

Edgewater Condominium Association

COMMUNITY NEWS

BOARD MEETING
Saturday,
September 23, 9:00am
Association Office

Volume 17 □ Issue 9 □ September 2017

President's Notes

Owner/Staff Interactions

Over this past summer there have been numerous interactions between owners and the Edgewater Staff as well as others. In some cases the interaction became agitated and elevated to an intense level. Regardless of the subject matter this type of behavior and communication is serious in nature, counterproductive, and obviously intolerable.

Edgewater Condominium operates under the New York Real Property Law, Article 9-B, which is commonly referred to as the New York Condominium Act. As such, the Board of Managers is ethically bound, and has a fiduciary responsibility to, the Membership and staff. This includes ensuring their safety and well-being. This is accomplished through our By-Laws and Rules & Regulations, as well as local, State and Federal laws.

As I have indicated in the past I must insist that all problems, issues, and concerns must follow a proper order to be addressed in an appropriate manner. That order is to:

- ◆ Communicate the issue to the Association Manager (if an immediate matter is identified this person will address it directly). A written statement will greatly enhance the awareness of the situation.
- ◆ Issues not requiring immediate attention need to be addressed to the Board of Managers in written format. Based on the circumstances the written statement will be electronically communicated to the Board.
 - ◇ It can be dealt with at that level if timeliness dictates, or If necessary
 - ◇ It will be included on the agenda for the next monthly Manager's meeting. While it is not essential for you to be present at that meeting your presentation at the open forum would significantly enhance the Board's understanding of the circumstances.

I am **STRONGLY ENCOURAGING** everyone to follow these guidelines and avoid unwarranted and unproductive interactions that could progress to an unwanted situation.

This procedure is also to be followed for maintenance requests on common elements of the Association. Maintenance Request Forms can be found on the ECA website as well as in the Association office. Making unauthorized alterations, adjusting, tampering, or otherwise changing ECA property can and will result in a financial penalty to the owner as prescribed by the Rules and Regulations. Keep in mind ECA CAN NOT and DOES NOT provide 24/7 coverage.

Cameras & Surveillance

The subject of cameras and surveillance of the common areas of Edgewater was a subject at the August Board of Manager's meeting.

Condominium Boards are permitted to install surveillance cameras in their buildings and open common areas. Such surveillance does not violate any right currently recognized under New York State Law. A Board's decision to install surveillance cameras is governed by the Business Judgment Rule, which says that the Court will uphold the Board's authority to install security surveillance cameras on and in Association owned common property. It has been well established through the laws and courts in New York State that these actions by a Board are completely permissible, and that there is no expectation of privacy in these common areas.

An HOA Board is authorized by the governing documents to choose measures that are in the best interests of the collective membership, and taking steps to minimize theft, burglaries or damage to Association owned property is well within that authority.

Pet Policy

Another topic at the August meeting dealt with a significant re-write and update for the Rules & Regulations regarding pets. The noise, walking, and failure to clean up after these pets have immersed the board with numerous complaints.

The Board of Managers is currently working on the language of a new Pet Policy. The policy language is being developed using the statutes and codes of the New York Agricultural and Markets Animal Control Law, the Town of Westfield Animal Control law, as well as the Humane Society, and excerpts from various other Condominium Homeowner Association By-Laws and Rules documents.

All aspects of our present Rule will be addressed, the policy will also contain a requirement that pets be registered with the ECA, making the number of pets here identifiable, while also assisting in the removal of any non-registered pets.

Jeff Hoy

COMMUNITY NEWS

Highlights of the August 26th Board of Managers Meeting

Summer is a busy time here at Edgewater, and some of the important issues discussed at the August Meeting are contained in President Hoy's Notes this month. Some of the other items discussed are below.

- **Balcony Engineering Report.** Ralph Wilson, P.E., spoke at the Meeting, and presented a comprehensive Engineering Report, after inspection of the concrete balconies on Buildings J, F, G, H, N & P. His evaluation indicated that aside from J Building, where the recent collapse occurred, the other buildings have no major structural issues, and that noted problems can be addressed with routine maintenance. Mr. Wilson and Rick will further review J Building balcony repair and replacement options, and will develop a proposal for obtaining bids for this project. The Board agreed that this project is a priority.
- **Sealcoating.** Sealcoating of the parking areas has been completed. The main driveways and exit roads will be addressed next year, and a rotating schedule will be established thereafter.
- **Chimney Chase Repair.** Rick reported that all necessary chimney chase repairs are nearly completed, and that it has been determined this activity can be accomplished in-house in the future.
- **Pond Fountain.** The Board voted to continue exploring options as to the desirability of a pond fountain as an Association sponsored project, per our By-Laws.
- **Water Shut-Off Valve Replacement.** The Town of Westfield has appropriated monies for the sole use by Edgewater in terms of replacing water valves and lines on our property. Rick is documenting the scope of this project to present to the Town of Westfield, in order to obtain competitive bids going forward.
- **Flood Relief Legislation.** A detailed reply was received from Senator Catharine Young, which establishes the inclusion of Edgewater as a Special District for future consideration in Legislation related to uncompensated losses. This correspondence outlined the appropriate measures that must be taken **at the time of the incident** insofar as reporting and documenting losses. The Board will place this information on file for future use if such losses should occur.
- **Grape Assistance Request.** The Board approved the request from Andrew Putnam, lessee of our grape field, for vineyard floor and head land repair, as well as payment for crop insurance.
- **Capital Contribution Fund.** The Board is moving forward with the establishment of a Capital Contribution Fund upon the sale of a unit. This is a set fee which is paid by the new owner to be used solely to fund capital improvements projects at Edgewater. Our attorney will be contacted to draft language as an amendment to our By-Laws, which will then be voted on by the Membership in June. More information will be distributed in the upcoming months.

Residents Open Forum. All residents are invited and encouraged to attend our monthly Board of Managers Meetings. Residents attending will be asked to sign-in. Anyone requesting an opportunity to speak during an Open Forum will be asked to also state the topic of their presentation. Residents are asked to refrain from interruption while another resident has the floor, and to contain themselves to the topic of their presentation.

Ruth Schauer

Board of Managers

Jeff Hoy, President
724-944-6285
jeff.hoy@hotmail.com

Jeff Beach, 1st Vice President
716-433-6469
jeffrey.beach@niagaracounty.com

Tony Cascio, 2nd Vice President
716-913-0437
ajoncasio@aol.com

Debbie Ferris, Treasurer
937-974-4922
ferriscparetired@gmail.com

Ruth Schauer, Secretary
(239) 498-1459
erschauer@comcast.net

Staff

Rick Clawson, Administrator
716-326-2186 office
716-753-6348 cell
office@edgewatercondos.net

COMMUNITY NEWS

Treasurer's Report

Current Assets as of 7/31

Lake Shore Reserve Account.....	\$32,096.59
Lake Shore Checking Account.....	52,364.37
Undeposited Funds	7,035.00
Total	<u>\$99,495.96</u>

Accounts Receivable—Current.....	\$2,172.24
Accounts Receivable—Delinquent (over 31 days).....	1,492.02
Total	\$3,664.26

Prepaid Insurance	\$3,487.62
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Fixed Assets

Equipment, Net of Depreciation.....	<u>\$10,611.85</u>
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TOTAL ASSETS	<u>\$109,259.69</u>
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Current Liabilities

Accounts Payable	\$1,892.10
Payroll Liabilities	455.92
Unearned Revenue—Monthly Assessments	18,039.09
Total Liabilities	<u>\$20,387.11</u>

Equity

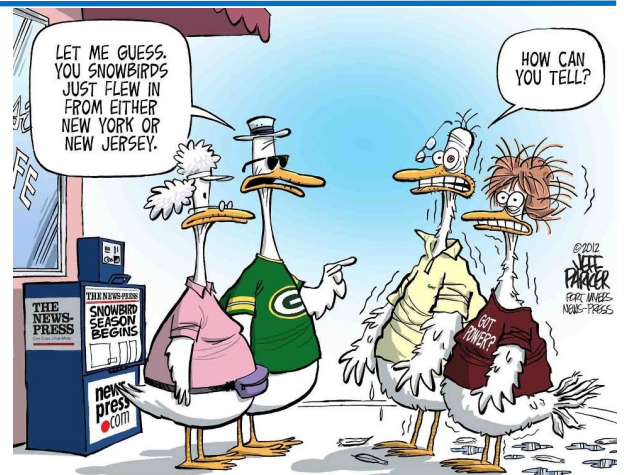
Unreserved Fund Balance.....	\$219,583.42
Retained Earnings.....	(128,562.54)
Net Income (Loss).....	(2,148.30)
Total Equity	<u>\$88,872.58</u>

TOTAL LIABILITIES AND EQUITY	<u>\$109,259.69</u>
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Debbie Ferris, Treasurer



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It's THAT time again!

Edgewater Condominium Association
CONSENT FORM

We/I hereby give the Board of Managers and staff of Edgewater Condominiums, Westfield, New York, permission to enter and check my unit during the winter months while We/I am gone. The signature below indicates that We/I will not hold the Board of Managers or their staff liable for any damages that may occur during Our/My absence, except to the common elements as proscribed in the declaration. (Please indicate the date you will be leaving and returning to Edgewater).

Thank you.

Unit Owner Signature	
Building and Unit Number	
Winter Telephone Number	
Date Leaving	
Date Returning	
Today's Date	

**We will check your unit twice a month,
beginning in November and continuing through April.**