

**MINUTES OF MEETING  
POND PLACE ASSOCIATION, INC.  
POND PLACE TAX DISTRICT  
October 24, 2016  
Avon Room, Avon Town Hall**

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POND PLACE ASSOCIATION, INC. BOARD OF GOVERNORS

Present: Domenic A. Zacchio, President  
Joseph Barry, Treasurer  
Carol Glider, Assistant Treasurer  
Kim Lazich, Secretary  
Christopher Rossetti

Absent: Charles Wall, Vice President  
John Williams

POND PLACE TAX DISTRICT BOARD OF DIRECTORS

Present: Domenic A. Zacchio, President  
Joseph Barry, Treasurer  
Carol Glider, Assistant Treasurer  
Kimberly Lazich  
Susan Jansen  
Christopher Rossetti  
Nancy Bancroft

Absent: Charles Wall, Vice President  
John Williams, Clerk

Also Present: Richard Markham, Property Manager; Chris King, King, King & Associates, Auditors; Officer Reardon, APD; Steve Zieger, 6 Pond Circle; Carol Shaw, 8 September Way; Kathy & Bill Thompson, 4 September Way; Marcia Cox, 3 Dove Circle

The President convened POND PLACE ASSOCIATION at 7:05 p.m.

MINUTES OF PREVIOUS MEETING

**It was moved and seconded that minutes of September 26, 2016 be accepted with the following addition: under "Treasurer's Report" add "Also questioned was who will have the responsibility for tracking Accounts Receivables/Collections?" Motion carried.**

TREASURER'S REPORT – J. Barry

RE: POND PLACE TAX DISTRICT ADMINISTRATIVE RESOLUTION ESTABLISHING CAPITAL RESERVE TRUST FUND

- ✓ J. Barry introduced Chris King from King, King & Associates, Pond Place Auditors, to further explain the Capital Reserve Trust Account. At issue was the tax-exempt status of interest derived from Land Lease funds. Mr. King assured the Board that, under Code 528 pertaining to Homeowners Associations, the interest is non-taxable because it is "member-sourced" not selectively or non-member sourced.
- ✓ Several Board members continued to question the need for such a complex, separate Trust Account when a simpler, segregated "cash account" straightforwardly called "Reserve Fund for Improvements" would serve the same purpose.
- ✓ D. Zacchio urged the passage of the Resolution as originally constructed because it would assure a greater level of checks and balances. Countering this, was a concern that, as worded, the Resolution could have "unintended consequences" and that a "super-majority" of Board members could push through or prevent the use of funds.
- ✓ J. Barry distributed an email dated Oct. 24, 2016, from Atty. Jeff McChristian which explained, among other things, that "The use of the terms 'Trust Fund' and 'Trust Funds' in the Resolution is to underscore the basic premise that these funds are not to be dealt with in the same way as operations funds, or to be utilized for purposes of reducing taxes for the community's operations; rather, these funds are to be safeguarded and used only for capital projects. As such, the terms are being used as descriptors, rather than in any technical or legal sense that would require a separate entity."

**It was moved and seconded that action on this Resolution be tabled to the next meeting. Motion carried.**

MANAGER'S REPORT

- ✓ Resale activity reported at 7 Arrowhead.

OLD BUSINESS

- ✓ 7 Keystone Circle: The dog-barking problem appears to have been solved.

NEW BUSINESS - none

OFFICER REARDON: No report.

PUBLIC COMMENT

Q: Some residents of September Way are concerned about placement of new lighting. Will it be adequate?  
Too intrusive?

A: This and several other areas are being examined carefully with electrical contractor.

Q: Will light posts have an exterior outlet for, say, holiday lighting?

A: No.

There being no further business to come before POND PLACE ASSOCIATION, the President adjourned the meeting at 7:50 p.m.

Respectfully submitted,  
Kimberly Lazich, Secretary  
By F. Stahl

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The President convened POND PLACE TAX DISTRICT at 7:51 p.m.

MINUTES OF PREVIOUS MEETING

**It was moved and seconded that minutes of September 26, 2016 be accepted with the following addition: under "Treasurer's Report" add "Also questioned was who will have the responsibility for tracking Accounts Receivables/Collections?" Motion carried.**

TREASURER'S REPORT – J. Barry

- ✓ Responsibility for Accounts Receivable: After consultation with Accounting Resources, Inc., it was agreed that this function will remain with R. Markham. Accounting Resources will provide all needed information.

MANAGER'S REPORT

- ✓ Lighting Upgrade Project: Materials have been ordered and project is scheduled to commence. C. Rossetti asked what will be the overall cost? is there a contract to that effect? was there a competitive bid? R. Markham accepted a proposal from New England Electric for \$25,000 including materials and labor. There were no competitive bids. R. Markham said that New England Electric has partnered with Pond Place in former lighting projects and has been an invaluable consultant regarding numerous trials.
- ✓ Cul de Sac Projects: C. Rossetti questioned whether Pond Place has been invoiced for several new designs? what was the process for approving these invoices? was there a budgeted line item for this? R. Markham replied that although there was no line item, nothing "gets done in isolation." He confers with D. Zacchio for final approval. C. Rossetti stated he simply wanted to understand the process, however, D. Zacchio declared that in the future, every single invoice would be brought before the Board for approval.

OLD BUSINESS - none

NEW BUSINESS

- ✓ Fond Farewell to Retiring Board Member: Nancy Bancroft, who will be moving from Pond Place, was thanked for her many years of service and was presented with a card and messages of appreciation.

PUBLIC COMMENT

Q: Neighbor at 4 Dove Circle has seriously neglected upkeep. What can be done?

A: Board has already issued penalties to owner, but R. Markham will follow up.

There being no further business to come before POND PLACE TAX DISTRICT, the President adjourned the meeting at 8:25 p.m. The next regular meeting will be Monday, Nov. 28, 2016, 7:00 p.m., in the Avon Room.

Respectfully submitted,  
John Williams, Clerk  
By F. Stahl