

## President's Notes

### Nominations for Board Manager

In June we will have our Annual meeting where we will elect managers for the Edgewater Condominium Association (ECA) Board. As president I am charged with the function of appointing the Nominating Committee consisting of seven owners two of which are members of the board not up for re-election. The Nominating Committee is charged with the effort of reviewing and selecting the owners to be considered for election at the upcoming Annual Meeting. The qualifications for the persons being selected include but not limited to;

- Being an owner of a unit at ECA,
- Being current with all Fees and Obligations due ECA, and
- Be of the age of twenty-one or older.

In 2019 there are three positions that will be filled at this election

### Maintenance Assessments (Monthly Fees)

As a reminder to all home owners here at ECA the Board of managers adopted a resolution in 2017 which "will levy a \$250 charge to the individual owner that is in arrears and which a lien must be filed. This penalty will be added to the owner's arrears and will accumulate interest along with the amount in arrears until the total sum due is paid." This Resolution was adopted to maintain the fiscal stability of ECA and avoid having a large delinquent fiscal balance.

### Exercise Room and Library Cleanup

Janet Greene has offered to address this project and the board supports her efforts. We would like all residents/owners that have placed their used or unwanted exercise equipment in the room to identify it and let the board know if you intend to maintain ownership, with the understanding that anyone can take advantage of its use, or propose to donate it to the Association. There are a number of items in need of repair or other appropriate disposition. The intention is to clean and maintain the room and allow suitable space for each working item. If you have, or know of any owner, of the equipment presently in the room please contact Janet or leave a note at the office.

Also there are some volunteers that are offering to sort through and organize the library in the lobby. This will be an opportune time to maintain and clean the lobby as well especially since we are investigating solutions to the maintenance of the door and wall which was damaged this past winter.

*Jeff Hoy*

#### **Board of Managers**

*Jeff Hoy, President*  
(724) 944-6285  
[jeff.hoy@hotmail.com](mailto:jeff.hoy@hotmail.com)

*Lee Davies, 1st Vice President*  
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*Tony Cascio, 2nd Vice President*  
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*Debbie Ferris, Treasurer*  
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*Ruth Schauer, Secretary*  
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[erschauer@comcast.net](mailto:erschauer@comcast.net)

#### **Staff**

*Rick Clawson, Manager*  
(716) 326-2186 office

# Highlights from the Board of Managers Meeting

- ◆ Unit Checks. The maintenance staff has been routinely performing checks on unoccupied units whenever the temperature drops below 20 degrees for a sustained period of time. This is to ensure units are properly heated and no damage has occurred.
- ◆ Children's Pool. The small children's pool has damage related to the pump and water lines. Various methods to deal with this and restore the pool have been explored over the past 2 years. The Board will be looking at the cost of these repairs and the disruption to the entire pool area, versus re-purposing this space to expand the enjoyment of the pool area for all residents.
- ◆ Wind Damage. Damage from the high winds this past month was minimal. The community lost power for a brief period of time due to a downed tree on Rt. 5. A tree in front of the Office also had to be removed due to damage.
- ◆ Town of Westfield Electric Department Project. The Town Electric Department will be performing some work to move their power lines from the East side of our property to the West side. Rick is working with the Department during this project, and will keep the Board informed of its progress.
- ◆ Mail Boxes. The mail boxes are beginning to show their age, and some are leaking. The Board has looked at the cost to replace the boxes, and has decided to first seal them to see if that will rectify the problem.
- ◆ Paving. We anticipate an early beginning for the paving projects for this Summer. Buildings K, L, M and N will be done this year. Residents will be notified in advance of the commencement of these projects.
- ◆ Drainage. The Board is soliciting proposals for remediation of the drainage issues around Buildings J and K, as well as around the Office. This work is expected to be performed over the Summer months.
- ◆ Pond Fountain. A contractor has been secured to perform the electrical portion of this project and is scheduled to begin work in April. The Board hopes to have the fountain installed and operational by May.
- ◆ Chautauqua County Occupancy Tax Law. Kitty Crow, Director of Finance for Chautauqua County, will be invited to a future meeting for the purpose of explaining and discussing the County Occupancy Tax Law as it applies to those owners at Edgewater who are seeking to rent out their units for profit on a short-term basis. This Law, and the necessity for compliance with it, is fully explained elsewhere in this Newsletter. Ms. Crow will also be available to answer questions from all residents, and to give some insight as to how the County uses these taxes to benefit the lakes and waterways in the area, as well as to promote tourism and jobs in Chautauqua County.



## Internet Abuse ...

Edgewater Condo Association has recently received several notices from our internet provider Consolidated Communications, about illegal copyright infringement activity that has been occurring over the Edgewater Condo Association network. The activity in question included the illegal streaming or downloading of various episodes of the show Counterpart, The Mayans and The X-files and threatens the continuation of the Associations internet service.

It is Consolidated's policy, in accordance with the Digital Millennium Copyright Act (DMCA) and other applicable laws, to reserve the right to terminate the internet service provided to any customer who is either found to infringe third party copyright or other intellectual property rights, including repeat infringers, or who Consolidated, in its sole discretion, believes is infringing these rights. Consolidated may terminate the Service at any time with or without notice for any affected customer or user. Consolidated reserves the right to take any other legal or technical actions it deems appropriate under the circumstances to enforce this Policy, in its sole discretion, with or without notice to any affected customer or user.

The illegal streaming and distribution of copyrighted material is often accomplished using “peer-to-peer” (P2P) software. When you use such services to download, stream or upload files, you are not anonymous. Copyright owners routinely participate in or monitor online P2P file sharing programs to see if their content is being improperly used or shared. If a copyright owner believes its content was uploaded or downloaded improperly, it can record the Internet Protocol address (“IP address”) that was used to access the content over these services. The copyright owner will then send a notice to the Internet service provider such as Consolidated that contains the IP address along with other information such as the date and time of the event, the name of the file sharing program, and an identification of the content. Based on these notices, Consolidated has contacted Edgewater about the concern which must stop immediately.

Thank you for your help in stopping this activity.

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## Occupancy Tax and Unit Rentals ...

The following is an excerpt from a letter received by the Association regarding Occupancy Tax and unit rentals. The letter, in its entirety, can be found on our website.

According to Chautauqua County Local Law, a 5% tax is imposed upon the rent for every occupancy of a room or rooms in a hotel or motel unit or any other property including but not limited to, cottages, condominiums or other buildings kept open for the lodging of guests in the County. The tax is imposed upon rentals to the same occupant for a period of less than 30 days. The tax is not imposed on renters who provide you with a sales tax exemption certificate.

Every operator is required to remit Occupancy Tax on a quarterly basis, using the Room Occupancy Tax Return Form. These forms and payments are due to the Director of Finance by the 20th of the month following the end of the calendar quarter. Businesses that collect less than \$1,500 in occupancy tax per year may file annually. Payment for annual returns must be received by the Director of Finance by January 20th of the following year.

If you are renting property as outlined above, you must register it for Occupancy Tax Purposes unless you rent for a total of fourteen days or less annually or unless a real estate agent is handling your Occupancy Tax filings for you. You must also file and remit Occupancy Tax Returns for any taxable rentals that you have received since January 1, 2010 including all applicable penalties and interest.

A copy of the Application for Certificate of Authority to Collect Occupancy Tax is enclosed for your convenience. A copy of the Room Occupancy Tax Return Form is also enclosed. For your future reference, the tax return forms can be obtained on the County's web site at <http://www.co.chautauqua.ny.us> under the Finance heading, under Occupancy Tax.

The County is actively monitoring compliance with the Occupancy Tax law. Failure to register could result in fines of up to \$1,000.00 and/or imprisonment for up to one year. If you fail to do so, the Director of Finance will estimate your tax liability and assess penalty and interest.

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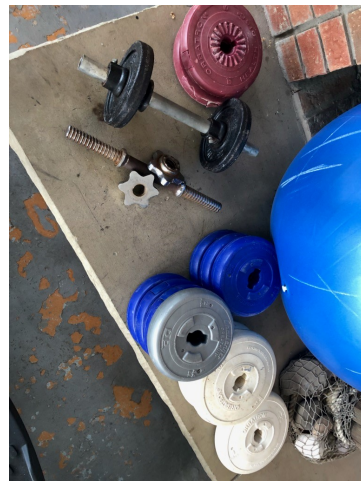
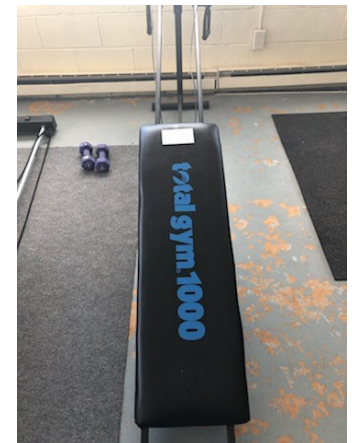
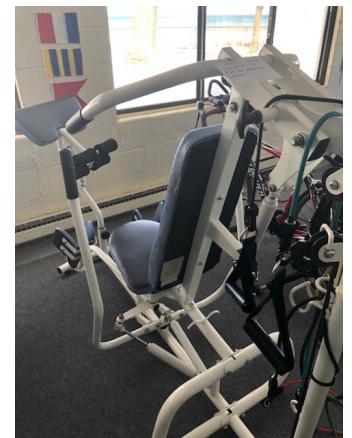
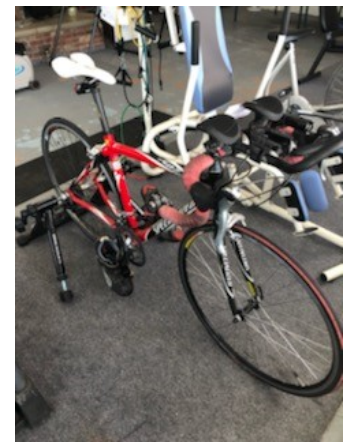
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# Exercise Room Equipment to be Purged ...

As Jeff Hoy noted in his President's Notes, we are in the process of identifying owners of exercise equipment as well as purging those pieces that are inoperable or in need of repair. Although it is wonderful that people want to donate equipment, there are many pieces that are duplicates. With the limited space available it becomes difficult to give adequate room, therefore, a group headed by Janet Greene is attempting to identify owners of all equipment and purge unnecessary pieces. If you have donated a piece of equipment, please let Janet know, or drop a note at the office. We will tag those pieces for future identification and also notify you if the piece is to be removed so you can reclaim it.



*More on next page ...*



Please help us identify the equipment by letting us know you are the donor.



# John J. Grimaldi & Associates, Inc.

## ~INSURANCE GUIDE FOR UNIT OWNERS~

It is the responsibility of each unit owner to carry his/her own personal property and casualty insurance covering their personal property, personal liability and additions or alterations, which have been made to your unit. This outline of recommended coverage and the insurance requirements outlined in the association legal documents should be used when you discuss your specific insurance needs.

### **PERSONAL PROPERTY**

Determine the replacement cost value of your personal possessions, excluding items of special value such as jewelry, furs, antiques, and collections. Request a replacement cost coverage policy subject a \$250 or \$500 deductible. Coverage must be written on an "**All Risk**" basis.

### **ADDITIONS/ ALTERATIONS/CONDOMINIUM DEDUCTIBLE**

Your Association coverage **does not** include coverage to replace any improvements, alterations or upgrades that you have made to the building within your unit such as a finished basement or an upgraded kitchen. **You must include coverage for the Association deductible (\$10,000) under your HO-6 or condominium owner's policy dwelling section.** This dwelling coverage must be written on an "**All Risk**" basis. Please refer to the association documents relative to Insurance to determine your specific needs.

### **LOSS ASSESSMENT ENDORSEMENT**

This coverage protects the unit owner from special assessments resulting from inadequate association insurance, such as a large liability loss that exceeds the limit of the association policy or a property loss for which the association insurance is inadequate. We recommend a minimum of \$10,000 written on an "**All Risk**" basis.

### **RENTAL ENDORSEMENT**

If your unit is rented for investment purposes, you should endorse your policy, in addition to the above coverages, to include loss of rents coverage and include loss or theft of your personal property.

### **PERSONAL ARTICLES FLOATER**

Most policies limit coverage for loss caused by theft of jewelry, furs, guns, silverware, antiques, coin and stamp collections. Items such as these should be appraised and specifically listed to insure full payment.

### **COMPREHENSIVE PERSONAL LIABILITY AND MEDICAL PAYMENTS COVERAGE**

Protects you and your family from liability claims for bodily injury or property damage to others for which you are held legally liable. This coverage is provided for occurrences within your unit and for Personal activities away from the unit. We recommend you purchase a minimum of \$300,000.

### **PERSONAL UMBRELLA**

This coverage is written on a separate policy and is available for amounts of \$1,000,000 or more. It provides excess liability coverage over your personal automobile liability, HO-6 liability and other personal liability policies such as boats, rental property, etc.