had approved more than a decade ago. Renee replied that she was not here then. Carrie said they needed to go through their records and see who approved the less than standard work. Mel Harris said that several years ago, they discussed replacing the 2000 facade, but that the residents would be displaced. She asked if that will that happen now? Carrie said it does not sound like residents will be displaced. According to Falcon's preliminary report, there is no water damage in 2000, but the facade will have to come off. As they start to uncover things, Lisa said, they may make other recommendations if moisture is seen. It will not hold up the rebuild of 3000, according to Falcon. While the Villas were built properly with a drain, the TH's also have a fake facade. Carrie said that after 3000 is moved back in, then a five-year plan can be developed to deal with these other issues. Lisa said if bulging is reported, then it needs to be addressed.

Pat McNelis asked when will rebuilding will start. Carrie said when Zachary gives the okay, but this is out of Council's control. Lisa said there is another company, JS Held, who works with Travelers. JS are the ones who say how much the rebuild will cost and that leads to negotiations with the rebuild company. They hope to have this resolved by Friday and then hope to get a start date. But Carrie said that the Association's part of the rebuild must be complete before the work starts on the individual units. The hallways must be done first so there is outside access for emergencies.

One resident asked that if ServePro used their electric to dry out the building and will be using more for the rebuild, shouldn't ServePro be responsible for the electric bills? Carrie reiterated that it is the responsibility of the homeowner's insurance.

Carrie also said the tentative plan is that residents will be moved back in sections with those with the least amount of damage first. Lisa added that the air must be clean as approved by the hygienist.

Jeannette Adams (Bldg 3000) asked questions about a 3000 door entrance, the impact of the event on her condo value, and the suggestion of key fobs for security.

Audrey Mann (TH) expressed concern about residents moving back into 3000 while it still is under construction and how they will get the certificate of occupancy.

Bill Scheper (Bldg 1000): Wants to end Zoom calls, expressed concerns about failing locks, and the floors in 2000. Bill Anderson said an all community effort is needed to compile a complete list about the floor issues from everyone in Bldg. 2000 and get the vendor out here to take care of those issues. Carrie will have Margaret send a mass email to those in Bldgs. 2000.

MOTION TO ADJOURN: Mary Ellen Fish moved to adjourn the meeting. Paula Kelly seconded it. The meeting was adjourned at 8:04 pm.

Respectfully submitted,

Paula F Kelly