

Aspetuck Condominium Association

MINUTES

Special Meeting of the Unit Owners, January 7, 2014, 7:00 p.m.

(Minutes are subject to change by the Board)

NOTES: 1) This Special Meeting of the Unit Owners was held as a result of a Petition that was signed by more than 20% of the Unit Owners. The purpose of the Special Meeting was to remove one or more Members of the Board of Directors and to elect Members. 2) The Agenda for the Meeting was mailed to all Unit Owners and was dated December 27, 2013.

Board Members Present: Amy Farquharson, President; Cynthia Leveille, Secretary; Judy Kriegl, Vice-President; Darryl Williamson, Treasurer; Mark Andreotta

Absent Board Members: Helen Gardiner, Rick Steiger; Wayne Thorpe

1. Check-In

Accolade Management, with assistance from Judy Kriegl and Amy Farquharson, managed the check-in procedure and conducted the Proxy check.

President Amy Farquharson called the Meeting to order at approximately 8:00 p.m.

2. Proof of Notice of Meeting

Ken Taylor introduced himself and explained that Notice of the Meeting was sent to all Unit Owners.

3. Reports

There were no reports.

4. Explanation By Association's Attorney

Mr. McCracken introduced himself and explained the removal and replacement process.

5. Moderator

During the check-in process, the Members of the Board agreed that Ken Taylor, Esq. would be the Moderator and that Mr. McCracken would be available to answer questions that were specific to Aspetuck Village.

6. Election of Inspectors of Election

Jay Lewin made a Motion to elect Adam Gregory as an Inspector. The Motion was seconded by Jane Gregory. There was no discussion. The motion passed unanimously.

7. Motion and Debate on the Removal of Directors

Jay Lewin made a Motion to remove all of the Directors. The Motion was seconded by Jane Gregory. Discussion ensued. The owner of Unit 81 asked if a person who is removed from the Board can be re-elected to the Board and if there are term limits. Mr. McCracken explained that a person can be removed and then re-elected and that there are no term limits. Mr. Lewin asked if the Rules had to be suspended in order to change the number of directors. Mr. McCracken said that they did not since such a change could be inferred. A person asked Mr. Lewin to explain why he wanted to remove all of the Directors. Mr. Taylor explained that questions are to be directed to the Moderator. Mr. Lewin made a Motion to call the question. The Motion was seconded by Dr. Zane. The Motion passed unanimously.

8. Opportunity for each Director to Address the Unit Owners

Cynthia Leveille said that the Board had done a lot of good things but that in the past year it hasn't been able to accomplish anything because it had to take time out for fire issues, abatements ordered by the Fire Marshal, removal of a Board Member and trying to help people with the rental restriction. She said that she rents her Unit and that the Board listened to the investors and didn't want to cause any hardships. She said that the Board doesn't have the time to deal with e-mails. She said that she didn't care if she wasn't re-elected to the Board, that the Board was being attacked for no reason and that she was tired of it.

Amy Farquharson said that she didn't see a real reason for the removal of the Directors. She said that she's been on the Board for six years and been through a lot including three fires, multiple insurance claims and a pending lawsuit for a fall in an attic. She said that what is happening is a little bit personal and a lot of it results from the removal of a Director. She said that all of the Board's decisions have been good and sound and that she hadn't seen anyone in the room at the regular Meetings during her six years.

Judy Kriegl said that she's only been on the Board for one year, that it's not fun and that she's lived in Aspetuck Village for 28 years.

Darryl Williamson said that this was a sad moment. He said that he got on the Board because he saw things improve after nothing was being done for years. He said that he's only gotten parking spaces while everyone else got all kinds of improvements. He said that he needed that space because he drove a school bus and got home too late to find a space.

9. Vote by the Unit Owners on the Removal of Directors

Mr. Taylor reminded the assembly that there was a pending Motion to remove all of the Directors and that the question had been called, ending further debate.

David Bennett, Esq., who represented a number of Unit Owners, said, in a Point of Information, that Jane Gregory held 7.369% of the vote and that Jay Lewin held 10.932% of the vote and that any voice vote must take that into account. Mr. Taylor said that the Rules provide for a voice vote in the absence of a motion to do otherwise.

Mr. Taylor conducted the vote on the Motion to remove all of the Directors. It was obvious that the "ayes" far outnumbered the "nays," there being only a handful of the latter. Mr. Taylor said that the vote was clearly in favor of the motion to remove all of the Directors and he declared that the Motion passed.

10. Election by the Unit Owners to Fill Vacancies

Jay Lewin made a Motion to elect the following nine people to the Board of Directors: Kriegel, Steiger, Gardiner, Webster, Nelson, Winsley, Gregory (A), Gregory (J) and Tupko. The Motion was seconded by Dr. Zane.

A person asked if there could be a vote if all the Unit Owners weren't there. Another person asked if anyone else could be nominated. Mr. Taylor answered the questions and explained the process. A person asked how Mr. Lewin came up with his slate. Wayne Winsley said that he brought himself forward as a candidate because he would like Aspetuck matters to be conducted in a transparent, honest and professional manner and that refreshment and renewal of the Board would be a good thing.

Chris Gardner said that he'd like to blend into Mr. Lewin's proposed slate the four Directors who spoke in their own defense, Leveille, Williamson, Farquharson and Kreigel and made a Motion to add them to the slate that was under consideration. The Motion was seconded. Mr. Lewin repeated the names on his proposed slate and made a Motion that nominations be closed. The Motion was seconded by Jane Gregory. Cynthia Leveille said that she didn't want to serve with the other people on the slate. Darryl Williamson withdrew his name from consideration. A person asked if two people from the same family can be on the Board. Mr. McCracken said that that is acceptable. The representative from Accolade Management announced that Mr. Steiger, who is on Mr. Lewin's proposed slate, did not wish to run again. The Motion to close nominations passed unanimously.

Mr. Lewin said that two of the four names, Leveille and Williamson, that were proposed by Mr. Gardner do not wish to run, leaving two of his suggested names, Kriegl and Farquharson. He noted that Kreigl is on his slate so that there was only one of his four suggested names remaining, Farquharson.

Mr. Lewin made a Motion to amend his slate to add Ms. Farquharson. The slate, as amended, contained the following names: Janet Webster, Wayne Winsley, Adam Gregory, Jim Tupko, Jane Gregory, Beth Nelson, Judy Kriegel, Helen Gardiner and Amy Farquharson. The Motion was seconded by Jane Gregory. There was no discussion. The Motion to amend passed unanimously. Mr. Gardner withdrew his Motion and the person who seconded his Motion withdrew the second.

Mr. Lewin made a Motion to call the question on the Motion to approve the slate that he proposed. The Motion passed unanimously. Mr. McCracken said that there was only one slate. There was a brief exchange between Ms. Farquharson and Ms. Leveille.

Mr. Taylor conducted the vote on Mr. Lewin's Motion to approve the slate that he proposed. The Motion passed unanimously.

11. Unit Owner Comment

A person asked if a notice could be sent out reminding everyone to move their cars when it snows. A person asked if the Agendas and Minutes could be posted for everyone to read. Mr. Williamson said that only two people voted and asked if they had the majority.

Ms. Machado, speaking for Accolade Management, said that she had terminated her services effective January 31, 2014.

At approximately 9:05 p.m., Jay Lewin made a Motion to adjourn. The Motion passed unanimously.

Dated: January 17, 2014

Respectfully Submitted,

Jim Tupko