

**Briarwood Falls Condo Association
Executive Board Meeting Minutes
November 18, 2021 10:00 AM** (approved 12/9/2021)

5) Repairs and Maintenance	<ul style="list-style-type: none"> • Bill presented Maintenance & Repair Tracking Report highlighting additions and completions since last Board meeting in October M&R Report Tracking Report is attached to minutes 	
6) Committee Reports	<ul style="list-style-type: none"> • Landscaping Committee - John Pacheco – nothing to report • Social Activities Committee – Pat Perna The Halloween Party and Harvest Clothing and Staples collection events were successful Next event Christmas Party, Saturday, December 10th. Feature will be finger food to keep it light. Community Center Tuck-In Committee questioned if heater thermostats were turned on to maintain 55° F temperature. This will be checked. • Reserve Study Committee – Joe Geiger reported for Steve Rizk The Board was sent the Reserve Study Final Report on October 29th and the Study Financial Excel Workbook File on October 30th. The Committee requested that, for the record, the Board formally accept these documents as recognition of completion of the Committee's charge. The Reserve Study Executive Summary and full Final Report were sent out to Unit owners on November 12th. And, this evening, November 18th, the Committee will make a presentation on the Study to the Community in the Community Center at 6:30 PM. The 	<p>Heater thermostats were checked. There is no heat/off/cool selection on thermostats. They are always on but don't start heating until room temperature drops slightly below default setting >> 55°F</p>

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presentation will also be on Zoom and log-in information has been sent out to the community members. A second Zoom presentation will be done Monday Nov. 22 at 6:30 PM

The Committee had 2 questions for the Board:

Where, on the BF website, would they like to post the final report, i.e., "Financials" or set up new document category for Committee Reports? It was agreed to put them in "Financials" folder

Who will post the documents on the Website?

Board Secretary will send the documents to Pat O'Rourke to put on website.

- Declaration Committee - Joe Geiger

The proposed Amended Declaration was sent to our attorney Chas Ryan for his review on October 27th. No reply yet.

It was also sent to Derek Santini on October 27th. He replied that same day that he would review the document with his Attorney. On October 29th he replied with only one comment regarding Section 15.7 – Amendments to add Units.

A handout was presented showing the comment back from Derek regarding Section 15.7 and the proposed revision to last paragraph of Section allowing Board to have 7 days to review and comment on new Amendments before Derek takes action to execute the Amendment. This same information was sent to Chas Ryan to be included in his review of the Amended Declaration. Handout is attached to minutes.

Report was posted on Website in Financials

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<p>7) Treasurer's Report</p>	<ul style="list-style-type: none"> • Karen Pontrelli presented the financial statement for the last month, October 2021. <ul style="list-style-type: none"> ➤ Total Income: \$23,068 ➤ Total Expenses: \$ 22,892 ➤ Difference was positive: \$176 ➤ The YTD difference of income vs. expenses was a positive of \$3112 ➤ Total Reserves at the end of quarter: \$162,407 • The Treasurer's Report will be filed as presented. 	
<p>8) Waivers Policy feedback from Chas Ryan</p>	<ul style="list-style-type: none"> • On October 25th Chris sent email to Chas Ryan asking for clarification of responsibility for Maintenance, Repair and Replacement of specific limited Common elements installed under waivers vs Declaration allocating responsibility for the same elements. • Board received a written reply from Chas on November 7th but it did not address the intended question clearly in regard to the Declaration. It was apparent that we needed to ask our attorney the question with a more specific description of a waiver that would be granted for a limited common element that the Declaration states the Association is responsible for. • After some discussion, it was decided that rather than e-mailing, Chris would set up a Zoom meeting/call with Chas and Board. This would allow the Board to ask questions to Chas to better clarify his response to the Waiver vs Declaration issue. 	<p>Chris to set up Zoom call w/ Chas for a date after the Thanksgiving holiday</p>

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9) Waivers	<ul style="list-style-type: none"> • None 	
10)2022 Budget Preparation	<ul style="list-style-type: none"> • Karen presented the 2022 projected operating budget. <ul style="list-style-type: none"> ➤ Budget for line items Landscape, Fertilization, Trash was based on the service contracts that have been approved. ➤ Budget line for Insurance was estimated based on previous year increases because actual insurance premium from Bouvier Ins. has not yet been received. ➤ Budget line for Repairs and Maintenance was increased significantly taking into consideration that the hourly rate to use contractors for Association work will be 2 to 3 times more than what we had paid our inside maintenance man Ron White. ➤ Discussion continued to set budget levels for the 6 remaining discretionary items based on both historical spending and expected increases or reductions in expenses. ➤ Pat made motion to allocate a 2% increase for Reserves as recommended in the Reserve Study Report. i.e., Reserves will be 12% of the total expense budget. Karen 2nd motion. All approved ➤ Joe made motion to accept the budget expenses and Reserve as proposed. Bill 2nd motion. All approved. ➤ Karen to check final tabulation of budget items, calculate assessment rate, \$/sq. ft., and distribute the budget proposal back to Board for final review. The budget will be presented to the Community in preparation for a vote at the December 16th Community Meeting. 	

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<p>11) Improving Emergency services Access to Community</p>	<ul style="list-style-type: none"> • Carl Olausen, 14 Skylark, presented the work he has done to help area emergency response companies better find the Unit address location in our Association Community. He has had extensive discussions with officials at Killingly Town Hall, Dayville Fire District and K-B and Putnam Ambulance Services and has given them a detailed addressed map and other information to help them quickly locate our Units if there was an emergency call. Carl successfully negotiated with the Town to get the dead-end sign at Deerwood entrance removed and make other changes to facilitate travel into our community via the Deerwood entrance. A copy of Carl's detailed map is attached to these Minutes. <p>Chris and the Board gave a well-deserved thankyou to Carl for his work on this important issue.</p>	
<p>12) Use of Community Center for American Legion Meetings</p>	<ul style="list-style-type: none"> • Tom Gaylord requested permission to use the Community Center for meetings with his American Legion Group. Meeting would be twice a Month with up to 12 attendees. <ul style="list-style-type: none"> ➤ The Board discussed precedents where these types of requests were not approved due to complications related to the Associations insurance policy ➤ Joe made motion to grant approval for Tom to have the American Legion meetings in the Community Center. ➤ There was no second. Request was denied. 	

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<p>13) Screen Door Repairs 20 Mockingbird</p>	<ul style="list-style-type: none"> Unit owner asked for reimbursement of \$150 for repairs to the lower screen portion of the door on his screen porch. There are two issues related to this request: <ol style="list-style-type: none"> The owner did not contact the Board about the damage before hiring contractor to make the repairs. Thus, the Association did not have the opportunity to assess the screen door damage / likely cause and possibility make a lower cost repair using a shop the Association typically uses for this kind of repair. The Unit was built as spec house and declared (29th amendment, Sept 2019) with a covered patio. Subsequently screening was added to the covered patio as an option Owner negotiated and purchased in Sale contract. <p>Pat made motion to check if a waiver was granted for the screening. Karen 2nd motion. Board will check for waiver. Discussion will be continued at next Board meeting.</p>	<p>Check for waiver</p>
<p>14 Old Business</p>	<ul style="list-style-type: none"> Joe inquired about status of Waiver for addition of Sunroom on 13 Oriole (Ken & Vivian Stott) and if Unit owner was getting detail plans to submit to Board for the addition. Concern is that the Board has not yet determined how to add this additional living space to the Schedule A-2 without having to get vote of Unit owners and may not be able to approve waiver otherwise. <p>Bill said that to date owner was only asked to provide more explanation about how the elevated addition would be added to the unit structure in place of the existing deck. No decision made yet on waiver request.</p>	

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	<ul style="list-style-type: none"> Chris made a proposal to hold the Community Meeting for Budget approval on December 16th at 6:30 PM in the Community Center. Karen made the motion for the meeting as proposed. Bill 2nd motion. All approved. 	
15 New Business	<ul style="list-style-type: none"> Discussion and proposal were made to reimburse Bill Cucchi for worktime spent doing Association maintenance/repairs. Rate would be \$15/hour. Pat made motion to approve reimbursement. Karen 2nd motion. 5 Approved; Bill abstained. 	
16 Next board Meeting	<ul style="list-style-type: none"> Thursday, December 9, 2021 at 10 AM 	
17 Community Member Input	<ul style="list-style-type: none"> Chris Norman stated that the Board should accept the Reserve Study Report. He also asked if the report PDF format could be changed to allow the document to be searchable. He also recommended that the Board should give written notice to Unit owners about how to report a problem to the board and to get pre-approval from the Board before getting repairs done themselves. Ron Sabatos asked if the proposed budget expenses just compiled could be tallied with calculation of the 12% reserve expense and get an estimate for the 2022 assessment rate. A quick calculation was made showing a total budget of about \$308,976 with an assessment fee of about \$2.31/sq. ft. The Board stated that these were only 	<p>Relay this request to Steve Rizk. Chris can help with procedure, if needed.</p> <p>Board to prepare document and send out to community</p>

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	estimates and the final numbers would be provided after all the line-item numbers and calculations were checked and confirmed.	
18 Adjourn	<ul style="list-style-type: none">Chris asked if the meeting could be adjourned. Bill mate motion to adjourn; Karen 2 nd : All Approved Meeting adjourned at 11:45 AM	

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MASTER Maintenance / Repairs list

<u>Address</u>	<u>Unit Style</u>	<u>Contact</u>	<u>Maintenance / Request</u>	<u>Date requested</u>	<u>Status</u>	<u>Date completed</u>	<u>Category</u>
	RANCH	9 Oriole	replace bottom garage door seal	21-Aug	picked up new seal and replaced it	11/16/2021	GARAGE DOOR
	RANCH	11 Oriole	repair and paing bathroom ceiling and wall from water damage from deteriorated roof vent boot	21-Sep	repaired tape joining and painted ceiling and wall	11/16/2021	MISELLANIOUS
		Burke	Ct Water cut asphalt on Starling and left it open	22-Oct	They had a leaking valvehad to dig it up to repair.....asphalted the road	11/10/2021	MISELLANIOUS
	EAGLE	14 Mockingbird	water getting into window well and weeping into basement through window. Tom asked that I prove that water was not coming from the gutter drains.....I ran water for about an hour and a half in the two downspouts and kept checking his window well.....no water build up.	10/19/2021	Nick, the concrete person looked at it 11/17/21 to give estimate to Board.		WINDOW BASEMENT
	EAGLE	80 Mockingbird	leak around her cellar french doors		I tried to fix it a month ago and srtil having problem. Tim Brunet looked at it and is trying to find the cause of the leak		DOOR BACK
	EAGLE	10 Skylark	window seal failure	10/26/2021	sent warranty info to Slocomb approx 11/09/21		WINDOW UNIT
	EAGLE	20 Mockingbird	Damaged screen door	11/2/2021	Unit owner contacted Tim Brunet to repair and wants Association to pay the invoice.		SCREEN PORCH
	RANCH	8 Snowbird	Window seal Ffailure	11/7/2021	Notified Tim to come up and measure window for replacement.		WINDOW UNIT
	RANCH	2 Mockingbird	Lost key to mailbox	11/15/2021	replaced lock set and gave unit owner new keys	11/16/2021	MISELLANIOUS
	CARDINAL	25 Mockingbird	leak from pipe in basement	11/15/2021	Looked at the leak and determined it was from the wast pipe. Unit owner to contact a plumber	11/16/2021	BASEMENT
	RANCH	2 Snowbird	Unit owner states walkway leading to kitchen needs some repairs	11/15/2021	looked at it on 11/16/21.....will have the concrete repairman, Nick, look at it on 11/17/21 and will give us an estimate.		MISELLANIOUS
	RANCH	8 Snowbird	leak from gutter near entrance by kitchen	11/7/2021	put flex seal in gutter	11/8/2021	GUTTER & DOWNSPOUTS

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Handout from Committee Report Agenda - Declaration Committee 11/18/2021

BWF Proposal 2 Amended Declaration

Re: Section 15.7 Amendments to Create Units

Reply from Derek Santini on 10/29/2021:

“As for section 15.7, the Declarant should not be subject to BOD approval of declarations. Once we get to the point where a unit is eligible to be declared, we have already built much of the unit. We can't risk an open-ended review or disapproval by the BOD. We are open to allowing a 7-day review period where we will consider BOD feedback, but new declarations cannot be subject to BOD approval.”

Based on Derek's reply propose to revised last paragraph in this section as shown:

Section 15.7 – Amendments to Create Units. To exercise any Development **Right** reserved under Section 8.1 if this Declaration, the Declarant shall prepare, execute and record an amendment to the Declaration. If necessary, the Declarant shall also record either new Surveys and Plans necessary to conform to the requirements of subsection (a), (b) and (d) of Section 47-228 of the Act or new certifications of Schedule A-3 and A-4 previously recorded if the Schedules otherwise conform to the requirements of those Subsections. The amendment to the Declaration shall assign an identifying number to each new Unit created and reallocate the Allocated Interests among all Units. The amendment shall describe any Common Elements and any Limited Common Elements created thereby and designate the Unit to which each Limited Common Element is allocated to extent required by Subsection 47-227 of the Act.

Prior to executing and recording an amendment, the Declarant shall give a copy of the amendment the Association Board of Directors for their review. Within 7 days the Association shall complete its review and return amendment with comments or corrections noted, if any are needed.

Commented [JG1]: This Section was originally Section 15.8 in the 2006 Declaration but it was not included in the Sept 2020 Amended Declaration. After discussions with our Attorney, it was decided to add it here. The last paragraph calling for Association's review of the Amendment is added because both the Reserve Study Committee and the Declaration Committee found errors in the Schedule A-2. These errors are difficult for the Association to correct once the Amendment is executed and recorded. Declarant has agreed to allow 7- day review and feedback but amendments are not to be approved by the Association.

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