

**WENTWORTH CONDOMINIUM CORPORATION NO. 171**  
**Minutes of the Annual General Meeting**  
**held Wednesday, May 29, 2019 at 7:30 p.m.**  
**in the Party Room, 67 Caroline Street South, Hamilton, ON**

**CALL TO ORDER**

Sharon Cole, Board President, and Chairperson, called the meeting to order at 7:30 p.m. There were 47 units represented in person, and 24 units represented by proxy, for a total of 71 units, thereby constituting a quorum. Sharon Cole welcomed all unit owners, and introduced the head table as follows:

Directors:

Brenda Ginn  
Anna DiMarcantonio  
Rob Byl  
Vincenza Travale  
Sharon Cole

Present by Invitation:

Paul Casuccio, Property Manager, of PMC York Properties Inc.  
Margot Casuccio, Recording Secretary, of PMC York Properties Inc.  
Barry Welsh, from the office of Barry Welsh, Professional Corporation, the Corporation's auditor.

Sharon Cole, as Chairperson, explained the rules of conduct for the meeting, and stated that unit owners will be permitted two questions only, so as to allow sufficient time for all owners to have their voice heard. Halia Koba, Unit 2A, put forth a motion that unit owners be allowed to speak freely. The motion was seconded by Len Tokey, Unit 11B. Kathleen Fraser, Unit 11C, asked for clarification on the motion. Halia Koba explained that unit owners should not be limited to two questions per unit but should be allowed to speak for as long as they wish. Paul Bentley, Unit 12C, suggested that everybody should just try to be reasonable and allow others the opportunity to speak. Frank Rosenberg, Unit 4C, stated that limiting the number of questions permitted would essentially be cutting people off. Mark O'Connor, Unit 10C, suggested that the chairperson allow for open discussion under Q&A, and keep order in the meeting. Halia Koba rescinded her motion.

**APPROVAL OF  
PREVIOUS MINUTES**

The Minutes of the Corporation's Annual General Meeting held June 19, 2018, had previously been circulated to all unit owners.

The floor was opened for any additional reports of errors or omissions. There were none noted.

On a **motion** by Violet Byl, Unit 19A, **seconded** by Holly McWilliams, Unit 2B, with all in favour, the Minutes were approved as amended.

**The motion was passed.**

**PROOF OF NOTICE**

Sharon Cole confirmed that proper notification as to the time, date, and location of tonight's meeting was sent to all registered unit owners by May 10, 2019, either by Canada Post, or by email as authorized by unit owners, in accordance with the Condominium Act of Ontario.

## **AUDITED FINANCIAL STATEMENTS**

Barry Welsh, representative of the firm Barry Welsh, Professional Corporation, highlighted the audited financial statements for the fiscal year ending December 31, 2018. The auditor's report stated that this firm had performed an independent review of the financial information and found the statements to reflect fairly the financial position of the Corporation as at December 31, 2018.

The floor was opened for questions and/or comments from the unit owners.

Marie Copeland, Unit 8C, asked the auditor's opinion as to how much should be in the Reserve Fund. Barry Welsh responded that this would be determined by a professional Reserve Fund Study, which needs to be updated every three years. Currently the corporation is meeting its obligations and is fully up to date with a reserve fund study.

Barry Welsh was thanked for his attendance at the meeting, and was excused at 7:45 p.m.

## **APPOINTMENT OF CORPORATION'S AUDITOR**

It was the recommendation of the board to re-appoint Robert Welsh, CPA, CA, to act as auditor for the upcoming fiscal year ending December 31, 2019, at a fee to be determined by the board of directors.

On a **motion** by Jim Somerville, Unit 18D, **seconded** by Paul Steele, Unit 3D, and carried with all in favour, the firm of Barry Welsh was re-appointed as the Corporation's auditor.

**The motion was passed.**

## **REPORT FROM THE BOARD OF DIRECTORS**

Sharon Cole, on behalf of the board of directors, addressed the unit owners and highlighted some of the major repair and maintenance items which had been undertaken over the previous year, including;

- P1/P2 Hallways and P1/P2 Exhaust Fan;
- Building Environmental Study;
- Non-Smoking Rules;
- P1 Electrical Room leak;
- P1 Garage floor cracks;
- Major outdoor project – Building Cladding “EIFS System”;
- Reserve Fund Study Update;
- Relief Superintendent.

Future planned projects include;

- Re-decorating of the gym and replacement of exercise equipment;
- Determining use of former pool/spa room;
- Power-washing of garbage chute;
- Re-painting of all underground garage sprinkler pipes;
- Replacement of building's water booster pump system;
- Modernization of equipment – both elevators;
- Kitchen drain power-flushing;
- Building-wide dryer duct cleaning.

The floor was opened for questions or comments.

Martin Povazan, Unit 2D, asked about the garage membrane, and recalled that only six years ago a special assessment of \$450,000.00 was levied for the parking areas. Sharon Cole noted that this had been for the parking garage deck. That work, which had been done in 2013, had a 2-year warranty which is now expired.

Paul Casuccio stated that there was an incident this spring, whereby water leaked down from the P1 floor onto a couple of vehicles parked in the P2 parking garage. Edison Engineers was consulted to perform a site inspection, during which, Andy Rocheleau stated that the underside of the garage entry trench drain was also in need of repair. Edison Engineers recommended that both maintenance items be addressed at the same time. Quotes were obtained, and the board of directors approved proceeding with these projects, which are scheduled to be done this summer. Paul Casuccio noted that the original garage ceiling membrane still needs to be replaced on the building's north, south and west sides, as they were not addressed in 2013.

Martin Povazan, Unit 2D, asked why the corporation's Reserve Fund Study was not adjusted to set funds aside for these projects. Paul Casuccio noted that the 30-year reserve fund plan does project expenses at specific times, however, additional repairs along the way cannot always be anticipated in advance such as P1 floor cracks, etc. due to building movement. The manager also stated that the P1 floor membrane is power-washed every year, and that the building superintendent notes any leaking that comes through at that time. Each year, floor repairs are subsequently made where leaks are confirmed. Paul Casuccio also stated that there was no knowledge of water entry into the building's pre-cast concrete walls until the results of the condition survey from Edison Engineers revealed this issue in 2018. As a result, this caused a short-fall in the reserve fund, which necessitated a special assessment.

Halia Koba, Unit 2A, asked why the recent theft from the bicycle lockers was not immediately communicated to the unit owners. Sharon Cole responded that the thefts were reported to the police, and the camera footage was given to the police. The point of entry was repaired immediately, and notices were posted within two business days of the incident.

Marie Copeland, Unit 8C, asked for clarification on the additional \$275,000 expenses that Sharon Cole had referred to, over and above the amount initially contracted to Maresco Limited. Sharon Cole noted that this was for an elastomeric finish coating to be applied at all penthouse terrace walls, all 140 balcony ceilings, and to the outside parking lot perimeter wall. In addition, all inner-face areas of the concrete balcony wall guards will have a stucco-like finish applied to them. The \$275,000 also includes HST and provision for additional engineering fees.

Marie Copeland, Unit 8C, asked how long the corporation's solicitor has been retained. It was responded that Michelle Kelly from the firm of Robson Carpenter, LLP, was retained 18 months ago. Marie Copeland asked why the previous legal firm of SimpsonWigle Law was changed. Sharon Cole answered that SimpsonWigle Law had informed the corporation that they no longer wished to do business with the corporation. Marie Copeland stated that she had spoken with this previous law firm and that is not the reason that they told her. Marie Copeland declined to state the reason that was told to her by SimpsonWigle.

Martin Povazan, Unit 2D, recalled that Wilson Blanchard, the previous management company, had supplied two property managers, who had not appeared to have sufficient experience. At that time approximately \$320,000 was spent on caulking. Sharon Cole responded that only a portion of that year's reserve expense related to caulking repair work and that more than half of the amount spent that year was to do major restoration work on several balconies after large chunks of the building concrete had fallen to the ground.

Elizabeth Parsons, Unit 17E, referred to the February 26<sup>th</sup> Borrowing By-Law meeting, and asked why the unit owners were not given more time to make this decision. Paul Casuccio noted that in hindsight, the timeline of the scope of work, the contracts lined up which had deadlines, etc. that did not allow for more time before the EIFS project start date. That is why the board is holding another meeting next month in June, for the sole purpose of discussing the Reserve Fund and various cash flow scenarios.

Jane Douglas, Unit 20A, stated that when she was on the board there was a regular newsletter and suggested that a volunteer committee be formed to prepare a bi-monthly newsletter, which would be approved by the board before it was published. Jane Douglas volunteered to assist in this regard.

Paul Bentley, Unit 12C, suggested that a corporation website be formed, where unit owners can publish pictures, or write blog posts, etc. Paul Bentley, Unit 12C, and Alaric Dennis, Unit 7A, volunteered to assist.

Elizabeth Parsons, Unit 17E, stated that there is already an owners' website under construction.

Frank Rosenberg, Unit 4C, asked how many absentee owners there are in the building. The property manager responded that 14 owners are off-site. Secondly, Mr. Rosenberg asked about the upcoming elevator upgrades, and asked if these are government requirements. Paul Casuccio noted that this is regular maintenance work due to the elevators coming to the end of their useful life and is factored into the Reserve Fund Study.

Marie Copeland, Unit 8C, asked how much the failed caulking cost the corporation. Sharon Cole responded that the caulking did not "fail", however in areas where isolated problem areas were stripped and replaced, leaks continued to come in, possibly from different areas. Now a more complete replacement is being done on the eastern side of the building.

Len Tokey, Unit 11B, noted that the real problem has been leaks over the past several years, and the condition assessment report from Edison Engineering addressed it. The previous engineering company also addressed it, although in a piecemeal fashion. The problem was with the caulking, not the concrete. Why, with an engineering report that gave you four options did you choose to bring Option 4 to the owners, and proceed with Option 3? Why did you not bring this to the owners for discussion? Why did you not give the engineering report to the unit owners for a town hall meeting? Michelle Kelly responded that the governance of the corporation, including the making of major decisions, is delegated to the board of directors who are elected by the unit owners. The Condominium Act does not limit the board to a spending threshold, when acting prudently.

Mary Helen Rosenberg, Unit 4C, asked if the unit owners can have information prior to the June meeting. The board agreed that this will happen.

Jim Somerville, Unit 18D, stated that problems from the past are in the past, and we need to look forward to the future now.

Estrelia NonChomm, Unit 3C, stated that in her opinion, the project is not proceeding very well – it appears that the contractors are working when weather conditions are showing humidity levels of 97% and 100%. She has tracked the humidity levels on the days that the work is being done and has been taking pictures and videos to document this. Piles of styro-foam have been left in the parking lot and have gotten wet with the weather conditions. The property manager will check with the engineers on this point and encouraged any unit owners who have similar concerns to bring it to the attention of the property manager immediately.

Jim Somerville, Unit 18D, asked about the status of the pool/gym area. The board has not yet made decisions on equipment purchases due to a lack of time with the ongoing building exterior project.

## **ELECTION OF DIRECTORS**

Michelle Kelly and Mark O'Connor, along with Margot Casuccio, were appointed to act as scrutineers for the upcoming election.

Paul Casuccio noted that there were two positions available on the Board, as the terms currently held by Vincie Travale, (1-year remaining) and Sharon Cole, (3-year term), will be expiring at today's meeting. Vincie Travale and Sharon Cole were sincerely thanked for their contributions and efforts on the board over the past years.

It was noted that new government legislations relating to condominiums stipulate that any individual who wishes to sit on a condominium board of directors must complete on-line training within six months of being elected.

Paul Casuccio noted that four nominations had been received prior to the meeting:

1. Sharon Cole
2. Kope Nastos
3. Bill Siudak
4. Jim Somerville

The floor was opened for any additional nominations. There were none.

On a motion by Len Tokey, Unit 11B, seconded by Marie Copeland, Unit 8C, the floor was closed for further nominations.

Each of the nominees introduced themselves to the unit owner body, and the ballots were cast.

The result of the ballot vote:

1. Kope Nastos – 3-year term
2. Bill Siudak – 1-year term

## **NEW BUSINESS**

### **RESERVE FUND STUDY**

Elizabeth Parsons, Unit 17E, asked if the categories in the Reserve Fund Study could be further described prior to the June 2019 meeting. The board agreed to provide this information.

### **BY-LAWS**

Len Tokey, Unit 11B, asked if the board would consider updating the By-Laws of the Corporation to be more up-to-date. Paul Casuccio suggested that an Organizational By-Law could be done which would repeal all or parts of the old By-Laws. It was suggested that a Legal Committee could be set up.

### **THANKS**

Sharon Cole thanked all owners for their support over the previous years, and in particular thanked her fellow board members for all of their work and support. Vincie Travale sincerely thanked Sharon Cole for her outstanding performance and leadership on the board over her past terms on the board.

The unit owners thanked Andy Rocheleau, the building's superintendent, for his outstanding performance.

### **ADJOURNMENT**

There being no further business, and on a motion by Paul Bentley, Unit 12C, the meeting was adjourned by 9:00 p.m.

/mjc

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W.C.C. # 171, President

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W.C.C. # 171, Secretary