

To: Pond Place Homeowners

From: Michael Famiglietti, Manager

Subject: Notice of Annual Meeting and Special Procedures Relating Thereto

Date: May 4, 2021

Due to the Covid19 Virus and the Governor’s Executive Orders, as well as the Avon Town Hall being unavailable to host the Annual Meeting, the Annual Meeting cannot be held in the usual manner this year. Enclosed is a Joint Resolution and Administrative Regulation unanimously approved by Board of Directors of the Tax District and the Board of Governors of the Association setting forth the special procedures to be observed for this year’s Annual Meeting and budget approval process. The approved Annual Budget of the Pond Place Association and the proposed Annual Budget of the Tax District are enclosed for your review as well. There will be a period of time to submit written questions and comments, as set forth in the Joint Resolution. Homeowners are required to mail in their vote approving or rejecting the Tax District budget, as well as their Ballots for the election of Board of Directors for the Tax District, by regular mail. They must be mailed back in time to be received by May 21, 2021. Results of the voting will be posted on the Pond Place web page no later than May 24, 2021.

Also, an Agenda is enclosed for the Association Annual Meeting, which includes the election of THREE (3) Governors for two-year terms.

Since there will be no physical meeting, your Ballots must be mailed back to register your vote. You must use this form to file your vote for the Association Board of Governors, either by circling the Governors of your choice, writing in a candidate’s name or by designating a proxy. Below is a proxy form to vote by proxy for the Governors of the Association. Proxies must be mailed to the Secretary of Pond Place Association, Inc. c/o CM Property Management, P.O. BOX 690, Southbury, CT 06488. Proxies must be registered before the meeting commencement period of May 21, 2021. Write-ins are accepted if legible, but only up to THREE selections are permitted.

Proxies are for the Association Meeting ONLY.

The undersigned homeowner and member (one per resentence) hereby appoint the Secretary or

_____ as proxy designate in the name of the undersigned with respect to the business that comes before the 2021 Annual Meeting of the Pond Place Association, Inc.

Select up to THREE (3) by circling or writing in:

Sue Jansen Mitch Uzwick Austin Patenaude

Write In _____ Write In _____ Write In _____

The Agenda for the Tax District Annual Meeting is also enclosed, and as noted above, ballots for the election of the Board of Directors and the approval or rejection of the proposed Annual Budget are also enclosed. You must use these forms to file your votes, and as stated before, you are required to mail in your vote approving or rejecting of the budget, and election of the Directors, by regular mail only. They must be mailed back in time to be received by May 21, 2021.

Comments and Recommendations of the Board

Dear Pond Place Owners and Residents,

Tax District Budget

The proposed 2021-22 fiscal year budget is \$335,233.00, which represents a 2% increase over last years budget.

The proposed budget includes \$115,000.00 for our regular landscape and snow removal services with JH Property Services. This represents a significant negotiated reduction in the amount we expended for these services during the last several fiscal years. In the past the spring and fall cleanups of fallen leaves and branches from exclusive use areas was outside the scope of their contract with us and we paid on a time and equipment basis. This is now contained within the provisions of our agreement with JH at a fixed but much reduced rate.

The proposed budget includes earmarked funds for the re-landscaping of Finch, Dove, Clover and Morningside islands and attention to Irontree's small island.

It also includes earmarked funds for the power washing and re-staining of the Stub Pond Observation Deck and the regrading and application of additional bluestone to the section of the Jogging Path running between the Observation Deck and the main entry road.

Earmarked funds are now included for road restriping, speed bump repainting, catch basin inspection and cleaning, and road repair and crack filing.

The General Maintenance account should suffice to replace some of our aging road signage.

\$15,000.00 is included for removal of dangerous dead and dying trees on common areas. As the complex ages so does our tree population.

A \$30,000.00 contingency fund is included to deal with removal of trees, limbs and other debris from unusually destructive wind or snow storms.

The existing privacy fence running along the northeastern perimeter of the development had reached its useful life when coincidentally a large section was destroyed in a major snowstorm last year. We received a substantial settlement from our property insurance carrier for this damage which together with funds from our reserves will defray the cost to erect a new gray fence of man-made material which mimics wood but is impervious to rot and never will require re-staining.

In future years in stages the Board intends to erect similar fencing along all of the northern perimeter to connect with the wooden fencing behind the Big Y/Walmart plaza which is the obligation of the owner of that parcel to maintain for our benefit.

The Board is deferring consideration of creating a Recreation Complex adjacent to the Tennis Court until the next fiscal year. Consideration will then be given to erecting a children's playscape, a bocce court, a covered pavilion, a fire pit, and accessory picnic facilities.

The Board urges the owners and residents to approve the proposed budget.

Pond Place Association Budget

The proposed Association budget for FY 2021/22 is \$89,350.00.

Your Board previously announced its intentions to proceed with a community wide trash and recycling initiative with Paine's Inc. of Simsbury. Included in this year proposed Association budget is \$52,600.00 to fund the initiative. Starting 7/1/21 Paine's will be providing all units with new trash and recycling barrels and will be collecting our trash and recyclables on the same day of the week. Use of other vendors will be prohibited and you should phase out your arrangements with them effective 6/30/21. Residents may choose larger or smaller barrels. Due to concerns of some residents of the equity of running this contract through the tax district, the Board has opted to run it through the Association so each home will pay exactly the same amount for this service.

Community wide trash and recycling arrangements will reduce wear and tear on our roads, noise, air pollution, and the visual pollution of having to look at barrels on our streets currently five days a week. Importantly it will reduce the cost of trash removal and recycling for all residents who use those services presently to about \$265.00/annum.

The Association budget contains a modest increase in the funds allocated to Northington Meadows, the entity which holds title to Stub Pond, for preparation of overdue state mandated inundation studies and emergency response plans in the event of a dam breach. The dam was inspected earlier this year and is in good shape.

Your annual fees to the Association will rise to \$425.48

Pond Place Association, Inc.

Board of Governors

Pond Place Tax District

Board of Governors

POND PLACE TAX DISTRICT

Dear Pond Place Tax District Unit Owner or Resident:

Please find enclosed the Pond Place Tax District Ballot for the announced candidates for the three offices and five (5) Directorships.

If you would like to nominate someone other than the named candidates to serve as a Director, please utilize the blank space on the enclosed ballot to insert their names(s). Please circle or mark next to the name of the person you would like to elect.

Please submit your completed ballot and return via mail only to CM Property Management, Inc., P.O. Box 690, Southbury, CT 06488 no later than **Friday May 21, 2021. Please sign and date your ballot.**

The results of the election will be posted on the Pond Place Community website on Monday, May 24, 2021.

The Ballot is also seeking your vote to approve the 2021-22 Operating Budget for the Tax District, the approval of contracts in excess of \$2,500.00 and amendment of the Tax District Ordinance to raise the requirement for contract approvals to \$20,000.00 to make it consistent with revised state statutes. Please mark your vote on the Ballot accordingly.

If you have any questions, please contact our office (203)264-6598.

Respectfully,

Michael B. Famiglietti

CM Property Management, Inc.

PROPOSED AMENDMENT TO POND PLACE TAX DISTRICT ORDINANCE

ARTICLE IX – MISCELLANEOUS PROVISIONS Section 9.1 Authority for Contract Expenditures shall be amended to read as follows:

Section 9.1 Authority for Contract Expenditures. No contract or obligation which involves an expenditure in the amount of twenty thousand (\$20,000.00) dollars or more in any one year shall be made by the Board unless the same is specially authorized by a vote of the District or is an item or part of an item in the annual District budget or in any emergency appropriation authorized pursuant to Section 5.6 hereof. (Reference: Conn. Gen. Statutes Sec. 7-328, as amended)

[Note of Explanation: The statute enabling Municipal Tax Districts such as Pond Place's was amended on several occasions since Pond Place adopted its ordinance, most recently in 2009, and the limit is now \$20,000.00. This proposed amendment will bring Pond Place Tax District's governing ordinance in conformity with current state law

RESOLUTION OF POND PLACE ASSOCIATION, INC. , & ADMINISTRATIVE REGULATION OF POND PLACE TAX DISTRICT TO PROVIDE FOR PROCEDURES TO CONDUCT THE ANNUAL MEETING AND BUDGET CONSIDERATION DURING THE TIME OF THE COVID-19 PANDEMIC

The Board of Governors of the Association and the Board of Directors of the Tax District, due to these exigent circumstances, have determined that procedures must be put in place that will simultaneously assure the safety of the members of the Pond Place community and permit the Annual Meeting and Budget process to go forward in a manner that conforms to the spirit of the Pond Place governing documents and the statutes pertaining to common interest communities; and

WHEREAS, pursuant to Article VIII, Section 8.2, of the Tax District Ordinance the Board, "...without public hearing, [may] undertake such actions [and] resolutions...as may be reasonably necessary to effectuate the purposes of this ordinance..." and pursuant to Article III, Section 2.q. of the Association By-laws, the Board of Governors has the power to take "[a]ll ... acts necessary or proper for the sound and efficient management of the Association;" and

WHEREAS, the Pond Place Association Bylaws in Article IV, Section 11, permit the Boards to act by unanimous written consent; and

WHEREAS, all Directors and Governors have unanimously consented in writing to the proposed budgets, both of which are attached hereto; and

WHEREAS, the Directors and Governors have agreed upon a process to conduct the Annual Meeting for the Tax District and the Association without an actual, physical meeting, and have directed the Property Manager to undertake actions pursuant to said process.

NOW, THEREFORE, pursuant to the above authority, the Board of Governors of the Association and the Board of Directors of the Tax District hereby unanimously adopt the following Resolution and Administrative Regulation:

1. The Board-approved budgets and annual meeting materials are to be mailed in May, 2021 to all owners, providing not less than 10 days' notice (the "Notice") to return their votes via regular or electronic mail to CM Property Management.
2. The annual meeting material to be mailed to owners is to include the Board-approved budgets, a copy of this Resolution and Administrative Regulation, a transmittal letter from CM Property Management outlining the process to be followed for voting on the Budgets and other matters coming before the Annual Meeting, an Annual Meeting Agenda, ballot forms for owners to vote on the Tax District budget and Board positions, and any other Annual Meeting Agenda items requiring action.

3. Ballots will be accepted by regular or electronic mail addressed to CM Property Management and received by May 21, 2021. For ballots transmitted by regular mail, the date of the post-mark shall determine whether they have been timely submitted.
4. During the period of time between the Notice and May 21, any questions or comments on the Board-approved Association budget and proposed Tax District budget and Annual Meeting Agenda items shall be directed to the Property Manager by either regular mail or electronic mail, who will forward all such communications to the President and Treasurer, and the response, if any is deemed necessary, shall be made no later than 24 hours before the final deadline for receiving votes.
5. Results of the balloting will be made public on May 24, 2021 by posting on the Pond Place Web Page.

The foregoing Resolution and Administrative Regulation was adopted unanimously by the Board of Directors of Pond Place Tax District and the Board of Governors of Pond Place Association, Inc.

APPROVED BY THE POND PLACE ASSOCIATION BOARD OF GOVERNORS this 3 day of May 2021.