

COMMONWEALTH OF MASSACHUSETTS

* * * REGULAR MEETING * * *

OSGOOD LANDING

1600 OSGOOD LANDING

NORTH ANDOVER, MASSACHUSETTS

MARCH 11, 2014

7:06 p.m. - 8:40 p.m.

Kristen M. Edwards

Court Reporter

1 APPEARANCES:

2

3 Board of Managers:

4 Arcadiy Ivanov

5 Theresa Woodbury

6 Bonnie Tedesco

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8 In Attendance: Douglas MacMillan, Esq.

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1 MR. IVANOV: Hello, folks. Sorry
2 for the delay. The coffee took a little
3 longer than expected.

4 So, this is the annual meeting of
5 Farrwood Green Condominium II Association.
6 The time is 7:06 and it's March 11th, the
7 date prescribed by the bylaws. I would
8 like to start with very fine that we have a
9 quorum to conduct at least the board
10 elections and the vote on the budget to
11 begin with.

12 So, Bonnie, could you please
13 announce quorum results?

14 SPEAKER: I don't have them.

15 Theresa --

16 MR. IVANOV: Hold the record,
17 please.

18
19 (Off record discussion)

20
21 MR. IVANOV: Resume the record,
22 please.

23 So, we have at least 30.4 percent of
24 votes present here. Does anyone would like

1 to request a more detailed quorum count at
2 this point? So, I ask unanimous consent to
3 accept the fact that the quorum is present
4 to vote on the question to the board
5 election and passing the budget. All in
6 favor say aye?

7 SPEAKERS: Aye.

8 MR. IVANOV: Opposed? Motion is
9 carried. So, let me start with the budget
10 presentation then.

11 First and foremost we have
12 additional items on the budget which are
13 non-recurrent will probably not occur again
14 in the observable future. If you look at
15 the bottom of your budget proposal, you
16 will see two items, settlement funds
17 received, first settlement, second
18 settlement.

19 These are the components of the
20 settlement with the embezzler, alleged
21 embezzler who, I think, without admitting
22 guilt has agreed to settle all the claims
23 with the association and the total amount
24 comes out to 22,581.

1 Now, last year we during the meeting
2 hoped to use those funds when they arrived
3 to use them towards recreating the parking
4 lot and basically repaving sections.
5 Unfortunately, after consulting with
6 counsel, we found out we couldn't actually
7 do it without you voting on where the money
8 should go in the first place. So, these
9 items are there to for you to vote on this
10 year.

11 So, last year we wanted to repave
12 the parking lot, start the process of
13 renovating it completely as opposed to
14 patching and we made a dent in the amount
15 of \$35,000. And those of you who visited
16 the E, F, G parking lot saw that a
17 significant chunk has been repaved and we
18 are talking about removing the pavement,
19 completely removing the underlayment,
20 sanding, grading and putting a base coat
21 and a topcoat. That whole area is \$35,000.

22 So, if we are to continue doing
23 that, the remainder, I believe, on one
24 single bid is around --

1 SPEAKER: Almost 42.

2 MR. IVANOV: \$42,000. These
3 settlement money can be distributed towards
4 the operating budget or they can be put in
5 reserve or be used to repay the loan. That
6 said that if we do not use it towards the
7 operating our ability to continue
8 reconstruction on the parking lot will be
9 severely hindered.

10 We have insurance increasing in
11 price this year. We expect the plowing and
12 the landscaping to increase this year. One
13 of the proposals -- one of the bids for
14 plowing came up 50 percent increase. We
15 obviously think that they simply don't want
16 to do business with us. That is why they
17 returned such a ridiculous amount, but it
18 was \$90,000 for two years for 50 percent
19 increase. But the other bids are not
20 coming up less than previous years.

21 Additionally, after so many years of
22 not raising the price PMA had to. We had,
23 I think, \$1,200 increase this year. We
24 tried looking around, and we did not

1 receive three bids on management. And
2 those bids were received did not contain
3 sufficient information to even make a
4 decision. People threw some numbers at us,
5 and we couldn't get detailed description of
6 what they would actually provide. So,
7 there will be incremental increases.

8 Additionally, we had received a
9 significant number of requests to remove
10 large trees from the property this year,
11 which also comes out to approximately, I,
12 believe \$2,600. With that the money,
13 settlement money is not allocated toward
14 the operating budget.

15 We would, I think, would be able to
16 spend only about \$23,000 on the parking lot
17 repavement and would not be able to do the
18 trees at all. So, that's the state of
19 affairs.

20 Yes, please.

21 SPEAKER: 114. I was just going
22 through the numbers. And if I look at the
23 proposed budget numbers, total all expenses
24 274, you back it up, you have 35 for the

1 lot. Is the 22 settlement in the top
2 number of 274 or is 274 condo fees only?

3 SPEAKER: Condo fees only.

4 MR. IVANOV: 274 is condo fees only.

5 SPEAKER: So, if the 274 goes down
6 to 274 and it doesn't include the 22 but
7 you have 35 in there for the parking lot,
8 how is it that the asphalt is not covered?
9 And then there is a tree removal number
10 somewhere. I can't find it.

11 MR. IVANOV: Elaine.

12 SPEAKER: The remaining asphalt that
13 needs to be done up at 113 through 144 is
14 approximately 42,000. The board allocated
15 35,000 within the normal yearly budget, but
16 we will be short almost around \$7,000.

17 SPEAKER: Well, this budget is not
18 accurate then.

19 SPEAKER: Well, the budget is
20 accurate based off of what we can do. Now,
21 the question is: Do we then take that
22 \$35,000 and then do a different area other
23 than trying to finish the remainder 113
24 through 144? That's the question that is

1 before everybody here is to whether or not
2 we could take some of that settlement money
3 to finish that one section of pavement that
4 has been started, because we are around
5 \$7,000 short.

6 Now, that's just based off of one
7 proposal that we asked, you know. We may
8 be able to get it down. We don't know
9 right at this time yet. The trees are not
10 included in that budget.

11 SPEAKER: I thought I saw the tree
12 number in here somewhere where it was all
13 up for 26.

14 SPEAKER: No. The trees are down
15 the bottom with the settlement money. That
16 would be an additional \$2,600 that we are
17 asking the unit owners to vote on to take
18 that 2,600 also out of the settlement and
19 put it into the operating budget.

20 MR. IVANOV: BJ, let me explain to
21 --

22 SPEAKER: I am confused at how you
23 run these numbers. Because if you are
24 saying it's really going to cost us to run

1 our business 42K to do the parking lot, why
2 put 35? If it's going to cost us another
3 2,600 to remove trees, why are we budgeting
4 them down to zero? You should put the cash
5 flow on the top side and run your numbers
6 down.

7 MR. IVANOV: BJ, I can't put the
8 numbers in the budget which I don't know
9 whether we are going to vote on. That's
10 the first thing. So, if I give you the
11 budget and include the settlement amount
12 into the income for the year, I cannot do
13 that if you decide not to put them towards
14 the loaner payment or the reserve.

15 And the second part is that we have
16 a requirement to present you with a balance
17 budget, so I can't give you a budget with
18 negative total under funding. The budget
19 up to the total -- up to the surplus this
20 is what we have based on the income from
21 Pete, right?

22 Now, the total amount of parking lot
23 that we need to do is not 35. It's 42
24 based on one bid. And if we receive three

1 bids, that number can change. Now, the
2 trees also are not included in the expenses
3 because if we do, we arrive at unbalance
4 budget and I cannot present that to you.

5 SPEAKER: So, you increase the
6 revenue number which just shows an increase
7 in fees to each unit. And if we don't go
8 down that path --

9 MR. IVANOV: I can't show the
10 increase of fees into the unit, because I
11 will be proposing increase to the fees to
12 the unit that way.

13 SPEAKER: No.

14 MR. IVANOV: I'm sorry.

15 SPEAKER: I find it misleading.
16 That's all I am saying. If you are
17 starting at 274, we are going to add the
18 difference between 35 and 42 on top of that
19 plus 2,600 and that is our all expense
20 number. Then it becomes a question of
21 where does the cash come from condo fees
22 plus perhaps plow over the 22.

23 MR. IVANOV: Yes.

24 SPEAKER: I looked through these

1 numbers on another day.

2 MR. IVANOV: Like, what I would have
3 liked to do is to present you with budget
4 which has a, which has a negative and a
5 surplus. I cannot do that according to
6 bylaws. I have to present a balance
7 budget, but the needs are we need
8 approximately 42,000 towards the parking
9 lot.

10 We need additional 2,600 for the
11 trees, which are right now planned and we
12 have been pled with requests for trees and
13 we can't continue raining and raining
14 budget without voting on it, you guys
15 voting on it.

16 So, additionally, we expect, we
17 expect the insurance to come up. We expect
18 the plowing to come up. We expect
19 landscaping to come up not significantly
20 but within 10 percent. The management
21 comes up a little bit for next year or is
22 it two years, Elaine?

23 SPEAKER: Two years.

24 MR. IVANOV: And anything else

1 significantly coming up? That is about it.
2 Now, unfortunately, I can't give you the
3 exact numbers of how much is coming up
4 because we need to secure three bids and we
5 have been securing three bids for a month
6 or a little bit more now, and we still have
7 not received three bids on most of those
8 things.

9 Yes, please.

10 SPEAKER: I am not trying to put --
11 John, number 95. I'm not trying to throw a
12 screw into what you're talking about but
13 since we are already paying a snow removal,
14 it would make common sense to remove the
15 snow at the intersection of our little
16 streets onto Farrwood Drive. Because the
17 way it's being done now, there are huge
18 piles of snow. We have people removing
19 snow from the sidewalks.

20 MR. IVANOV: Sir, I'm terribly
21 sorry. This is not a question of a budget.
22 There is a --

23 SPEAKER: It's a simple fix. Don't
24 let cars park at the corners until they

1 remove the snow. You're going to have bad
2 accidents.

3 MR. IVANOV: Sir, we need to move on
4 with the budget right now, so there --

5 SPEAKER: Okay. This is doable.

6 MR. IVANOV: There is a section
7 where you can make motions by the
8 association members, but we need to clear
9 the legal hurdles as far as budget and
10 everything else.

11 Yes, please, Jon.

12 SPEAKER: Jonathan Campbell, 112.

13 Is it the board's preference if they
14 have expressed one to put the entire amount
15 into operating or partial amount into it to
16 meet the paving and the landscaping needs
17 or what is the board's --

18 MR. IVANOV: The board's preference
19 is strongly to put the entire amount of
20 operating and do as much of the paving as
21 possible, because that way we can negotiate
22 better price per square foot than when we
23 do smaller areas. Since they have to bring
24 the equipment already on site, it gets much

1 easier for us to get a small price per
2 square foot.

3 Yes, please.

4 SPEAKER: Blare Payne, 111.

5 Just to clarify something, Arcadiy,
6 the 22,581 is the monies that we are going
7 to be discussing voting on where we want to
8 put that, correct?

9 MR. IVANOV: That is correct.

10 SPEAKER: Do we also add in the
11 projected 12,000 surplus to that number?

12 SPEAKER: May I answer that?

13 MR. IVANOV: Absolutely.

14 SPEAKER: It's listed as a surplus,
15 because those figures are only through 11
16 months. Your March figures have not come
17 in yet. So, it may not even be a surplus
18 by the -- you finish the end of the month
19 because we have not got your invoices in
20 for March yet and your budget closes the
21 end of March, the fiscal year.

22 MR. IVANOV: Mr. Payne, if you look
23 at the top of that column, it says to 2013
24 to 2014 actual 11 month, right. Now, what

1 comes in is we have people not paying the
2 condo fees, and we also have collections
3 which come through sometimes. Then there
4 are outstanding attorney fees, which condo
5 association pays until those can be
6 collected from the delinquent accounts.
7 And then there are basically collections of
8 those delinquent fees which we get back.
9 So it's a little bit -- it flows depending
10 on the amount of delinquency and everything
11 else.

12 So, what it shows is actually the
13 state of affairs as of, I believe, end of
14 February. So, March we have bills. There
15 are maybe collections. I don't know which
16 came through. So, there will be -- and
17 during the passing of the budget, whatever
18 it is, I will make a motion to rollover the
19 remaining surplus into operating for the
20 next year because and some additional weird
21 motions related to changing signatories on
22 the accounts because that is how TD Bank
23 North wants it. But that is basically,
24 that is basically not a surplus. That's

1 the 11 month.

2 More questions so far. Sir.

3 SPEAKER: I have been living here
4 since they built the place.

5 MR. IVANOV: Could you state the
6 unit number, please?

7 SPEAKER: You could solve these
8 problems by having special assessments one
9 time only to fix whatever you want to do.
10 We have done it before.

11 MR. IVANOV: Would you like a
12 special assessment in the amount of --

13 SPEAKER: No. That depends on what
14 people want to vote on.

15 MR. IVANOV: Right. But the special
16 assessment to fix the remaining parking lot
17 would be approximately \$3,000 per person.

18 SPEAKER: Is that what it comes to?

19 MR. IVANOV: Once again, if you see
20 the section of the parking lot we renovated
21 and that came out to \$35,000. The rest of
22 the parking lot for everyone, I believe,
23 would be around 180, 190. It's what it
24 costs. It's heavy machinery plus gravel

1 plus asphalt plus a lot of manpower.

2 SPEAKER: I know we have done it
3 before.

4 MR. IVANOV: Yes, please, Jon.

5 SPEAKER: Jonathan Campbell, 112.

6 Maybe this is stretching it. Maybe
7 the attorney can express an opinion here.
8 But if the condition of our pavement gets
9 to such a deteriorating condition, could
10 the board theoretically declare an
11 emergency and access emergency funds?

12 MR. IVANOV: I would let the counsel
13 speak, I guess, on that question.

14 MR. MACMILLAN: Anything is
15 possible. I can't give you an idea. I
16 don't know what the parking lots look like
17 so I'm not going to give you an opinion as
18 to whether right now the board can declare
19 an emergency and take money out of the
20 reserves.

21 SPEAKER: It's a theoretical
22 possibility though.

23 MR. MACMILLAN: Theoretically.

24 MR. IVANOV: If it becomes a danger

1 to life, quote on quote, safety issue as in
2 we declare an emergency when the pipe
3 burst, we had no problem taking money out
4 of the account because we had water coming
5 out of the ground. We declare an
6 emergency, I believe, it was during Todd's
7 tenure when there -- it was the entire unit
8 was covered in mold because of the
9 continuous leaks and people could -- it was
10 an uninhabitable unit and was due to leaky --

11 SPEAKER: That was my house.

12 MR. IVANOV: That was yours. But
13 unless there is a clear and present danger
14 to life or conditions become uninhabitable,
15 it's very hard for us to justify declaring
16 an emergency. The other case when we
17 declared emergency was someone's deck was
18 deemed unsafe by the engineer because the
19 supporting structure --

20 SPEAKER: That was also my house.

21 MR. IVANOV: There were several
22 decks actually. There were several. But
23 there were several decks which were, I
24 think, two over the years where the cinder

1 blocks started basically coming apart
2 because there wasn't enough water between
3 them and we had to rebuild those under
4 emergency provisions.

5 Yes, please.

6 SPEAKER: Jonathan Campbell, 112
7 again. What is the proposed timetable for
8 completion of all the pavement?

9 MR. IVANOV: Well, that depends on
10 financing. But let's say we complete E, F,
11 G next year, then we have the Heritage Hill
12 and then is it the Heritage Drive, the one
13 which leads to most of the units and the
14 mailboxes and the circle. Then it would be
15 either C, D parking lot or G, H parking lot
16 up the hill or down the hill depending on
17 the conditions because, I believe, A, B is
18 in best condition right now. There are not
19 really any obvious --

20 SPEAKER: Are we looking at three
21 years?

22 MR. IVANOV: It would be I would
23 say, I would say six because I don't see
24 how we would be able at 35,000 repave more

1 than half of any of those sections per
2 year. So, if E, F, G, if we finish with E,
3 F, G, maybe C and D can be accomplished in
4 one and a half years. Heritage Hill with
5 Heritage Drive would definitely take at
6 least one and a half years.

7 Again, if it's 42,000, we may be
8 able to do more. But if we can't sustain
9 42,000 per year or 45,000 per year, at
10 best, at best we can't -- if these money
11 from the settlement don't go in, we can't
12 even accomplish E, F, G. It will be
13 probably around half.

14 So, we will do another half of E, F,
15 G and then it would take two years to
16 complete E, F, G. And then you can imagine
17 the surface area is, the remaining surface
18 area is pretty big. I would not hope for
19 less than five, six years optimistically
20 and ten years pessimistically. It's
21 200,000 divided by 10, 20,000 a year.

22 Yes.

23 SPEAKER: Yes, Blare Payne, 111.

24 You also have the option of

1 increasing that line item in the budget
2 each year for the next so many years. If
3 you time phased it -- I mean, there has
4 been useful estimates done on those parking
5 lots ten years ago and they were
6 recommended to have been completed by now.
7 And, you know, and we have been patching,
8 as you indicated.

9 But you also have the option going
10 forward not this year but for next year's
11 budget to present a budget that would
12 include say doing one more parking lot next
13 year. And if you did that for a couple of
14 years in a row, you can complete the task.
15 And then you, of course, you vote on it. I
16 don't know if it would mean an increase in
17 condo fees.

18 MR. IVANOV: It certainly would --

19 SPEAKER: It may be an easier pill
20 to swallow there in assessment.

21 MR. IVANOV: Certainly it will
22 increase in condo fees. It's easier but
23 it's harder to pass and to make a
24 meaningful increase after we just increased

1 it what, what was it, two, three years ago
2 for the roofs? I don't recall. It would
3 increase it like \$50 or something like that
4 to add \$50,000 per year to --

5 SPEAKER: Some of these things are
6 necessity to, you know, maintain property
7 values as well.

8 MR. IVANOV: I do not argue with any
9 of those points. I just have a feeling
10 condo fee increase when announced will draw
11 a crowd which will not want them.

12 SPEAKER: Or vote them down.

13 MR. IVANOV: I absolutely agree with
14 you. I believe --

15 SPEAKER: So, we get the crowd here,
16 we get the crowd here long enough to maybe,
17 you know, lower the percentage, lower the
18 required percentage and to those who don't
19 come again who cares.

20 MR. IVANOV: BJ.

21 SPEAKER: Couple a number of
22 questions. Expense report on the top five,
23 what's the difference between foundation
24 repair 2,000 and masonry repairs 3,000?

1 MR. IVANOV: Foundation is the part
2 of the building which is foundation.
3 Masonry can go all the way to the third
4 floor. Masonry is usually brick repointing
5 and things like that whereas foundation is
6 specifically foundation cracks, sealing the
7 foundation cracks and things like that.

8 SPEAKER: Then on the topside this
9 274,558, is that an assumption --

10 MR. IVANOV: Hold on one second.
11 Let me find that. Which one are you
12 talking about?

13 SPEAKER: The revenue, the income,
14 the 274,558 as income. Is that assumed
15 that 100 percent of the 128 units pay all
16 their condo fees?

17 MR. IVANOV: Yes.

18 SPEAKER: So, what is the allowance
19 for the piece that we never get that goes
20 into collections?

21 MR. IVANOV: We have essentially
22 rolling delinquencies. So, after a year we
23 sort of can expect the money to be
24 collected. So, unfortunately, I can't

1 budget delinquency.

2 SPEAKER: No. What I'm trying to
3 understand is I'm taking the 22 that we
4 might put in and I'm taking the extra seven
5 out, I'm taking the extra 26 out and I'm
6 also going to take out that factor because
7 that's cash.

8 MR. IVANOV: Right. The total
9 income assumes that everyone pays every
10 single cent of their condo fees.

11 SPEAKER: And that doesn't happen.

12 MR. IVANOV: It doesn't happen. But
13 now that collections are an ongoing
14 process, we get delinquency returns from
15 previous years. Additional what you can
16 see here in the budget -- well, you can't
17 see it in the budget but which we can't
18 budget for. If you look at the legal unit
19 owner fees, it took 7,000 out of operating
20 last year.

21 Those are expenses which we incur
22 which will be refunded to the association
23 once we collect. Those are unit -- those
24 are legal fees charged to unit owners for

1 all legal processes against them. So, let
2 me just give you a little update.

3 So, at this point, at this point,
4 and this is all February 28, 2014, the
5 total delinquencies are as follows: The
6 association fees are delinquent 6.6,000
7 dollars. The other fees which include, I
8 think, postage and fines and percentages on
9 the fines and late fees are 289. The legal
10 unit owner fees are \$1,600 and the total
11 delinquency, which includes both condo fees
12 and the attorney fees and all the other
13 small fees comes out to 8,553.71. So, it's
14 \$8,500 plus change, which is dramatically
15 better.

16 We've had something like \$25,000 at
17 a peak this year which included at some
18 certain point more legal fees than condo
19 fees owed, which right now this number
20 which I am seeing right now is dramatically
21 better. We finally have a balance of about
22 five to one of condo fees versus legal
23 fees, which it did flip at some point
24 upside down.

1 So, 27558, this is what we budget
2 according to all fees collected, how much
3 we will spend on legal fees, how much we
4 will spend on -- how much we will fall
5 short on people just not paying remains to
6 be seen. We still have potential \$8,500,
7 which could come back in the middle of this
8 year. When they will come back, no idea.

9 SPEAKER: Thank you.

10 MR. IVANOV: Certainly. Yes,
11 please.

12 SPEAKER: Unit 95. I am not an
13 expert. I am not an engineer but I have
14 been around a long time. Route 114 is
15 built the way upstate New York roads were
16 built by concrete. And when they
17 resurfaced it 20 years ago, they left the
18 concrete there and put asphalt on top of it
19 because it would last much longer.

20 Would concrete covered by asphalt,
21 would that be a good solution? It's
22 probably very expensive. I don't know.

23 MR. IVANOV: It's probably very
24 expensive.

1 SPEAKER: It's probably very
2 expensive.

3 SPEAKER: That's why they did it all
4 those days.

5 MR. IVANOV: I can give you one
6 example. When we were discussing repaving
7 the parking lots, we basically -- I think,
8 I was bugging Elaine about what types of
9 topcoat there are in Massachusetts. There
10 are two. One which allows water to go
11 through. The other one which allows water
12 to roll off. I think the one which allows
13 water to roll off so it doesn't burst when
14 the water freezes underneath is about three
15 times more expensive than the regular one.

16 SPEAKER: You're always getting
17 potholes.

18 MR. IVANOV: I understand that, but
19 it's three times more expensive. So, this
20 year if we repave the same surface area, we
21 would have paid about 95 to 120,000 give or
22 take. So, unless you are using something
23 that everyone uses things become dramatic.

24 SPEAKER: Upstate New York they are

1 all over.

2 MR. IVANOV: Upstate New York can
3 probably afford it. We can't.

4 SPEAKER: That was some years ago.
5 Probably back in the 19th century.

6 MR. IVANOV: Any more questions on
7 the budget?

8 SPEAKER: I am curios --

9 MR. IVANOV: I'm sorry, unit number
10 and name.

11 SPEAKER: 167. Who was responsible
12 for the road coming in; is that --

13 MR. IVANOV: Internal question.

14 SPEAKER: I have never known.

15 MR. IVANOV: If you will allow us, I
16 will get back to that question after the
17 budget. It's a lengthy response. Anyone
18 else, any other questions on the budget and
19 everything else?

20 SPEAKER: On the bottom where it
21 says --

22 MR. IVANOV: BJ, 114.

23 SPEAKER: Sorry. On the bottom
24 where it says "cost to remove seven trees

1 and stumps" and then it says "five screws,"
2 are all seven in front of buildings or just
3 two?

4 SPEAKER: Seven total.

5 SPEAKER: In front of the buildings?

6 SPEAKER: Yes, in front of
7 buildings.

8 MR. IVANOV: Excuse me, quiet,
9 please. We wouldn't generally remove the
10 trees behind the buildings unless they
11 start leaning in or posing some sort of
12 danger to the structures. But in front of
13 the buildings they are planted so close
14 that when they start growing to such an
15 extent, you cannot actually trim them and
16 they drip sap on cars destroying the cars
17 and everything else and people are
18 complaining that they provide too much
19 shade and there is moss growing. They want
20 to have a pear tree or something in front.

21 So, usually on the back we start
22 only killing them when they on the back of
23 the units there is too much space for a
24 tree to become a nuisance without it

1 actually becoming dangerous. On the front
2 they are way too close.

3 SPEAKER: That is why I was asking,
4 because I know we removed some behind D, D.

5 MR. IVANOV: But those were falling
6 or it was storm damage so those were cut
7 down, because they were leaning in.

8 SPEAKER: I just want to comment.
9 I'm not a surprise because I have owned
10 multiple homes and you don't typically have
11 trees on top of your buildings. I walk
12 around here all the time, and I look at the
13 new construction existing homes. You
14 typically don't have trees on top of the
15 buildings. We do right on top of them.

16 MR. IVANOV: But one of the reasons
17 we are asking now because the number of
18 trees people ask us to remove was oh, my
19 God, I don't like this tree and it becomes
20 a casual series of requests. And we start
21 going to landscaping, additional
22 landscaping budget and we are running out
23 of it very quickly.

24 SPEAKER: So, is there a new tree --

1 if these are all cut, is there money in the
2 budget for a new tree somewhere?

3 SPEAKER: No, we never
4 discussed replacement. Just that these
5 trees are very large and the roots are
6 coming up. Plus they are causing a problem
7 in the pavement, because they are coming
8 out and they are too close to the building,
9 so we never discussed the issue of
10 replacing them, not within this budget.

11 SPEAKER: So, that would come out of
12 the 22 potentially.

13 MR. IVANOV: Well, if we roll it in,
14 I will ask you to allow us to split it
15 between the paving and whatever other
16 landscaping renovations simply because we
17 don't know how much the final totals would
18 be.

19 Yes, please.

20 SPEAKER: Joe Delio, number 82.

21 Going back to replacement. You
22 don't necessarily have to replace them.
23 There are some units that have them taken
24 out and just left it that way. You could

1 basically sub grind the stump and put two
2 inches of we call it and grow grass on top
3 and don't upset the -- I'm in 82, and I
4 have a hell of a problem in front of me
5 with the sap.

6 But if they start removing that big
7 stump, it might create some problems with
8 my basement which has been dry for 20
9 years, so there are things like that that
10 have to be discussed before they go ripping
11 big stumps and things like that up.

12 MR. IVANOV: One of the issues
13 you're going to have with removing stump --
14 well, grinding down stump without removing
15 and not doing anything else is that if you
16 go to either building A or B in certain
17 areas there is no more grass left. It's
18 rock solid clay which only has moss on top
19 in good areas. In bad areas there is
20 basically nothing that grows any more.

21 So, one of the things we discussed
22 with landscaping last year, for which we
23 had absolutely no funds, was to take about
24 three inches of those areas and replace

1 with something, some soil on which
2 something can grow like grass and then try
3 to seed it. And, unfortunately, we don't
4 have that budget.

5 SPEAKER: But it would be cheaper to
6 put the sub flush -- you could sub grind or
7 sub flush two or three inches. Those
8 grinders can go right down to the stump and
9 just put three or four inches of loam on
10 top of that. I know you can grow grass on
11 that.

12 MR. IVANOV: Right, the roots are
13 already coming out through the topsoil.
14 So, if you don't completely dig it out, you
15 have to actually grind down not just the
16 stump but all the roots coming out.

17 SPEAKER: The remaining roots. I
18 understand.

19 MR. IVANOV: I'm not a landscaping
20 specialist.

21 SPEAKER: I am trying to see if it
22 would be a lot cheaper, and a lot of people
23 don't want a tree in front.

24 MR. IVANOV: Right, but for 2,600,

1 seven trees.

2 SPEAKER: That's cheap, very cheap.

3 MR. IVANOV: Right. That's one of
4 the issues with splitting work over the
5 years. The more you can do in a single
6 chunk the cheaper it becomes per unit. So,
7 I don't know, for example, if we decide not
8 to finish E, F, G parking lot and only do
9 half of that, the price might not be 20,000
10 and maybe 30,000 simply because we are
11 doing less and they still have to drag all
12 the equipment in. So, that's one of those
13 things.

14 Anything else? Do you people have
15 thoughts about what you want to do with
16 money? Because before I start making
17 motions, I would like to get a general
18 sense of what you would like to do.

19 SPEAKER: Meaning moving the 22 in?

20 MR. IVANOV: Well, there are several
21 options. We can take the 22, and we can
22 put it in the reserve where it stays
23 because we don't have sufficient number of
24 votes to take it out unless there is an

1 emergency.

2 Then we can take those funds and put
3 them towards operation. Then we can
4 potentially take those funds and put them
5 towards repaying the loan with respective
6 short folds and operating budget and --

7 SPEAKER: 97 Farrwood. The money
8 came out of the operating fund.

9 MR. IVANOV: That is true.

10 SPEAKER: Why don't we put the money
11 back into the operating fund?

12 SPEAKER: Agree.

13 SPEAKER: Good point.

14 MR. IVANOV: Any opposing views?
15 Good, okay.

16 SPEAKER: Is there a motion needed?

17 MR. IVANOV: If there are no more
18 questions, and there is a general consensus
19 of what we are about to do --

20 SPEAKER: Eric Nugeon, 54.

21 Can I move that we take the money
22 from the settlement and put it in the
23 operating budget so it can be used for the
24 paving and the tree stump removal?

1 SPEAKER: 112, second.

2 MR. IVANOV: All in favor say aye?

3 SPEAKERS: Aye.

4 MR. IVANOV: Opposed? Motion is
5 carried. Thank you so much.

6 And could someone please make the
7 motion on the budget as a whole as
8 presented?

9 SPEAKER: Theresa Poore, 79. I
10 make -- can I not do it --

11 MR. IVANOV: You're a board.

12 SPEAKER: Just kidding. Take my
13 name out of that.

14 SPEAKER: Jonathan Campbell, 112.

15 I motion that the budget be accepted
16 as proposed.

17 SPEAKER: Brenda Washington, 83.

18 I second the motion.

19 MR. IVANOV: All in favor?

20 SPEAKERS: Aye.

21 MR. IVANOV: Opposed? The budget is
22 passed. Thank you so much.

23 So, let me see what we have there.

24 SPEAKER: Don't we need to do

1 elections?

2 MR. IVANOV: Yes. Let me just run
3 you through very quickly association
4 activities, unless you all read it and you
5 don't have any questions on it. Let me go
6 the other way. Do you have any questions
7 on the list of accomplishments last year?

8 Yes, please.

9 SPEAKER: Jonathan Campbell, 112.

10 Near the bottom, emergency repair
11 quarter, unit 88, is that going to be
12 refunded by the person or has it refunded
13 or paid for by --

14 SPEAKER: We are just in the process
15 of receiving the check from the unit
16 owner's insurance.

17 SPEAKER: Okay.

18 MR. IVANOV: Any more questions on
19 the list of accomplishments for the past
20 year?

21 SPEAKER: My only question is: Some
22 of this is routine maintenance, so why do
23 we consider it an accomplishment?

24 MR. IVANOV: I did not use the

1 word -- I did not chose the wording for
2 this. So, I would say it's a list of
3 things that has been done with the budgeted
4 money.

5 SPEAKER: Jonathan Campbell, unit
6 112. Down again at our end, I guess we are
7 calling it the last item, I think they've
8 done a lousy job of removing this. Several
9 of the parking spaces continue to be
10 essentially inaccessible from the piles of
11 snow where they put it in the cul-de-sac.
12 Previous years they've pushed it over the
13 fence or down into the grass, and I don't
14 understand why that could not be
15 accomplished this year.

16 MR. IVANOV: Are you talking about
17 C, D?

18 SPEAKER: C, D, yes.

19 MR. IVANOV: We can talk to them
20 about that. I think there were several
21 snowstorms in a row and, I think, some of
22 the things froze up. Because I had in E,
23 F, G we had it wasn't plowed by the time it
24 was already -- what was it? It's not the

1 backhoe.

2 SPEAKER: Front-end loader.

3 MR. IVANOV: Front loader, yes. He
4 was working the entire day into the night,
5 because there was so much snow to move. I
6 don't know why they didn't do it. We can
7 inquire.

8 SPEAKER: Previous years they used
9 to plow parallel to the wooden fence into
10 and then push the grass at both ends. They
11 didn't do that this year.

12 MR. IVANOV: It depends on whether
13 there are cars.

14 SPEAKER: I understand that, but
15 there were cars that were gone some of
16 those times anyways.

17 MR. IVANOV: We can definitely
18 inquire. But I know that in certain areas
19 they couldn't do what they wanted to
20 simply, because people were not moving
21 their cars. They couldn't just run the
22 plow parallel to the grass and in quite a
23 few places and it takes only one car for
24 them have to go around and not being able

1 to even get enough head start to be able to
2 push all the snow.

3 SPEAKER: I appreciate it. Thank
4 you.

5 SPEAKER: John McDonald, 95.

6 This is what I talked about before.
7 Those cars are always parked at the
8 intersection. So even when they are
9 removing the snow, they can't get at those
10 piles and the front-end loader keeps making
11 it higher and higher. If you are leaving
12 your condo to get to Farrwood Drive, you
13 can't see what is coming at those two
14 intersections.

15 So why can't they stop the cars from
16 parking on the corners until all the snow
17 is removed? And with all the men you have
18 on foot clearing the pathway to your home,
19 they could easily get rid of that snow so
20 you have clear visibility.

21 MR. IVANOV: Mr. McDonald, if we
22 could --

23 SPEAKER: That would prevent
24 accidents.

1 MR. IVANOV: If we could stop anyone
2 or force anyone to do anything with the car
3 during the snow, our life would be so much
4 easier. Unfortunately, it doesn't matter
5 if I come out with a horn and yell at
6 people. People do not move their cars,
7 that people are moving their cars while the
8 plowing is not going and then swear because
9 they don't want to move out.

10 SPEAKER: That has nothing to do
11 with our association.

12 MR. IVANOV: If I can't do it in my
13 association, right?

14 SPEAKER: No. It requires
15 cooperation of all six.

16 MR. IVANOV: Even better, right.

17 SPEAKER: This is a real thing that
18 happened. There was an accident right near
19 the Rogers after one of the storms a big
20 accident and 125 was shut down, cops, fire
21 trucks, everything. And the only way to
22 get away from it and I knew was to go in
23 the first entrance and go around. But
24 people living in the area don't even live

1 in the Farrwood complexes, they know that
2 too.

3 And if they want to get somewhere in
4 a hurry, one guy did and he had a front end
5 four-wheel drive Jeep, whatever, he was
6 going about 65 or 70-miles an hour. He
7 almost did hit my car. I am trying to get
8 through the plowing to get to my home. I
9 knew by going around you could get back to
10 125.

11 MR. IVANOV: Mr. McDonald.

12 SPEAKER: A lot of people in the
13 area --

14 MR. IVANOV: What would you like
15 this board and the association to do?

16 SPEAKER: Why don't you stop them.
17 The only way to stop them is to put speed
18 bumps in, which I don't really like.

19 MR. IVANOV: At the exit of Farrwood
20 Drive?

21 SPEAKER: No. I'm talking about the
22 whole circular road. If you had a sign in
23 the front --

24 MR. IVANOV: The whole Farrwood

1 Drive, we don't want to open that can of
2 worms.

3 SPEAKER: I know no one wants speed
4 bumps, but how are you going to --

5 MR. IVANOV: No, no. As soon as we
6 start renovating on it, we might end up
7 being solely responsible for it.

8 SPEAKER: That would be chronic.
9 You have all of these people that don't
10 live in the area using it like a highway to
11 avoid accidents.

12 MR. IVANOV: It doesn't work. You
13 do not listen. We tried securing
14 corporations with the other units. We sent
15 them letters. We tried to coordinate the
16 --

17 SPEAKER: No, nothing's going to
18 happen until somebody gets killed.

19 MR. IVANOV: If somebody gets
20 killed, insurance is going to pay and
21 things are going to continue.

22 SPEAKER: What if you get killed?
23 It's not going to help you then.

24 SPEAKER: Let's move on.

1 MR. IVANOV: That's true. I
2 understand there is pretty much nothing
3 short of a miracle we can do to get six
4 associations to agree on anything,
5 especially related with Farrwood Drive.

6 SPEAKER: Those speed bumps are
7 terrible. I know somebody who lives off
8 of --

9 MR. IVANOV: It has nothing to do
10 with speed bumps being terrible or not. It
11 has to do with something we can't actually
12 do anything.

13 SPEAKER: We don't own the road.

14 SPEAKER: It's not our property.

15 Let's move on.

16 SPEAKER: And then there's another
17 thing, which I know you are aware of, on
18 125 there are potholes right at our end
19 there, Route 125.

20 MR. IVANOV: 125 is city road, is a
21 city road.

22 SPEAKER: It's a state road.

23 MR. IVANOV: Well, actually the city
24 is doing it, right, it is true. It's a

1 state highway.

2 SPEAKER: I pray to God that there
3 are cars behind me because I don't have --

4 MR. IVANOV: We would like to talk
5 association business somehow.

6 SPEAKER: I have a reason. I did
7 have a problem. I did hit a pothole
8 somewhere in Haverhill.

9 MR. IVANOV: Mr. McDonald, I am
10 terribly sorry for your misfortune on 125.
11 It's not related to association business.
12 Quiet, please.

13 BJ.

14 SPEAKER: Can we shift gears to the
15 balance sheet that shows all of our past
16 positions and the second section where it
17 says "total reserve account" and we have
18 two Morgan Stanley mutual fund at 162,000
19 in a cash fund. Given --

20 MR. IVANOV: I believe it's the same
21 fund. It's just they split the money to
22 securities and cash because they can't
23 allocate fractions of certain -- like, they
24 can't purchase a particular security for

1 \$1,000, so the cash remains in the account.

2 SPEAKER: But my question for today
3 is: We have 162,000 in the market, right,
4 in this Morgan Stanley account?

5 MR. IVANOV: That is true.

6 SPEAKER: So, how much has dropped
7 between February 28th and March 11th given
8 the worldwide issues? Is 162 down to 140,
9 130, 100?

10 MR. IVANOV: I don't believe so.
11 This is by February this fund is not in
12 market. It's in US government debt and
13 municipal debt and, so, it doesn't
14 fluctuate nearly as much. The baseline
15 number you should be looking at is 150.
16 That is how in March it was invested. I
17 believe it was slightly higher at 162 at
18 some point but it fluctuates not that
19 significantly over months and months.

20 And we actually, I believe, either
21 December or November I had to chat with the
22 management there and we downgraded the --
23 we made it fully even more conservative, so
24 the rate started going up.

1 SPEAKER: Can I ask you another
2 question on that? We have our roof loan at
3 96,000 with Brookline Bank and we also have
4 121,000 at Brookline Bank. Is that a CD?

5 MR. IVANOV: No.

6 SPEAKER: Should we be moving any of
7 that money just to keep them in sync? I
8 know Brookline's debt is coming in.

9 MR. IVANOV: We could, but there is
10 no point unless we locked up that money in
11 a CD. This money is available to us to
12 withdraw at any moment. It's just they
13 prefer to have that basically to balance
14 their books for us to essentially balance
15 their own loan on their books, but it's our
16 money to be used whenever we want to. It's
17 been like that for several years. They
18 just ask us to move the money there to prop
19 up their compilation.

20 Yes, please.

21 SPEAKER: Is the only debt the
22 Brookline bank loan?

23 MR. IVANOV: I think so. I don't
24 think we incurred any other debt at any

1 point in time. Yes, I think that's the
2 only debt, because we don't have any
3 revolving credit lines.

4 SPEAKER: Was that for the roof or
5 was that --

6 MR. IVANOV: This is the roof. This
7 is remaining on the roof, and it's
8 basically scheduled to be paid off in three
9 years.

10 SPEAKER: 2017.

11 MR. IVANOV: So three years.

12 Any more questions?

13 SPEAKER: I suppose when -- Eric
14 Nugeon, 54 -- when we get that paid off,
15 that might free us up to do that again if
16 we complete the paving at that point.

17 MR. IVANOV: Right, absolutely.
18 Also, we have things like we have to take
19 the aluminum shingles, remove them, take a
20 look inside, seal the rod, replace the rod,
21 repaint the shingles, repaint shingles that
22 is, I don't know how much, 4, 500,000
23 dollars for all the buildings.

24 SPEAKER: I don't think we want to

1 do it all at once.

2 MR. IVANOV: But my point is I don't
3 see how the fact that we don't have the
4 loan either allows us to drop our condo
5 fees, yes. We will have to probably borrow
6 more but potentially we just try to
7 increase condo fees and use the money,
8 freed up money from repayment of the loan
9 plus increase condo fees to actually
10 finance the renovation ourselves building
11 by building over seven years.

12 Because right now the rate from this
13 Brookline loan is 425. But by that time,
14 it could be 8 or it could be 20. We don't
15 know. So, yes, if the rate stayed that low
16 for that long, then Mr. Nugeon is
17 absolutely right. We'll probably be asked
18 to take another loan and to finance it with
19 the condo fees.

20 SPEAKER: Joe Delio, 82.

21 You use the wording "we have to
22 remove these sidings." According to who?

23 MR. IVANOV: According to engineers
24 who conducted the capital study. I believe

1 that, if my recollection serves me right,
2 the parking lot was the biggest thing. And
3 if it's not the siding, then we have the
4 decks, which are actually slated to be
5 completely replaced within five to seven
6 years and that is \$10,000 per deck. We
7 have 100 something decks.

8 SPEAKER: 10,000 for the decks?

9 MR. IVANOV: Mm-hmm. Because the
10 problem is the underlying supports of
11 cinder blocks and the way the decks are
12 constructed right now are not up to code.
13 They are not tied to the building, and you
14 can't tie those decks to the building as
15 they are built.

16 And as soon as we start replacing
17 the decks, we have to build according to
18 code, which means that we have to remove
19 the deck, remove the supporting structure,
20 repour the concrete underneath, then tie
21 the supporting structure to the building
22 and build a new deck on top.

23 And we went through that procedure
24 with decks which were critically endangered,

1 and those decks we tried everything. We
2 asked them would it be better to
3 disassemble the deck than rebuild the
4 support structure and rebuild the deck on
5 top. And they said no because the planks
6 are too thin according to current code.

7 So current, even if you tie the
8 whole thing to the building, the deck
9 itself is not compliant with the code as it
10 stands right now. The corner units such as
11 the ones which have wider frontage, you are
12 supposed to put additional beams there and
13 a supporting beam in the center according
14 to current code and most decks it's not
15 even done.

16 SPEAKER: They did add some a few
17 years ago.

18 MR. IVANOV: We did add some in the
19 new decks. There are additional beams in
20 addition to those.

21 SPEAKER: I thought that was the fix
22 back then.

23 MR. IVANOV: Again, we could sneak
24 those in because we weren't rebuilding the

1 decks. But once you start building new
2 decks, there is no way for us to use the
3 current.

4 SPEAKER: Mine looks like new.

5 SPEAKER: Mine is bad.

6 SPEAKER: Take care of them.

7 MR. IVANOV: Excuse me, guys.

8 SPEAKER: I am 67.

9 MR. IVANOV: Guys, first of all, can
10 everyone not speak at once? Another thing
11 is that we will need another reserve study
12 to be done, because they are supposed to be
13 done every five years. I think we pushed
14 it out another year but that study would
15 have to be in 2015 or something like that.
16 We have to do it because there has been
17 eight years and we don't know what else is
18 going on.

19 Yes.

20 SPEAKER: Eric Nugeon, 54.

21 When my deck collapsed or had
22 partial collapse, it did what you're
23 saying. It pulled out of one wall so the
24 whole thing fell to one side like this, and

1 they didn't do anything like what you're
2 talking about. I am afraid they might have
3 done some half ass repairs, and I was not
4 aware about that until you just said it.

5 MR. IVANOV: When was that done?

6 SPEAKER: It was a while back. I
7 mean, they just basically took some two by
8 fours and slapped them on the brick wall
9 and it's holding it up. It's nothing like
10 what you said.

11 MR. IVANOV: Well, the cases I am
12 mentioning and I don't know if I can
13 mention the unit number. It's in building
14 E. If you look at the -- if you just walk
15 in the back, the entire, the entire deck
16 was completely replaced. And the reason
17 was that because the deck itself was fine
18 but the cinder blocks started coming apart
19 underneath.

20 So, I don't know what specifically
21 happened to your deck, why it came off. If
22 it was due to wood rot, they might have
23 been able to fix it instead of rebuilding
24 it.

1 SPEAKER: On one of the corner units
2 and this was in a brick wall, not a cinder
3 block wall because the unit next to me
4 comes back and is a brick wall. And, so,
5 these were, you know, spiked into the brick
6 wall and pulled out of the brick, you know.

7 MR. IVANOV: So they didn't have to
8 rebuild the entire deck.

9 SPEAKER: No, wood itself is fine.

10 MR. IVANOV: Right. So in our case,
11 we couldn't put the old deck on new support
12 structures and they said it would be more
13 expensive to actually reassemble the deck
14 as opposed to replacing, so that was the
15 reason. With you support structures were
16 fine. They had to remortar the pins, I
17 guess.

18 But in cases of collapsing decks in
19 building E, they just couldn't put the old
20 deck on new supports and that is what they
21 had to do. So, if we are completely
22 rebuilding the decks, at some point that
23 would be the procedure. Complete
24 renovation of the deck support structures

1 are not up to code so we would have to
2 replace the support structures.

3 It's expensive. It was something
4 like \$15,000, because we had to repour the
5 underlying cement slab under the deck. I
6 don't know whether we would get a better
7 deal if we were renovating the decks for
8 the entire building but ultimately that
9 those would be the costs.

10 I believe the last capital reserve
11 study had us at something like \$2.5 million
12 of necessary repair over the next 20 years.
13 So, if you really take it on face value,
14 then we are talking about \$250,000 per year
15 in addition to operating budget in the
16 renovation.

17 So, we would have to if we were
18 doing everything within 20 years you would
19 have to double the condo fees to
20 essentially do that.

21 SPEAKER: That, just for a point of
22 knowledge for everybody, that capital
23 reserve analysis had some numbers that were
24 outdated on groups. They came from a prior

1 study that was done. I don't remember
2 whether it was five or ten years and I
3 don't know if the company we used just took
4 the number out of somebody else's.

5 But, so, I am just saying that if we
6 go into a capital reserve, we really need
7 something that has started at ground zero
8 and not picking roofing numbers or other
9 numbers.

10 MR. IVANOV: No, no, hold on a
11 second. The capital reserve study which
12 has been conducted, I believe, in 2008, I
13 think, it was 2008 no 2007 we had that
14 emergency, so 2008 would be the year.

15 SPEAKER: Which means the
16 engineering study.

17 MR. IVANOV: Is engineering study.
18 I don't believe that engineering study used
19 anything as far as estimation of the roofs
20 from the prior studies except for
21 comparison. I believe, he walked the
22 roofs. He gave his estimated life on the
23 roof. So, yes, we would lose those, the
24 roof item from the capital reserve study is

1 something that needs to be repaired. But
2 the rest such as pavement, shingles, decks,
3 that would all be pretty much the same or
4 worse over the years.

5 SPEAKER: So going forward we just
6 need a solid capital reserve study done
7 where there's good numbers in because I
8 have old -- I have two of them. I will
9 show you off line sometime. I don't have
10 it with me where they took old numbers and
11 put them in our capital reserve study that
12 was supposed to be --

13 MR. IVANOV: The capital reserve
14 study, there weren't any old numbers to
15 begin with because I don't remember us
16 having capital reserve study beforehand but
17 it's available online. You can go in --

18 SPEAKER: But you could tell by the
19 way they described the age of the roof it
20 was inaccurate. So, you could tell that
21 the numbers from the current study were
22 pulled on the roof side.

23 MR. IVANOV: I don't know where they
24 would have pulled the numbers. We didn't

1 have the --

2 SPEAKER: I am guessing they talked.
3 It's a small town in a whole scheme of
4 things.

5 MR. IVANOV: That I wouldn't know if
6 they talked or not. But my impression was
7 that engineer actually estimated the age
8 of, estimated the age of the roofs based on
9 their condition and he didn't actually
10 estimate the age. He estimated their
11 longevity based on his inspection at the
12 time of inspection.

13 So, he gave 20 years life to roof in
14 building H and that he gave one or two
15 years to all other roofs because they
16 looked in approximately the same -- to be
17 in the same condition. But, again, I can't
18 speak of whether he spoke to someone,
19 pulled the numbers out of thin air or
20 something like that. I hope not. And we
21 paid about, I believe, \$5,000 for that
22 capital reserve study.

23 Okay. So, the next item on the
24 agenda if we are done with accomplishments,

1 balance sheets and is board election. We
2 have three people on the board. I
3 unfortunately can no longer be on the board
4 because I am never -- I am traveling too
5 much, and I'm pretty much never here. So,
6 we need a volunteer, preferably another
7 three so people are not overloaded with
8 tasks.

9 SPEAKER: Question beforehand.

10 Jonathan Campbell, 112.

11 And it's my understanding that there
12 is a minimum requirement of three members
13 on the board by the bylaws, if that is not
14 accomplished and it's less than three, what
15 happens?

16 MR. IVANOV: Mr. MacMillan.

17 MR. MACMILLAN: Well, they continue
18 to operate but you are not going to have --
19 you are going to have to have a unanimous
20 decision by the members that are serving
21 for any action taken by them to be
22 effective.

23 SPEAKER: But if the bylaws require
24 three and there are not three there, does

1 the board technically any longer exist?

2 MR. MACMILLAN: It does and it does
3 and it will continue to function, but it
4 does not comply with the bylaws.

5 SPEAKER: And since there are only
6 two --

7 MR. MACMILLAN: I'm sorry, what?

8 SPEAKER: But they are policed over
9 making decisions other than a unanimous
10 vote.

11 MR. MACMILLAN: No. They are not
12 policed to make decisions. They will make
13 decisions.

14 SPEAKER: And you said they have to
15 be unanimous, the two of them?

16 MR. MACMILLAN: That's correct,
17 that's correct. So, if someone says I want
18 to do A and someone says I want to do B
19 without both people agreeing on one tact,
20 then no decision is made. But at that
21 point, so it has to be unanimous but the
22 board would continue to function, although
23 it's not in compliance with the requirement
24 to have a minium of three and it should be

1 an odd number if it exceeds three so you
2 don't run into a tied vote situation.

3 MR. IVANOV: So is that a three or
4 five?

5 SPEAKER: If there aren't three
6 tonight and we end up with two and someone
7 somehow figures out they can do it, can
8 they come in the unanimous approval of the
9 two or does that have to go to vote?

10 MR. MACMILLAN: The board members
11 can't appoint somebody to -- well, they can
12 actually depending on if the term was open,
13 the bylaws do provide for the board members
14 to be able to appoint a person to serve
15 until the next annual meeting, not for a
16 full term. A full term is for three years,
17 stagger term.

18 MR. IVANOV: No, no, one year.

19 MR. MACMILLAN: Oh, is it one year?
20 Then it would be the next meeting anyway.

21 SPEAKER: I was just trying to
22 understand if we had options if people
23 somehow figured out they wanted to come up
24 and it didn't happen tonight and we had

1 two.

2 MR. MACMILLAN: Board member -- the
3 board could appoint somebody to serve for
4 the rest of that term.

5 MR. IVANOV: I think as a
6 replacement.

7 MR. MACMILLAN: That's correct.

8 MR. IVANOV: But not if there are
9 two, we can't appoint the third one by
10 virtue, right?

11 MR. MACMILLAN: Yes. No, we can.
12 You can appoint a third.

13 MR. IVANOV: You can appoint a
14 third?

15 MR. MACMILLAN: The board could
16 appoint a third, a person.

17 MR. IVANOV: I thought only
18 replacements were allowed.

19 MR. MACMILLAN: If there's a
20 vacancy, the board can appoint and that is
21 a vacancy.

22 MR. IVANOV: That would constitute a
23 vacancy.

24 MR. MACMILLAN: A vacancy is by

1 death, somebody resigns.

2 MR. IVANOV: Or if someone was not
3 elected to the board.

4 MR. MACMILLAN: Exactly.

5 SPEAKER: But they would have to be
6 unanimous.

7 MR. MACMILLAN: It would be.

8 MR. IVANOV: That is even better.
9 Are there, in fact, right now two
10 vacancies? We have three people on the
11 board. Are there two vacancies or does
12 vacancy occur only if there is a minimal
13 requirement is met?

14 MR. MACMILLAN: Only when there is
15 --

16 MR. IVANOV: We have a provision in
17 bylaws which allows from three to five
18 board members to serve.

19 MR. MACMILLAN: That's correct.

20 MR. IVANOV: So right now there are
21 three boards members.

22 SPEAKER: Because last year we
23 couldn't get five.

24 MR. IVANOV: Can we appoint two more

1 people, for example, until the end of
2 March? It's a hypothetical question. How
3 many vacancies there exist if there is --

4 MR. MACMILLAN: You need a minimum
5 of three. You can't appoint more than the
6 three. The current board --

7 SPEAKER: So currently we have two
8 vacancies.

9 MR. MACMILLAN: Correct.

10 SPEAKER: When you resign we will
11 have three vacancies. So, at that point we
12 can appoint up to three people until March
13 of 2015.

14 MR. IVANOV: Is that correct?

15 MR. MACMILLAN: Correct.

16 SPEAKER: Theresa 79, sorry.

17 MR. IVANOV: So there is the answer.

18 Anyone want to volunteer?

19 SPEAKER: What are the obligations?

20 MR. IVANOV: Attend to the monthly
21 board meetings, answer e-mails hopefully
22 timely, which I wasn't able to do this
23 year, sorry, help Elaine with, you know,
24 ongoing emergencies, people screaming at

1 Elaine needing something. She is a
2 trooper. She takes the brunt of certain
3 joyful residents.

4 Yes, sir.

5 SPEAKER: I will volunteer. 112,
6 Jonathan Campbell.

7 MR. IVANOV: Excellent. Anybody
8 else?

9 SPEAKER: There are only two other
10 people volunteer.

11 MR. IVANOV: I think we discussed
12 this already. But Theresa and Bonnie, are
13 you staying; are you volunteering for the
14 next year?

15 SPEAKER: I am volunteering.

16 MR. IVANOV: Unit number.

17 SPEAKER: Bonnie Tedesco, unit 59.

18 SPEAKER: I think I'm volunteering
19 by default. Theresa, 79.

20 SPEAKER: Thank you.

21 MR. IVANOV: Thank you. So hold the
22 record.

23

24 (Off record discussion)

1 MR. IVANOV: Back on the record.

2 Could someone please make a motion
3 for Theresa Poore, Bonnie Hayes and
4 Jonathan Campbell to be elected to serve as
5 members of the board for the fiscal year
6 2014 term ending on March 31, 2015?

7 SPEAKER: I make a motion, 97
8 Farrwood.

9 MR. IVANOV: Anyone second?

10 SPEAKER: Barbara Stavash, 114, I
11 second.

12 MR. IVANOV: All in favor say aye?

13 SPEAKERS: Aye.

14 MR. IVANOV: Opposed? Motion is
15 carried. Hold the record, please.

16

17 (Off record discussion)

18

19 MR. IVANOV: Back on the record,
20 please.

21 I move to remove the signatures from
22 the operating and reserve accounts of the
23 association for the following board members
24 Arcadiy Ivanov, Theresa Poore and Bonnie

1 Hayes on April 1, 2014 and to allow the
2 board to elect the signatories on the above
3 accounts for the new board members duly
4 elected to run the term of fiscal year 2014
5 ending on March 31, 2015.

6 SPEAKER: Is this a discussion?
7 Jonathan Campbell, 112.

8 Since the two others are returning,
9 is it necessary to remove them?

10 MR. IVANOV: Unfortunately, yes,
11 because that's how TD Bank wants it. They
12 asked me specifically to say here are the
13 people being removed from the account and
14 here are the people being put back.

15 SPEAKER: Even though they are still
16 going to be signatories?

17 MR. IVANOV: Yes. Because their
18 term effectively expires on that date and
19 they are entering a new term, so that is
20 how TD Bank wants it.

21 SPEAKER: Arcadiy, Bonnie Hayes, 59.
22 I am sure it must make a difference. My
23 name is no longer Hayes. Legally it's
24 Tedesco as of January 25th.

1 MR. IVANOV: Dually noted on the
2 record. I am sure we will change your name
3 on the account.

4 SPEAKER: Is this going to change
5 how the signatures --

6 MR. IVANOV: Well, as long as the
7 person is exactly the same, I think we are
8 going to be fine, yes.

9 SPEAKER: Jonathan Campbell, 112.

10 I would second the motion.

11 MR. IVANOV: All in favor aye?

12 SPEAKERS: Aye.

13 MR. IVANOV: Opposed? Motion is
14 carried. Hold the record, please.

15

16 (Off record discussion)

17

18 MR. IVANOV: Back on the record,
19 please.

20 I move to roll the remaining funds
21 in the operating accounts of Farrwood II
22 into the operating accounts of Farrwood II
23 for the next year. Do I have a second?

24 SPEAKER: Eric Nugeon, 54 Farrwood,

1 second.

2 MR. IVANOV: All in favor aye?

3 SPEAKERS: Aye.

4 MR. IVANOV: Opposed? Motion is
5 carried. And, I think, at this point the
6 requisite business is concluded. Having
7 not reached a quorum of 51 percent, we
8 cannot make -- we cannot pass any motions
9 not related to budget and not related to
10 board elections.

11 So, right now would be the time for
12 you guys to express your concerns and
13 desire but we won't be able to act upon
14 them in any meaningful way. Anyone?

15 SPEAKER: Jonathan Campbell, 112.

16 You had touched upon that you were
17 going to, and you don't have to go into
18 great detail, but is there any further
19 dealing situations with the Weinstein, the
20 road and everything else in the past year?

21 MR. IVANOV: Not that I have heard.
22 I know I have -- there is some construction
23 started behind phase one. If they are
24 starting construction behind phase one, I

1 think they are obligated to finish
2 renovating the road up to that construction
3 site only up to the construction completes.
4 That is obligation undertaken but in front
5 of a city council, not in front of us. So,
6 all questions there would have to be
7 addressed to city council.

8 SPEAKER: So, it was my
9 understanding he also wants to extend where
10 Farrwood goes up past us and build up
11 there. Is the road construction going to
12 be waiting for that to happen?

13 MR. IVANOV: I have no clue about
14 where you are talking about. Last time I
15 was at a city council meeting there was no
16 discussion about extending anything on our
17 branch of Farrwood II. He wanted to go and
18 build something above Sterling Lane.

19 But in order to do that, he needed
20 to essentially complete the renovation of
21 Farrwood all the way to the very end and
22 that was something around million dollars
23 for him. So, it would take several years
24 even if he continues building. I know

1 nothing about him trying to extend our
2 portion of Farrwood II further.

3 SPEAKER: Not Farrwood II. This is
4 Farrwood Drive.

5 MR. IVANOV: I'm sorry, Farrwood
6 Drive.

7 SPEAKER: Extends around the corner,
8 keep going straight.

9 MR. IVANOV: I haven't heard about
10 it.

11 SPEAKER: I saw from phase six last
12 year the blueprints.

13 MR. IVANOV: You would have to talk
14 to city council or zoning.

15 SPEAKER: Just to clarify, he is
16 correct only in the sense that when that
17 whole project went through with the current
18 phase we are seeing the hill, Sterling,
19 which is going to be condos. That section
20 that Jon is referring to is slotted for
21 houses. They are just going to slam in
22 there some little houses that are similar
23 to the ones that are on the bottom of
24 Bradford Street.

1 SPEAKER: The blueprints I saw --
2 112 again -- indicated condos. I don't
3 know how old they were, and it belonged to
4 another phase. I saw them. I don't have
5 the specifics.

6 MR. IVANOV: I believe the zoning
7 does not allow for houses. It may be two
8 unit condos or something like that, the
9 ones -- like the one in Farrwood place on
10 our branch of Farrwood Drive. But, you
11 guys, things have changed. I haven't been
12 to a city council meeting in a couple of
13 years. You might have more up-to-date
14 information again.

15 All those questions, including
16 enforcing the renovation of Farrwood Drive
17 by Weinstein would have to be addressed to
18 city council because we have no
19 contractual agreement with them. So all
20 the obligations was in front of the elected
21 body. I don't know if whether they can be
22 hold up to that promise, because I don't
23 think there's a contractual agreement with
24 the city.

1 SPEAKER: Councilor Ryan was vocal
2 when I went to different meetings to find
3 out about our developments and he was
4 committing to holding Weinstein to some
5 portion of the infrastructure of the road.
6 So, you would have to go back and look at
7 tapes and I have not been downtown to know
8 what the current building plans are. I
9 know what the building plans with houses,
10 condos, et cetera, have been in the past
11 but I don't know whether Weinstein changed
12 them.

13 MR. IVANOV: I wouldn't have more
14 information than you have at some point.
15 So, if you have questions, address them to
16 city council. I would like to basically
17 give you a background on the road very
18 quickly.

19 SPEAKER: Yes.

20 MR. IVANOV: What's your name again?

21 SPEAKER: Karen, 167.

22 MR. IVANOV: The situation is this.
23 All phases on Farrwood Drive have an
24 easement to use the road. The road is

1 privately owned and originally it was owned
2 by Roy Farr and now it's used by, I
3 believe, Weinstein and Associates or
4 whatever the construction company is
5 called.

6 As far as I understand and as far as
7 the latest legal position was on that, all
8 phases and the owner having an easement on
9 that property, they also share a duty to
10 maintain. We do not own the road, but we
11 have an easement. They own the road but
12 they are not really because it's their
13 property. As long as they can use it, they
14 are not specifically allowed --
15 specifically required to renovate it to any
16 extent.

17 I assume if all the pavement comes
18 off and it becomes a swamp we would be able
19 to legally force them to do something. But
20 last I discussed it with an attorney, the
21 position was that the judge will most
22 likely -- if the phases try to compel
23 Weinstein to rebuild it, the judge will
24 likely to compel all the phases and

1 Weinstein to pitch in and rebuild it
2 because we all use it. Even now we do not
3 own the road.

4 So, there were different discussions
5 about whether we all should try to get
6 joint ownership of the road for all the
7 phases and then create additional budget to
8 maintain it. The problem is if we do that,
9 we are in for about a million and a half in
10 road repairs throughout the Farrwood Drive
11 and we want Weinstein to do it, and we want
12 city council to compel them to do it as
13 part of the permit to grant them to build
14 the condos they want.

15 That is basically the state of
16 affairs. So, we beg Weinstein to fill in
17 the potholes. He complies on occasion, and
18 we are waiting for him to start building so
19 that we can hold him up to the obligations
20 to rebuild sections of the road as the
21 zoning committee required him to.

22 SPEAKER: Jonathan Campbell, 112.

23 In my discussion it was more than a
24 year ago but whenever the intent being that

1 when Weinstein does that, he will have to
2 bring it up to city code with the -- where
3 the point of then it then becoming eligible
4 for the city to take over to become a
5 public road.

6 MR. IVANOV: That is the view.
7 However, the fact that he would bring it up
8 to city code eventually does not mean that
9 it will take it as a public road, and I
10 think one of the requirements would be to
11 have granite.

12 SPEAKER: Granite curbing. That is
13 where Ryan came into play.

14 MR. IVANOV: Last time I spoke to
15 Weinstein about what we wanted, he said,
16 "If there is a granite curbing, I am not
17 going to do anything and I am not going to
18 build if you require me to have the granite
19 curbing because I cannot make my budget
20 with that granite curbing. It would put me
21 way over the budget not only for the road
22 but for the construction as a whole. So,
23 if you demand that and you're going to
24 insist on that, I am not going to build and

1 the road goes as through."

2 SPEAKER: And that is where
3 Councilor Ryan comes into play on those
4 tapes on that discussion with the approval.

5 MR. IVANOV: Possibly it's been
6 quite a few years. But as far as I recall,
7 the agreement was that if he were to bring
8 it to the city standards, even if that
9 wasn't to happen, council would have to
10 vote to accept it as a public road and it
11 might not happen at all even to that point.

12 SPEAKER: I think part of this
13 discussion it's just coming back to me
14 because I went to a lot of them. Granite
15 curbing is expensive. It helps with
16 infrastructure maintaining the road. I
17 think what Council Ryan was saying is he
18 will do whatever he can to get the city to
19 accept it without the granite curbing. I
20 am not saying it's going happen.

21 MR. IVANOV: I understand that.

22 SPEAKER: That's the promise from
23 two or three years ago.

24 MR. IVANOV: So you remember it

1 better than I do.

2 SPEAKER: I am just trying to
3 clarify it.

4 MR. IVANOV: If that is the case,
5 that would be great but it's years away if
6 it will happen. So, the only thing I can
7 say is, guys, you can dig and wait for,
8 like, if you really start seeing the
9 buildings at that apex and the construction
10 seems to be complete and the road is still
11 not renovated, I would start calling city
12 hall.

13 Because at that point, by the time
14 the certification for the building is done,
15 the road is still not rebuilt, he would be,
16 as I recall, in violation of the permit
17 granted to him. So, at that point you need
18 to bug city council to start enforcing
19 their own permit.

20 But, again, it wouldn't be a board.
21 We can't act. It's not an agreement
22 between us and Weinstein. It's an
23 agreement between the city and Weinstein.

24 SPEAKER: Karen, 167.

1 Is that permit public?

2 MR. IVANOV: Yes. All those records
3 on zoning commission is zoning commission
4 vote are public and all those debates are
5 public. I believe, it was videotaped and
6 broadcasted on local channel somewhere. I
7 am sure you can get it somewhere, at least
8 the transcript, if not the video.

9 Anyone else? Yes, please, ma'am.

10 SPEAKER: Number 49. I was at that
11 meeting also. I remember very emphatically
12 that the woman who is on the whatever the
13 committee is when she brought it up she
14 fought for us. She said there was no way.
15 She said these people can go through this
16 longer and longer and longer and the only
17 reason she would support his building
18 construction of it would be the fact that
19 he has to agree to bring it up to code and
20 that is the way it stood and that is the
21 way it was voted. Unless something
22 happened after that, I don't know but I do
23 remember that.

24 MR. IVANOV: Start calling city

1 hall. That is all I can say at this point.

2 SPEAKER: Then there is -- then we
3 have to remind them.

4 MR. IVANOV: Absolutely. Start
5 calling, start writing.

6 SPEAKER: Put a lot of names on the
7 list.

8 MR. IVANOV: Absolutely. Anyone
9 else? Yes, please.

10 SPEAKER: Sara Rudis, 81.

11 I was just wondering about the tree
12 removal, the location of trees and how do
13 you request a removal?

14 MR. IVANOV: How you request a
15 removal is you call PMA or you write to the
16 board or PMA or both. But at this point, I
17 believe Elaine has a list. Which tree are
18 you concerned about?

19 SPEAKER: The one that's right above
20 81 that has sap and everything on all the
21 cars.

22 MR. IVANOV: Elaine, 81?

23 SPEAKER: Is it the large tree?

24 SPEAKER: It's not one like the big

1 fur trees.

2 SPEAKER: It's the maple tree beside
3 it.

4 SPEAKER: It takes up about four
5 spaces. You can't park there during so
6 many months because of --

7 SPEAKER: Show him some pictures.

8 SPEAKER: I have the pictures of the
9 sap, so you're constantly washing your car.

10 MR. IVANOV: Is there really sap
11 from a maple tree?

12 SPEAKER: It's bird blah, blah,
13 blah.

14 SPEAKER: Yes. And then I don't
15 know in what the other stuff is birds.

16 MR. IVANOV: That's probably birds.
17 One of the things, guys, with birds we did
18 receive a request from people can we
19 somehow install devices to shoot the birds
20 or get rid of the birds. It's wildlife.
21 We cannot disturb it anymore we can get rid
22 of a skunk or something.

23 SPEAKER: I understand that. When
24 they did the tree trimming, it made it

1 worse because they trimmed away from the
2 buildings. But then they're branches that
3 overhang over the cars so the birds have
4 nowhere else to go.

5 MR. IVANOV: Quiet, please. That
6 would be one of the reasons they trimmed
7 away from the buildings because there was a
8 reason to not let the branches go into
9 the -- so, it wasn't actually shaping of a
10 tree per se but it was removing the
11 potential threat to the building, but I
12 don't know.

13 Elaine, do we have a list of trees
14 we were planning to remove?

15 SPEAKER: Other than those ones that
16 we proposed, that tree may be on the list
17 of Valley Tree Supply. I will have to
18 doublecheck.

19 SPEAKER: I don't think it is.

20 MR. IVANOV: We will have to
21 doublecheck. If it's not, we can give them
22 that. We are making the policy this year
23 not to accept individualized requests for
24 tree removal. It will have to come into

1 the different budget because, otherwise,
2 it's people start calling in I want this
3 fern to be replaced. I want this tree to
4 be removed and it's a never ending process.
5 The budget is not made out of rubber
6 unfortunately. If it's not, please bring
7 it up with Elaine before next year. But if
8 it's big enough, I think it would be on the
9 list.

10 SPEAKER: It may be.

11 SPEAKER: Excuse me. So, you're
12 saying nothing is going to be done with the
13 trees this year?

14 MR. IVANOV: No, no. There will
15 only be the trees on the list, the seven
16 ones because, otherwise, it's going to be
17 not seven but fourteen plus a few shrubs
18 and we can't continue doing that.

19 SPEAKER: I motion we remove all the
20 trees.

21 MR. IVANOV: Unfortunately, it's
22 51 percent requirement.

23 Yes, please.

24 SPEAKER: 97 Farrwood.

1 Can we talk about the snow removal?

2 MR. IVANOV: Yes, please.

3 SPEAKER: They put parking spaces on
4 Heritage, because the parking lots didn't
5 have enough spaces but now there are
6 illegal parking spaces that people park
7 there in the snowstorm. And now you have
8 the issue with trying to get people up the
9 hills. I mean, she couldn't get up the
10 hill the last time.

11 SPEAKER: Debby Harvey, 103.

12 I drove everywhere with the last
13 storm. I went to work and, unfortunately,
14 I left work at three. When I went around
15 the corner, I got stuck right at the bottom
16 of Heritage Hill. There is the abandoned
17 car on the other side. I was there for a
18 while and I tromped up and called PMA and I
19 got the answering service. That took ten
20 minutes.

21 I went back down. I was probably
22 stuck for about an hour, because I don't
23 have an SUV but I was able to drive
24 everywhere but where I live. So, you know,

1 I got surprised when I got stuck at that
2 corner and I waited.

3 So, I was probably stuck for an hour
4 and a half, and then the plow guy did come
5 by. He said, "I'm sorry there's so much
6 snow. I can't keep up with it." But
7 that's bullshit because when I went there,
8 it hadn't been plowed for a couple of hours
9 and then I was stuck about an hour.

10 So, it was a while before another
11 guy came by me before that and said, "I
12 used to plow this area. If it was me, it
13 wouldn't look like this." But he didn't
14 help me. So, the guy who finally showed up
15 after I was stuck because I was afraid I
16 was going to get towed because there was a
17 car on the other side. I couldn't get out.
18 I tried shoveling the back. I was stuck.

19 So, he did finally plow Heritage
20 Hill. He came back down and he said, "You
21 should be able to get by now." I said,
22 "Yes, I will. But you just put all the
23 snow in front." So, whoever he was riding
24 with did come out and shovel in front.

1 I was able to go up to my area.
2 And, also, I had to shovel my parking spots
3 because they don't do it. So, after
4 getting stuck there and shoveling out the
5 snow, I was pretty pissed off.

6 SPEAKER: The issue was I called PMA
7 and they told me that there was an
8 agreement with the plowing company that
9 they wouldn't plow the parking lots until
10 the snow ended. Well, the issue is if you
11 get two feet of snow --

12 SPEAKER: If you go to work, you
13 actually have to shovel out.

14 MR. IVANOV: Guys, here's the deal.
15 The agreement not to plow the parking lots
16 until the snow ends is the agreement not to
17 plow the parking spaces. They do plow in
18 the actual driveway, the parking lot. One
19 of the issues though is a lot of people who
20 are parking on the Heritage Hill, we only
21 have one reserved space there for people
22 who are actually overflowing the parking
23 lot. Everyone else is parking there during
24 the storm illegally.

1 lot.

2 MR. IVANOV: Right. The only legal
3 overflow is one near the mailboxes. It has
4 the word "reserve" on it.

5 SPEAKER: That is incorrect. I
6 don't mean to interrupt. Jonathan
7 Campbell, 112 because I was on the board.
8 The reason those spaces were painted and
9 this is when Todd -- not Todd, Shawn was
10 president is that the parking spaces were C
11 and D. There was exactly only two spaces,
12 not one, two spaces per unit, something
13 along those lines. So, there were more
14 people trying to park in the spaces that
15 were allowed. So, those spaces were marked
16 by the mailbox to relieve that congestion.

17 MR. IVANOV: Right. What about the
18 ones on the road itself?

19 SPEAKER: On the one side of the
20 street coming up the hill, those were also
21 painted at that time.

22 MR. IVANOV: But the problem is
23 people also park on both sides.

24 SPEAKER: I agree.

1 SPEAKER: In the snowstorm, yes.

2 MR. IVANOV: So, that parking is
3 illegal to begin with. Like, you're
4 supposed to stay in your parking lot until
5 they start plowing but people completely
6 disregard that. And there are people
7 outside near the mailboxes, two cars,
8 double, triple parked already during the
9 snow. So, again, there isn't really much
10 we can do until people actually realize
11 it's dangerous and the cars can come
12 through.

13 Yes, please.

14 SPEAKER: 103 again.

15 No matter who plows for us they
16 should make sure at least the main paths
17 are clear.

18 SPEAKER: They do.

19 SPEAKER: They didn't, because I got
20 stuck. That's dangerous because for
21 emergency vehicles they have to keep up
22 with that. If it's snowing all day because
23 people have gone to work, come home at
24 different times, you have to be able to

1 drive through the main path. I am talking
2 about plowing the space, the actual main
3 road to get to your parking lot. That's
4 very important. I think that's very
5 dangerous.

6 SPEAKER: Why can't they get rid of
7 the snow down at the intersection so you
8 can see what is coming?

9 SPEAKER: Spring is coming up.

10 SPEAKER: What is wrong with that?
11 We are already paying them to do it.

12 MR. IVANOV: No, we don't.

13 SPEAKER: We don't?

14 MR. IVANOV: On 114 the snow --

15 SPEAKER: All the men that are
16 coming in the walkway to the units, all
17 those men can't do that?

18 MR. IVANOV: One way to the units is
19 the contract which covers the Farrwood II
20 parking lot. The common contract --

21 SPEAKER: You're just inviting
22 accidents then. You can't see what's
23 coming, you can't.

24 MR. IVANOV: It's not only the snow

1 that we put there. It's also the snow that
2 the city puts there, plowing the 125.

3 SPEAKER: He is talking about the
4 end of Heritage Hill.

5 MR. IVANOV: Are you only talking
6 about Heritage Hill?

7 SPEAKER: The traffic, you can't see
8 what's coming when you are coming out of
9 Heritage Hill.

10 MR. IVANOV: Out of the Heritage
11 Hill.

12 SPEAKER: Right.

13 MR. IVANOV: I think at certain
14 point we got those calls and they tried to
15 push those piles down. Unfortunately,
16 there are two companies responsible for it.
17 One that plows Heritage Hill, the other one
18 which plows the actual Farrwood II, and
19 those are two different contractors. So,
20 if we talk to one and the other piles it
21 higher, it's a little problematic.

22 But, Elaine, could you make sure
23 that next year --

24 SPEAKER: Just change the contract

1 and make them do it.

2 MR. IVANOV: Absolutely, and it's
3 not that easy. Apparently people are not
4 exactly dying for the job.

5 SPEAKER: I mean, this has nothing
6 to do with us but I go to New York every
7 Christmas. My nephew lives out there.
8 They have plows that get rid of those piles
9 of snow. They completely cover the cab.
10 They have the plow on the front, and they
11 have been doing that for years.

12 MR. IVANOV: We can't afford that.

13 SPEAKER: No, I am not saying we
14 can. I brought it up at the city hall in
15 Haverhill when I went to one of the
16 meetings.

17 MR. IVANOV: But city hall has
18 nothing to do with our property.

19 SPEAKER: All the people over there
20 started applauding me because it's actually
21 being done in New York right now. It's
22 probably being done in all the western
23 states. Haverhill doesn't keep up with the
24 times.

1 MR. IVANOV: Unfortunately, I can't
2 do anything with the City of Haverhill.

3 SPEAKER: Can I say something?
4 Excuse me, I want to get back to the towing
5 issue. We know it's a difficult thing --
6 John, please. But there's been a couple of
7 offenders and they are the same offenders
8 over and over. I have talked to Elaine
9 about a burgundy car that sat in that
10 corner where John is talking about and at
11 that corner during the '02 snowstorm, so
12 they couldn't pile it up probably, okay, as
13 long as they moved it up the road in front
14 of the house and in front of the mailbox in
15 unmarked spots, that has been there for two
16 weeks.

17 Now, certain individuals I don't
18 know who they are but if you make an
19 example of one or two of them, maybe it
20 will catch on. That is all I have to say.

21 MR. IVANOV: And we try to find them
22 every time and the procedure, the basic
23 procedure for towing in Massachusetts is
24 difficult. You have to notify the police

1 department, I believe, in writing.

2 SPEAKER: If we have to do it, we
3 have to do it.

4 MR. IVANOV: Then you have to
5 actually get the confirmation that they
6 have been duly notified and only then you
7 can actually tow. Now, the problem is that
8 if you are outside, you have to fax a form
9 to the police department somehow. So, you
10 have to run inside, fax a form to the
11 police department, wait for their
12 confirmation and then tow.

13 SPEAKER: Why don't you put up a
14 sign "no parking" during snowstorm.

15 MR. IVANOV: It doesn't help. It
16 doesn't help. You still have to notify the
17 police department. And if you don't and if
18 there is some discrepancy and you can't
19 prove that they were duly notified, I
20 believe, it's 1,000 bucks per person. And
21 we fine them 25 bucks a pop every time,
22 every time we find the parking offenders,
23 we fine them.

24 Theresa, please.

1 SPEAKER: Theresa, 79.

2 Can I just say I go around A and B
3 and if people haven't moved their car, I am
4 knocking on doors. But I can't knock on
5 doors unless I have your license plate. I
6 can't knock on doors and get people out of
7 there unless you have registered your
8 license plate and your car.

9 So, if you haven't moved your car
10 and I know whose it is an e-mail gets sent
11 as I am standing outside in the snow
12 watching the pile go back.

13 SPEAKER: I agree. We went through
14 the same thing.

15 SPEAKER: And then people come and
16 say, "I moved it 20 minutes later," so then
17 I started taking pictures with my cell
18 phone of the car literally driving by their
19 car and people still call up and bark about
20 the complaints.

21 So, it's not that we are not
22 ticketing but it's very difficult. There
23 is a car sitting in A and B right now and
24 that's probably been there for a month that

1 has no plates.

2 MR. IVANOV: One of the other issues
3 is that --

4 SPEAKER: That's against the bylaws.

5 MR. IVANOV: Guys, one of the other
6 issues is that recent DMV regulations
7 beforehand you could as an owner of a
8 property send them a request and get the
9 license, get the registration based on the
10 license plate number or based on the event.
11 You can't do it anymore.

12 You have to fill out the form per
13 each occasion. You have to pay a fee. I
14 believe, it's small, five bucks, but it's
15 still a fee but you have to wait. It's not
16 an online thing. You just can't look
17 someone up.

18 So, one of the things we tried to do
19 is to mandate the registration, make people
20 state all the cars that they have and give
21 them the phone numbers and everything else.
22 We received only, I believe, registrations
23 for people we already had because they
24 mailed it in themselves to begin with.

1 Now, we can't try to compel them by
2 saying if you do not return this form, we
3 are going to fine you \$25 a day for the
4 form is absent until you actually register
5 with us. Then the problem is then you
6 would have to go around the parking lot and
7 determine the cars who are there illegally
8 who are not visiting with someone and just
9 abandoned in the parking lot. Some cars do
10 not have plates on them, only VIN numbers.
11 Who they belong to is unclear.

12 The only other solution is put the
13 basic gates and the stickers and electronic
14 reading devices and just let people in
15 through that way. But that, I mean, it's
16 going to be tremendously expensive. So,
17 there are not many things we can do given
18 the environment. If you have ideas, please
19 share with us.

20 SPEAKER: John, 59.

21 What about the orange barrels you
22 see them on the highways that the state
23 uses.

24 MR. IVANOV: Highways --

1 SPEAKER: You see an orange barrel,
2 you can't put your car there, so they can't
3 park there.

4 MR. IVANOV: Well, the problem of
5 someone parking illegally in the wrong spot
6 is not a problem. It's that car is being
7 put in the spots which we do not know who
8 they belong to.

9 SPEAKER: But how do they get in the
10 spot if the barrel is already there? That
11 is all I'm saying.

12 MR. IVANOV: How about legal owners
13 is not being able to use that spot.

14 SPEAKER: Do we still have a
15 policeman that goes around and checks the
16 area?

17 MR. IVANOV: No, it's private
18 property. We don't have --

19 SPEAKER: I thought we always had
20 police when they were stealing tires off
21 cars and stuff.

22 MR. IVANOV: I don't know anything
23 about that. We don't have a private
24 security and police patrolling specifically

1 our area. They don't even patrol the
2 Farrwood Drive.

3 SPEAKER: If we did have private
4 security, would they be able to do that?

5 MR. IVANOV: I don't know if they
6 would be. We don't have another 30,000 per
7 year to spend on it.

8 SPEAKER: I have a question. We
9 have snow regulations sent out every year
10 and they seem to vary. And when you were
11 just talking about parking at Heritage Hill
12 in 2012, we sent out this year we will
13 begin using the areas north of the
14 mailboxes on Heritage Hill circle for piles
15 of snow. There will be no parking during
16 the storm in the circle. Vehicles may park
17 in the circle only while there are spaces
18 in the parking lot are being plowed.

19 I am wondering why do we keep
20 changing our snow regulations and sometimes
21 they leave off valuable information? At
22 some other point in time, they did tell you
23 you could wait 20 minutes, which some
24 people now keep the plow guys waiting. I

1 can show you, line them up. They are just
2 so varied. I don't understand it, number
3 one.

4 And, number two, unit 114, Farrwood
5 Drive, I am asking for no parking signs on
6 Heritage Hill on the side where we already
7 have poles and we have no delineation
8 because the fire trucks cannot come through
9 there and this has happened in the past.

10 MR. IVANOV: The no parking sign is
11 not going to help.

12 SPEAKER: Yes, it will.

13 MR. IVANOV: How?

14 SPEAKER: No parking any time just
15 like the one that is down by 112. There is
16 a no parking anytime sign in the snowbank.

17 SPEAKER: And people park in front
18 of it.

19 MR. IVANOV: They are going to park
20 in front of it.

21 SPEAKER: I disagree. I think it
22 would be helpful no parking any time, and
23 that's 12 months out of the year. And I
24 can tell you that when I asked a couple of

1 people, as arrogant or obnoxious as this
2 may sound, I asked several people that were
3 blocking the pathway to keep looking for a
4 fire truck. And if a fire truck came
5 through, I asked them to tell the cars
6 around them.

7 Some people understood what I asked
8 them to do after a while and moved their
9 cars. Others just -- I mean, we have
10 had -- I don't know. You might not see
11 this. But we've had quite a few fire
12 trucks and then ambulance coming up into
13 our lots over the past two weeks. There
14 has been health issues up there. That's,
15 thank God, not happening during our
16 snowstorms.

17 But when we had health issues in our
18 lots two years ago, I think we need to do
19 something a little bit more proactive
20 before we truly have a death on our hands.
21 Because when I was helping the fire
22 department get their truck out one year,
23 they were not happy between the
24 complications of double parking on Farrwood

1 Drive and then trying to turn on Heritage
2 Hill where the snowbank is.

3 So, I am asking that there be no
4 parking signs any time put on the side
5 where 12 months out of the year where there
6 is not supposed to be any parking.

7 MR. IVANOV: Elaine, can we consider
8 that, get a quote for that?

9 SPEAKER: Because when someone parks
10 there and a fire truck can't get through
11 and it's a heart attack, which is four
12 minutes start going backwards for oxygen,
13 like it or not or somebody else, you can
14 pull them into the lawsuit with the no
15 parking signs.

16 MR. IVANOV: Right. It doesn't help
17 the person but --

18 SPEAKER: No, the one that
19 potentially dies it doesn't or has damage
20 of some kind to their body.

21 MR. IVANOV: We will consider that.
22 I don't have much control over that.

23 SPEAKER: I have asked you for four
24 years. All you have to do is put a no

1 parking sign. I will pay for them.

2 MR. IVANOV: You don't need to pay
3 for them. I think we have a pole there.
4 We can try to put it on it. I don't have
5 much hope that it's going to happen.

6 SPEAKER: I do because there are
7 people -- there are -- you can't see -- you
8 have language that says "park on one side
9 only." So you know what that means, pick
10 it. To me it's this side to them. It's
11 that side. You picked your side.

12 SPEAKER: I'm not disputing the
13 desire what you want here but I live in
14 that no parking any time sign is right in
15 front of our unit. Guess where people park
16 on a very regular basis all the time there
17 is --

18 SPEAKER: I'm talking about a fire
19 truck coming into the unit.

20 SPEAKER: I'm talking a sign --

21 SPEAKER: He's talking about the
22 efficacy of the sign.

23 SPEAKER: The sign is there. The
24 other issue is enforcement. You can put a

1 sign up all day long in a private property
2 and we have the same problem as enforcement
3 as you do with towing, don't you?

4 SPEAKER: You have the sign, and you
5 have enforcement issues. We have no sign.

6 SPEAKER: We have it. We can't
7 enforce it is what I am saying.

8 SPEAKER: I am glad you have a sign.
9 I am happy you have a sign. I am asking --

10 MR. IVANOV: His sign is
11 ineffective, so it doesn't make sense to
12 spend money on them.

13 SPEAKER: You don't have to. I will
14 pay for them. I will pay for the proper
15 sign that says "no parking any time" and
16 then that takes away some element of legal
17 liability off of 128 wallets.

18 MR. IVANOV: Thank you.

19 Anyone else?

20 SPEAKER: Motion to dismiss.

21 MR. IVANOV: To adjourn.

22 SPEAKER: To adjourn, excuse me.

23 MR. IVANOV: Second.

24 SPEAKER: Second.

1 MR. IVANOV: All in favor aye?

2 SPEAKERS: Aye.

3 SPEAKER: Thank you, board members,
4 for everything.

5 MR. IVANOV: Meeting is adjourned.

6

7 (A recess was taken)

8

9 MR. IVANOV: Back on the record.

10 The meeting of the board members of
11 the Farrwood II Condo Association hold to
12 elect the officers for fiscal year 2014.
13 Present Jon --

14 MR. CAMPBELL: Jonathan Campbell,
15 Campbell like the soup.

16 MS. WOODBURY: Theresa Woodbury.

17 MS. TEDESCO: Bonnie Tedesco.

18 MR. IVANOV: Arcadiy Ivanov.

19 The motion is to elect the officers
20 as follows: Hold the record, please.

21

22 (Off record discussion)

23

24 MR. IVANOV: Back on the record.

1 MS. WOODBURY: Theresa Woodbury as
2 president.

3 MR. CAMPBELL: Jonathan Campbell,
4 treasurer.

5 MS. TEDESCO: Bonnie Tedesco, clerk.

6 MR. IVANOV: All in favor?

7 MR. CAMPBELL: Aye.

8 MS. WOODBURY: Aye.

9 MS. TEDESCO: Aye.

10 MR. IVANOV: Opposed? Motion is
11 carried. Meeting is adjourned.

12

13 (Meeting adjourned at 8:40 p.m.)

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COMMONWEALTH OF MASSACHUSETTS

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I, KRISTEN M. EDWARDS, COURT REPORTER,
do hereby certify that the foregoing is a true and
accurate transcription of my stenographic notes,
to the best of my knowledge and ability.

WITNESS MY HAND, this 2nd day of June,
2014.

Kristen M. Edwards