

Antigua Condominium Association

Minutes of the Meeting of the Board of Directors

(Executive Session)

September 30, 2024

The meeting of the Board of Directors of the Antigua Condominium Association was called to order by Randy Ditch, president, on September 30, 2024, at 7:00 p.m. The meeting was held via conference call. The following directors were present: Mary Dischinger, Randy Ditch, Mike Falkner, Kat Ilkhani, Mike Keenan, Robert Mayer, Bonnie Medford and Ellen Schweiger. A quorum was present. Sheri Miller was not present.

Motion to meet in executive session

Robert moved and Mary seconded that the board meet in executive session pursuant to Maryland Condominium Act §11-109.1(a)(3), (4) and (6) relating to releasing the letter from James Almand dated September 26, 2024 and the East Coast Contracting coating contract.

Kat stated that she was opposed to meeting in executive session because the letter from James Almand and its release to the owners should be considered in an open session of the board. Robert noted that the letter was a privileged communication between the association's lawyer and the association; that the board was the proper authority to decide whether to waive the attorney-client privilege and to release the letter to the owners; and that the decision to waive the attorney-client privilege should be made in a closed session of the board so that it can be and fully discussed without waiving the privilege; and a fully informed decision can be made.

The motion passed with seven directors voting in favor; one against; and one not present. The directors voting in favor were Mary Dischinger, Randy Ditch, Mike Falkner, Mike Keenan, Robert Mayer, Bonnie Medford and Ellen Schweiger. Kat Ilkhani voted against the motion. Sheri Miller was not present.

Attorney Letter

The attorney's letter was requested in light of Pat Haskins' motion to record board meetings which he requested be placed on the Fall Owners' Meeting agenda which is has been. Release of the letter was discussed with no opposition to releasing it being presented. Robert said that it should be sent to Pat Haskins (306) immediately to give him time to consider it before the meeting. The question was when to send it to the rest of the owners the consideration being sending too many emails to owners that they be viewed as spam and not read. It can either be sent standing alone or with the next coating project update. The timing of the next update depends on what happens in this meeting. The matter was discussed.

Robert moved and Mary seconded that the letter be released to everyone promptly. On a voice vote, the motion passed without opposition.

East Coast Contracting

Robert presented an update. The last update was September 14, 2024.

Skim Coat and Parge Coat. In an effort to be clear in our language, Robert used “skim coat” to mean the method in which a skim coat is applied to the bare concrete. The skim coat will be flat or fairly smooth without texture built into it. One coat of a silicone elastomeric sealant is applied to the skim coat. While the silicone is still fluid enough, sand or another aggregate is broadcast onto it. When it has cured sufficiently, the surface is brushed so that the sand or other aggregate that does not sufficiently adhere to the first silicone coat will be removed. A second coat of the silicone is then applied. In this method, the texture is in the silicone.

The “parge coat” is the method in which a parge coat is applied to the bare concrete. The final texture of the finished coating will be built into the parge. The design of the texture would be chosen by us. The mockup is a horizontal brush finish. The finish on the building was built with a sponge or similar tool. We can have the same type of design as we presently have, but it can be less coarse than the existing finished texture. After the parge has sufficiently dried, two coats of silicone are applied to the parge coat. In this method, the texture is in the parge.

Kirk’s investigation. Kirk was unsuccessful in locating anyone who had used the skim coat method. He had asked Dow’s representative. He was told that it had been done, but was never given a reference to a job, a contractor, or an owner. Tom Merson said that he, too, would look for a reference, but had also not found one. Last Friday Tom sent Kirk an email in which he said the Dow representative identified three projects that had used this method: Washington DC Cathedral; Princeton University Arts Building; and 440 Kent Avenue in Brooklyn, NY. There was no additional information or contacts.

Kirk asked two other engineers he knows, one on the Eastern Shore and the other over the bridge. Neither had used this method. He also asked the other engineers and techs in his office — he said there were about 20 — and none had used this method before. Kirk used this method with acrylic-based coatings, but not with silicone-based coatings. One engineer raised a new issue, the flash point of the silicone. The flash point is when the silicone has begun to cure so that there is a thickened layer on the outside. The significance is that once the flash point has been reached, the silicone is no longer fluid enough to accept the sand or aggregate. It will not adhere sufficiently. The flash point is relatively quick. It is necessary to broadcast the aggregate onto the first coat of silicone quickly. Practically, this means that the area that silicone can be applied to must be relatively small and compact. The question then becomes the line between the first section and the second section and then the third and so forth. Kirk thought that the area would be several feet in length and anticipates a lot of lines where two areas meet. He cannot say that the result would be satisfactory.

Dow said that the method has been used, but it is not in their specs. One of the issues is the application of the aggregate. It needs to be applied while the silicone can receive it and the aggregate will adhere to it, that is, before the flash point. If too much is broadcast, it may weigh too much and cause the silicone to pull away from the skim coat. If not enough is applied, the finish may not have a consistent appearance.

Other matters. The last time Kirk spoke with Tom, Kirk asked about his schedule to do the work if we resolve this promptly. Tom said that he would need about 30 days to mobilize which put the start of the work about November 1st, more or less. Robert asked Kirk to inquire again because he wondered what East Coast's workers were doing. This time Tom hedged. It is unclear when work would commence.

Andrew and Jason are no longer with East Coast. We do not know who will be supervising the project.

Resolution. Both Jim Almand and Kirk suggested that the first step, after deciding on the skim vs parge methods, was to sit down with Tom Merson, discuss the matter and see if it can be resolved. If that is not successful, mediation is the next step. Mediation is not binding. It is an effort with the help of a third party to reach a consensual resolution.

Mockup. The mockups were started in August and left unfinished until September when they were finished. The first mockup — starting on the left and moving to the right — has a fine aggregate between two coats of silicone. The next two mockups are made by the same process except a larger aggregate was used. The left mockup of these two has a second silicone coating applied to it. The right one does not have the second silicone coating applied.

The rightmost mockup, the one closest to 85th Street, is a parge coating. It appears that the parge material was finished by brushing it horizontally, the top one having less pronounced horizontal lines than the lower one. A different texture can be used. Ev-Air-Tight applied a smoother finish than the finish presently on the building when it repaired the three panels in October 2023 and on its mockup board.

Purpose of Parge Coat and Skim Coat. The purpose of a parge coating or a skim coating is to hide or minimize the imperfections in the concrete. The concrete has bug holes. They are indentations of various sizes, generally, from the size of a pea to the size of a quarter. They need to be filled in any event. There will also be cracks that will be repaired. Concrete will need to be repaired where it has spalled, that is, broken off the concrete wall. There will also be machine marks in the concrete. The mechanical grinders or chippers that will be used will leave machine marks if they are used too aggressively in spots.

The effect of not preparing the surfaces can be seen in the two areas on the sixth tier that East Coast Contracting used to determine if mechanical grinding of the exterior walls would cause the popcorn ceiling inside the units to release asbestos present in the popcorn ceiling material. When East Coast Contracting had successfully removed the exterior parge coating and elastomeric coating, Kirk made the decision not to prepare the bare concrete. He instructed Minutes of the Board of Directors September 30, 2024 (Executive Session) (Approved & Released 10/16/2024)

them to paint the exterior. What you see is paint, not a silicone coating. He used paint because it will be more easily removed when the work will be done on those two areas. The paint does not cover the imperfections in the concrete and the painted finish is not satisfactory.

Discussion. Mike Falkner asked why the parge material was not specified in the list of approved materials. Robert said he had not asked Kirk that question.

Kat pointed to a description of MasterEmaco N 307 apparently prepared by Master Builders. She pointed out that it was a “Cosmetic mortar for concrete surfaces.” She asked why that could not be used to hide the imperfections with the silicone coating applied over it. Robert noted that it also says that it can be used as a skim coat, not just a cosmetic mortar application, but the real issue is the application of a texture to the material. East Coast proposed adding it in the silicone coatings which Kirk consistently did not approve because he could not find an example of it having been done.

Another suggestion was to simply apply the silicone coating over the bare concrete. This was discussed and the work East Coast did during the asbestos testing on the sixth tier shows the imperfections that were not hidden. A similar result is likely with a silicone application directly over bare concrete. Silicone can be applied to bare concrete and that was done at the Atlantis on 103rd Street. However, the concrete was pre-cast and smooth. The Antigua is a poured concrete with numerous imperfections.

Questions were asked about the expectations of the parties and the reasonableness of them.

The mockups were discussed further. Mike Keenan was at a meeting with Tim Merson (East Coast) and Kirk Parsons (ETC) after the mockups were finished and had an extensive discussion about them, how they were made and the materials. A parge coat is thicker and harder than a skim coat. They are made from different materials. It was decided that it was better to meet at the mockups so that we can see them and discuss them before the owners meeting. The owners will be encouraged to look at the mockups.

It was decided to meet at the mockups on Friday. Kat said that he would not arrive until the evening and would not be in attendance.

Adjournment

At the conclusion of the executive session, Robert moved and Ellen seconded that the meeting be adjourned. The motion was passed on a voice vote without objection. The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

/s/ Robert Mayer
Robert Mayer
Secretary