

NEWINGTON COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS' MEETING – December 2, 2009  
Draft Minutes of the Meeting – Pending Approval

At 7:00 pm President John Peirce called the meeting to order. Board members in attendance included Vice President Liz Fernandez, Director Nestor Fernandez, Director Sarah Jernigan, Director John Nolan and Director Al Roy. Treasurer Chip Catherine arrived later as noted in minutes below.

#### PRESIDENT'S COMMENTS

President Peirce wanted to inform everyone that he is not sure how long he will be able to serve on the Board of Directors because of his parents poor health. He had joined when there was discussion of streets and reserves and thought his expertise could benefit the community. He wants to get the Board running smoothly and that will include moving forward with approving the Summit financial management bid and putting to rest any concerns with management of the community. He reminded everyone that there was a time when there was significant community involvement through committees who reported to the Board. Until the last two meetings no more than one or two residents were in attendance. He stated that even the Community Manager was willing to entertain the idea of full management as long as it was done in the open and a committee was formed to look into the idea. There was some concern on a motion made in the last meeting but he believes the point is mute since there will be a motion at this meeting to accept the Summit bid for 2010.

A resident stated that volunteers do step forward at various events but the Board does not follow up.

#### APPROVAL OF MINUTES

Director Nolan made a motion to accept the minutes of the November 4, 2009 meeting. Secretary Jernigan asked the minutes be moved until after Executive Session to address a personnel issue during Executive Session. There was no second to the motion. Motion failed.

#### HEARINGS AND APPEALS

There was no one in attendance for a scheduled hearing.

#### COMMUNITY FORUM

A resident noticed that Rita Steele was not listed as a Board member. President Peirce confirmed that Rita has resigned from the Board of Directors.

A resident questioned if NCA was planning on raising quarterly assessments. Residents raised the question due to an earlier comment from VP L Fernandez comparing NCA assessments to Saratoga, Saratoga Townhomes, Newington Forest and Springfield Oaks and we are lower.

There was further discussion on NCA's reserves and the estimate to replace streets in the townhomes. There is over \$1 million in needed work and only \$340 thousand in street reserve funds. Currently \$50 of \$80 thousand goes into reserves each year and based on a recommended plan to replace streets, NCA could be out of money in 2012. There was a statement about the reserves being a tool and committees can explore and talk about what improvements are needed.

A resident stated that Saratoga single-family homes pay \$65 a year in assessments.

A question was asked about NCA lots in foreclosure and delinquent assessments and NCA ability to collect all money due. It was noted that the collection attorney handles all delinquencies and foreclosures and liens are filed. In 2008, there was \$8200 in write-offs and in 2009, approximately \$3400.

There were questions on projections of dues increases and whether NCA has ever had a special assessment.

#### EMAIL VOTES THAT OCCURRED SINCE LAST MEETING

None

#### COMMITTEE/BUSINESS REPORTS

##### Architectural Committee

John Nolan will fill the role of Architectural Liaison. Liz Carroll and Secretary Jernigan offered to assist.

##### Budget Committee

President Peirce stated the financial reports will be put on the website as well the budget with updated line items.

##### Planning and Development Report

Lou Tobat stated he would like to know how the community felt about expanding Newington Station by making our land available to additional housing development. There was jest about the effect on our non-profit status. The Rolling Road project is ongoing.

##### Community Manager Report

- *General*
  - *NCA Vehicle Tickets: 0, called in an abandoned vehicle on Northumberland.*
  - *Disclosure inspection(s): 7820 Marconi, 7753 Durer Court*
  - *New Violation letters: TRASH (0), RULES (0), ARCHITECTURAL (3).*
  - *Met contractor on fence quotes*
  - *Pool sand filters delivered and should be installed before end of year.*
  - *Requested two additional bids for tree removals.*
  - *Meeting minutes were unusually time consuming to transcribe.*
- *Resident Complaints/Issues:*

1. *Furniture was dumped on community grounds on Marconi*
2. *Late fee waiver request. Letter will be sent stating they may address the Board at a monthly meeting.*
3. *Water puddle on street under parking spot.*
4. *Cracks in curb on Moline.*
5. *New complaint on tenants in Lot 500.*
6. *Three requests for extensions of architectural violation deadlines.*
7. *Complaint of girls going in and out of a vacant home on Brandeis.*

Additionally the CM mentioned that the RFP for path repairs was complete and being sent out for bid and the 2010 assessment letter was mailed to all homeowners.

#### GENERAL BUSINESS - OLD

Accounting Contract – Director Nolan made a motion to accept the Summit bid for financial management services. Secretary Jernigan seconded the motion. Vote: 3 yes, 1 abstain, 2 no. Motion fails. Director Roy abstained because he was not on the Board distribution list and did not receive a copy of the bid. The Summit bid is half of the other bids, the current bid is less expensive than staying with the existing contract, and there are no policy or performance issues with Summit and residents wanted to know why members of the Board would vote against it. There was continued discussion about the inability to accept the financial management bid and full management.

Director Roy made a motion to ask Summit to extend the offer a few more days and call a Special Board meeting when more Board members could attend. Vice President Fernandez seconded the motion. Dates were considered for when to hold a special meeting when Treasurer Catherine arrived. Director Roy made a motion to rescind his motion. Vice President Fernandez seconded it.

Secretary Jernigan made a motion to accept the Summit bid for financial management services. Treasurer Catherine seconded the motion. Vote: 4 yes, 1 abstain, 2 no. Motion passed.

Architectural Standards revisions – The revisions presented in the November newsletter are to be considered for implementation. Comments were made on the lighting section regarding the need for other metal finishes and the fact that some single families already have flood lights in the front. Vice President L Fernandez made a motion to accept the revisions as published. Secretary Jernigan seconded the motion. Vote: 7 yes.

T-bill expired in June – A \$100,000 T-bill expired in June and another expires on December 15<sup>th</sup>. There was a recommendation to renew one for 6 months and one for a year. It is believed shorter terms are best. Director Nolan made a motion to renew \$200,000 in T-bills for 6 months. Treasurer Catherine seconded the motion. Vote: 6 yes, 1 no.

Common grounds improvement – There was discussion on the need for tree work throughout the community and concern that when curb replacements were done on Moline, roots were not removed. There is a report from our engineers regarding curbs

which identifies the problems. It was suggested that the engineers report be put on the website. Secretary Jernigan made a motion to contract with Affordable Trees all items on their quote and plan to do the work in 2010. There was discussion about needing to use 2009 budgeted funds in 2009 or at least contract for those funds in 2009. The CM was asked her concerns with the tree removal and stated the common grounds improvement line should be used for improvements such as gardens and bare ground but if the Board would prefer to remove trees, they should first address the trees that are still outstanding on the arborist's list of trees that present a potential liability risk to NCA. Secretary Jernigan made a motion to remove trees based on the arborist's list (approximately \$9,000). Treasurer Catherine seconded the motion. Vote: 7 yes.

Legal Review of Governing Documents – There is some confusion about members' rights regarding Class A membership. NCA's general counsel expects it would take about three hours to review the documents. Treasurer Catherine made a motion to authorize general counsel to review our documents as they pertain to voting rights and membership. Vice President Fernandez seconded the motion. Vote 7 yes.

#### GENERAL BUSINESS - NEW

Snow Removal Contract – Snow removal was not put out for bid this year. NCA has a contract from Springfield Lawn and the costs have not changed from last year. This contractor has provided good service to the community. Secretary Jernigan made a motion to accept Springfield Lawn as the snow removal contractor for 2010. Treasurer Catherine seconded it. Vote: 7 yes.

Maintenance Priorities – President Peirce explained that a committee needs to be formed to address maintenance throughout the community. This is an opportunity for the Board to provide their 'wish list'. There is money that needs to be spent on this work. Secretary Jernigan offered to either Chair or be Liaison for this Committee. The CM will be heavily involved in the committee as well.

Board Vacancies – Two individuals had sent emails to the Board indicating their interest in filling vacant Board positions. Bob Fasick introduced himself. Director Roy made a motion to accept Mr. Fasick as a Board member. Secretary Jernigan seconded the motion. Vote: 7 yes. Louise Whitt introduced herself to the Board. Secretary Jernigan made a motion to accept Ms. Whitt as a Board member. Treasurer Catherine seconded the motion. Vote: 4 yes, 2 no, 1 abstain. Motion passes.

The Board adjourned to Executive Session to discuss personnel issues at 9:35 pm.

Upon return to open session, Director Nolan made a motion to accept the meeting minutes of November 4, 2009. Treasurer Catherine seconded the motion. Vote 6 yes, 1 abstain.

Treasurer Catherine made a motion to accept the meeting minutes of November 11, 2009, with the following two changes:

“It was stated the reason is because the wife of David is an employee of the Association.”

Changes To

“Secretary Jernigan stated her reason is because the wife of David is an employee of the Association”; and

“Vote: 3 yes, 2 no, 2 abstain. Motion fails. There was discussion on if the motion passes or fail. The motion fails because a majority of quorum were not in the affirmative.”

Changes To

“Vote: 3 yes, 2 no, 2 abstain. Motion fails. There was discussion on if the motion passes or fails. The motion fails because a majority of Board members present were not in the affirmative.”

Motion was not seconded. Motion fails. Approval of minutes of the November 11th meeting will be tabled until next month.

A motion to adjourn the meeting at 10:12 pm was passed.