

NEWSLETTER

December 12, 2013

The Board extends its best wishes to all during this holiday season.

To describe in brief some current Board activities:

1. The Board has interviewed and will continue to interview landscape architects and other experts as part of a process to establish a long range operational plan for the revitalization of the trees, plants, and shrubs on our grounds. This plan is intended to complement a long range plan to upgrade the structures and other appurtenances to the land.
2. We now have in place an “Alternative Dispute Resolution (ADR)” committee with specific procedures to be followed in filing complaints and resolving disputes. The primary function of the committee is to mediate and to resolve any disputes arising between or among owners with each other, with owners and the Association (and reciprocally), and so forth. In all instances where disputes are heard and either are or are not resolved at the hearing level, the ADR Committee shall make an independent final recommendation to the Board.
3. A Pond Meadows Condominium Association website has been designed and launched at: <http://www.arthuredwardsinc.com/PondMeadows/> . It is not yet complete in its details, but is live. It will prove to be of great service to the community in the publication of notices, minutes, documents, reports, and other information, and will hopefully be an effective forum for open communication. More is to follow.

Census

Forms have been distributed asking for information which is to be verified by your certification. A condominium such as ours is *required* to gather this information by federal laws, viz., 46 USC 3601 (enacted in 1995), and 24 CFR 100.300 et seq. (Subpart E). It is a continuing legal obligation for the condominium to maintain this information as a matter of *private* record and to refresh it periodically as may be necessary. Please make every effort to be as complete as you can and to confirm the accuracy of the information you provide by signing the certification. And again, **all information gathered will be kept *private and confidential* and maintained only in the records of the Association.**

Parking Regulations

At the next Board meeting on January 13, 2014, the Board anticipates adopting enforceable, but simple, parking regulations for condominium property. Keep in mind the following considerations about traffic and parking on the grounds.

All of the property between Chapel Road and Merrill Drive is private property, including the roads (the Chapel Greens Condominium starts east of Pond Meadows Drive). Both Southerly Drive and Northerly Drive are part of the common areas of our condominium. **They are not public roads**, nor is Pond Meadows Drive a public road. They were never “dedicated” to the Township of Mahwah and are, thus, not maintained by the municipality. We have to pave and maintain them and to remove snow from them at our own cost. Chapel Greens and Pond Meadows have, however, reciprocal filed easements allowing residents there to use our roads for access and exit and for us to use their roads for the same purposes.

Signs are posted at both ends of Southerly and Northerly providing notice that these roads are *private* and that to drive on them if you are not a resident is trespassing. Of course, they are continually used as if they are public roads by a procession of drivers and walkers. Mahwah ordinances prevent “gating” the community or installing any more than the “speed humps” which have been installed to discourage unauthorized use by non-residents.

The Mahwah police will not enforce New Jersey motor vehicle and traffic laws and regulations (Title 39) on *private* property, including any speed restrictions (N.J.S.A. 39:4-98) or registration requirements (N.J.S.A. 39:3-4). In short, it is entirely up to the Association to design a system of reasonable regulations which is undergirded by lawful enforcement procedures.

The Board is presently working on those regulations, with particular attention to those acts which put people at risk of harm and injury (parking anywhere on the sides of any of the private roads, impeding safe passage for other cars, for instance), or which use the parking facilities for any purposes other than that of residence by residents, and so forth. Enforcement will be tied to the responsibility of owners for their own use of the facilities as well as for use by their visitors. This includes owners who are landlords.

Installing a “decal system” has been discussed, but it would seem more economical and less intrusive just to have the Association maintain a *private* inventory of residents’ cars. We are thus asking all owners/residents to complete a registration form, identifying the make, license number, color, and any other distinction of the cars *lawfully* associated with each unit as a requirement to meet the new parking rules.

If you have suggestions about these rules which you wish to be considered in their design, please submit them in writing.

The Board thanks you all for your cooperation in improving our community.

12/12/13