

**Farrwood Phase II annual meeting
March 22, 2016**

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COMMONWEALTH OF MASSACHUSETTS

* * * REGULAR MEETING * * *

OSGOOD LANDING
1600 OSGOOD STREET
NORTH ANDOVER, MASSACHUSETTS
MARCH 22, 2016
7:15 p.m. - 8:20 p.m.

Kristen M. Edwards
Court Reporter

**Farrwood Phase II annual meeting
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APPEARANCES:

Board of Managers:

Jonathan Campbell

Blair Payne

Peter Deveny

Elaine Romano

In Attendance: Douglas MacMillan, Esq.

1 MR. CAMPBELL: Thank you for your
2 patience. I appreciate it. We had some
3 problems with the printer. If you don't
4 have an information package, let somebody
5 know and some information packages didn't
6 have a second page on the budget so they
7 were -- I guess, the office didn't collate
8 very well.

9 So, anyway, we are calling to order
10 at this point. We do have apparently over
11 50 percent representation, so
12 congratulations to you all. So, it's a
13 nice turnout, thank you. And for those of
14 you who didn't make it who sent in proxies,
15 thank you too. Anyway, we are in the
16 process of adding up the totals here.

17 We do have over 30 percent to start
18 looking at the budget proposal and to make
19 elections. So, we are going to go into the
20 budget here real quick, what we are
21 proposing here and we are proposing a
22 budget increase. And, I think, most of you
23 probably got the letter that I sent out
24 talking about the need to address some of

1 the building issues, some of the capital
2 improvements that have not been able to
3 prior to -- the bottom line is if we are
4 going to do this, if we are going to have
5 our condo at a good place, we need to make
6 some improvements and we need to spend some
7 money to do that.

8 What this is here, the portion of
9 your proposal there, what we are asking for
10 is basically we are asking for the
11 worst-case scenario. We have a situation
12 where we have a line of credit that has
13 been offered to us up to 750,000 dollars.
14 We aren't necessarily going to borrow all
15 750, but we have that option.

16 And if we do, the second page of
17 that budget proposal, it talks about what
18 potentially your new monthly fee is at the
19 bottom of the second page there, so if you
20 look in the middle your current monthly fee
21 and look over to your right potentially.
22 So we are in the vicinity of \$25 of month
23 potentially.

24 If we don't borrow all that money or

**Farrwood Phase II annual meeting
March 22, 2016**

Page 5

1 by some mechanism we end up being able to
2 access the reserve fund, which is difficult
3 to do so that we end up borrowing less,
4 then your fee, your monthly fees, your
5 condominium fees will not be going up that
6 much. If you would just identify for the
7 --

8 SPEAKER: Marie Griffin, number 67.
9 I just want to ask on this payout here it
10 says the current new monthly fees are going
11 to be 259.08. Well, I can only pay 160.

12 MR. CAMPBELL: For the big units.
13 There's three different sizes of units. So
14 what are you paying right now, 169?

15 SPEAKER: Yes.

16 MR. CAMPBELL: So you're 191 and
17 change. That's, again, that's if we borrow
18 everything. That's potentially if we
19 borrow everything we possibly could.

20 SPEAKER: I read it wrong, I'm
21 sorry.

22 MR. CAMPBELL: No problem. So
23 that's what we are looking at. And if you
24 have any questions concerning, you know,

1 this potential budget, the line of credit
2 or anything else, we would like to start
3 looking at replacing siding is probably our
4 first priority. We have contracted with an
5 engineer to actually take some samples
6 around the property to see basically what
7 we are looking at to do that.

8 That is probably going to be at
9 least in the vicinity of 60,000 dollars per
10 building and perhaps more depending on what
11 we find. Nobody knows what's really behind
12 those aluminum sidings. I think we all
13 know that there's not a lot of insulation
14 there. And whatever we end up replacing,
15 we'd like to put good quality stuff in
16 there. So that's potentially at this point
17 the information we have that we are looking
18 at. Arcadiy?

19 MR. IVANOV: Arcadiy Ivanov, 138.
20 So the increase is very reasonable from
21 what I see. My question is technicalities.
22 Let's say you decide not to borrow the full
23 750, you can't -- like, if the Association
24 approves the increase, that increase stays

1 for the year regardless of what you decide
2 to borrow, right?

3 MR. CAMPBELL: We are not increasing
4 anything immediately, and we talked with
5 Doug about this. This is basically the
6 potential situation, but we needed to get
7 approval to do this. This is what we ended
8 up having to do in the end. Now, until we
9 actually contract someone to do the work,
10 there is not going to be any increase until
11 we actually start borrowing the money. So,
12 it may be two or three months that we do
13 that. And, so, this will represent
14 potentially a full year.

15 MR. IVANOV: So, I am not against
16 any of it. My concern is, again, the
17 technicality. If we are approving the
18 budget, we are approving the specific
19 numbers.

20 MR. CAMPBELL: We are asking for
21 these numbers if at the end of the fiscal
22 year we have not spent and/or borrowed this
23 amount, if we borrow less and spend less, I
24 mean, the end is we would end up balancing

1 it. Still, it might be a lesser amount for
2 that year.

3 But we looked at the line of credit,
4 and we basically have 18 months to have
5 access to that line of credit. It's a
6 difficult -- we didn't know necessarily how
7 to present this on a theoretical situation,
8 hypothetical situation.

9 MR. IVANOV: Maybe I'm reading this
10 wrong a little bit. So, the 2016, the
11 fiscal year 2016 starts April 1st.

12 MR. CAMPBELL: Yes.

13 MR. IVANOV: Is the Board going to
14 be making changes to the -- I understand
15 you won't go over the approved increase,
16 but you will actually make changes to the
17 condo fees depending on how much you
18 borrow.

19 MR. CAMPBELL: Not until we start
20 borrowing the money.

21 MR. IVANOV: But my concern is that
22 from what I -- from the bylaws once we set
23 the fees for the year, we set fees for the
24 year and the Board is not empowered to

1 modify them. That's what was my
2 understanding.

3 MR. MACMILLAN: That's correct.

4 MR. CAMPBELL: So --

5 MR. MACMILLAN: So, if you're going
6 to approve a fee increase, that would be
7 the new amount because the Association
8 needs to approve it. If you don't use
9 those funds, you are going to have a budget
10 surplus.

11 MR. CAMPBELL: Which we discussed.

12 MR. MACMILLAN: Which would be
13 presented at the end of the year when
14 you're doing next year's budget for the
15 Association to approve either a reduction
16 in condo fees or to move that into reserve
17 or to expend that in the next budget on
18 whatever capital projects you guys decide
19 to work on.

20 MR. CAMPBELL: Blair.

21 MR. PAYNE: Arcadiy, the plan was we
22 had met with Doug and talked this over. We
23 were going to -- the budget that we are
24 proposing on the line of credit, there

1 would be no increase in the fees as they
2 currently are until we get the evaluation
3 back -- this is a worst-case scenario based
4 on conversations that we've had with some
5 lending institutions with some people who
6 we had a couple of years ago or a year or
7 two ago we had some numbers that PMA put
8 together on a then proposal and having to
9 do the siding approximately what it would
10 cost.

11 And, again, not knowing what is
12 behind all of that, the plan was that we
13 hired an engineer. They are coming in next
14 week to start to pull some of the siding
15 off specific buildings, see what is behind
16 it to do a sampling. Then they will make a
17 determination of approximately what the
18 scope of work would be to do the siding,
19 and we would meet with them to discuss
20 that.

21 Once we discussed what the scope of
22 work would be, they would help us then send
23 out bids to different vendors to perform
24 the work, and then we would select a

1 vender. The work would begin you are
2 looking at probably close to three months.
3 So, our intent was to keep the condo fees
4 the same probably through June, July and
5 then once we -- this was one scenario. And
6 then once we knew what the numbers were, we
7 would then begin to execute the new condo
8 fee. Now, if we can't do that --

9 MR. MACMILLAN: We are unable to do
10 that.

11 MR. PAYNE: If can't do that and we
12 have to start right out of the shoot with
13 the increase, then whatever -- if we didn't
14 start the work until say July or August and
15 we only had to -- we have 18 months. Once
16 we access the line of credit, we have 18
17 months to access whatever we are going to
18 use of that line of credit.

19 So, if we didn't begin the work say
20 until July, August, our 18 month clock
21 starts then and then we begin to draw off
22 that money. And, so, at the end of the
23 fiscal year, which is March 31st, if we
24 haven't spent up to the 93,000 dollars on a

1 yearly basis, we would ask at the annual
2 meeting to you folks what do you want to do
3 with that money. And to Doug's point, that
4 could be put back into the reserve. We
5 could apply it towards, you know, something
6 else but we would have options.

7 MR. IVANOV: But I perfectly
8 understand everything that you're saying.

9 MR. PAYNE: I just wanted everybody
10 else to understand what I was saying.

11 MR. IVANOV: I have no problem with
12 fee increase. It's reasonable, and we do
13 have problems.

14 MR. PAYNE: And the only reason
15 we're doing this -- and when Jonathan
16 mentions possibly trying to access some
17 portion of the reserve, we would not want
18 to take -- I don't know what the number
19 would be, but we certainly want to leave
20 the bulk of it in there and maybe use some
21 of it to do a couple of parking lots or
22 something.

23 But the point being, it's so
24 difficult -- I mean, we are so fortunate

1 tonight to get almost between 50 and
2 60 percent attendance, physical attendance
3 of proxies and that's the most we have -- I
4 have been here a long time. I know a lot
5 of the other folks have too, but this is
6 the most we've had because this is an
7 important thing.

8 The other reason for the line of
9 credit is we have been very fortunate the
10 last three or four years now to getting an
11 insurance company to insure our master
12 policy because of all the claims and the
13 claims primarily, not necessarily the
14 dollar, but the number of claims had been
15 the result of ice dams for our roofs that
16 have been bad. We fixed those, and now a
17 lot of the siding. And once that gets into
18 the siding, it begins to deteriorate what
19 is behind it. We don't know what is behind
20 it yet.

21 We've come to the point we are going
22 to protect our property values. We need to
23 start thinking about useful life estimates
24 all over again. We need to figure out

1 what's the priority it seems to us. And in
2 talking with the other people in the
3 Association that the siding is probably
4 number one right now, siding, parking lots.
5 And then from there as the years go on, we
6 can begin to address other things that need
7 attendance.

8 So, that was pretty much the game
9 plan. And if we have to execute this
10 budget, if we're fortunate enough to pass
11 it tonight and as Doug has advised, if we
12 have to come right out of the shoot with
13 the increase starting April 1st, then that
14 is what we have to do.

15 MR. IVANOV: And I think you should
16 definitely do that. That money that you
17 will be collecting for the first three
18 months will just reduce the amount of money
19 you have to borrow or to take from
20 reserves.

21 One concern I would have is are we
22 sure we don't have a provision in bylaws
23 that requires us to put whatever profit we
24 have into the reserves at the end of the

1 year? We might.

2 MR. MACMILLAN: I don't believe so.
3 I will look through that.

4 MR. IVANOV: If we don't, that's
5 great.

6 MR. MACMILLAN: Well, if it comes
7 out of the budget, I believe what the
8 bylaws provide is that the Association
9 decides just as they do on the budget.

10 MR. CAMPBELL: We had a situation a
11 year or two ago where we received money as
12 of a settlement for a legal situation and
13 we put it before and waited about what the
14 Association wanted to do with it. Marie.

15 SPEAKER: Marie Griffin, again 67.
16 This past winter, not this year, last year
17 when there was so much ice in the spring, I
18 noticed that some of the -- we all had new
19 roofs, but some of the shingles were lifted
20 up on the roof. Is that engineer also
21 going to include checking that out, because
22 that's important. We can't lose our roofs
23 again.

24 MR. CAMPBELL: No, I understand.

**Farrwood Phase II annual meeting
March 22, 2016**

Page 16

1 Did we have somebody --

2 MS. ROMANO: It was too late in the
3 season.

4 MR. CAMPBELL: Too late to look at
5 the roofs.

6 MR. PAYNE: That would be a separate
7 effort probably, Marie, a separate effort.

8 MS. ROMANO: I believe there was a
9 proposal for that.

10 MR. CAMPBELL: We have a proposal in
11 the works to examine the roofs, but what
12 the engineer is looking at is the siding.

13 SPEAKER: Just so I am making
14 certain in my mind that the roofs are going
15 to get looked at. Because what did we
16 spend, 300,000 dollars on those roofs? And
17 I just don't want --

18 MR. CAMPBELL: I understand.

19 MR. PAYNE: We will have the roof
20 looked at this year.

21 SPEAKER: That is a worry. Okay,
22 thank you.

23 SPEAKER: And I'm worried about them
24 getting damaged when they start pulling off

1 the siding. That's my concern. Debby
2 Harvey, 103. That's my concern.

3 MR. PAYNE: That's all part of the
4 --

5 SPEAKER: Everyone says that. But
6 when I was here, we had roofs done. 15
7 years later we had to have another roof
8 done because the engineers didn't use the
9 right stuff, whatever. Nobody knows where
10 the company is anymore, so we've been
11 through this. So you would think a roof
12 would last longer than 15 years.

13 MR. PAYNE: Right. But these would
14 all be part of the discussion with whatever
15 company would be selected, that
16 conversation would be with them indicating,
17 you know, what if you inadvertently damage
18 a roof here and there. How is that -- they
19 are insured too. You have to select a
20 vender that is insured, but that will all
21 be part of the discussion.

22 SPEAKER: It's only because I've
23 been here coming for 20 years and the whole
24 thing with the roofs and they didn't use

1 the right this, the that, you know. I
2 don't know what it was about. It only
3 lasted 15 years.

4 MR. PAYNE: Your concerns are our
5 concerns. We are a volunteer board. We
6 all live here too. We are trying to keep
7 things, you know, at a fair rate that we
8 hope people can live with. And in the same
9 time, keep up the value of the property or
10 actually improve the value of the property
11 and, you know, make insurance levies and
12 things of that kept at a minimum.

13 SPEAKER: I guess, I don't
14 understand why there's been so much trouble
15 getting insurance. I know there's claims,
16 but everyone had ice dam claims last year.
17 So why are we having so much trouble?

18 MR. CAMPBELL: We also had some
19 personal injury claims last year against
20 the Association where people slipped and
21 fell. Our insurance went up from two years
22 ago it was 36,000 and change and it's
23 almost 50,000 this year.

24 SPEAKER: If you slip and fall

1 somewhere, you sue the --

2 MR. CAMPBELL: They sued the
3 Association.

4 MR. IVANOV: And got a really nice
5 car for it.

6 SPEAKER: I would never -- and they
7 can do that?

8 MR. IVANOV: Yes.

9 MR. CAMPBELL: In the back.

10 SPEAKER: 98. I have actually two
11 issues to raise. One question is: The
12 reason why there is nothing in the budget
13 for parking is because we are going to look
14 at that? Because even if -- what if the
15 siding requires so much money that we don't
16 budget for the parking this year? We're
17 still going to have repairs. I know from
18 this last storm that there is a huge chunk
19 of asphalt that came up with the plow just
20 the other day.

21 MR. CAMPBELL: I am not disagreeing
22 with that. The parking lots need -- those
23 are basically two coat priorities. And if
24 it can work out -- we didn't know

**Farrwood Phase II annual meeting
March 22, 2016**

1 necessarily what the budget or how much we
2 could pay. But if out of the money we
3 borrow our access reserve fund, if there is
4 a surplus there, we would like to have to
5 start applying that to the parking.

6 SPEAKER: So if there's a surplus,
7 we need to do something to remedy the
8 problems we already have in the parking
9 lot.

10 MR. PAYNE: Yes. We would not leave
11 an unsafe condition in a parking lot. Your
12 first line of defense, again, would be
13 calling of the property management in
14 Andover if we didn't already know about it.
15 Let's say there's a big chunk of the
16 pavement. They get notified. They tell us
17 about it. We bring somebody into it
18 minimum, you know, to patch it and make it
19 right.

20 SPEAKER: And a follow-up to that is
21 another issue is the area behind our units.
22 The building that I'm in, the drainage,
23 there's an issue with the drainage which
24 some of the patios have erosion and I am

1 concerned about that too. It's a liability
2 to us as a condo association the fact that
3 the access to that is unsafe.

4 MR. CAMPBELL: I understand. We
5 have patios. We have decks. We have --
6 somebody called in today with an issue with
7 a deck. All these things need to be
8 addressed. There are certain things in the
9 reserve -- the reserve funds specifically
10 prohibits us from right now from using that
11 money on certain things like patios and
12 decks is one of them.

13 So, we have to figure out budget
14 wise what are the things we could do, what
15 are parts in your area -- you're talking
16 about what's there on the property. They
17 have the sub pump back there and the well
18 drain. It's not --

19 SPEAKER: The drain was poorly
20 placed quite honestly. It's not going to
21 let us park in that area.

22 MR. CAMPBELL: Anyway, a couple of
23 things on the budget I would draw your
24 attention to we were able to in terms of

1 management -- we just signed a new
2 management contract. We are basically over
3 the two-year contract plan. We saved 9,000
4 dollars from what our previous contract
5 had. So, we are trying to find areas to
6 save money.

7 We have also signed a -- we have a
8 landscaper coming, and he actually lives in
9 the complex. So, Donnie back there, he is
10 the guy with the sweatshirt. But he is
11 expressing -- he takes pride in the place.
12 So if you see something in the landscape,
13 wait until 3:00 in the morning, knock on
14 his door, no. But we are looking forward
15 to getting some stuff done. Any other
16 questions on the budget itself?

17 MR. IVANOV: 138. So, if I remember
18 correctly, Phase 1 when they started the
19 siding project, they opened it up and they
20 found that the entire fascia board was
21 rotted. What's our worst-case scenario
22 ballpark where we have to take the aluminum
23 siding off and then the fascia board in
24 most of the cases? Are we talking about 60

1 per building as you said or more?

2 MR. CAMPBELL: 60 per building was
3 to do -- that was just a general estimate
4 based on good quality replacement. That
5 doesn't necessarily mean anything we are
6 finding underneath it. 60 per building
7 times eight units, so 480,000. We asked
8 for 750 hopefully to give us a cushion.

9 MR. PAYNE: Again, that's almost
10 without pulling some of it off and seeing
11 what is potentially behind there. You
12 could be pleasantly surprised. You could
13 have one building that is pretty darn good
14 and another building has seven or eight
15 units that you have to rebuild that piece
16 of it.

17 MR. IVANOV: I understand that.

18 MR. PAYNE: I don't know until we
19 pull it off.

20 MR. IVANOV: What's the percentage
21 from the line of credit and how long after
22 it closes?

23 MR. CAMPBELL: The latest is the
24 4.25.

**Farrwood Phase II annual meeting
March 22, 2016**

Page 24

1 MR. IVANOV: Still? Okay.

2 MR. CAMPBELL: And that's over 135
3 month period.

4 MR. IVANOV: That's super.

5 MR. PAYNE: We can renegotiate
6 periodically like you did.

7 MR. CAMPBELL: What else, anything
8 on the budget? All right, move on.

9 MR. MACMILLAN: John, I just want to
10 follow up to Arcadiy's question with regard
11 to any surplus. That would be dealt within
12 the next budget. There's no requirement
13 that it go into reserve funds.

14 MR. CAMPBELL: No, that's fine.

15 MR. MACMILLAN: So, if there's a
16 surplus at the end of the year for whatever
17 reason, then that is available for the next
18 year's budget and it would be approved by
19 the Association as part of the process.

20 MR. IVANOV: That's great.

21 SPEAKER: Joe Delio, number 82.
22 It's my understanding -- I know you
23 mentioned the hardtop, and I'm sure you're
24 going to shovel them the right way. My

1 understanding is that National Grid is
2 going to be coming through there sometime
3 and tearing up the joint, and so it's
4 probably prudent that we don't do anything
5 until they are done with their end of it, I
6 assume.

7 MR. CAMPBELL: We have been in
8 contact with National Grid. They are
9 willing to come through this year and
10 install the culvert area that they need to
11 that that will give them access to when
12 they actually do put -- they are talking
13 about 2019 now in terms of the pavement.
14 So, the thing is we can't -- I don't think
15 we will let our pavement go another three
16 years or at least portions of it anyway.

17 SPEAKER: And they are not
18 communicated -- they give you a diagram of
19 where they think they're going to go?

20 MR. CAMPBELL: They walked through
21 with us earlier this year, and they gave us
22 a diagram about where the lines are going
23 to run, so they do cross pavements of
24 certain areas. And, again, they said

1 before we pave they are willing to come
2 through and install the culverts underneath
3 it. So, this is all in place. They can
4 run through the culvert instead of digging
5 up the pavement.

6 SPEAKER: Jay Lear, 51. The
7 question of broken pavement, and I know in
8 front of our building there is some broken
9 berm. I mean, the plow driver is
10 responsible for repairing that anyway,
11 right?

12 MR. CAMPBELL: That's true.

13 SPEAKER: There's a walk-through at
14 the end of the season for any plow damage
15 and working with the landscaper to
16 reimburse for whatever repairs the
17 landscaper needs to make.

18 MR. CAMPBELL: Yes.

19 SPEAKER: Shirley Macfee, 58. So,
20 when they go through to install those
21 lines, they don't repair the asphalt, they
22 don't pay for that?

23 MR. CAMPBELL: What we are doing is
24 like -- it's a concrete culvert. They will

**Farrwood Phase II annual meeting
March 22, 2016**

Page 27

1 come down and install these underneath the
2 old pavement before we ever pave new
3 pavement so that when in 2019 they are
4 going to install electrical lines, they
5 will run through the grass up to that
6 culvert and then run it underneath the
7 culvert.

8 SPEAKER: So they are not going to
9 disturb --

10 MR. CAMPBELL: They are not going to
11 disturb the asphalt.

12 MR. PAYNE: And if they did, if they
13 did --

14 SPEAKER: They would repair it.

15 MR. PAYNE: They would repair it.

16 SPEAKER: Thank you.

17 MR. CAMPBELL: Anything else on the
18 budget?

19 SPEAKER: Just one more question.

20 MR. CAMPBELL: 98.

21 SPEAKER: About the snow removal, is
22 that in negotiations? Are we looking at
23 other contractors?

24 MR. CAMPBELL: We have bids out at

1 this time for snow removal. We are in the
2 vicinity of what did you say, 35 did you
3 say? Around 35,000 dollars worth of bids
4 seem to be coming in. We have not signed a
5 contract or made a selection.

6 SPEAKER: I think it's important in
7 this contract negotiation -- I don't know
8 if other sections are having the same issue
9 where the stairs are not being paved before
10 we need to move the cars and we have a
11 number of elderly residents.

12 MR. CAMPBELL: They are not being
13 shoveled.

14 SPEAKER: That's a huge issue.

15 MR. CAMPBELL: Any issues on the
16 budget?

17 MR. IVANOV: Yes, 138. What's our
18 current delinquency rates?

19 MR. CAMPBELL: Our current what?

20 MR. IVANOV: Delinquency rates.

21 MR. CAMPBELL: Do we have that
22 number?

23 MS. ROMANO: I don't have that with
24 me.

**Farrwood Phase II annual meeting
March 22, 2016**

Page 29

1 MR. PAYNE: Last meeting wasn't it
2 around --

3 MS. ROMANO: Around 8,300.

4 MR. PAYNE: It was roughly around 8,
5 8,500.

6 MR. IVANOV: We don't have a
7 problem, you know, continuously collecting
8 or liquidating units if necessary?

9 MR. CAMPBELL: The vast majority, I
10 think, it's two or three people.

11 SPEAKER: I couldn't hear what they
12 said. Could you repeat that?

13 MR. CAMPBELL: This was concerning
14 the delinquency rates.

15 SPEAKER: I just didn't hear what
16 the rate was.

17 MR. CAMPBELL: I believe we're
18 around 8,000 to 8,500 is what is owed to us
19 at this point, which is relatively low from
20 at one point, I think, it was up 30,000 a
21 couple of years ago. So, no other
22 questions? Is there a motion -- Marie, go
23 ahead.

24 SPEAKER: Marie Griffin. Besides

1 the landscaper, we used to have a man that
2 took care of all the sprinklers and I think
3 there is a need for an arborist to come in
4 for some of these trees.

5 MR. CAMPBELL: There is a line
6 budget here for arborist.

7 SPEAKER: And what about sprinklers?

8 MR. CAMPBELL: Sprinklers, did we
9 ever have a separate sprinkler? I don't
10 recall having a separate sprinkler. It's
11 in the budget to address that. I'm just
12 saying I don't think we had a separate
13 contract.

14 SPEAKER: We did prior to your
15 moving there. We did have a sprinkler man.

16 MR. PAYNE: If there are issues,
17 Marie, with any of the sprinklers not
18 functioning properly, we will certainly fix
19 that.

20 SPEAKER: Because Kelleher did that
21 part, and I would like to see it go back to
22 somebody that does it.

23 MR. CAMPBELL: We will look at that.

24 MR. PAYNE: We will see.

**Farrwood Phase II annual meeting
March 22, 2016**

Page 31

1 SPEAKER: That's their main job.

2 MR. PAYNE: We would not select
3 anyone who wasn't qualified.

4 SPEAKER: Very good.

5 MR. CAMPBELL: Anything else on the
6 budget? Is there a motion?

7 MR. IVANOV: 138. I move to approve
8 the budget as presented.

9 MR. CAMPBELL: Is there a second?

10 SPEAKER: I second.

11 MR. CAMPBELL: We have a second from
12 Bonnie in unit?

13 SPEAKER: 59.

14 MR. CAMPBELL: 59. All in favor of
15 approving the budget?

16 MR. IVANOV: Aye.

17 SPEAKER: Aye.

18 MR. CAMPBELL: Opposed? Thank you
19 very much. I'm going to touch base with
20 you for a second around the budget the
21 trash situation. Some of you may know the
22 City of Haverhill is in the process of what
23 they are calling totes, which are big,
24 large barrels. Unfortunately, they will

**Farrwood Phase II annual meeting
March 22, 2016**

Page 32

1 not -- they are telling us they will not
2 work in our condominium. So what they are
3 proposing is for the city to pay for us to
4 have dumpsters.

5 SPEAKER: Again?

6 MR. CAMPBELL: Again.

7 MR. PAYNE: It's a free option.

8 MR. CAMPBELL: But they are not
9 going to charge us for it. Some of us on
10 the board disagree. I would love to have
11 what we have right now. I have been in
12 contact with some of the politicians, the
13 city council members and such, and Doug has
14 made contact with certain people and talked
15 with the waste management people with the
16 city. We are going to have further
17 contacts, but this is the situation right
18 now. We may end up not having a choice but
19 go ahead and ask questions.

20 SPEAKER: 101. I thought our trash
21 was private, not --

22 MR. CAMPBELL: No, it's city. We
23 pay the city. Trash and recycle are city
24 pickup.

1 SPEAKER: So that means we both have
2 trash and recycling now?

3 MR. CAMPBELL: Yes, we have had it.

4 SPEAKER: News to me unfortunately.

5 MR. IVANOV: Well, it's actually the
6 City of Haverhill on doing the recycling.
7 They send out notices, not the condo. It's
8 actually state law now.

9 SPEAKER: I know when I first moved
10 in it was under some private contractor.

11 MR. PAYNE: No, not Phase 2. Phase
12 2 for at least oh, God --

13 MR. IVANOV: I've been here since
14 2004, and we always had city.

15 MR. PAYNE: A lot of the other
16 phases -- we are Phase 2. Phase 1 is at
17 the bottom of the hill. We were the only
18 two phases in the condominium complex that
19 were offered curbside pickup, which
20 included the recycling. All the other
21 phases for the most part are all in private
22 dumpsters.

23 If we end up having to go to
24 dumpsters again and figure out a way to try

1 to keep them, you know, maintenance and
2 what have you, the city is willing to
3 provide those dumpsters for free and to
4 pick them up for free. All these other
5 phases in the complex are going to
6 currently pay. Once they get wind of that,
7 I am sure they are going to want to, you
8 know, approach them as well, because that's
9 a fairly expensive proposition.

10 MR. CAMPBELL: Barbara.

11 SPEAKER: Barbara Daneau.

12 MR. CAMPBELL: She's 114.

13 SPEAKER: Did any of you guys ask
14 what it would cost us if we went back to
15 private?

16 MR. CAMPBELL: It was 20 to 25,000 a
17 year.

18 SPEAKER: So by having the city
19 provide us the dumpsters and going with
20 whatever they provide us, we don't have to
21 put an additional 22 into the budget.

22 MR. PAYNE: Right.

23 MR. CAMPBELL: It's not in the
24 budget right now.

1 SPEAKER: Because in '06 is when the
2 city started picking up for us. Prior to
3 '06, it was about April of '06, we finally
4 got the city to pick up our trash. So, we
5 are at a ten year mark.

6 MR. CAMPBELL: Okay.

7 SPEAKER: Joe Delio, number 82. I
8 don't know how everyone feels here, but I
9 think if the city is willing to give us
10 dumpsters and pick it up for free, I think
11 it's a no-brainer. I mean, you can make it
12 look neat and clean, put a slab and a fence
13 around it properly. And if someone screws
14 up have -- not everyone watch but, I mean,
15 you can keep the place looking neat.

16 I personally took a ride around
17 Haverhill to different associations,
18 including West Hill, and I'm telling you,
19 beautiful looking there. They have
20 compactors there. They have other places
21 have dumpsters and it's perfect because
22 it's done properly. I think it's the way
23 to go. That is my personal opinion.

24 MR. CAMPBELL: Also in the budget,

1 we do have -- we have 6,000 for a one-time
2 thing if we went and wanted to build
3 enclosers or whatever we need to around the
4 dumpsters.

5 SPEAKER: Put a slab enclosure, and
6 it's done.

7 MR. IVANOV: 138. Follow-up to that
8 question. What kind of dumpsters is the
9 city offering? Because there can be
10 dumpsters covered.

11 MR. CAMPBELL: It's still verbal. I
12 was told it's basically a ten-by-ten by
13 six, and there would be one dumpster for
14 trash and another dumpster for recycling.
15 So, we'd have a pair of dumpsters basically
16 at the end of the parking lot.

17 MR. IVANOV: But just one dumpster
18 for all eight units?

19 MR. CAMPBELL: No. It would be two
20 in each of the parking lots. So, that is
21 what we are asking. Let me put it that
22 way. Go ahead, John.

23 SPEAKER: John MacDonald. Since we
24 are talking about the city and what they

1 will and won't do, trying to get out from
2 Farrwood Drive onto 125 somebody put -- I
3 don't know who did it -- reflector tape so
4 you can know where the street was at night,
5 you know, that reflector.

6 MR. CAMPBELL: Farrwood Drive is a
7 private road. I don't know who has done
8 what.

9 SPEAKER: If we can do it, it's just
10 more tape so it's more private. Even worse
11 than that, that sign advertising the new
12 homes, you can't see traffic coming.

13 MR. CAMPBELL: I have tried to
14 contact Weinstein several times to ask them
15 to move the signs, and they have not
16 responded.

17 SPEAKER: Can't the city step in and
18 do something about it?

19 MR. CAMPBELL: It's private
20 property.

21 SPEAKER: The ability to see what's
22 coming.

23 MR. CAMPBELL: I understand what
24 you're saying. I'm not disagreeing with

**Farrwood Phase II annual meeting
March 22, 2016**

Page 38

1 you. I'm just saying the city will not --

2 SPEAKER: You think the city
3 wants -- there's going to be a fatality.

4 MR. CAMPBELL: I understand that.

5 MR. PAYNE: We don't own that land,
6 John, either.

7 SPEAKER: I know.

8 MR. CAMPBELL: I will try to renew
9 the contact number this week. I think it's
10 a dangerous situation. I agree totally.

11 SPEAKER: It's a terrible situation.
12 We can't even get out of the road. Cars
13 won't even slow down.

14 MR. CAMPBELL: No, it's a dangerous
15 place. One of the other things we have
16 done this year, if you remember earlier
17 last year, Weinstein wanted to build a
18 four-story complex up on the end of
19 Sterling Drive. We were very instrumental
20 in coordinating with other condominium
21 associations opposing that. We went to the
22 city to stop that being built.

23 Weinstein, he came back wanting to
24 build a three-story, 120 unit complex

1 condos. And in order to do that after
2 discussing and negotiating with us, he has
3 agreed to pave all of Farrwood Drive all
4 the way around. He is going to pay for a
5 recreation somewhere area, common
6 recreation area somewhere in the complex if
7 we want. What were the other things?

8 MR. PAYNE: He indicated that he
9 hopes the new structure that he is
10 proposing to put up will be putting up as
11 part of the associations allowing him to do
12 a three-story structure instead of a four
13 is that he will improve the infrastructure
14 of Farrwood Drive itself. He hopes to have
15 this all done it's about -- it's close to
16 two years away before he's completed it.

17 But there's an initial phase where
18 they go in and they grade the place, and
19 they figure out where the footage is all
20 going and what have you. Of course there's
21 going to be construction vehicles going
22 over there. Any degradation to our
23 driveways, roadways he will completely
24 bring those up to standard, the city

1 standard once the project is totally
2 complete.

3 But prior to even doing that, he has
4 agreed to put an overlay where you go
5 around the corner to where like Phase 3, 4
6 and 5 are the road is a mess over there.
7 He's agreed to put -- prior to completion
8 of what he is going to be building new,
9 he's agreed to put an overlay over there as
10 a temporary thing.

11 And once the whole thing is done, as
12 Jonathan mentioned, he will then come in
13 and they will rebuild the road from the
14 north entrance up by the other end of our
15 property there. He will come around and
16 tie it into Isling Crossing where that new
17 piece is.

18 MR. CAMPBELL: But what they are
19 doing this year is they are going to put a
20 primary layer down this year in regards to
21 the other construction, so it's the rough,
22 rough asphalt layer. He also wants to
23 contribute 250,000 dollars, which would be
24 the city's share, to install a traffic

1 light at the north end but not on our end.

2 But there is also -- they are also
3 paying for a traffic study for our area as
4 well. So if we get the numbers,
5 potentially maybe we can qualify for a
6 traffic light or something. Let me go back
7 here.

8 SPEAKER: Jay, 51. So, I guess I'm
9 curious. They bring it to city standards,
10 at the end a traffic light going on the
11 opposite exit. Is a traffic study done on
12 our exit to bring the road to city
13 acceptance?

14 MR. CAMPBELL: We had talked to the
15 city about getting a traffic light at both
16 places. In order to do that, we have to
17 get a traffic study with the numbers that
18 qualify for quota, quota what a traffic
19 light would require.

20 SPEAKER: But, I mean, do you think
21 to bring the road to city standard is much
22 more expensive than the standard that it
23 was done? Like, the portion that we had
24 done this year, is that so -- I mean, the

1 only upside would be to not be a private
2 road anymore.

3 MR. CAMPBELL: The hope down the
4 road, and we've talked with Doug about
5 this, is at some point we can petition the
6 city to be accepted as a public road.

7 MR. PAYNE: That's a bit of an
8 uphill battle at the moment. Actually,
9 Mayor Fiorentini, we have met with him at
10 Jonathan's unit to discuss all these
11 various things that we are discussing
12 tonight, and that was one of the ones we
13 had pitched to him about getting the city
14 to accept, you know, Farrwood Drive and he
15 thought that's an uphill battle. He
16 doesn't know --

17 MR. CAMPBELL: The mayor is opposed
18 to it, and there are other city council
19 that are not.

20 MR. IVANOV: And he opposed to it
21 for what reason?

22 MR. CAMPBELL: I think it's
23 personal.

24 MS. ROMANO: I think it's cost.

1 MR. PAYNE: The specs would require
2 a certain type of sidewalk along with
3 granite curbing, so there's a lot of
4 factors in there.

5 MR. CAMPBELL: But if Weinstein
6 brings it up to standard and then the city
7 is willing to accept it that way.

8 MR. IVANOV: 138. So, one of the
9 things that Weinstein said at some point
10 was that if they had to do granite siding,
11 there is no way they would be able to build
12 something. So, if they are now willing to
13 put the granite siding -- so what I am
14 wondering is the city bringing it to -- the
15 road to the city standard?

16 MR. PAYNE: There's apparently
17 different grades of standards, and the one
18 he is willing to do is the lowest one.

19 MR. CAMPBELL: Barbara.

20 SPEAKER: Do you remember when a
21 bunch of us just from Farrwood went to
22 meetings on this to answer Arcadiy's
23 question? Because one of the board members
24 made it a point to have Stapinski explain

1 what he meant by you claiming or taking
2 care of the road.

3 MR. CAMPBELL: This is the meeting
4 where we had all the different Farrwood
5 associations you're talking about?

6 SPEAKER: We went to two of them. I
7 can't remember.

8 MR. CAMPBELL: The mayor was at
9 them.

10 SPEAKER: It might have been the
11 second one which he was at.

12 MR. CAMPBELL: I think we're still
13 going to have some layer of -- what's the
14 right word -- controversy or discussion
15 about Mr. Stapinski and Weinstein about
16 what means what. Hopefully, it will not
17 involve litigation. But some of these --
18 some of the things are basically to be
19 determined.

20 There is another situation that I'm
21 not going to go into the whole detail now
22 but there's a sewer line down below our
23 property that's going bad, but we all flow
24 into it. And if you know anything about

1 how the master deed describes the property
2 and everything else, it's very, very
3 convoluted, you know, that we own half of
4 the road but it's only pavement.

5 But supposedly Weinstein, Stapinski
6 own underneath the road and everything else
7 and nobody wants to take responsibility for
8 it. If the sewer lines ever need to be
9 replaced, the city will probably replace
10 them and charge everybody. But, anyway,
11 anything about the trash? Back to the
12 trash. Allison, 112.

13 SPEAKER: The thing with the
14 dumpsters, I think, saving the 25,000
15 dollars or 22,000 dollars, whatever you
16 said, it's very advisable. I think it
17 really needs to be made aware that if we're
18 going to have two dumpsters out there we're
19 losing parking spaces. And that has been a
20 contention issue in some of the areas, and
21 it also lends itself to smelling it up
22 enough. That is where your kids play at
23 the end of the streets. You have some
24 issues there.

1 So, I just want to make sure that
2 whatever we are getting from the city takes
3 those factors into account and makes sure
4 that that's not, you know, that we're just
5 not getting the shabbiest thing because
6 they are trying to brush us off.

7 MR. PAYNE: Each dumpster comes with
8 a can of Febreze.

9 SPEAKER: I'm allergic to Febreze.

10 MR. CAMPBELL: We don't oppose
11 either. The city's thing is bottom line is
12 saving money and for them this is cheaper
13 than continuing our current trash service.

14 SPEAKER: Do the dumpsters have a
15 top?

16 MR. CAMPBELL: I don't know yet.

17 MR. PAYNE: They should, John. They
18 should be the type you close down.

19 SPEAKER: You just push a button.

20 MR. CAMPBELL: So, anyway.

21 SPEAKER: John, can I go back to
22 your earlier comment about a park being
23 offered by the --

24 MR. CAMPBELL: Some sort of

1 recreation area. It's undefined.

2 SPEAKER: If we participate in that,
3 however we participate in it in the future,
4 how does that impact our insurance
5 coverage?

6 MR. CAMPBELL: It may be a common
7 area. It's not necessarily in Farrwood 2.
8 The question is some of the associations
9 are not in favor of doing it because of
10 those concerns. They don't want a
11 playground on their property or on their
12 end, because they don't want to be liable.
13 We may not end up with anything. They are
14 willing to do something, and it's up to the
15 association to decide what and if we want
16 to do anything.

17 SPEAKER: If they just -- since
18 you've been involved in discussion, if they
19 decide to do something, can we decline from
20 participating in order to shield us?

21 MR. CAMPBELL: They won't do
22 anything until we tell them what we want.

23 SPEAKER: But, I mean, can we
24 decline participating in a dog park, in a

1 child's park if we want to shield our phase
2 from any liability or is it going to be
3 we're sticking this thing here, Weinstein's
4 four buildings and everything else?

5 MR. CAMPBELL: I'm guessing, and you
6 can address the legal aspects, but I am
7 pretty sure all the associations have to
8 agree to whatever happens.

9 MR. MACMILLAN: Well, it depends on
10 where it's put. If it's put on Farrwood 3
11 and if it's placed on their property, then
12 we have no say with regard to that unless
13 you want to object that it's not going into
14 Farrwood 2. But Weinstein can't put
15 anything on Farrwood 2 that is not accepted
16 by Farrwood 2.

17 MR. CAMPBELL: There is other
18 portions of the whole area that the land is
19 still owned by Weinstein whether anything
20 goes there too.

21 SPEAKER: That's what I figured he
22 meant. I'm not talking about us being
23 forced. I'm talking about shielding us
24 because of legal liability.

1 MR. CAMPBELL: He submitted -- as
2 part of the approval process, he submitted
3 a letter of commitment to do A, B, C and D.

4 MR. PAYNE: These were just little
5 colics, Barbara, that he threw out there.
6 If you can all come into agreement -- like,
7 they even wanted to know if we could form
8 one common association for the whole area.
9 That is not feasible. But he was just
10 throwing different options out, you know.
11 Maybe if we find a piece of land that we
12 can develop for you, you know. And then
13 once it's developed, you folks will take it
14 over.

15 But all the concerns that you have
16 were pretty much the concerns of some of
17 the other associations that were willing to
18 participate in discussion. I think most of
19 them, including us, really weren't in favor
20 of it because of all the liability issues.

21 SPEAKER: The dogs are an issue.

22 MR. CAMPBELL: Well, at this point
23 still we won't make any commitments on that
24 until we reach that point. Go ahead.

1 SPEAKER: Since you have been
2 talking to this Weinstein guy, did you
3 mention to him, by the way, the sewer line
4 is going and you might be responsible for
5 it? I mean, I don't know if it's the same
6 Weinstein.

7 MR. MACMILLAN: I notified the
8 engineer for the city who sent out the
9 overflow letter that he said that he had
10 already contacted Stapinski with regard to
11 it that that connection is in front of his
12 property. But I also told him that -- he
13 said he didn't know who to contact, which
14 is why Farrwood 2 got notified of the sewer
15 overflow a second time. And I told him he
16 better notify Weinstein, because he's one
17 of the larger property owners there.

18 SPEAKER: And I'm concerned because
19 now he's building more, and now we're going
20 to get stuck with this big bill for the
21 sewer line. I don't know what he's doing.

22 MR. MACMILLAN: Well, that would
23 only, I think, reduce the liability of the
24 Farrwood 2 because it's not on Farrwood 2

1 property but every phase in the section
2 that is on that connection runs through it.
3 So, from a not a legal standpoint but a
4 logical standpoint, at some point if it has
5 to be repaired, everyone that uses that
6 particular connection is going to have a
7 share of that.

8 So if he builds more units, number
9 one, I have to assume this was the
10 engineering department that contacted the
11 board and said that this sewer overflow
12 needs to be taken care of. Well, the
13 engineering department I would imagine is
14 going to have this taken care of before
15 they approve any other construction work
16 going on.

17 SPEAKER: So he will have some
18 liability for it.

19 MR. MACMILLAN: He should. I can't
20 say who is going to. All I can say is we
21 decline to assume liability for that.

22 MR. PAYNE: In the meantime, no more
23 than two flushes a day.

24 MR. MACMILLAN: I am not saying at

1 some point Farrwood 2 wouldn't have some
2 contribution to a repair that is made down
3 there. But at this point, it doesn't
4 behoove us to assume any liability for it.

5 SPEAKER: Thank you.

6 MR. CAMPBELL: Barbara.

7 SPEAKER: Attorney MacMillan, so if
8 the city had to assess us, that would show
9 up on a line item on the real estate bill;
10 is that where they typically stick it?

11 MR. CAMPBELL: We don't know.

12 MR. MACMILLAN: At this point that's
13 just theoretical.

14 SPEAKER: But that's where they
15 would put it, right?

16 MR. MACMILLAN: They would probably
17 put some type of betterment assessment and
18 normally betterment assessments can be paid
19 in a lump sum, or they can go on as a lien
20 against property and be paid over a number
21 of years. But if you go and sell the
22 property, the betterment assessment has to
23 be paid at that point. That's between the
24 buyer and the seller of the unit. Usually

1 it's the seller who is going to have to
2 cover that.

3 But this is all very theoretical at
4 this point. The city is unsure, as
5 everyone is, on responsibility for that
6 particular connection. And, so, we are
7 going to let that play out as it will. I
8 don't think a betterment assessment -- I
9 think the city is probably going to realize
10 that they should be going after new
11 construction.

12 If king Weinstein wants to put in
13 new buildings, there's where to get your
14 money. Because if it becomes an issue,
15 it's going to become an issue for every
16 owner in all of those phases, including the
17 ones on -- is that Bradford Street that
18 goes up the side?

19 MR. PAYNE: Yes.

20 MR. MACMILLAN: I think they also
21 connect. So all the properties in there
22 that go into the connection that comes out
23 down where it goes in front of Farrwood 2
24 would be involved. I don't think the city

1 is going to try to go through and send out
2 individual notices to unit owners. So,
3 they're going to go the easiest way we
4 hope.

5 MR. CAMPBELL: Go ahead.

6 SPEAKER: 58. When did notices go
7 out about the sewer line?

8 MR. CAMPBELL: Nothing has gone out
9 to individual units. They have notified me
10 as president of the association and I wrote
11 back to them. Based on the information
12 they provided us, it's not on our property.
13 So, on the advice of counsel, we are just
14 going to let it sit and let the city if the
15 city wants to do something -- we're not
16 going to raise the issue further and stir a
17 hornet's nest at this point.

18 SPEAKER: Because I sent an e-mail
19 to management, property management about
20 sewer water backing up into my washing
21 machine again. This happened a few years
22 ago.

23 MR. CAMPBELL: Which unit is this,
24 58?

**Farrwood Phase II annual meeting
March 22, 2016**

Page 55

1 SPEAKER: 58.

2 MR. CAMPBELL: Has it happened this
3 year?

4 SPEAKER: Yes. I was trying to find
5 the e-mail, and I got no response.
6 February.

7 MR. CAMPBELL: Okay.

8 MR. IVANOV: Who did you send it to?

9 SPEAKER: I sent it to --

10 MR. MACMILLAN: Just so that you
11 understand, what we're talking about
12 wouldn't have any effect on a backup in
13 your unit. It's a sewer overflow. So what
14 has happened is some affluent has made it
15 out from the road from the sewers onto the
16 roadway down at Old Boston Road and
17 Farrwood -- it's not Farrwood Drive now.

18 MR. CAMPBELL: Farrwood Place.

19 MR. MACMILLAN: It's Farrwood Place,
20 so that wouldn't affect any units up where
21 you are.

22 SPEAKER: It was something that
23 happened --

24 MR. CAMPBELL: If you have an issue

1 with your unit because we have private
2 lines that go into the sewer and if they
3 need to be cleaned out or something, that's
4 something we need to address.

5 SPEAKER: Okay. That happened
6 before and it backed up into -- what
7 building am I, Building A -- where we had
8 like three or four units were backed up.

9 MR. CAMPBELL: Is that the oldest
10 building, A?

11 SPEAKER: Yes.

12 SPEAKER: B is the oldest.

13 SPEAKER: It's not good.

14 MR. CAMPBELL: Moving on. Anything
15 else real quick? So we are up to
16 elections.

17 SPEAKER: Unit 65. I was wondering
18 if it was at all possible with all of these
19 things that we're going to be working on
20 this year if the board could send out a
21 quarterly report as to what is going on and
22 how much things are actually costing.

23 MR. CAMPBELL: There's a monthly
24 expense report that is put on the website.

**Farrwood Phase II annual meeting
March 22, 2016**

Page 57

1 SPEAKER: What website?

2 MR. IVANOV: Farrwood2.com.

3 MR. PAYNE: That's a good idea
4 though.

5 SPEAKER: Not all people have
6 computers.

7 MR. CAMPBELL: If you need a
8 specific printout and stuff, I think we can
9 talk to PMA about it. Joe.

10 SPEAKER: I just have a quick
11 question back to the trash. It may be
12 redundant. But if for some reason we don't
13 get these dumpsters and you're going
14 another direction or somebody is going
15 another direction, I hope we get to vote on
16 that as unit owners because that would
17 impact or condo fees if we have to come up
18 with another 25,000 dollars.

19 MR. CAMPBELL: I understand that.
20 If it's not in the budget and if it's
21 something that's going to be supplemental
22 or different, then one way or another we
23 have to get -- I don't know if we'll have a
24 special meeting or something else but it

1 would have to be done quickly.

2 SPEAKER: Because if they're going
3 to pay for this --

4 MR. CAMPBELL: But I will do the
5 best through PMA through online to keep you
6 up-to-date on the situation.

7 SPEAKER: And also pertaining to
8 that, I mean, you maybe can look into
9 behind G and H and there's a huge area.
10 You could put two or three dumpsters back
11 there.

12 MR. CAMPBELL: Part of that property
13 technically belongs to Weinstein. So, I'm
14 not objecting and saying don't put it all
15 the way back there. But the end of that
16 parking lot --

17 SPEAKER: I know the end into the
18 woods is but that is a big area, you know.

19 MR. CAMPBELL: Yes.

20 SPEAKER: And it's a big area
21 between A and B also down there. There's
22 ways around this.

23 MR. CAMPBELL: Barbara.

24 SPEAKER: While we're talking about

1 trash, do you know how much it cost us each
2 time someone puts junk out that the city
3 doesn't take when you have to call somebody
4 to pick it up?

5 MR. CAMPBELL: No, I don't.

6 SPEAKER: Is Elaine here?

7 MR. CAMPBELL: The city has been
8 pretty good about picking up stuff, even
9 big stuff. I mean, we have a situation
10 where the people will dump console TVs in
11 between, even if it's on the grass, between
12 two buildings and stuff like that. We have
13 to deal with that. But, anyway, all right,
14 elections. I know that we have had two
15 people who volunteer. The current board is
16 willing to continue. I believe Bonnie and
17 unit?

18 SPEAKER: 59.

19 MR. CAMPBELL: 59 is willing to
20 serve and Carlene back in the back. Is
21 that a no? You do want to be on the board
22 or not?

23 SPEAKER: No.

24 MR. CAMPBELL: We have four. Is

1 there anybody else that wants to serve? So
2 we have four people now. If you're willing
3 to approve all four of us on the board,
4 that meets the bylaw requirements. Do I
5 have a motion?

6 MR. DEVENY: I will speak. I am
7 willing to serve another year. It's
8 something that is -- okay. It's something
9 that I'm not used to doing, but it's
10 definitely been an education for me. It's
11 something that you want to really
12 understand what the sausage underneath
13 basically running a condominium unit and
14 stuff.

15 It's definitely something that is
16 educational, and it's given me an
17 appreciation for politicians actually. The
18 ones who actually try to handle when they
19 are not posturing when they are actually
20 trying to deal with problems. But if
21 you're interested, I would suggest you try
22 it.

23 MR. CAMPBELL: Thank you, appreciate
24 it. Any change in your mind?

**Farrwood Phase II annual meeting
March 22, 2016**

Page 61

1 SPEAKER: I would like to see a
2 fifth person. Because if you only have
3 four people, you can have two votes on
4 something. And, so, I think --

5 MR. CAMPBELL: You can but --

6 SPEAKER: We need to ask for one
7 more person to come forward.

8 MR. CAMPBELL: Two years I was on
9 the board we had four people on the board,
10 and we never had a situation that was not
11 resolved. Let me just say that. I'm not
12 saying not have five. I am saying we have
13 had four.

14 SPEAKER: We've just always had an
15 odd number be it five or be it three.

16 MR. CAMPBELL: I'm just saying for
17 two years there was four people on the
18 board.

19 SPEAKER: Debby, the engineer.

20 SPEAKER: Joe, the retiree.

21 SPEAKER: They don't want me up
22 there.

23 MR. CAMPBELL: They have to accept
24 it.

**Farrwood Phase II annual meeting
March 22, 2016**

Page 62

1 SPEAKER: Nominate people who didn't
2 show.

3 MR. CAMPBELL: Are we at four people
4 now?

5 MR. PAYNE: The girl behind you.

6 MR. CAMPBELL: And Bonnie is the
7 fourth one. Do we have a motion?

8 MR. IVANOV: 138. I am moving to
9 elect the four people stated to the board.

10 MR. CAMPBELL: Second?

11 SPEAKER: I'll second, 83.

12 MR. CAMPBELL: All in favor?
13 Opposed? Thank you. Do we have 51 percent
14 you say? We have 52. Are there any
15 motions? We could technically if you have
16 any motions and conduct other business and
17 any of you can make a motion, and we can
18 discuss it if it's something we need to do.
19 We've never had this number of people here
20 before. It's a new experience. Number
21 112, go ahead.

22 SPEAKER: 112, you had mentioned --
23 Jonathan is my husband. You mentioned
24 looking at the bylaws. Is that something

1 that we could address at 52 percent?

2 MR. CAMPBELL: We would have to
3 propose these bylaws to all of you and send
4 it out for you to review. So what we are
5 looking at doing sometime this year is
6 looking at all the bylaws, perhaps
7 proposing some amendments to make the
8 operation of this complex simpler.

9 It's a very cumbersome process.
10 Those of you who have been on the board
11 before know that, and we have been
12 discussing with our attorney about how to
13 do that and we would have to set up a
14 meeting. But I also understand that,
15 correct me if I'm interpreting it wrong,
16 but we could also send out a proxy that
17 would, in effect, serve as a mail-in ballot
18 so you wouldn't necessarily have to -- you
19 can vote on that proxy, yes, I'm in favor
20 of this change or not.

21 It's all stuff we're looking at.
22 Nothing has been done yet. We would like
23 to make this as an efficient operation as
24 we can and be able to -- again, as I said

1 before, access to reserves is one of the
2 biggest obstacles we've had to making some
3 improvements.

4 MR. PAYNE: The current bylaws are
5 38 years old basically and, you know,
6 things that may have the -- things that may
7 have made sense 38 years ago don't
8 necessarily make sense today in terms of
9 how we conduct business and in making
10 informed decisions quickly rather than
11 having to call a special meeting.

12 So, if we can get it to a point
13 where we can do it through a mail-in
14 ballot, that would greatly simplify things
15 and we people wouldn't have to leave their
16 house or do anything. They can make a
17 decision, mail it in and then we would post
18 the yays and the nays against whatever.

19 MR. CAMPBELL: Some of the portions
20 of the bylaws obviously make reference to
21 things that are no longer in the bylaws
22 because of previous amendments and such
23 like that. Go ahead back there.

24 SPEAKER: Barbara Kusser, 85. So,

1 amending the bylaws, is that going to make
2 it easier for you guys to use the reserves,
3 if necessary?

4 MR. CAMPBELL: If we can do that,
5 yes.

6 SPEAKER: That's the purpose.

7 MR. CAMPBELL: That's one of the
8 things we would like to do. Right now if
9 you look to the numbers, we went from
10 the -- what did we go from, bylaws, sorry.
11 In the reserve fund totals went from 341 to
12 352,000 in our reserve fund right now. We
13 can't touch that. And right now putting
14 money in the reserve fund, it's essentially
15 impossible to use.

16 SPEAKER: Can you explain what the
17 reserve funds are for? I kind of looked at
18 them maybe incorrectly as emergency moneys,
19 and I don't hear how much you want to pull
20 out and deplete it down to.

21 MR. CAMPBELL: There are two ways to
22 access reserve funds, a meeting or
23 two-thirds of all owners' interests approve
24 access to the reserve funds according to

1 the bylaws or the board can declare an
2 emergency if it so chooses if there is some
3 situation where a water main breaks or
4 something else. There are certain things
5 we are restricted from using right now from
6 reserve funds. Like patios and decks, we
7 can't fix those from reserve funds. Why
8 those are specifically excluded? I don't
9 know.

10 I mean, if we have some more leeway
11 in use of the reserve funds, that reduces
12 any amount we would ever have to borrow.
13 I'm not saying we exhaust all 350,000
14 dollars, but we can take some portion of
15 that to alleviate any debt that we might
16 accrue through borrowing money and then so
17 much the better.

18 SPEAKER: On the roofs, when the
19 board was involved in the negotiation with
20 300,000, I think, it was?

21 MR. CAMPBELL: You're talking about
22 in the contract?

23 SPEAKER: Right, the bank, whatever
24 it was. Because there was money in the

1 reserves, I am not sure if that impacted
2 the rate. Arcadiy, do you remember? If
3 we -- how much do you want to deplete the
4 reserves?

5 MR. CAMPBELL: At this point we
6 don't have any figure in mind. We have to
7 see what we're going to have to do with the
8 siding to see what our numbers add up to,
9 whether we are going to be able to do
10 anything. I would just like to have the
11 option available at this point.

12 SPEAKER: Because the flip could be
13 you would be dealing with the institution.
14 The flip could be on the rate. You could
15 pay a higher rate with lower reserves.

16 MR. CAMPBELL: Again, no one is
17 looking to -- you know, we are not looking
18 to borrow 350 or whatever or take it out of
19 the reserve fund. We would have to look at
20 every situation as they come up, whether
21 that's dealing with paving, patios, decks
22 and everything else and address it as it
23 is.

24 Again, we will do the best to keep

1 you up-to-date. If we're going to access
2 the reserve fund -- the time that we had
3 declared an emergency last year with the
4 snow emergency, we had to access 38,000
5 dollars to deal with that situation. That
6 was an emergency by the board. It happens
7 from time to time.

8 I think three or four years ago
9 there was a water main break down in A and
10 B. We declared an emergency because bylaws
11 give the board that discretion, and the
12 board has to notify the owners we declared
13 an emergency because of A, B or C.

14 SPEAKER: So, by having an element
15 of reserve funds for these unforeseen
16 emergencies, that protects us from having
17 special assess the unit owners.

18 MR. CAMPBELL: That would be
19 hopefully what we would not have to do.

20 SPEAKER: So, if we deplete too low,
21 we could find ourself in a situation at
22 some point having to special assess, right?
23 We don't know what an emergency --

24 MR. CAMPBELL: Again, that's all

1 down the road. We'd have to go through A,
2 B and C before we'd ever even looked at an
3 assessment unless something totally
4 unforeseen comes up, so special substance
5 is the last resort any of us want.

6 SPEAKER: I'm talking from an
7 emergency standpoint.

8 MR. CAMPBELL: Understand. What I
9 am saying is, like I said, if we had
10 another water main break, we can just say
11 that is an emergency. We are getting money
12 out of the reserve funds to pay for this
13 break, whether it's 50,000 dollars or
14 whatever it costs to do, we are allowed to
15 do that. That is not a special assessment.
16 That is not telling you people you have to
17 pay an extra 100 dollars a month or
18 anything like that.

19 The money is there. It's available
20 for emergencies and, you know, it's
21 basically, I don't know, whatever we are
22 contributing now. It's like 15, 20 years
23 worth of what we're earning annually now.
24 So it's continuing to build since we can't

1 basically access it. Go ahead.

2 SPEAKER: Amy, 65. After I spoke to
3 you guys when you knocked on my door, I
4 walked the grounds to check out the parking
5 lot issues and whatnot because -- but I did
6 happen to notice in the parking lot in C
7 and D the lines are very defined and the
8 numbers listed are you can barely see them.

9 MR. CAMPBELL: Ours was just painted
10 a couple of months ago. They were totally
11 gone. If there's more that need to be
12 painted, we can do that.

13 SPEAKER: Because mine you can
14 hardly see it, and I am right next to all
15 the guest parking. The people park in my
16 spot all the time.

17 MR. CAMPBELL: Paint obviously wears
18 out. If we do get to pave this year, it's
19 probably worth us to just pave. But if
20 there's an area that's absolutely not
21 there, we can look it up.

22 SPEAKER: Okay.

23 MR. CAMPBELL: Any other questions?
24 Any motions?

**Farrwood Phase II annual meeting
March 22, 2016**

Page 71

1 MR. PAYNE: Free beer for everybody.

2 MR. CAMPBELL: Any other questions?

3 MR. IVANOV: 138. So,
4 unfortunately, I wish we could do that but
5 we might have trouble, you know, remote
6 voting on bylaw.

7 MR. CAMPBELL: We have been
8 consulting with our attorney on that.

9 MR. IVANOV: Okay, cool. So Article
10 1A doesn't bother you?

11 MR. MACMILLAN: We are working on
12 it. We are not putting anything forward
13 tonight for consideration by the
14 association. I think what John is just
15 trying to tell you is that they are looking
16 at what they can do to make some changes to
17 the bylaws that make the operation of the
18 association a little bit easier.

19 MR. IVANOV: No, no, I understand
20 that.

21 MR. CAMPBELL: I'm just giving you a
22 heads-up. Marie.

23 SPEAKER: 67, Marie Griffin. I just
24 would like to say I'm very nervous about

1 taking money out of the reserve funds.
2 Grant you it's an emergency. I would like
3 to see you set a tap of maybe 60,000
4 dollars. Beyond that we wouldn't --

5 MR. CAMPBELL: Anything that gets
6 done will be by consensus of the majority
7 of the board.

8 SPEAKER: At 66 and two-thirds.

9 MR. CAMPBELL: No. I'm talking
10 about if we do it based on an emergency.
11 The other thing is if we have a meeting and
12 get 66 and two-thirds of all the owners'
13 interest, so that's all 128 units, 66 and
14 two-thirds of them basically have to agree
15 to access the reserve funds. There is a
16 process in place there. So, we would
17 actually have to justify it.

18 I am not looking to take away
19 discretion from the owners on approval of
20 reserve funds. I would like to see if
21 there is some other way to do it so that if
22 we have two-thirds of everybody here
23 tonight agreed to it, the people that are
24 interested -- that's just not me. I'm not

1 saying that's an official proposal. No one
2 is trying to raid the reserve fund to do
3 anything.

4 SPEAKER: That is why I suggested
5 maybe putting a cap on what we take.

6 MR. CAMPBELL: And if we have a
7 motion that comes before the association,
8 that can be part of the motion and we want
9 to access 200,000 dollars.

10 SPEAKER: That's too much.

11 MR. CAMPBELL: I'm just saying some
12 number. People may disagree. If we have a
13 cost, whether it be paving the parking lot
14 that's going to cost us 200,000 dollars, we
15 can then borrow the money and raise condo
16 fees or we can access the reserve funds.
17 It's just something for everybody to
18 consider but -- anybody else?

19 MR. PAYNE: I have a quick comment.

20 MR. CAMPBELL: Blair.

21 MR. PAYNE: Marie, this year you
22 will notice in the budget we reduced for
23 the reserve contribution for the upcoming
24 year we reduced that to try to keep the

1 condo fees more reasonable given the line
2 of credit and we're hoping ---

3 SPEAKER: I just want to know what
4 bank we have this line of credit with.

5 MR. PAYNE: Right now it looks like
6 the best rate is Avidia.

7 SPEAKER: Avidia.

8 MR. PAYNE: We had three banks give
9 us proposals. So, anyway, the point being
10 this year we are only suggesting
11 contributing only 15,000 dollars to the
12 reserve fund. And that is going to be a
13 problem for people who are trying to get
14 FHA loans, because FHA apparently requires
15 that you contribute -- like, we have a
16 300,000 dollar budget. They want to see
17 10 percent of that go into the reserve.
18 Otherwise, you have to get a loan something
19 other than through the FHA.

20 We want to try to get to the point,
21 you know, once we get some of these
22 projects done here where we begin to put,
23 again, increase the amount of money we put
24 into the reserve to keep building it up.

1 There was an engineering study. I don't
2 know whether you were there.

3 MR. CAMPBELL: Reserve study in
4 2008.

5 MR. PAYNE: Something about they
6 were talking about 500,000 dollars.

7 MR. CAMPBELL: Two million.

8 MR. IVANOV: Total two million for
9 improvements.

10 MR. PAYNE: Some numbers that were
11 astronomical. We only pay 500 dollars a
12 month in condo fees.

13 SPEAKER: So what should we be
14 putting into reserves then, how much?

15 MR. PAYNE: What we should be is
16 people who are applying for an FHA
17 refinance or home loan typically it would
18 get rejected because of the current
19 contribution, not the amount of money we
20 have in there.

21 SPEAKER: No, the contributing every
22 year, what should we --

23 MR. CAMPBELL: Blair.

24 MR. PAYNE: 10 percent.

1 SPEAKER: 10 percent of what?

2 MR. CAMPBELL: There is no legal
3 requirement for us to put an X certain
4 amount in our reserve fund. The State of
5 Massachusetts says a reasonable amount.

6 MR. MACMILLAN: That's right.

7 MR. CAMPBELL: There is no specific
8 amount. Now, for people applying for
9 loans, whether it be a Fannie Mae loan or
10 some of them require to buy a condo from
11 the reserve fund have X amount of
12 contribution. We are not required by our
13 bylaws or anything or that any law that
14 requires us to contribute that amount if we
15 choose not to. That is the buyer's
16 situation, all right.

17 MR. IVANOV: We are basically
18 limited to the number of buyers for our
19 units potentially.

20 MR. CAMPBELL: And it gets back to
21 the situation of not being able to access
22 --

23 MR. IVANOV: I understand perfectly.

24 MR. CAMPBELL: Any other questions?

**Farrwood Phase II annual meeting
March 22, 2016**

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Are we done, motion to adjourn?

MR. IVANOV: 138, move to adjourn.

MR. CAMPBELL: Second it.

SPEAKER: 58.

MR. CAMPBELL: All in favor? Aye.

Thank you for coming.

(Meeting adjourned at 8:20 p.m.)

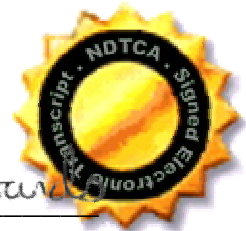
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COMMONWEALTH OF MASSACHUSETTS

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 7th day of April,
2016.

Kristen M. Edwards



Kristen M. Edwards