

**MINUTES OF MEETING  
POND PLACE ASSOCIATION, INC.  
POND PLACE TAX DISTRICT  
MARCH 26, 2018  
AVON ROOM, TOWN HALL**

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POND PLACE ASSOCIATION, INC. BOARD OF GOVERNORS

Present: Domenic A. Zacchio, President  
          Kimberly J. Lazich, Secretary  
          Christopher Rossetti, Governor  
          Mitch Uzwick, Governor  
          John Williams, Governor  
Absent: Charles Wall, Vice President  
          Joseph Barry, Treasurer

POND PLACE TAX DISTRICT BOARD OF DIRECTORS

Present: Domenic A. Zacchio, President  
          Kimberly J. Lazich, Secretary  
          John Williams, Clerk  
          Christopher Rossetti, Director  
          Susan Jansen, Director  
          Mitch Uzwick, Director  
Absent: Charles Wall, Vice President  
          Joseph Barry, Treasurer  
          Amber Jones, Director

Also present: Michael Famiglietti, Property Manager; Judy Larkin, homeowner; Bev Drees, homeowner; Steve Zieger, homeowner; and Officer Jason Reardon, Avon Police.

The President convened the POND PLACE ASSOCIATION meeting at 7:01 pm.

MINUTES OF PREVIOUS MEETING

It was moved, and seconded to accept the minutes of the January meeting, as presented. All in favor, motion carried.  
There was no February meeting; therefore, there were no minutes.

TREASURER'S REPORT

Property Manager Famiglietti presented the Treasurer's report. CM Management has taken over from ARI Accounting Services for all of our accounting needs. The process is definitely in transition. Not only are they operating on a different computer system, they

are also dealing with different account names. They continue to work on merging the two systems and all of the pertinent data, to effect clear numbers and accurate account balances. Also, their Excel program loaded information as Cash, instead of accrual; and, both their QuickBooks and Excel versions were newer than what ARI used. They hope to present to us a more detailed General Ledger, Cash Disbursement and Accounts Receivable reports. He asks that we bear with them. Furthermore, the reports presented were only through January (not February), due to these discrepancies.

Mr. Uzwack asked if we shouldn't have another audit, once all data is transferred.

President Zacchio said that that was a fine suggestion but he didn't think Pond Place should be responsible for the cost. Mr. Famiglietti offered to pay for the audit (which would consist of two, or three months since the audit already done).

Mr. Uzwack commented that he did not intend to disparage CM Management by wanting this extra audit but it is our money and there are clearly problems with this transition.

### MANAGER'S REPORT

Property Manager Michael Famiglietti reported on each DRC application and each violation letter sent out.

He reported that many tree branches came down after the early March storm and the JH Landscaping has been cleaning all of that up.

There was also a large tree on Laurel Lane that was threatening our common area, even though it was technically on a homeowners EUA. Pond Place has paid a portion of the bill but Mr. Famiglietti will have the landscaper bill said homeowner for the bulk of that bill directly. He will set up a meeting with same to discuss further tree work that needs to be done.

Ms. Jansen asked if the homeowner on Arrowhead who had a large crane and massive tree work done got approval. The President assured her that they did.

Per a noise violation notice sent out, the homeowner, Randal Johnson could not attend the request for a hearing at this meeting. He indicated that he is unable to make any Monday meetings (which is when we convene all of our meetings). The manager informed us that should Mr. Johnson not make the attempt to attend, that he is then forfeiting his rights under our Rules and Regulations and fining will begin. It was mentioned that that home also leaves out their trash and recycling barrels (even after being cited) – one being pink. They will be noticed again.

Also, Mr. Famiglietti informed us that CM sent out another "dog" notice to all residents. It seems that because of the storms, people were further violating the "pick-up" requirement, thinking that the snow and ice would somehow cover the feces. It does not. Furthermore, homeowners are also letting their dogs off leash, which is also a violation of not only Pond Place Rules and Regulations, but also of the Town of Avon.

There was also a letter from a homeowner on Dove about the front island being bare after four large pine trees were removed and wondered if any remedy would be forthcoming. She requested "spray grass". Manager will look into this and request some sort of remedy from JH Landscaping that will not impeded snow accumulation. Ms. Jansen suggested hosta.

Many street lights have been reported out. Someone said that on Owl Court, the fixture was found on the ground. Mr. President said that fixture was picked up and is now stored in the shop of the prior electrician. Mr. Famiglietti should contact him to retrieve it. Also reported was a light pole on Grey Pine Common is out and the street sign is bent. Manager is meeting with a new electrician on Wednesday.

We were brought up to date regarding the previously discussed ice formation on the path by the pond, just past the foot bridge, not far from 6 Owl Court. 6 Owl Court's owner had put a sump pump in his basement to prevent flooding and it was clear that this is where the water is coming from. Water had frozen on the path and produced a hazardous situation. The homeowner has permission to access the catch basin. It is thought that this work can begin in April (it would have been March, but for the storms).

The noise complaint situation came up again and Mr. Rossetti asked why Pond Place is involved. Is this not a police matter? Were the police called? No, they were not called and also, there is no noise ordinance in the Town laws. Pond Place, however, does have an ordinance in our Rules and Regulations:

### **ARTICLE III - ACTIONS OF OWNERS AND OCCUPANTS**

No noxious or offensive activity shall be carried on in Pond Place, nor shall anything be done therein either willfully or negligently which may be or become an annoyance or nuisance to the other Owners or occupants. **No Owner or occupant shall make or permit any disturbing noises in the buildings by himself, his family, servants, employees, agents, visitors and licensees, nor do or permit anything by such persons that will interfere with the rights, comforts or convenience of other Owners or occupants. No Owner or occupant shall play upon, or suffer to be played upon, any musical instrument or operate or suffer to be operated a phonograph, television set or radio in the Premises at such high volume that it shall cause unreasonable disturbances to other Owners or occupants.**

Officer Reardon said that the police department gets many calls about noise and that each case is handled on a case by case basis but that generally, they ask the offender to limit or cease the offending noise. It also depends upon what the nature of the noise is, i.e.: children playing, yelling, music, dogs barking and the time that the noise is occurring. Mr. Rossetti asked Officer Reardon again, who again tried to distinguish that each call is determined at the scene. His recommendation is the simply call the police each time there is a question of excessive noise. That way, there is documentation of the noise

disturbance so that Pond Place can then cite these incidences in their own pursuance of the situation and/or fines.

Ms. Lazich offered that as a property manager for many years, she advises her renters to call the police each time so that she also can document these disturbances and then have back-up for her own follow-up. Mr. Famiglietti ventured that perhaps offenders will respond much more quickly, if at all, to the police, as opposed to a home owners association.

A discussion then followed about whether or not the Pond Place Press should continue: yes; and, should it still be mailed at an expense of about \$100.00 per mailing, which occurs four times a year, for a cost of \$400.00 or so. Mitch Uzwack moved that we continue to mail the Press, as it is far more convenient than Ms. Lazich (and/or others) passing it out by hand. It was seconded by John Williams. Motion carried unanimously.

#### DESIGN REVIEW COMMITTEE REPORT

Discussed under management report.

#### OLD BUSINESS

Mr. Williams reported that our website had 1069 visitors so far in February.

#### NEW BUSINESS

Ms. Jansen reported that she found a motorized shopping cart scooter behind the path to Big Y. She called Big Y and Walmart. When she returned to the place on the path, the scooter had been removed. Ms. Lazich suggested that should that happen again, whoever finds it should call the police, as it is stolen property and should be documented. Mr. Famiglietti will call the police to inquire.

Mr. Williams inquired when the Spring Clean-up will begin. Manager said that because of the March storms, it might be a bit delayed but that he believes it will be scheduled around the end of April, but that JH Landscaping will give him a 10 day advance notice. At that time, a notice will be sent out, it will be posted on the website and the front entry sign will display the date.

As to the tree removals happening, Mr. Uzwack asked if we couldn't get a tree removal service to offer homeowners a discount. The President and Ms. Lazich agreed that the contractor that Pond Places uses, McLellan, does offer one. Mr. Uzwack asked when homeowners were informed of this. It was said, some while ago. Perhaps we should post this information on the website and in the Press. Mr. Famiglietti will contact McLellan and make sure this is still true before we do so, but Ms. Lazich has only just be given said discount for some trees on her property so she feels that confirmation will be forthcoming.

Mr. Uzwack offered a firm from Torrington, but they are not licensed and would create a serious liability issue (as any non-licensed contractor would).

Mr. Williams reported that the meeting to discuss/introduce the algae eating carp was delayed due to the storms. He is sure it will be re-scheduled.

#### OTHER

No "other".

#### PUBLIC COMMENT

Homeowner Steve Zieger inquired if Pond Place would be also addressing homeowners who walk barking dogs as a noise nuisance? Would police "be nice" on a second or even third visit to the offender? He did speak to the mother of the screaming children, (as cited in the manager's report). He reports that the mother did not seem at all concerned.

Mr. Zacchio said that children playing are bound to make some noise, especially if they are outside, as being inside they are supposed to be quieter. He is concerned, however, for a near-by resident who may be sick and unable to tolerate or move away from the noise. We do have our own ordinance and we do need to follow-up with this.

Kimberly Lazich moved to adjourn the meeting. It was seconded by Mitch Uzwick. All in favor. Motion carried.

There being no further business to come before POND PLACE ASSOCIATION, the President adjourned the meeting at 8:03 pm.

Respectfully submitted,  
Kimberly Lazich, Secretary

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The President convened the POND PLACE TAX DISTRICT at 8:04 pm.

#### MINUTES OF PREVIOUS MEETING

Accepted. See Association.

#### TREASURER'S REPORT

See Association

But in addition, Mr. Famiglietti informed us that new notices of outstanding payments would be sent out as soon as they foot the balances on accounts. He began to discuss the \$519.11 or 50.00/a month payments as if they were tax payments but Mr. Rossetti inquired, did he not mean the taxes and not the Land Lease payments? Mr. Famiglietti said yes. That again, the tax payment balances may not have carried over accurately from the database of ARI Accounting. He will follow-up on both.

Mr. Rossetti began a long monologue on the importance of the clear understanding of the provisions and legal description of the Land Lease covenant and how the banks should

not deny or impede people getting a mortgage or refinancing one. He offered that many years ago, he had printed out a pamphlet outlining the covenant and given it to the manager at the time, who handed it out to each new owner or anyone refinancing. Ms. Lazich asked if he could reproduce it and give to our current manager. He said that he no longer had it. It was cited again that the covenant is clearly accessible on the website and that banks, owners and buyers alike can easily see/read it there. It should not pose a problem but Mr. Zacchio said that that's true, but in reality, it certainly has, for some years now.

Mr. Rossetti then offered to write something up to give to Mr. Famiglietti that better explains it so that he can include this in the resale packages given to potential buyers.

#### MANAGER'S REPORT

See Association.

#### OLD BUSINESS

See Association.

#### NEW BUSINESS

No new business.

Ms. Lazich moved for adjournment. Mr. Williams seconded. All in favor. Motion carried.

There being no further business to come before POND PLACE TAX DISTRICT, the President adjourned the meeting at 8:30. The next regular meeting will be Monday, April 23, 2018 at 7:00 pm, in the Avon Room.

Respectfully submitted,

John Williams, Clerk

By Kimberly Lazich