



Monmouth Way Maintenance Association, Inc.

Resident Handbook

Updated April 2021

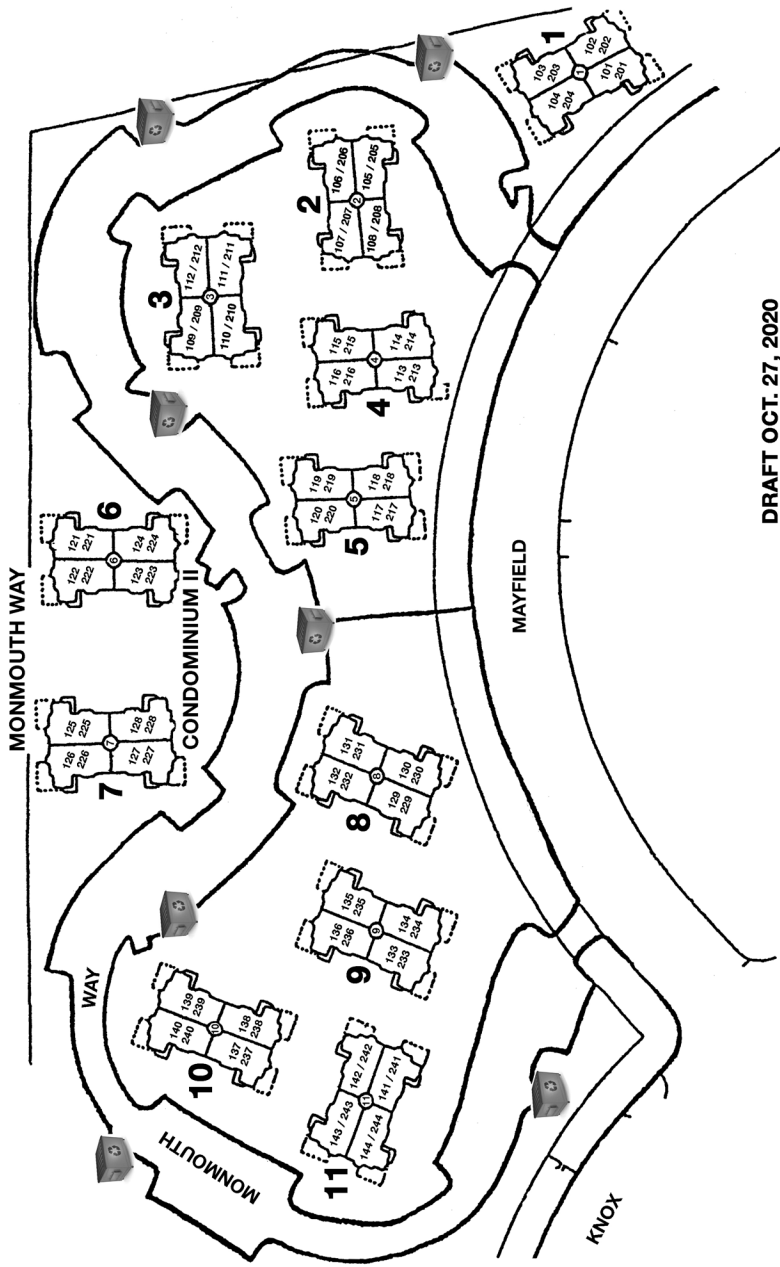
Letter from Board

The condominium building structure is divided into several units that are each separately owned, surrounded by common areas that are jointly owned. Condominiums are a type of common-interest development.

Monmouth Way Maintenance Association, Inc., has a detailed collection of Governing Documents. Documents include the amended and restated Declaration (of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens) and By-Laws of Monmouth Way Maintenance Association, Inc. These can be found on the website www.monmouthway.org

The Board of Directors has highlighted as a reference, select rules, regulations and policies that pertain to everyday living on Monmouth Way. We hope this **Resident Handbook** will be a useful tool for you to refer to when you have questions or concerns. Please feel free to reach out to the management company or Monmouth Way Maintenance Association, Inc. Governing Documents should your answer not be found in the handbook.

Monmouth Way Board of Directors



DRAFT OCT. 27, 2020

INDEX

		<u>Page</u>
ARCHITECTURAL CHANGES TO OUTSIDE OF BUILDING	1	
Exterior Changes	1	
Gas Installation	1	
Smart Doorbells and Other Security Devices	1	
DISPOSAL OF TRASH	2	
FINE POLICY	3	
General Fines Violations	3	
Deck and Common Area Fines	3	
Abatement and Enjoining of Violations	3	
Repair Fines	3	
FURNACES AND FIREPLACES	4	
GRILLS	5	
MAINTENANCE AND REPAIRS	6	
Repairs	6	
Routine Maintenance Responsibilities and Checklist	7	
Deck Maintenance	8	
MISCELLANEOUS	9	
Holiday Decorations	9	
PODs/Storage Containers	9	
Window Air Conditioners	9	
Signs	9	
Use of Units	9	
NOISE	10	
NON-OWNER-OCCUPIED UNITS	11	
NON-PAYMENT MONTHLY HOA FEES	12	
Collection Policy	12	
PARKING	14	
Assigned and Overflow Parking	14	
Long Term Parking	14	
Prohibited Vehicles/Activities	15	
Bike Sheds	15	
Winter Parking	15	
PETS	17	
SALE OF UNIT AND NEW RESIDENT INFORMATION	18	
New Resident Information	18	
Selling Unit	18	
New Tenants	18	
IMPORTANT PHONE NUMBERS	19	

ARCHITECTURAL CHANGES TO OUTSIDE OF BUILDING

Exterior Changes

Prior to any outside work being done, an Exterior Change Request Form must be submitted and approved by the Board of Directors. Exterior changes include, but are not limited to, entry doors, storage room doors, patio doors, windows, awnings, exterior lights. No work shall commence before Board approval.

Gas Installation

Approval for conversion of furnaces, stoves or fireplaces to a gas burning appliance must be obtained by the Board prior to the start of any work commencing.

Smart Doorbells and Other Security Devices

Installing a smart doorbell or other security device outside your unit door constitutes an exterior change and therefore will require the submission of an Exterior Change Form.

All forms are available on the HOA website, www.monmouthway.org

DISPOSAL OF TRASH

Trash and recycling are picked up weekly.

Please do the following:

- Flatten cardboard boxes and place in recycling containers.
- Bag, securely tie, and place all trash inside the dumpster.
- Close dumpster door.
- Close gate when visit to dumpster corral is complete.

Additionally,

- Do not leave garbage outside your door or on your deck.
- Do not leave unwanted furniture, hot water tanks, building materials, etc., alongside, outside or around the dumpster.
- Contractors must remove any waste/materials, etc. The dumpster cannot be used for any outside contractors.

If an item does not fit into the dumpster, it is your financial responsibility to dispose of this item at the landfill or by contacting County Waste at (518) 877-7007 to make arrangement for proper disposal. You will be responsible for this additional charge. Management should be notified that arrangements are being made.

FINE POLICY

In an effort to maintain the high living standards and property values of Monmouth Way, and to discourage the actions of some residents that negatively impact the majority, in November 2018, the Board passed a resolution detailing the Association's right to assess fines against owners. A detailed resolution and policy are found on the Association's website, www.monmouthway.org.

This policy explains the rules and regulations, the violations, and fine and enforcement procedures in detail.

General Fines Violations include but are not limited to failure to pay assessments; violations of any of the rules and regulations; window air conditioning units; advertisement signs; dumpster rules; parking violations; failure of owners to provide leases to the Board by means of the management company; and failure to provide contact information to the Board by means of the management company. Notification of violations and processes are also detailed.

Deck and Common Area Fines states that all deck and common area fines shall follow the same procedure as defined under the section listed, "General Fines Violation."

Abatement and Enjoining of Violations details actions the Board may take to remedy violations.

Repair Fines explains the responsibility of the owner to keep the following items in good repair which include but are not limited to fireplaces; windows including glass; entry doors; hot water tanks; plumbing; appliances; pipes; drainages; wires; and connections.

It further explains the fine process regarding urgent and non-urgent repairs.

FURNACES AND FIREPLACES

Each owner of a unit with a fireplace shall be responsible, at his sole cost and expense, for maintaining the flue and chimney from such fireplace in a clean and safe condition. Such maintenance shall be done as required, but at least annually. **THERE ARE NO EXCEPTIONS TO THIS RULE.**

Fireplaces must be inspected, and cleaned if necessary, every year; the owner must submit a certificate as proof of service to the management company no later than October 31 of each year. Failure to comply with this section will result in fines being imposed on the unit owner.

Requests to convert wood burning fireplaces to gas burning fireplaces must be submitted and approved prior to any work starting. Direct vent fireplaces are NOT allowed. See Natural Gas Installation and Conversion Request for additional information.

GRILLS

Effective November 2018, all charcoal and gas grills, propane tanks or anything else that would produce an open flame is not permitted within the Monmouth Way Maintenance Association common or limited elements, including, but not limited to, decks, walkways, entrance ways, etc. The directive to remove charcoal and gas grills is based on; FCNYS section F307.5, open-flame cooking devices and FCNYS section F307.5.1, liquefied-petroleum-gas-fueled cooking devices.

THERE ARE NO EXCEPTIONS TO THIS RULE.

The use of electric grills on your deck is allowed.

MAINTENANCE AND REPAIRS

Repairs

Owners shall maintain their units in good repair and overall appearance.

All first-floor unit residents are advised to remain close to home when turning on outside water for the season to ensure that there are no leaks. Leaks should be immediately reported to management.

All damages must be reported to the property management company within a reasonable amount of time. The following will help you understand your responsibility and the association’s responsibility.

Determine source of damage	<ul style="list-style-type: none"> ➤ if suspected from outside, contact property manager ➤ receive a list of approved contractors ➤ schedule consultation with contractor
Damage from outside unit	<ul style="list-style-type: none"> ➤ association will pay for contractor’s consultation fee ➤ association will hire contractor of their choosing to repair outside damage ➤ HOA has full control and responsibility for outside repairs ➤ accommodations must be made for contractor to enter and repair unit (cost covered by association) ➤ homeowner choosing their own contractor will pay for any additional expenses incurred
Damage from inside unit	<ul style="list-style-type: none"> ➤ homeowner pays for approved contractor’s consultation fee ➤ homeowner responsible for cost of repair ➤ homeowner is responsible for any damage from unit that causes damage to any other unit and should negotiate with other owners and make full restitution
Unit to unit damage	<ul style="list-style-type: none"> ➤ if damage is caused to your unit from another unit, it is between the unit owners to resolve and work out repairs, etc.

The following routine maintenance items are recommended by the Board.

Recommended frequency	Action
Monthly	<ul style="list-style-type: none"> ✓ clean and test smoke alarms ✓ test and reset all GFCI outlets ✓ check for leaks in refrigerator ✓ inspect behind washer for moisture ✓ inspect dishwasher for leaks

Recommended frequency	Action
	<ul style="list-style-type: none"> ✓ inspect walls and ceiling for discoloration or water marks ✓ ventilate unit
Quarterly	<ul style="list-style-type: none"> ✓ inspect washing machine hoses ✓ inspect hot water heater pan ✓ check garbage disposal
Semi-annually	<ul style="list-style-type: none"> ✓ clean and change furnace filter ✓ clean window weep holes, as needed ✓ HVAC inspection ✓ check for cracks in bathroom silicone, and replace if needed ✓ change batteries in smoke detectors (unless you have a 10 year smoke detector)
Annually	<ul style="list-style-type: none"> ✓ check pressure relief valve on hot water tank ✓ replace toilet wax ring (if toilet is loose, has odor, or is 15-20 years old) ✓ grout around shower and tub ✓ clean out dryer vent
Other	<ul style="list-style-type: none"> ✓ clean dryer vent tray before or after each use

Routine Maintenance Responsibilities and Checklist

It is advisable to replace hot water tanks on a regular basis, preferably every ten (10) years.

All maintenance, repair, and replacement of the private roadway, parking areas, green areas, recreation facilities, and all other Association Property shall be the responsibility of, and at the expense, of the Association.

All maintenance, repairs, and replacements shall be of a quality and appearance consistent with the enhancement and preservation of the appearance and value of Monmouth Way.

Deck Maintenance

Decks are limited common areas and are, therefore, to be kept neat in appearance. Please refer to the Deck Policy for the Board’s policy on deck safety and appearance, as well as the items permitted/not permitted to be kept on the deck.

The following suggestions are made by the manufacturer of the decking:

- Maintaining a clean, dry surface is the best method for combating mildew.

- Ensuring that water drains effectively from your deck and assuring that gaps exist between planks to allow for drainage.

More detailed information on cleaning and stain and mildew removal is found on the association's website, www.monmouthway.org

MISCELLANEOUS

Holiday Decorations

- Decorations are allowed in the immediate entrance area.
- Decorations are allowed on decks.
- Decorations are NOT allowed in shrubs, trees, or grassy areas.
- With the exception of Christmas, decorations are allowed 15 days prior to the holiday and should be removed no later than 15 days after the holiday. It is acceptable to decorate for Christmas from Thanksgiving until January 15.

PODs/Storage Containers

- Storage containers may only be placed *after* contacting and receiving permission from management. Approval will include a defined period of time that a storage container may be on property.
- Storage containers must be placed at the end of parking areas.
- Containers cannot impede walkways, waste management pickup or another resident's parking place.

Window Air Conditioners are not allowed.

Signs are not permitted.

Use of Units. Units shall be used for residential purposes only.

NOISE

No noxious or offensive activity which includes excessive noise shall be carried out upon any portion of the Property, nor should any resident or owner make or permit any disturbing noises that interfere with the rights, comforts, or convenience of other unit owners. This includes nuisance or annoyance to the other occupants or interferes with the peaceful possession and proper use of the property by the occupants.

No resident shall play musical instruments, stereo equipment, television, radios, or sound amplifiers in a manner that disturbs occupants of other units.

NON-OWNER-OCCUPIED UNITS

An owner may only lease the entire unit and not a portion thereof. The initial term shall not be less than twelve (12) months. Copies of leases must be submitted to the management office. **THERE ARE NO EXCEPTIONS TO THIS RULE.**

- Unit owners are required to notify management of all new tenants. Submission of tenant information, including name, phone number, email address, car information (make, model, license plate number) is required.
- The owner of the unit is responsible for the tenant's full compliance with all policies, by-laws, and regulations. It is the owner's responsibility to provide the tenant with this information.

Regardless of whether the unit is occupied, owners must maintain sufficient utility service to the unit to prevent damage to other units or to the common elements.

Unit owners who fail to comply with these requirements are subject to the established Fine Policy.

NON-PAYMENT MONTHLY HOA FEES

All unit owners are obligated to pay the amount due for annual assessments and special assessments, promptly when due.

Assessments are used to fund maintenance, repair, replacement, and improvement of Monmouth Way. Assessments are due each month. Payments are accepted various ways: through direct withdrawal, through the mail using coupons*, or using your bank's services of e-pay. All payments are due by the first of the month.

When assessments are not paid, it falls to the rest of the community to make up the missing income. Therefore, when payments are late, the following will happen:

- After 15 days, owner receives informal notice of delinquency.
- After 30 days, owner to be contacted and formal notification issued; late fees will apply, and fine process will start.
- After 45 days, the Board will contact an attorney to start legal process. This includes placing a lien on each unit that has substantial unpaid assessments. Fees will continue to accrue in accordance with the Board's collection policy.

The Collection Policy, adopted July 2018, states the following:

- The late fee on monthly assessments is \$20 if the payment is not received by the 15th of the month. After 60 days late on an assessment, regular monthly maintenance fees, special assessment, fines, late fees or any other monies owed the Association, the account will then be turned over to a national collection agency and/or an attorney and the owner will be billed a \$150 Collection Fee, in addition to all collection costs incurred by the Association.
- When an owner becomes 90 days late on an assessment, a lien will be placed on the property and filed with the county and all fees, including attorney and court costs, will be added to the owner's account. The lien will only be released upon the account being paid in full. If the unit is for sale or becomes for sale at any point while assessments are due, a lien will be placed on the property immediately.
- When the overdue balance reaches \$1,000, the homeowner will incur a 1.5% interest rate per month charge (18% per year) on the unpaid balance and for every month thereafter until paid in full or other arrangements have been made. The overdue balance is inclusive of any assessments, fines, legal fees, or any other monies owed to the association.
- All costs and expenses incurred in collection of past due assessments, including, but not necessarily limited to, reasonable attorneys' fees, management, other collection expenses and all late charges and interest, shall be added to and shall constitute an assessment payable by such Owner.
- If a homeowner is renting their unit, monies will be collected from their tenant until the account balance is fully paid. All costs and expenses incurred in the collection of past due monies from a tenant will be added to the Owner's account and shall constitute an assessment payable by such Owner.
- Every attempt to secure HOA assessment will be made. We will publicize delinquencies in monthly minutes and monthly newsletters.

*Coupon books are offered to residents once a year. Failure to request coupons during this timeframe will result in a surcharge for printing the coupons.

PARKING

Assigned and Overflow Parking

Each unit is assigned one (1) numbered parking space. Owners should utilize their assigned space and not take an unassigned space.

Residents with more than one car must utilize the overflow area or an unnumbered space.

Visitors cannot take another resident's assigned parking space for any reason and must utilize the overflow parking lots. The resident must ensure that their visitors are not parking in an assigned space.

Vehicles must be kept within parking lines, so they do not obstruct your neighbor's ability to park in their assigned space.

The following situations are NOT allowed:

- parking in front of the walkway
- parking in front of the dumpsters
- parking on the grass
- parking in front of the mailboxes
- parking on the street where no parking space is indicated
- storage of vehicles or those that appear abandoned or inoperable
- unregistered vehicles, non-resident vehicles, boats, trailers, recreational vehicles, or commercial vehicles

Long Term Parking

There are two designated long-term parking areas:

- directly across from Building 9 -- the two parking spaces to the right of the sign are designated for long term parking.
- across from Building 3 -- the four parking spaces to the left of the "Long-Term Parking" sign.

Please be mindful of leaving the long-term spaces for our out-of-town travelers so they may enjoy their time away without worry of their vehicle hindering snow removal.

Long term parking areas effective November 1-April 15.

Prohibited Vehicles/Activities

The following are NOT allowed and are subject to towing and/or fine process.

- Commercial vehicles

- Recreational vehicles (trailers, boats, campers)
- Unregistered, nonresident, and abandoned vehicles
- Motorcycles, from November 15-March 30
- Vehicle maintenance or repair
- Parking/driving on grassed or improved surfaces is never allowed

Bike Sheds

Bike sheds are only to be used for bike storage. Bikes must be stored in one of the two bike sheds. Keys/lock combinations are available from the management company.

Winter Parking

Residents must comply with the snow removal procedures. Noncompliance will result in towing at owner's expense.

During a snowstorm where more than 2 inches of snow has accumulated:

- Park your vehicle in your designated resident parking spot overnight. Parking is prohibited in the designated OVERFLOW PARKING areas until the area is cleared of snow. If you have multiple cars and must park in the OVERFLOW PARKING areas overnight, you must park in the corner areas to allow the area to be plowed efficiently.
- Monday-Friday: The snow removal company will clear the overflow parking areas between 7-8:00 a.m. Once overflow areas are cleared, move your vehicle from your designated parking spot to the OVERFLOW PARKING areas between 8:00-8:30 a.m.
- Saturday-Sunday: The snow removal company will clear the overflow parking areas between 8-9:00 a.m. Once overflow areas are cleared, move your vehicle from your designated parking spot to the OVERFLOW PARKING areas between 9:00-9:30 a.m.
- After the cleanup of the resident parking areas, move your vehicle back to your designated resident parking spot. The parking spots will be continuously cleared between 8:00-8:30 a.m. (9:00-9:30 a.m. on weekends), so residents are encouraged to remain with their vehicles while their parking spot is cleared and then immediately return to it.
- If the storm continues for multiple days, all vehicles must be removed from the overflow lots by 10:00 p.m. to ensure that these spots can be cleared throughout the night. *Repeat these procedures for each day that the storm continues.
- If you are out of town for any length of time during the winter months, please park in the corner areas of the Long-Term Parking areas. If the area is full please park in the corner areas of the Overflow parking area.

PETS

No new and/or additional pets shall be kept without the approval and written consent of the Board of Directors. A Pet Request Form should be submitted for approval.

- Pets must be contained at all times.
- Pets must be leashed and comply with municipal lease laws.
- Pets must be licensed.
- Pets must not be of a vicious or menacing nature.
- Pets are not allowed to be tied outside or left unattended on decks.
- Owners are expected to clean up after their pets.
- Pets are to be taken to the outer area to relieve themselves.
- Pets are not allowed to relieve themselves on areas outside your door or deck.
- Pets are not allowed to relieve themselves on areas outside your neighbor's door or deck.

Failure to comply with these rules may result in the owner being asked to remove the pet.

The Board may assess the cost of any clean-up or damage as a result of the pet's activity against the owner's account and may impose a monetary fine.

All owners must comply with the Town of Halfmoon code (Chapter 56, Animals) concerning licensing.

SALE OF UNIT AND NEW RESIDENT INFORMATION

Selling Unit

- Owner shall give the Board of Directors, through the management company, 30 days written notice of any sale of their unit.
- Supply purchaser with copies of declaration, by-laws, rules, regulations, and policies.

The management company must be notified from the bank regarding the sale of the unit. After notification, the following information will be obtained: name, telephone number, email address, automobile information. Welcome informational packet will be sent to unit owner.

New Resident Information

Upon notification of resident change, new residents will receive a welcome informational packet from the management company. At that time, the following information will be collected: name, telephone number, email address, automobile information. This information is required for all residents, whether or not they are owners.

New Tenants

The managing agent must be notified of all changes of tenants, and the following information needs to be submitted:

- tenant name, telephone number, email address, automobile information
- lease information

It is the owner's responsibility to ensure that the tenant is aware of rules, regulations, and policies of the community. A new resident welcome informational packet will be forwarded to the tenant.

USEFUL TELEPHONE NUMBERS

Edgewater Management	(518) 577-5403
Kelly Wolfe, Managing Agent	(518) 281-0043
Emergency	9-1-1

Sheriff's office, non emergency	(518) 885-6761
Poison Control	(800) 222-1222
Animal Control	(518) 348-0196
ASPCA Animal Poison Control Center	(888) 426-4435