

**VILLAGE OF FOUNTAINVIEW MONTHLY COUNCIL MEETING  
AT THE NEWARK SENIOR CENTER AND VIA ZOOM  
OCTOBER 11, 2023**

Vice President Deborah Ingram called the meeting to order at 6:31 pm.

**ROLL CALL:**

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

**ABSENT:** Carrie Bolen

Zoom attendance: 14, Audience attendance: 17

**ANNOUNCEMENTS**

There will be two Council vacancies. Emails were sent today on how to apply to be a Council member. There is an email address included to which you can send your resume or bio (photo is optional). If you do not have email, you may drop the information off to Deborah Ingram at 26 Fountainview Drive.

On October 5<sup>th</sup>, the permits were pulled to begin the rebuild on Bldg. 3000.

**UPDATES FROM SERVPRO:** On October 9<sup>th</sup>, Erik Anderson emailed the following information. ServPro is continuing to work on mechanicals. They are well into the demo of the affected HVAC systems which will be replaced and then start on the plumbing. This will continue through this week and the next several weeks. They also have been walking through with vendors and identifying scope with them as well as sourcing materials. They are starting to contact homeowners to set up one-on-one meetings.

If anyone has questions, please contact Eric. He wants to know how close we are to signing and getting the exterior going. He also wants to know which exterior options we selected – vinyl or vinyl and stone for the facades.

Erik sent another email this afternoon (10-11-23) about 2 pm. with the following information. Jerry has begun reaching out to individual owners/tenants to schedule meetings which start next week on Tuesday the 17<sup>th</sup> and Thursday the 19th. We plan to have meetings every Tuesday and Thursday till we have met with everyone. We must stress to owners that we are allowing one hour for each meeting to go over the scope of work and any questions they have. They need to be prepared with insurance information and estimates developed by their insurance related to repairs or upgrades for their home. If residents have any documentation that they want to forward now in preparation for the meeting, we will file it till the meeting takes place.

Any questions residents have regarding access to contents or personal property in storage, they will need to go through the main office at ServPro. Access to their contents in the building is the only thing we may be able to assist with on site.

We are moving along with mechanicals and staging materials, etc. We anticipate continuing with the HVAC and plumbing next week and starting the electrical soon after.

Problems that the residents have had with the [fountainviewresidents@servproem.com](mailto:fountainviewresidents@servproem.com) email has been corrected. Please continue to use this email for all future correspondence.

CITY OF NEWARK: Renee Bensley, Director of the Planning and Development Department, gave an update on Bldg. 3000. Everyone should have received a letter from the City last week or an email over the weekend. ServPro pulled the master building permit on Oct. 5<sup>th</sup> including all of the eligible subcontractors under the master building permit which is good because that speeds up the process. The only subcontractor that is not permitted under that master permit is the fire protection systems. That needs to be pulled separately, but that is a very small portion of the overall permit- about \$14,000.00 worth of work in a multi-million dollar job. That permit includes all the work that is covered by Travelers that the Fountainview Condo Association is responsible for as part of the incident. Individual work for the units is the responsibility of the homeowners; those permits need to be pulled individually. Also the permits related to the exterior work - a separate issue – still need to be pulled.

The City has been working with New Castle County on the assessments of Bldg. 3000. The building assessments are based on the value of the building and that is what your taxes are based on. Typically assessments are not completed until the building is occupiable. Since the building is not occupied currently, we've reached out to the County about lowering the assessment. That lowers the school, county, and the City taxes owed on your condo until such time that you are able to move back in. That assessment change was approved on Sept. 21st. The tax bills were due Sept. 30th so many people already had paid. Consequently, the City is issuing revised tax bills. If you paid your tax bill already, we're directly refunding you the over payment as the homeowner. We are not sending the refund back to your mortgage company. If you haven't paid, a revised tax bill will be sent that will come due at the end of this month. No late fees will be applied for paying past Sept. 30<sup>th</sup>. As to the County, we have not been told how they are handling the over payments. Typically what they do for an over payment is to credit your account unless you call them and ask for a refund. If you want to call and ask for a refund for the over payment, call 302-395-5340. Renee did a random sampling on the parcel search and most homeowners will get between \$400 and \$1400 refunded from the County. The City also has been working with the State and have given them contact information for everyone that we have in 3000 to the Department of Health and Social Services. Their case workers are going to reach out to 3000 residents individually to walk through their individual financial situations to see what eligibility they might have for State assistance. If you have not received a call from a case worker then you should be getting that soon. If you don't hear from somebody in the next couple of weeks, let us know as that information was sent two weeks ago. If you are not receiving the City's letters please call or email with your updated address. The Department of Health and Social Services should be making the calls. If residents receive a call but are unsure if it is a scam, please contact the City. They will get you in contact with the people from the State that they have been working with.

Council has received a few questions regarding numerous matters.

Question #1: What is the estimate of the total cost of Bldg. 3000 and how will it be paid?

Answer: Lisa said that reconstruction only is \$4,056,293.00 coming from the Association's insurance.

Question #2: What is the estimate of the total cost to replace the siding in Bldg. 3000 and how will it be paid for?

Answer: Lisa said this week we have been working with a hired engineer from Falcon Engineering. We've signed an AIA (American Institute of Architects) contract with National. It went to the Council for review. The Council had the Association attorney review it and recommended changes were made to the AIA contract and then it went back to National for review. The contract came back today, and the contractor is in agreement with our recommended changes. The contractor then asked if we wanted a

bond which ensures that the job is done completely and satisfactorily. In addition to that, Falcon would like a contract to act as the supervising engineer over National, and the Council agreed to that. Before the meeting tonight, Council discussed if they wanted a bond for National, and they decided against it because of the \$21,000 additional cost. In addition, Falcon will be overseeing the project, and we will be getting monthly reports about the contractor's work. In addition if something were to happen, and we had the bond, we still would seek legal counsel. Tomorrow, we should have the revised contract from National. We have a 25 percent deposit to put down; that deposit is \$151,247.50. The total cost of the exterior is \$604,990.00 for buildings 2000 and 3000; the funds are coming from settlements the Association received and \$300,000 is coming from the Reserves.

Question #3: I understand our insurance company has dumped us, and that we are looking for a new one. What is the status?

Answer: Lisa said she was working with two brokers. They have sent applications to several companies to see what kind of rates we could get. She will not be hearing from one broker till after the 20<sup>th</sup> of the month. Our current broker Brandon said that out of 40 plus companies, the least expensive regular policy would cost us \$400,000. Currently, we are paying \$64,000 for our policy. In addition, we have general liability which is not included in that \$400,000. That currently will stay the same at \$10,662.00. Also there is an umbrella policy at \$4,627.00. The equipment break down policy is \$5,690.00, and the directors and officers is \$6,968.00; those prices will not change. Other companies came back with amounts as high as \$900,000. Lisa received all this about 3pm today; she plans on talking to Jerry Clifton as he has a connection with the insurance commissioner. Lisa also will be talking with upper management at FSR to see what can alternatives we have if any. The broker said if the \$400,000 is a go then it will be through five different companies. That means that every million dollars worth of coverage will go through a different company. VOF documents say that we must be insured. Lisa does not have a definitive answer except to say that it is being worked on.

This also is important as the Council is working on the budget for the coming year. While Lisa said she cannot give definitive numbers, we are probably looking at double the Association fees. The Council has been given a budget draft to determine where they can cut back, but the insurance will be most of the budget.

Also, VOF is scheduled to ratify the budget in December. Last year, residents complained that they did not get their coupon books early and that led to confusion about payments. If we repeat that scenario, coupon books will be late again. Lisa continues to search through the documents to see if we can do the budget ratification in November, and everyone gets their coupon books on time.

Bill Scheper (Bldg. 1000) asked what the bond was. Lisa said the bond is an additional insurance that the contractor will finish the job and that it is completed satisfactorily to the contract. It is not a warranty.

Question #4: What are the condition of the roofs?

Answer: Bill Anderson said that roofs of the condominiums, the THs, and Villas are good. At one point, a crane – a one day rental for \$2500 - was brought in to check the structural stability of the roof and walls of 3000. To save money by getting the maximum use of the crane, Bill asked Carrie if all the condo roofs could be inspected. It's one fee; it doesn't matter how many times it goes up and down. Carrie gave the OK to inspect all the roofs and gutters. The roofs are good. The contractor said he suspects the condo roofs are good for about 3- 4 years. Most of the problems – structural design and poor workmanship - that he found were from when the buildings were built. At the same time, Tull

Roofing inspected all the roofs for free. He found one immediate problem and rectified it. He said the roofs were good for right now although he did not put a year on them. We did not get any estimates on replacing any roofs at this time because we are obviously dealing with 3000, and we have some time.

Question #4: Do the fire escape exterior stairways need to be replaced? If so, what is the estimated cost and how will it be funded?

Answer: Bill Anderson said Atlantic Iron Works looked at all the building stairways and gave an estimate of \$162,000 to replace them. The problem is composite construction. When you have concrete in a steel pan without any drainage the water sits in that pan and rusts. We are not rushing into this as they are not in danger of collapsing. We also need two more estimates, but want to be cautious about whom we choose. We have time to act on this – maybe a year or a little longer. We also don't know where the money would come from. The replacement would go from the ground level to the second floor level. The remainder is fine as it is protected by a roof and the rain water is not hitting those sections.

Bill Scheper asked if we would be replacing the stringers or just treads. Bill Anderson said the stringers (the structural beams that go from the ground upward) are fine. We would be replacing the risers (back of the stairs) and the treads (what you step on). As an FYI, it seems that many of the original vendors involved in the construction of Fountainview are out of business.

On an additional note, Bill Anderson said he went around the condos today and turned off the heaters. There is about one month when we don't need to run the common heaters in the common areas so please leave them alone. He turned on the heat in the sprinkler closets and the fire pump room as the temperature will drop a few nights. There are sensors in there. When it drops to a certain temperature, it alerts the alarm company and Bill and Lisa get phone calls. Turning on that heat minimizes those calls and it protects the system.

A few weeks ago, Bill did a fire watch in Bldg. 2000. The fire protection specialist reached out to Bill and asked how he was making his rounds. Bill explained and at the specialist's request, Bill sent him his resume. Bill is more than qualified to handle fire watches, and that saves VOF money.

Yuval (White Chapel) questioned what was going on with the sprinkler system. Bill said he asked Lisa today, and we have not been told what the cause was. Lisa said the Travelers attorney put Wayman, Action Security, and the pipe manufacturer on notice for possible litigation. About three weeks ago, Lisa said Travelers attorney asked for building blueprints. She said she did not have any, but Yuval said he has some.

Yuval is concerned about the sprinkler system as there have been past problems with Bldg. 2000 and now 3000. He said we need to be certain it is in good working condition and that there will not be another incident as it affects unit values. Lisa will follow up with Travelers. Yuval also suggests having a specialized outsider verify that it was built right, tested and that past litigation problems have been resolved. He wants an engineer to oversee the interior work in addition to the exterior work to protect our interests. Lisa said if Council agrees then this can be considered. Bill said Sobieski is doing a hydrostatic test on the system 50 lbs above the normal operating pressure to check out the dry pipe system that covers the attic area. This will be done as well before 3000 is occupied again. But in order to make accurate adjustments, we need a cause from Travelers. We cannot make any adjustments until we know the cause. Yuval then asked that regardless of the annual inspection that

they do, can we have them inspect it each winter to make sure they have actually drained the water. Bill said that specification is built into the contract.

Audrey Mann (TH): Thinks there should be inspections in Bldgs. 1000 and 2000 as VOF does not need a repeat of the 3000 incident. Lisa said that after the leak happened manual inspections were done, notices for quarterly inspections recently were sent out and completed. Bill will be reporting on the deficiencies found with the system.

Jerry Clifton (Bldg. 1000): Jerry is concerned about the schedule 10 pipe. Each of the three buildings were built at different times with different contractors. And despite hydrostatic testing, there is no way to know if the pipe is rusting from the inside. The schedule 10 pipes have a 15-year life span. This will be part of the conversation with the insurance commissioner. If Travelers is successful in suing and getting their money back, then there is an argument to be made on our part about being dropped especially as we completed all the benchmarks they gave us for possible renewal.

Bill Scheper: Previously, there were four breaks in Bldg. 2000 – three in the attic and one in 106. Jason hired two contractors who found the pipes were not pitched back so that was a design problem. That piece of pipe that they took out of 3000 looks like it was hit with a water hammer. A water hammer is when water starts flowing and then suddenly stops. There have been pin hole leaks in the other buildings. Wayman brought in pipe fitters who found leaks in schedule 10 pipes which can be difficult to weld. He suggests the schedule 10 pipe should be replaced, and now is the time to do so in 3000.

#### TREASURER'S REPORT

Kelley Piel read the report for August 2023. The report will be posted online and on the bulletin boards. MOTION: Bill Anderson made the motion to approve the Treasurer's Report. Linda Malm seconded it. All approved. The report is approved.

#### NEW BUSINESS

FIRE ALARMS: Bill Anderson said Sobieski did a semi annual inspection on the fire alarm. There were a few deficiencies. Eight 7 amp batteries on the fire alarm control panels need replacement in Bldgs. 1000 and 2000, and the dry system gauge in 3000 needs replacement.

MOTION: Bill Anderson made the motion that Sobieski make the necessary repairs in Bldgs. 1000, 2000, and 3000 for a total cost of \$1,440.00. Mary Ellen Fish seconded it. All approved. The motion passed.

SOCIAL COMMITTEE: Linda Malm thanked everyone who came to the covered dish dinner. As long as the weather is nice on Tuesday mornings and Saturday nights, she invites everyone to come out to the picnic tables to socialize. Also, when we sponsor events at the Newark Senior Center and include their members then the rental is free. On October 19<sup>th</sup> at the Senior Center, VOF is sponsoring a pumpkin decorating contest. The Senior Center would like people to sign up so please call if you are going. Bring your own pumpkin and supplies. Even if you are not decorating, you can help judge the contest. There also will be Christmas caroling in the future. If you want to participate, please call Kathleen Phillips at 443-438-0678.

Future Social Committee events:

January 20<sup>th</sup>: Desserts and Icebreakers for Fountainview residents only at the Newark Senior Center at 2 pm.

February 20<sup>th</sup> : White elephant bingo

March 10th: Game day

Notices will be placed in the elevators and on the mail boxes.

Also consider running for Council.

Jerry Clifton: Certain losses are tax deductible, and someone recently asked if the condo fees (pertaining to Bldg. 3000) would be considered as that. Jerry suggested that you talk to your accountant.

Jerry also wanted to discuss cameras. There were two instances this week when a front car window was smashed near Bldg. 1000, and a car was stolen from Bldg. 2000. Kias and Hyundais are easy to steal as it only takes a wire to steal a car. When Jerry spoke to the police department, they said that they had nothing to go on because VOF does not have cameras. Someday someone may be physically assaulted and seriously hurt, and there will be little evidence to go on. Jerry suggested that Delcollo Electric would come out and do an assessment at whatever level we wanted. Dave Tiberi who also owns a security business installed solar cameras at the entrance and exit at The Little Sisters of the Poor community. The cameras capture every car as they have license plate readers (LPR) on them. They're about \$4,000 apiece installed. A full camera system might cost \$20,000 or more. Yuval suggested that for now, that everyone be encouraged to install a camera on their balconies. Jerry added that while you can't put it in your neighbor's window, a camera can be placed on the common area.

Lastly, Jerry said that two neighbors have been defrauded for a lot of money, and both cases were online scams. There was one that said it would put the individual directly in touch with the Federal Trade Commission; the defrauder then acts like someone from the FTC. Hopefully, your spam filter is high enough to catch it. But the scams also can come through the phone. When someone calls and if it doesn't feel right then it probably isn't. Sometimes you can Google the number and it might show if it is a spam. But some systems are more sophisticated and that would not work. Also look closely at emails as in the case of Wells Fargo Bank, if you look close enough it can be seen that the W is actually two Vs.

Someone on Zoom said that the Federal tax deduction for disaster losses stopped in 2019.

Someone asked if 3000 residents would be reimbursed the electric charges. Jerry said there is nothing in the contract about reimbursement and that the contractors have the right to use it.

Rose Bud (Zoom) said that several meetings ago, that the overcharge of water bills had been discussed. She wants to know what is going on with refund. Lisa said the Council decided nothing would be done till after the year end financials are available and most likely that will happen at the end of January. Rose asked why the water bill hasn't been reduced. Lisa replied that the Council doesn't have anything to do with the water bill. The water used by the contractors must be paid for and there is a line charge whether you use water or not. We also don't know what will be saved by the building being shut down. Rose said the City of Newark is trying to get our taxes reduced; why isn't the Council being empathetic to at least get rid of our water bill. Deborah said that the Council is not not empathetic to the residents, but does not feel she could give an answer right now that would satisfy Rose tonight. Mary Ellen Fish

added that Council decided upon this route as to do this monthly would be too confusing.

**ADJOURNMENT**

Kelley Piel made the motion to adjourn the meeting. Paula Kelly seconded it. All approved. The meeting was adjourned at 8:03 pm.

Respectfully submitted,

Paula F Kelly  
Secretary