

**Message from the President
of the Pond Place Association, Inc.**

11-8-22

Pond Place Day

Pond Place Day, held on Sunday October 30th, was well attended and well received. The organizers did a good job and are motivated to organize another community event next spring or summer in addition to a repeat of the Halloween themed event next fall. Next year the event will commence earlier than 5PM so we can see what we are doing (LOL).

Fall Cleanup

Pond Place residents are invited to place their brush and leaves out in separate piles on empty areas next to our roads for pick-up by our landscapers - JH Property Services. Brush and leaf piles should NOT be commingled but kept separate. Please do NOT mix leaves and brush together. Please do not place leaf piles on pea stone as our landscaper's equipment has been damaged by sucking up and grinding pea stone. Stumps and logs are not permitted. Residents must arrange to have stumps and logs hauled away at their expense. All Fall Cleanup brush and leaves must be on the curb not later than Sunday November 20th. Residents placing brush or leaves out on the curb after November 20th will be charged for pick-up of those items and will be subject to possible fines. Everyone's cooperation and participation will help Pond Place look its best for Thanksgiving.

Website Redesign Project

A project approved by the Board to update and redesign our website, pondplace.org, is nearing completion with roll out this month.

Board Meetings

The next meeting of the Pond Place Tax District and Pond Place Association, Inc. Boards will be held on Wednesday November 30th at 6:30 P.M. It will be held in the Avon Room in Building 1 of the Avon Town Offices at 60 West Main Street, Avon, Connecticut 06001. All owners and residents may attend the meeting and are invited to make comments. Hyperlinks and instructions for participation will be posted on our website www.pondplace.org the day of the meeting.

The Board of Northington Meadow, Inc., which holds title to the Stub Pond parcel, and which is composed entirely now of the members of the Pond Place Association, Inc. Board of Governors, will be holding public meetings transacting Stub Pond business and reporting to

the community during the regular Pond Place Association, Inc. meetings to provide more openness and inclusion.

Road Maintenance

M&S Paving of South Windsor completed all contracted road repairs last month.

Northern Perimeter Border Fence Extensions

I am pleased to report that Pond Place was able to secure the erection of a privacy fence along our bordering northern perimeter as a condition of the redevelopment of the parcel at 221 West Main Street into the Route 44 Auto Repair facility. The 8' tall fence exactly matches the fencing we erected earlier in color, height, quality, material and manufacturer. A similar requirement was imposed by the Town Planning & Zoning Commission as a condition of its approval of the old Dakota parcel's redevelopment. Coincidentally the existing fence there was wearing out and a large section was damaged by the fall of a rotten tree. It was removed and will ultimately be replaced.

Building Guide Revisions

Members of the Boards and the Design Review Committee have been working to update, expand and improve the Pond Place Building Guide. The second meeting dedicated to this purpose was held on August 23rd. Sections will be added governing installation and use of Firepits and Standby Electrical Generators among other things. It is hoped that the redrafted guide will be ready for presentation to the community for comment later this fall.

Landlease Delinquent Interest Rate Established

At its August 25th meeting the Pond Place Association, Inc. Board voted to cap the interest rate charged on delinquent land lease payments to THREE (3.00%) PER CENT from the date of delinquency pending further action of the Board. Those over 6 months delinquent will be referred to the Association's attorneys for collection through legal action later this month. (Under the Standard Pond Place Ground Lease Covenants as holder of the leases Pond Place is entitled to charge the Hartford Prime Rate plus 3%.)

Collections Policies Adopted

Unit owners will be receiving a memo from White & Katzman in the near future outlining the collections policy the Board wishes to adopt. Owners will be afforded the opportunity to ask questions and comment on the policy at the October board meeting. The reason for the adoption of a "community collection policy" is to treat everyone in the community the same with

respect to referral for delinquencies to collection. Once an account is released for collection attorney's fees and costs will be added to amounts due. Members behind in their dues, taxes or land lease payments are encouraged to get their finances in order immediately so as to avoid these significant added costs. Those who are more than 6 months behind on their land leases will be also soon be referred for collection. It can fortunately be reported that serious delinquents compose only a very small per centage of our community.

2022 Community Landscape Improvements

Planned landscape improvements for 2022 were completed in October. Areas improved included all of the September Way circle, additions to Pond Circle and Morningside Court, a new planting bed at the very end of Gray Pine Common, landscaping of the Memorial Bench near the Dock and some minor additions to the Finch Island and replacement of plants installed last year which failed and were under warranty. A specimen Weeping Cedar was installed on the hump in the planting bed to the left of the main road adjacent to the Pond Place sign installation. Boulders there were rearranged and solar accept lighting placed.

Maintenance Violation Notices

This past April, White & Katzman managers conducted a very thorough inspection of all 210 homes and exclusive use areas in Pond Place and homeowner who were in apparent violation of Pond Place standards received written warnings in May. There has been a good response to these notices with most violators addressing the issues for which they were cited. Homeowners may request a hearing before the Board to dispute findings or to request extensions of time to correct violations for good cause. Those properties which were first cited in 2021 were given until October 1, 2022 to cure their violations. Those cited in 2022 were given until October 31st to come into compliance. Our managers, Mike Montgomery and Lauren Pizzoferrato, will be inspecting this month to verify completion of repairs and to identify new violations. Those who failed to correct violations by the date specified will be subject to fines, after notice and an opportunity to be heard, and may have liens placed on their properties.

Exterior Lighting

Several homeowners have attached security lights or cameras to their dwellings or garages without permission of the Design Review Committee. Some of these are white, a color banned for exterior use in Pond Place. The Board passed a resolution at its May 26th meeting requiring that all security lights, landscape lights and security cameras, if permitted by the Design Review Committee, be either black, brown, beige or bronze in color.

Northington Meadow, Inc

At its July 28th meeting the Pond Place Association Board of Governors who are also the Board of Directors of Northington Meadows, Inc. (the non profit entity that holds title to the Stub Pond parcel) elected a new President, Vice-President and Secretary: Christopher Rossetti, Mitch Uzwack and Susan Franke. Susan Jansen remained as Treasurer.

New Land Maintenance Rule

Complaints have been received from time to time about Exclusive Use Areas that are not kept up. I suspect we are all familiar with the occasional EUA where grass is not mowed, or leaves are left around to blow on their neighbor's EUA's after spring or fall clean up period has passed, or no effort appears to have been made to keep shrubs pruned or dead plantings removed or stuff is left all over the place, etc. Homeowners are reminded that the Pond Place Declaration provides in Article VI Section 1 C of the Declaration: **"Dwellings and the Land shall be kept in a neat attractive manner and kept in good repair."** Land refers to Exclusive Use Areas including those which encroach on buffer areas. The Board with one abstention codified this passage as a rule on October 25, 2021 and it will be added to the Rules and Regulations of Pond Place as a reminder that there is an expectation EUAs will be kept in a neat and attractive manner. Homeowners who fail to mow their lawns, weed whack as appropriate or otherwise violate this rule will be cited and fines will be levied for non-compliance starting in June. Again, those seeking additional time or who dispute the findings may appear before the Board. **Owners who have tenants should understand that delegating these maintenance obligations to tenants will not excuse compliance or remission of fines in the event of non-compliance.**

Service Line Maintenance Responsibility

The Board recently requested guidance from the Association's attorney on maintenance and repair responsibility for water, sewer and gas pipes outside of a dwelling unit or other structure. His written opinion of counsel is posted elsewhere on the Pond Place website. I will summarize it as follows: Homeowners are responsible for the maintenance and repair of water and sewer pipes that exclusively serve their dwelling unit. The Pond Place Association, Inc. and Tax District are responsible for those which serve multiple dwellings. CNG currently retains full responsibility for gas pipes that extend from the foundation of dwellings outward. Homeowners are urged to obtain an indorsement to their HO3 or HO5 homeowner's insurance policy for "service line coverage". Most insurance companies offer this endorsement for a small additional annual premium. Outside pipe breaks or ruptures can be very expensive to repair. Do yourself a favor and acquire such a rider or endorsement. The Board has been unable to obtain coverage for all exterior service line pipes in Pond Place but will continue to endeavor to do so.

Please furnish your E-Mail Addresses

In order to cut the cost of, document and speed up communication, Pond Place residents and association members who have not already done so should provide their e-mail address to White & Katzman Property Management. FYI it costs more than \$2.00 to send a postal communication presently. Bills, budgets, meeting notices, violation letters and similar really important messages will continue to also be sent by mail. **Quite a few units still do not have e-mail addresses on file. Let's improve this statistic, please. Most courtesy messages will only be delivered electronically.**

Prohibition on Feeding of Roaming & Feral Animals

The Board enacted a new rule on September 27, 2021 prohibiting the leaving outside of food for feral and roaming animals as follows: "For purposes of health and safety, no member of the Association, members of his or her household, his or her tenants or residents of the Tax District shall leave any food outside the confines of a dwelling unit or in an open garage or shed which may attract or be consumed by bears, coyotes, coydogs, bobcats, skunks, possums, raccoons, roaming dogs or roaming cats. Violations shall be punishable by fine."

FY 2020-2021 Audit Available

The Association and Tax District FY 2020-2021 audits conducted by King & King, CPAs are now available on our website.

Speed Limit

Kindly respect the 20 MPH speed limit on all Pond Place roads for everyone's safety, including pets.

Trash Barrels

There has been improving compliance with our trash and recycling barrel rules. Residents are reminded that trash and recyclable barrels must be kept in the garages or sheds except on the night before (currently Tuesday nights) or the day of (currently Wednesdays) pickup. Those who do not have garages or sheds are expected to place their barrels out of public view. It is not acceptable for those with garages or sheds to store their barrels outside. Please comply and help to keep the community sightly. Except for a handful of residents, the community is in compliance with these rules. Habitual violators will be subject to fines for non compliance.

Those members who opted out in writing last year from community wide trash and recyclables service through Paine's will be treated automatically as continuing their opt out without further action on their part. Members who purchased after 6/30/2021 are NOT eligible to opt out. Those who wish to receive service should contact Mike Montgomery or Lauren Pizzoferrato at White & Katzman, not Paine's.

Design Review Committee

Owners and residents are cautioned that virtually any change to the exterior of a dwelling, garage or shed, including re-staining, requires written prior approval of the Design Review Committee. The Exterior Modification application form is available at www.pondplace.org. Those who have applications pending are advised that the committee has been reviewing and voting on applications electronically to expedite processing. Association members are urged to read the Pond Place Building Guide carefully to assure that they have submitted all necessary information and documentation required. It has been my experience many do not do so which will cause delays in approval. Insurance documentation is only needed if the Committee so requires after their review of the application. Color approvals now require submission of swatches. Most modifications of the exterior of your dwelling, garage or shed require prior approval of the Design Review Committee. You act at your peril if you execute an exterior modification without prior approval. Applications and correspondence should be sent to White & Katzman by uploading through the PILERA platform or by e-mail or snail mail to the attention of our manager, Michael Montgomery.

Residents or owners are welcome to contact me with issues, complaints, concerns or for guidance .

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Management Contact Information:

POND PLACE PROPERTY MANAGER

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Reminders

Trash & Recyclables pick-up: Paine's picks up trash on Wednesdays weekly and recyclables on Wednesdays bi-weekly on their B-Week schedule with one day delays for certain specified holidays: Memorial Day, 4th of July, Labor Day and Thanksgiving during 2022. The schedule is posted on www.pondplace.org Your barrels need to be on the curb by 6:00 AM on Wednesday mornings and should be returned to their sheds or garages before sunrise the day after. Should new residents or owners wish smaller or larger barrels than those inherited from the prior owner or tenant they should contact White & Katzman, not Paine's. Likewise any requests for special pick-ups or complaints regarding non pick-ups should be routed through White & Katzman.

Persons who have fallen into arrears on their obligations to the Pond Place Association or the Pond Place Tax District are reminded their delinquent amounts will be carrying a high rate of interest. It is in their best interest to get these arrearages paid off.

Unpaid FY 21-22 dues and taxes are now DELINQUENT and will be turned over for collection if not paid by July 31, 2022.

FY 22-23 Dues to the Association will become delinquent if not paid by July 31st, 2022

FY 22-23 Taxes to the Tax District are due in two installments, the first half (like town taxes) on July 1st and the second half on January 1st, 2023. Taxes become delinquent if not paid by the 31st of the month in which they are due and will carry retroactive interest at 1 ½% per month (18% per annum) until paid;

Your land lease payment (if you have not already paid your lease off) is due in the amount of \$50 on the 1st of every month. Those who are not delinquent may prepay an entire year in the amount of \$519.11 and take advantage of a significant savings.

Land Leases in arrears on July 1, 2022 will carry retroactive interest at 3% from the date of delinquency with respect to all delinquent payments from due date. Those more than 6 months delinquent will be referred to the Association's attorneys for legal collection.

Taxes in arrears are currently carrying a rate of 1.5% per month retroactive to the date of delinquencies. Those 6 months or more delinquent will be referred to the Tax District's attorneys for legal collection.

Delinquent Association obligations carry interest at the rate of 12% per annum from date of delinquency. Those more than 6 months delinquent will be referred to the Association's attorneys for legal collection.