

ST. JAMES TOWERS | WEDNESDAY, MAY 24, 2023

DIRECTOR'S MEETING OF ST. JAMES TOWERS, INC.

The Meeting started at 7:00 Via GoToMeeting Video Conference Call

Directors Present: Dr. Noreen Hosier, Mr. Patrick Stennett, Mr. Warren Harding, Mr. Ronald Roxey, Ms. Arlene Arrington, Ms. Nicole McKnight, Ms. Yvonne Hilton, Mr. Rudy Moore

Directors Absent: Mr. Claudio Jordan

Building Manager Nicole Duncan was absent.

MANAGER'S REPORT

The manager's report was distributed to the board prior to the meeting.

LC Renovation Chart: The board reviewed a comparison chart of three vendors bidding to renovate vacant apartment LC: Shakti Construction, L.E.S. Construction, and JS Construction. With L.E.S. having the lowest bid of \$16,440.13, there was consensus to have that company renovate.

18G Renovation Chart: The board also reviewed a comparison chart of the same three vendors to renovate vacant apartment 18G; JS Construction lowered their bid from \$20,705.76 to \$18,000, making theirs the lowest of the three. Therefore, JS will renovate apartment 18G.

Income Affidavits: There has been a high return of completed income affidavits; only 39 shareholders have not yet completed and returned their affidavits. The final deadline is June 30.

Laundry Room Renovations: Work has started in the laundry room, and anticipate completion by Friday, 5/26.

Exterior Chain Fence Poles: It was discovered that the contract did not include painting all the poles. Dr. Hosier recommend that we get a quote for painting the poles annually, and Ms. Duncan will follow up with Triangle Iron Works when she returns.

Playground Circle: The board inspected the area in front the sitting area opposite the driveway and guard booth on the Lafayette Ave. side of driveway where Triangle Iron Works repaired the three holes left from erroneous placement of the chain fence poles. Approval of the repair was unanimously approved.

Arrears Report: The board received the arrears report, and Dr. Hosier highlighted the issue of the succession case of 221 with arrears totaling \$36,000. The court upheld HPD's decision to evict, but the resident filed an Article 78, which once a final decision has been made, e.g., eviction, allows a person to file a lawsuit against a government agency e.g., HPD, decision, (see attached additional information). Currently, due to the numerous court cases and limited availability of lawyers, this case has been postponed numerous time due to lack of legal aid lawyer.

Exhaust vs. Dehumidifier in Rainbow Room: The board reviewed a proposal from Safetech to install exhaust fans in the Rainbow Room for \$700, and one from Hausman to install a condensation line for a dehumidifier at a price of almost \$2000. Per Bargold's storage unit contract, St. James would not have to pay for a dehumidifier if the contract were accepted but would have to pay for the connection (Hausman's proposed price of \$700). The board will continue discussing the Rainbow Room setup, which will include deciding whether to install exhaust fans or a dehumidifier. Dr. Hosier requested Ms. Duncan to inquire if Bargold would install exhaust fans in lieu of dehumidifiers.

Virtual Meeting with Stockholders via Zoom: Dr. Hosier drafted a letter to the shareholders, notifying them of holding a practice meeting with them using Zoom next Wednesday, 5/31 and getting feedback before the 6/21 quarterly meeting. The ultimate goal is to replace the meetings run by Elect-US due to continuous technical issues with board-run Zoom meetings going forward. Elect-US will have to be notified that St. James will no longer be using their services to run our meetings with the shareholders. Topics of the 5/31 meeting will include the new Bargold agreement and reopening the common areas, presenting the new Community Room fees, and the condition of the Rainbow Room. Dr. Hosier asked the board to provide feedback on the draft letter before Friday, 5/26. Warren Harding will add details and instructions for joining the Zoom meeting.

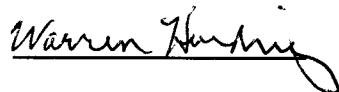
Revised Community Room Agreement/Reopening Playground Circle: Arlene Arrington met with one of the new stockholders, Stacy Stark, to discuss plans for reopening the Community Room and the revised room rental fees, along with the agreement terms for using the Community Room. The Management Office will handle Community Room transactions (reservations, collecting fees, etc.). They also discussed reopening the playground circle with a target date of 6/24, followed by a "summer fling" sometime in July, for which they would try get volunteers to participate. Since the playground circle project is officially completed, it can be opened sooner, and it will have a ceremonial reopening later in June.

Rainbow Room: Patrick Stennett discussed tagging exercise equipment in the Rainbow Room as inoperable (trash), explaining that he tagged items that were obsolete, damaged or hazardous.

Responsibilities of the Board of Directors: As discussions ensued regarding past and future use of the Rainbow Room, Dr. Hosier emphasized the primary role of the board of directors is to ensure the building property is maintained at a high standard, its value is not impaired, and its operating revenue is spent effectively and economically. The Rainbow Room is one area that has not been upgraded, and St. James has an opportunity to upgrade the space at little cost.

The meeting ended at 7:58 PM.

Minutes prepared by Warren Harding, Secretary



Signature

6/4/2023

Date

What is an Article 78 Proceeding?

Article 78 proceedings are lawsuits mainly used to challenge an action (or inaction) by agencies of New York State and local governments. Article 78 proceedings are also sometimes filed against judges, tribunals, boards, and even private companies whose existence is based on statutory authority.

Notably, appeals of decisions of the New York Department of Labor's Unemployment Insurance Appeal Board, are an exception. Such appeals must be made to the New York State Supreme Court's Third Department Appellate Division.

Although Article 78 proceedings are available to appeal most administrative actions in New York, the laws governing the particular agency or body should be consulted to determine if there is a specific appeal procedure. For example, Real Property law establishes a process to be used by a homeowner who wants to challenge their property tax assessment.

Court determinations in civil and criminal matters generally fall outside the scope of Article 78 review, with some exceptions.

What can I do if I get a decision from a New York agency that I disagree with?

If you disagree with an agency decision, you may want to consider appealing the decision to the New York courts. You can do so by filing an "Article 78 Proceeding." It is named after the section of New York law that sets out the rules for this kind of case: Article 78 of the New York Civil Practice Law and Rules. People ask us about this kind of case after they have received an unfavorable hearing decision in a case involving the Department of Social Services (DSS) or a housing authority.

Article 78 is generally unavailable if the decision or determination that you seek to appeal is not final. Generally, a determination is final when there remains no further appeal options within an agency.

Source: Legal Assistance of Western New York, Inc.