

**OVERLOOK VILLAGE CONDOMINIUM ASSOCIATION, INC.**  
**BOARD OF TRUSTEES MEETING**  
**February 15, 2022**

**MINUTES**

The General Session Meeting was called to order at 7:00 pm.

Attending:

Barbara Tarchak, President  
Anthony Petrignani, Vice President  
Navid Entezarian, Treasurer  
Lisa Mulligan, Secretary  
Erin Cautero, Matrix Property Management Group  
Sara Peterson, Matrix Property Management Group

Excused:

Nancy Hess, Trustee

Ms. Mulligan read the January meeting minutes. Action: motion made. Not approved by Mr. Entezarian due to lack of detail in the “membership comments and questions” section, specifically regarding comments and questions from several members about enforcing the current parking rules.

Mr. Entezarian presented the financial report. He stated TOPs has been rolled out to all owners, he has been signing a lot of snow removal vendor and maintenance checks, and a more detailed financial report will be presented at the next meeting.

An update on Verizon FiOs was presented by Property Management. Verizon has not communicated when FiOs service will be available. Owners are to contact Property Management if their driveway was damaged by Verizon, and include photo(s) of the damage.

Pool Management vendors were discussed. The Board reviewed four RFPs and interviewed American Pools and Preferred Pool Management. American Pools stood out for several reasons, including the fact that they pointed out we need to have a defibrillator and they have an app for use by Property Management and Board members. Action: motion made to choose American Pool Management for the 2022 pool season, seconded, and approved.

DCA re-inspections will take place March 31 and April 1. Property Management can arrange for smoke alarm installations for \$35 (1 smoke alarm) or \$25 per smoke alarm for multiple installations. Ms. Tarchak stated that if new hardwired smoke alarms need to be installed, the owner will need to hire an electrician.

TOPS, the online property management portal, has been rolled out to all owners. An email with instructions was sent by Property Management. They are working on ACH payments. Accounts will not be automatically converted; owners must complete the new application.

Two Board of Trustees positions are up for election this year: Anthony Petrigani and Nancy Hess. A solicitation for nominees is being sent on February 19. For those association members who wish to run for election, a brief biography (no more than one page) is due to Property Management by April 1. Ms. Tarchak added that elected positions are for a two year rotating term, therefore two positions are open this year, and three will be open in 2023.

Ms. Tarchak stated that we are not able to appeal property taxes as an association; it must be done on an individual owner basis. We will pursue another avenue since we do not receive all the benefits (paving of streets and street lighting) as do other Wharton taxpayers.

Legal services were discussed. The Board interviewed Fran McGovern of McGovern Legal Services, who specializes in community associations. Because of their expertise in this area, and the fact that it is their only focus, the Board voted to approve McGovern Legal Services as our legal counsel. Action: motion made, seconded, and approved.

The capital funds reserve was discussed. This is for items such as roofs, siding, and paving. The Board is in the process of getting RFPs for a reserve study.

### **Committee Reports**

Pool/Tennis/Playground: Ms. Mulligan reviewed the concerns from the committee, including outdoor lighting at the cabana, signage at the tennis courts, the tennis court lock, pool chlorine feeder, and pool guest passes. Outdoor lighting at the cabana, tennis court signage, and pool guest passes will be explored by the Board. Property Management will replace the tennis court lock and will ensure the chlorine feeder is replaced by pool opening day.

Pets: Mr. Petrigani stated there is a need for committee members, and pet owners and non-pet owners alike are encouraged to join by contacting Property Management.

Website: Ms. Tarchak reported that all governing documents have been combined as one PDF and are key word searchable. The PDF will be posted on the Overlook Village website. The committee has asked for access of certain, non-private sections of TOPS and the Board is discussing this with Property Management. It is anticipated that the new Overlook Village website will soft-launch in spring/early summer of this year.

Landscaping/Safety/Grounds: Ms. Tarchak stated that there is a concern about containing recycling, and a letter was sent to all owners by Property Management. Mr. Pettrignani added that it is not necessary to separate recyclables; all can be placed in one bin. The committee is exploring a Neighborhood Watch program. A member of the committee conducted a walk-through of the community with a Wharton policeman, who has a list of recommendations to improve community safety, which will be shared with the Board at a future executive session. Ms. Tarchak asked for an update on security cameras, and Mr. Entezarian stated they will be installed when FiOs is available. Mr. Entezarian agreed to consult with the police officer, well versed in community safety, including the selection and placement of security cameras.

Ms. Tarchak reviewed a letter from two owners regarding parking concerns, along with the Board's responses. The main concerns included lack of parking due to the current by-law, enforcement, and safety when walking to/from the pool parking lot.

Parking Committee: Ms. Hess was absent so Edgar Shane presented the Parking Committee report. Mr. Shane reported that there are 180 units in Overlook Village. There are 84 common parking spaces (34 between units, 14 on Overlook Drive, 24 in the pool parking lot, and 12 in the turnarounds). He reviewed the 5<sup>th</sup> amendment (regarding parking rules), which was passed on August 5, 1994. He stressed that losing 55% of overnight parking by following the current rule does not solve the problem, and reported that the committee is recommending all common parking spaces be available to visitors during the day (ie, 9 am to 4 pm or 9 am to 5 pm), which would provide 84 overnight parking spots for owners. The committee also recommends amending the 5<sup>th</sup> amendment to state "all parking regulations will be enforced according to signage throughout Overlook Village" to allow for flexibility in changing rules. A large sticker on the parking sign at the community entrance stating "overnight parking by permit only" was also recommended.

A handyman who was interviewed by the Board does not have workers compensation insurance, so will not be considered. Property Management is continuing to search for a handyman.

Property Management had the gutters checked by 2 vendors and both indicated the gutters are in good condition. They will have gutters assessed to determine if the connection between the drains is appropriately sized.

The parking decals will be distributed to owners who registered their vehicles.

Property Management is reassessing our insurer and will have quotes by March 1.

Modification requests were discussed. A form is available on the website and needs to be submitted to Property Management for the Board's approval for any exterior facing modifications (eg, windows, doors, decks).

## Membership Comments and Questions

- Several members asked questions about TOPS
  - A member asked if he needed to create a new Zigo account in TOPs for ACH. Property Management stated yes, and the money is received the next day
  - TOPS does not need to be used
  - Property Management will look into fees associated (credit and debit) with ACH and will notify all members via email
- The member who sent the letter to the Board expressing his concerns about the parking issue commended Mr. Shane for his presentation. He also requested that a written response to his questions be emailed to him. Ms. Tarchak indicated that Property Management will send the response via email
- A question was asked about hard-wired smoke detectors. There must be a hardwired detector in basement and bedroom levels. All others must be a sealed 10 year battery detector. Property management indicated the wording on the letters was verbatim from the report received from the state
- A member asked if garbage must be placed in a bear-proof garbage container. Garbage must be placed in a covered container. It does not need to be bear-proof
- A member asked where pets are permitted to urinate. They may urinate in wooded areas and streets
- A suggestion was made to install webcams around the community parking areas to monitor parking violations, rather than hire a parking monitor
- A question was asked about taking garbage out the night before pick-up and it is not permitted
  - A member commented that wildlife has gone down significantly since the new community was built
- A member asked if the current parking rule is going to be enforced as written and if the Board is going to continue along this path as of right this moment, or if the Board will take it into consideration and halt actions toward immediate enforcement. Ms. Tarchak stated if our lawyer states that we can halt, we could consider it, although people who are complaining the most would not be happy about this. The member stated that he has slides that can mathematically show this will cause significant issues if The Board goes forward. He went on to say that this is pretty hard to argue against so in saying that you are legally required to do something that is going to hurt all of us when you can in turn say this law was accidental, explain the situation, and provide contextual evidence and go from there. Ms. Tarchak explained that hurting everyone is not exactly accurate. The member rephrased and said if Ms. Tarchak wishes to nit-pick, it will affect a large portion of the population here who may or may not be using the parking in an appropriate manner. Ms. Tarchak asked the member whose fault it is if someone chooses to park in a visitor's spot instead of their own driveway. The member responded "theirs" and Ms. Tarchak stated that this is why the rule was written, and we are willing to adjust so it's more equitable and fair for everyone. The member stated that he thought Ms. Tarchak missed the entire point of the presentation, which was to avoid a catastrophic situation where we lose 55% of

- our parking because of this rule that The Board is trying to enforce and he is asking for clarification if the rule will be enforced as of right now. Ms. Tarchak stated the Board is going to do what they are required to do by law. If our attorney says we can ignore the rule until the new by-law is in place, then the Board will consider it. Ms. Tarchak emphasized that The Board is on the same side as the member-we want what is most fair for everyone. She pointed out that many people are abusing the situation because the parking rule has never been enforced. Mr. Petrignani stated that while The Board listens to committee recommendations, they must be approved by The Board. He stated we cannot rush to decisions, it will be a back-and-forth process, but it's headed in the right direction. The member stated it was clear to him there is a legal issue that is being brought up and transferred and it's not hidden in any way, shape or form. The member asked if The Board has tried talking to the person who is bringing up legal issues, and Mr. Petrignani stated that it's not a legal issue, we just need to make sure we are doing the right thing for everyone in the community
- A member thanked the Parking Committee and stated that he has concerns about the parking decals having numbers on them for privacy purposes, and the Management Company has license plate numbers. He feels that it's a little over the top, no value added, and that cars will be tracked by decals. Ms. Tarchak indicated that the decals have numbers for quicker identification. Mr. Entezarian indicated this suggestion solves another that we were discussing, with units having multiple passes, so we need to discuss more. The member then asked about the need to talk to a lawyer about putting a no dogs sign at the tennis courts. Mr. Petrignani stated the reason for this is because of some additional language on the sign (eg, penalty)
  - A member asked if the pool can remain open later in the year if it opens late, like in 2021. Ms. Tarchak stated that she does not anticipate a late opening because of the new pool management company, but will explore this. Mr. Petrignani stated the Board has done about 6-8 hours of interviews with pool companies, so members can rest assured that the same situation won't happen this year

There being no further business, the General Session was adjourned at 8:34 pm.