

FOUNTAINVIEW CONDOMINIUM ASSOCIATION MONTHLY
COUNCIL MEETING AT THE NEWARK
SENIOR CENTER AND VIA ZOOM
SEPTEMBER 13, 2023

President Carrie Bolen called the meeting to order at 6:34 pm.

ROLL CALL

PRESENT: Linda Malm, Kelley Piel, Carrie Bolen, Mary Ellen Fish (Zoom), Paula Kelly, Bill Anderson, Lisa Bolin (FSR) ABSENT: Deborah Ingram

ANNOUNCEMENTS

When texting Carrie, please include your name and unit number as she does not have everyone's number in her phone.

CONDOLENSES: With heavy hearts, we are sorry to announce the passing of Linda Power who lived in Bldg. 3000 unit 311. She moved to Fountainview in 2008 and is survived by her son, David, and daughter, Betsy, and son-in-law, Rich, and two grandchildren, Owen and Natalie. Linda served on the Advisory Committee then was elected to the board in 2019, and she served one year. Her experience as an insurance underwriter with Cigna helped provide Fountainview with good insurance coverage and when council made changes in insurance, Linda visited every unit owner to go over the insurance and explain the changes. After retiring from Council, Linda continued to work on the insurance committee. She finally had to resign due to health reasons. Even though her health was declining, she always answered a question or gave a hand. She was a good neighbor and friend and will be missed by many. Thank you to Patty McNelis for writing this.

Carrie added that when Linda went to everyone, she suggested residents add to their homeowners policy a loss special assessment – a recommendation that Carrie followed. Residents should look at their policy for loss special assessments; it is for covered perils. There are items in Bldg. 3000 that for some reason are not covered, and if Council should elect to do a special assessment that is where your loss special assessment would fall. It is a covered peril that is not covered through the primary insurance. So if there is anyone in this community who has not reassessed your homeowners please do so tomorrow and get that coverage.

Many thanks to Bill Anderson for walking the halls of Bldg. 2000 overnight on August 22nd. There was another sprinkler leak on the first floor that was caught and stopped. Sobieski fixed the leak. Initially they said it would take two hours to dry, but came back saying it would take 24 hours to dry. They wanted \$5000 to walk our halls overnight because the fire systems were shut down. Bill did that for the community and saved us \$5,000. And we thank him for that.

DRYER VENTS: Please be aware of where your dryer vent is located on your buildings. It is the owner's responsibility to clean those vents. If you stand down at the end of the stairwell and look up into the buildings, many of those vents are blocked. The community cleaned them once; they are not going to do it again. We do not need any fires in the Village of Fountainview. Deb Ingram just had an incident where she thought her dryer was not working. She called a repairman only to find out it her vent was blocked. She had it cleaned and a screen put on; it cost about \$225. If anyone wants that

repairman referral, please contact Carrie.

LOCK CHANGES: The codes are being changed in Bldgs. 1000 and 2000, and will take place on Sept. 25th. The codes will utilize only three digits. Kelley has been contacting residents via phone and email, but some residents have neither listed. If you have not heard from Kelley regarding this issue, please talk to her tonight. Bill reminded residents to carry their building key with them in case there are any glitches. The codes have not been changed in 16 years.

TREASURER'S REPORT

Kelley Piel read the Treasurer's Report for July 2023.

MOTION: Linda Malm moved that the Treasurer's Report be accepted as read. Paula Kelly seconded it. All were in favor. The report has been accepted. It will be posted on the website and the bulletin boards.

NEW BUSINESS

UPDATE ON BLDG. 3000: Jerry Clifton (Bldg. 1000) said that while people may not like what is happening, he is going to present the reality of the situation and its progression. Jerry said a comment was made a few minutes ago that the City is not doing enough. The City, State, Insurance Commissioner, state reps and senators, and the Governor's office have been involved. There is nothing more anybody can do that hasn't been done in the eyes of the law, he said. Going forward, if there is something that you think should be changed because of this experience, then contact your councilperson, mayor, state rep or senator and advocate for that.

After March 15th, Travelers Insurance and the City were involved right away. The City's role was to determine if the building could be safely inhabited and according to City Code it could not be. It was condemned about 9:30 that night. At that point, the City stepped back until Travelers got with the Council and the company that they wanted to do the deconstruction and reconstruction. Then an estimate had to be created. Every square foot of that building had to be accounted for. Every piece of trim or box of nails has to be in that estimate, and every minute spent there has to be accounted for. The estimate is a 1000 pages long. A question was asked the other day about why the City has taken so long in giving out permits. Permits cannot be given out until they are requested, and ServPro won't request them until a contract is signed. The contract was signed about the third week in August. At this point, we are getting permits.

There has been a lot of discussion about the reconstruction and doing the first floor first and how to get people back in as soon as possible. One inherent problem is if they try to rush the first floor, then the work on the other floors will be delayed. Liability will be an issue if residents return while the building is under construction. Plus it will extend the project time. Upon hearing these reasons, Jerry agreed that it made more sense to have everyone move in simultaneously. Carrie reiterated that ServPro has agreed to revisit the issue of an early move in 60 – 90 days.

ServPro could get a general permit for everything, but that entails taking responsibility for all subcontractors. The City is very detail oriented in what a business needs to do to get a permit. The City representative, George, said that ServPro submitted everything for the contractors license at 3:45 pm today. The hope is that it will be processed tomorrow, then the permit can be issued. Carrie said she received an email at 3:47 today from Erik Anderson, our ServPro rep, who said, "Our Newark City

license application was submitted and we are waiting on a response as well as the final approval for our building permit. We anticipate the City turning everything around fairly quickly. We have been working on some changes on the site regarding the security of the fence and relocating our trailer to better accommodate the project needs as well as the request of the City and the fire department. Once we have all permanent paperwork in hand we will begin planning for next week to start working inside the building. My mechanical vendors have also submitted for their individual permits and are waiting approval. I will send an email out on Friday the 15th with details as to when we will begin meeting with unit owners as well as days unit owners can gain access to the building for personal belongings.”

Jerry said as can be seen, the project is moving forward. The subcontractors have to produce their business licenses, insurance, and bonds to get their permits. It will be a 12-month project, and we are looking for the building to open this time next year.

George added that they had received word back from New Castle County about the assessments. The building itself is going to be reassessed at a lower value since it is empty; that reassessment should be reflected in your current tax bill. The City takes their assessments off New Castle County's assessment so those fees should go down too. Jerry confirmed that this tax reduction only applies to Bldg. 3000. Carrie asked how will individuals who already have paid their taxes be reimbursed. George said most likely they will be given a credit for next year.

TOWN HOUSE ROOF REPAIR:

Unit 3 had repairs done that included the replacement of hip and ridge shingles and the sealing of all the counter flashing and exposed nails on ridge. Lisa added that the roofer thought this repair needed immediate attention and could not wait till the assessment was completed. The cost was \$650. Council already had approved this via email, but now need an official motion and vote.

MOTION: Bill Anderson moved that we accept the roof work completed by J. W. Tull Services for the cost of \$650 on Unit 3. Mary Ellen Fish seconded it. All were in favor. The motion was approved.

FALCON ENGINEERING BIDS FOR SIDING/FACADE

Carrie said Falcon Engineering came in and received three bids for 2000 and 3000's siding and facade. They are listed below. The window bid is for removal and reinstallation.

COMPANY	VINYL ONLY	VINYL & STONE	WINDOWS
National Contractors	\$357,410	\$590,170	\$14,820
G Fedele	\$399,870	\$753,408	\$49,871
Green Fleet	\$595,000	\$1,055,000	\$33,000

Carrie forwarded the bids to Dean Roland who has been acting as our attorney in many issues including the facade lawsuits. He is fully informed as to how it went up, how it came down, and the replacement of it. She asked him for his opinion as to what to do. Dean emailed Carrie yesterday (9-12-23) at 4:14 pm. Carrie read his response: “You have asked me to review the bids provided by the Falcon Group and give an opinion about which contractor you should select. You have further asked me to review the further pertinent governing documents and determine the course of action to amend the documents to

allow for vinyl siding replacement as opposed to existing vinyl and stone siding.”

Carrie interjected here that the documents read that we must replace it with what is currently on our buildings. In order to change it to only vinyl, we have to amend the documents. Otherwise, we have to go with what is currently there.

Dean's continued response: “I believe the National Contractors which is the lowest bidder on our bids is the bid that you should accept for several reasons. They are the most cost effective bid and they have a strong commercial presence. While Green Fleet (ServPro) also has a strong commercial presence, their bid is much higher than National Contractors. I do not believe that there is such a large difference in quality to justify the increased price. G. Fedele, the second bidder, while having a good reputation in the community as a contractor, their work is generally more geared toward residential projects. I worry that G. Fedele does not have sufficient resources to complete the project in a timely manner. I understand that the Council desires to amend the amended Code of Regulations and the Declaration which are the governing documents to allow for replacement of the stone and vinyl with only vinyl siding. I caution the Council to not amend the governing documents for this purpose. The community is aesthetically pleasing from the exterior. I believe the stone adds to that aesthetic appeal. If you replace portions of the buildings' stone with vinyl, the buildings will be different, and even differ from one portion of the same building to another. This will likely decrease property values across the board.”

Carrie also asked if VOF wanted to change the documents what would the process be and how long might this take.

Dean's email response at 12:18 today: “We would need to send notice to all eligible first mortgagees and give the residents their 15 days to object. There is no telling how long it will take the eligible first mortgagees to respond. But I would assume a minimum of 30 days. The process will likely take two to three months to complete.”

Carrie said the question for us is do we amend the documents and wait to see whether it takes three months to amend it - then it is winter and nothing is going to get done - or do we go forward and replace it with what we currently have and get it done.

Linda Malm voiced concern that the prices we have are only to repair damaged areas. If we use vinyl siding to maintain a consistent look to the building, we would need to put siding in undamaged areas and that would increase the cost.

Carrie's first thought was to replace everything with vinyl because it is less expensive, but has reconsidered since reading Dean's response about the appearance and the time involved in amending the documents. It may take another 6 to 8 months to amend the documents. Another issue is that the vinyl is not going to match; it is not sold anymore.

Linda then asked if the outside work needs to be done before they start doing the inside to make things go smoothly. Carrie questioned that if we select someone other than ServPro will the work proceed, or is ServPro going to stop them. Lisa said that ServPro was aware that we were bidding this out, but had said in the beginning that they would work in conjunction with an exterior contractor. Carrie repeated her question about if we choose National Contractors to start the work that it's not going to affect Bldg. 3000 being rebuilt. Lisa replied that as far as she knows ServPro is waiting to hear whom we selected, get the scope of work, and work together. That was what originally was stated.

Mary Ellen said that they did say that another contractor could not come into the building while they were working. Carrie said it is outside work. Mary Ellen expressed concern that if they are working on the outside and need to rip off dry wall and insulation that they will damage a finished inside. They were referring to nail pops, Carrie said, and Bill concurred. Council needs to vote so we can let ServPro know, and they can start to work together.

DISCUSSION: Mary Ellen questioned if we amended the documents to go to all vinyl would the vinyl that was just replaced be ripped off. Carrie said that it would stay. If we go forward without changing the documents, we would hire National to fix 3000 and 2000's exterior. Right now we are pressured to get 3000 back in. Again Carrie clarified that none of this exterior work is under insurance. Bill said that Dean outlined the pros for the path to take, and we don't want to lower the property values. Bill also initially wanted vinyl, but he thinks we need to do what is necessary and do the vinyl and stone. Kelly expressed concern about using up the reserves. Carrie also has concerns about the source of the funding, but said we have over \$300,000 in settlement money that has remained untouched. Lisa suggested that we approve the vendor and then deal with cost.

MOTION: Kelley Piel made the motion to accept National Contractors as the vendor to do the exterior repairs for the violations of Bldgs. 2000 and 3000 for the cost of \$604,990. Paula Kelly seconded it. All in favor. The motion was approved.

OUTSIDE STAIRWELLS: Bill Anderson said all the exterior stairways on all the condo buildings need work. He has contacted a Virginia contractor, who is highly rated on the East Coast, who gave a bid of \$162,000. He wants to replace the run of stairs from the ground to the second floor. The current construction has concrete poured into a steel pan, and every time it rains, water sits in the pan, penetrates the concrete, and causes rust in the pans. While 1000 and 3000 north are the worst, the stairs are safe right now; they are not going to collapse. Bill will continue to look for other bids and push this back till next year. Funding is needed for this project too.

COUNCIL OPEN FORUM

INSURANCE ISSUES: Prior to the last meeting, VOF was given recommendations to complete for renewal by Travelers. We did everything they asked, Lisa said, and two weeks later received a letter saying they were not going to renew us. Our insurance expires Oct. 31st. Lisa is currently working with two brokers (and are being transparent with each). Both came back and asked for past claims that have been made. They each also asked for a four-page application which has been completed and in the hands of both brokers. Ten companies came back and said they would not take VOF as customers. Both brokers think VOF will be placed on the surplus market which means higher deductibles and almost double the insurance costs. Both brokers suggested that Lisa budget an additional \$60,000 next year for insurance. Lisa will be budgeting about \$100,000 to \$120,000 for insurance. Lisa said that VOF is probably looking for a \$50,000 to \$70,000 increase in insurance with a higher deductible. Carrie asked Lisa if a new insurance company will require us to have roof repairs. When the City started citing us with violations, they noticed some things on the roof. Council sought out an engineer to have them assess all the roofs and see what we needed. The engineer gave us a report which was sent to the broker. The one estimate that was made recommended that all the condo roofs be replaced. There are also estimates for the TH. Lisa is unsure if a new insurance carrier is going to require us to replace the condo roofs. Looking at what Travelers was requesting they were leaning that way. The first estimate was around \$400,000 for all three roofs. Lisa wants to be prepared with three estimates to

choose from in case an insurance company demands roof replacement. If not we can get away with repairs. But based on what the first company said we would just be putting band aids on for the next two to three years. We need to get more bids. Plus there is no easy access to those roofs so every time someone gives us a bid they want to charge us for a boom lift or some type of consultation fee to come look at it. Even though we have given them the engineer's report, they say the engineer's report is different from what a roofer would look at every day. Carrie asked what happens if we find someone to pick us up, but we need all new roofs on the condos. We only have until the end of October. Lisa said they will probably want to see that we have made a deposit and have the work scheduled. Even though Falcon said the condo roofs had five years left, that doesn't mean that an insurance company won't want them replaced. Jerry Clifton asked if they gave any idea how long VOF might be in the assigned risk pool before being allowed to return to the primary market. Lisa said they did not say. Jerry also added that Florida has changed their laws, and roofs must be replaced every ten years on private homes, or the insurance company has a right to drop you.

SOCIAL COMMITTEE

Linda Malm reported that the Social Committee has planned a Welcome Fall Covered Dish Supper for Saturday Sept. 23rd from 4 – 6 pm down by the picnic tables. If it is not good weather, then it will be the following day Sunday. Bring enough food for eight people. We hope the residents of 3000 can come and if they need a driver they are welcome as well.

The committee also asked the Newark Senior Center about room rentals. If we invite those from the senior center for a VOF event, there is no charge for the room. We will have a pumpkin decorating contest on Oct. 19th. One of our goals is to provide opportunities to get together without making a lot of work for anyone. On Tuesdays at 10 am while the weather is nice, residents are invited to come down to the picnic tables and bring their favorite beverage and visit. There's another group that has been meeting Saturday night at 6 for happy hour - bring a beverage and snack. If anyone wants to plan something, we can spread the word. Also elections are coming up in December so encourage people you think would be good on the board to run. Also we have a lot of nice neighbors who put packages in front of our doors, I would suggest putting it on the hinge side of door so they don't trip over them.

CONCLUSION OF COUNCIL BUSINESS

A question was asked about the siding bids. There were three with National contractors being the least expensive.

Pat McNelis asked about the drones that we had utilized in the past. That video, done two years ago, is online. It surveyed the roofs but most importantly the gutters.

MOTION TO ADJOURN

Kelly Piel moved that the meeting be adjourned. Paula Kelly seconded it. The meeting was adjourned at 7:39 pm.

Respectfully submitted,

Paula F Kelly
Secretary