

# **VILLAGE OF FOUNTAINVIEW**

## **Minutes of the Fountainview Council Meeting**

**Tuesday, January 26, 2021, 6:30 p.m.**

PRESENT:      Karen Baker                      Patty Hagan  
                 Esther Boone                      Deb Ingram  
                 Mary Davis                      Mel Wenneman  
                 Dennis Duckett                      Cam Vu  
                 Mary Ellen Fish

President Patty Hagan opened the meeting with a discussion about the election. Dennis Duckett had prepared a chart to simplify a review of the various changes that, due to multiple resignations, occurred to the roster of council members during 2020, which left 5 positions open. It was necessary to find replacements for those 5, which are of varying number of years, and it was noted that 2 of the positions must be from a Townhouse/Villa resident.

Patty Hagan briefly discussed some of the difficulties found in having a large council. She reminded us that even getting 9 people together at the same place and time was often impossible. She stated that the by-laws allow reducing the council. We can discuss reducing the council to 7 or 5 at the end of the year, in which case, if council is reduced, only one position would have to be filled from the Townhouse/Villa residents. This will be discussed later in the year. There is no need to make a decision right now.

There followed discussion of several questions presented to the Council in several emails by John Evans. Patty explained that one of John's questions related to the notice on the election, and its secrecy. The instructions that Associa got were that they were not to open the envelopes until enough were received to be sure we met a quorum. If the quorum requirement was not met, we would have to do the entire election process over again. We did have a quorum because the number of envelopes equaled 50% of the population. There were 105 total votes (103 were "yes" and 2 were "no"), which gave us the quorum we needed – more than 40%. The group noted that half the Fountainview residents did not respond and participate in the election, which all agreed was not a good situation.

John also said that we did not have a Townhouse/Villa representative present, which is not true. John also questioned the secrecy of our election.

John also wanted validation that White Chapel had paid all of its dues for the first quarter, and questioned why the true amount on the 37 White Chapel units is not readily available. Dennis stated that he replied to John's email almost immediately, explaining that he had talked with FirstService and they had received the total due. We have no way of knowing what the total is until we get the end-of-year financial statements. Cam Vu offered that John apparently assumed that we will receive one check from White Chapel, which is not correct. Dennis said that he would respond to that question.

Patty added that although Associa was supposed to deliver to Council by the end of 2020 the accounting of the outstanding payments due from residents, those balances have not been received. Dennis offered that Associa would usually not do December balances until February. Other members offered experiences of Associa's delays and not responding to requests.

Patty opened a discussion about security and surveillance cameras, and the various placements of cameras. Patty shared a letter from Counselor Richard E. Franta, Fountainview's lawyer, and a copy of a letter to him from Newark's City Solicitor, Paul E. Bilodeau. The conclusion of these letters is that "whatever nuisance abatement steps Fountainview has taken are clearly insufficient" and "as a result, according to Delaware's Criminal Nuisance Abatement Act, Fountainview could be held liable for maintaining a criminal nuisance". The City Solicitor suggested that Fountainview install security cameras throughout the complex, and not only Bldg. 2000. He also suggested that Master Cpl. William Smith of the Newark Police Department can get this process started by conducting a security survey of the premises. An estimated cost of 3 buildings with 6 entrances per building is \$26,000. Patty stated that a Security Survey should be conducted by Master Cpl. Smith before any money is spent. Cam Vu suggested that, perhaps, we could install cameras in one building per year if the money is available. The next action by Fountainview will be to obtain a Security Survey. Patty stated that Samantha Summers would be included when the survey is being done..-