

AVANT
THE 200 DELAWARE RESIDENTIAL CONDOMINIUM
200 DELAWARE AVENUE
BUFFALO, NEW YORK 14202

MINUTES TO THE ANNUAL HOMEOWNERS MEETING
June 8, 2015

The 200 Delaware Residential Condominium Association met for the Annual Homeowners Meeting on June 8, 2015 at 6:00 p.m. in The Solarium located on the 16th floor at 200 Delaware Avenue, Buffalo, New York 14202.

The following individuals were present:

Uniland Property Management representatives:

Kevin T. Hassen, Property Manager
John R. Greene, Senior Property Manager

Residential Board of Managers/Officers

Rachel Stenclik, President
Gary Brost, Vice President

Absent - Wayne Mertz and Marty Marks

Recording Secretary:

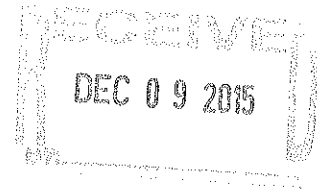
Savina N. Cao

- **CALL TO ORDER**

A quorum having been determined, the meeting was called to order at 6:04 p.m. by Rachel Stenclik, President, who presided at the meeting.

- **ROLL CALL**

The following Homeowners were present: *Gary Brost, Willow Brost, Arnold Shykofsky, Marilyn Flechteinstein, David Rivers, Ellen Weiss, Rachel Stenclik, Scott Stenclik, Karen Curran, Kevin Curran, Tony Martinez, Dennis Dintino, Laura Zaepfel, Paula Bateson and Michael Connolly.* Each homeowner identified themselves, their unit number and the length of time they have been a resident at the Avant.



- **PROOF OF NOTICE OF MEETING OR WAIVER OF NOTICE**

Notice of the meeting is attached. The notice was served via United States Postal Service at the unit owners last known address.

- **READING OF MINUTES OF PRECEDEING MEETING**

The minutes from the Annual Homeowners meeting held on May 12, 2014 were distributed to all Homeowners. The reading of the minutes was waived.

- **APPROVAL OF MINUTES**

Rachel Stenclik made a motion to approve the minutes of the May 12, 2014 Annual Homeowners Meeting, seconded by Tony Martinez.

- **ELECTION OF INSPECTORS OF ELECTION**

Marilyn Flechtinsein volunteered to be the Inspector of Election.

- **ELECTION OF MANAGERS**

One ballot per unit was handed out to each homeowner.

By a unanimous vote, Marty Marks has been appointed to the board.

- **REPORT OF COMMITTEES**

Landscaping Committee

Due to the absence of Pat Mertz, Kevin T. Hassen reported on the efforts of the Landscaping Committee.

Upgrades to the garden have been completed including addition of flowers, greenery, spruce trees, planters as well as a new concrete table. There is a plan to replace the metal benches with concrete benches to match the concrete table. This is to be completed by the end of summer.

- **UNFINISHED BUSINESS**

Real Estate Tax Assessment Challenge Update:

Mr. Greene reminded the Homeowners that in 2017 the Empire Zone veil will fade.

Mr. Greene explained how the condos were initially assessed at a rate of \$4.1 million. Since that time the City of Buffalo has been performing selective assessments. When a unit is sold, it is selectively assessed at a higher rate. Mr. Greene explained that it is illegal to reassess units upon a sale. Attorney Peter Weinman has filed a motion with the Court relative to the selective assessments and the fact that the City of Buffalo should be looking at the three floors collectively as opposed to the individuals units. If Mr. Weinman is not able to reach a settlement with the City of Buffalo the case will proceed before a Judge.

Currently, units are not all assessed at the same value. The goal is to bring the value down to a low baseline and then the entire three floors can be reassessed together.

Mr. Arnold Skykofsky questioned if there was a way to determine the homeowners actual taxes once the abatement is over. Mr. Greene advised that they are able to provide homeowners with a projection if requested.

A request was made to determine if it is possible to sue the city for legal costs.

Shower Temperature Issue

The issue of fluctuation of water temperature in the shower units was discussed. This issue has been investigated and corrected. The mechanical engineer hired to investigate these issues determined that a realignment of a pipe would resolve the issues. Positive feedback has been received from the homeowners.

Annual maintenance on the shower control valve is recommended at the homeowners expense.

Capital Reserve Study

Ms. Stenlik advises that an exhaustive study was conducted three years ago relative to replacement schedules, and to date they are currently above target.

Security

The issue of building security was discussed. Mr. Hassen has advised that they have put on emphasis an improving security. The following changes have been implemented: new post orders, more elaborate instructions for guards; a camera has been installed in the grill area and the guards will spend more time at their desk. The security guards patrol the condos twice a night. Mr. Hassen will continue to work with the security guards to emphasize the importance of meeting their time frame goals, including review of reports to ensure guard patrols are taking place.

Mr. Stenclik has advised that Cedric does a phenomenal job, but there are concerns with two of the other guards, specifically, that guests are never challenged and are just being allowed to enter condo area without confirmation from homeowners. Mr. Hassen will address this issue with the security guards.

Mr. Greene touched upon the subject of the Key Tracer system that has been installed and procedures relative to same.

Window. Concerns/Patio Closure

Mr. Hassen advised that the window issues relative to cracking and breaking has slowed down. Since January of 2015, there has only been 1-2 window issues. Mr. Hassen reported that the glass manufacturer has advised that they are at the end of the period where the glass is prone to shattering (approximately 6 years) and there should be a decline in windows breaking. Patrols to view the windows for any potential issues are conducted. A homeowner questioned if the clock will re-start running on the 6 years every time a window is replaced. Mr. Greene advised that the new windows are a different glass from a new manufacturer and, as such, the 6 years does apply to the new windows.

The issue of the patio at the front of hotel being closed was discussed. Ms. Stenclik has advised that a letter has been sent to Michael Montante regarding the front patio area. Mr. Greene advises that City of Buffalo has stated the patio is not to be used due to the dangerous condition that presents because of the breaking windows. The patio will not be able to reopen until the City of Buffalo has cleared the patio for public use.

The issues of leaking windows was discussed. Mr. Greene advised that they have expanded their search for a crew outside of Buffalo to complete the work on the windows.

- **NEW BUSINESS**

Financial Statement

Mr. Mertz, Treasurer was absent from the meeting. Mr. Hassen gave a brief overview in his place. Mr. Hassen explained that the budget was increased due to a

dramatic increase in utility expense due to the polar vortex. The Board decided to keep the increased budget as a buffer in case of another winter with high utility expenses. To date, the remaining financials are below budget.

Ms. Stenclik advised that the last three years the landscaping budget was at \$7,000 per year, and that figure is expected to decrease now that the majority of the landscaping is completed.

Solarium Use Policy

Due to a general lack of guidance and interest from outside groups, the Solarium use policy was discussed. The policy was forwarded to all homeowners via e-mail. The policy states general rules including instructions for reserving the Solarium, including making sure to book for the entire time needed including set up and clean up.

Any contractors or suppliers being used for events in the Solarium will need to provide an insurance certificate.

Contractor Rules and Regulations

The contractor rules and regulations have been undated due to all condos being finalized. Any contractors must have their own insurance. There are hours when work can be completed. A vendor list will be distributed with names of contractors who are most familiar with the property. All vendors will be, required to sign in and out of the building.

Other New Business

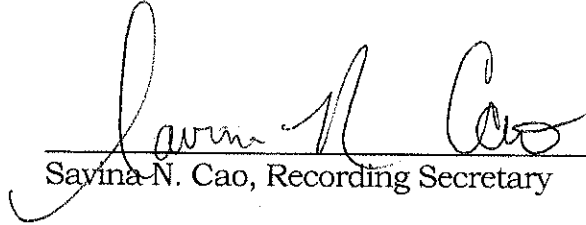
Noise: The issue of loud noise and/or music from the Sky Bar was discussed. The homeowners on the north side of the building have been experiencing loud music and noise up until 3-4 a.m. Ms. Stenclik reminded the homeowners to report problems such as these to the Board and to Mr. Hassan, as they were both unaware of these issues. The Board will be sending a letter regarding the noise issues and will also be contacting Chippewa Alliance. Mr. Greene advised that they have had some success with working with the liquor authority or Chief of Police. Ms. Stenclik suggested making calls to the Mayor or simply calling 911.

Wi-Fi: The fact that there is no Wi-Fi connection in the Solarium was also discussed. The only available Wi-Fi is on the 14th floor. The code will be shared via email with homeowners.

Broken Tiles: The issue of broken tiles was discussed and the timeline for repair of same. Mr. Hassan stated that they are aware of the broken pieces and the sponsor is trying to address same.

- **MOTION TO ADJOURN**

There being no further business to come before the meeting, motion was made to adjourn the meeting by Rachel Stenclik and seconded by Arnold Shykofsky and . The meeting was adjourned at approximately 7:05 p.m.


Savina N. Cao, Recording Secretary