

**HANDBOOK OF
POLICIES AND PROCEDURES FOR THE
EASTERN POINT CONDOMINIUM ASSOCIATION
(Version 3.1)**

Prepared and approved by the Board of Trustees May, 2020

Policies and Procedures

Eastern Point Condominium Association

INTRODUCTION

This Handbook contains the Policies and Procedures for the Eastern Point Condominium Association and is for the use of the Condominium Unit Owners, the Property Manager, and others, as appropriate. The precedents for these Policies and Procedures include the following:

1. The Eastern Point Condominium Association Master Deed, as amended, recorded in the Worcester Registry of Deeds, December 11, 1984, in Book 8488, Page 332;
2. Five major Amendments to the Master Deed as recorded in the Worcester Registry of Deeds and pertaining to the five different building phases involved in the construction of the Condominium associated buildings;
3. A previously created handbook (undated – approximately 1998) generated by the Condominium Association Board of Trustees and consisting of 20 pages as of that date.
4. A previously created handbook (Version 2.0 dated March 2007) generated by the Condominium Association Board of Trustees consisting of 24 pages as of that date.

This current document, prepared by the current Board of Trustees (2020) supersedes, but relies heavily upon the previous Policies and Procedures handbook, and updates it with changes and additions as have occurred during the interval 2007 – 2020.

BOARD OF TRUSTEES

The Condominium Association Master Deed dictates the establishment of a Board of Trustees for the Eastern Point Condominium Association to be comprised of not less than three (3) and no more than five (5) unit owners who are elected by a majority vote of unit owners. The Board is responsible for the community assets and causing them to be properly maintained and managed in a manner that provides for and assures safe, well-maintained residential units and related common areas and facilities for the benefit of the unit owners.

To implement these responsibilities, the Board of Trustees are authorized to establish monthly Condominium fees and dues and additionally may create special assignments, with associated fees where necessary for the maintenance and well-being of the community.

The Trustee Board meets regularly; unit owners are welcome to attend these meetings. The Board also schedules an annual homeowner meeting at which time the current and future plans for the Condominium for the following year and beyond, if necessary, are discussed with the unit owners. New members of the Board of Trustees are elected at the annual unit owners meeting. Terms range from one to three years. From time to time, board members may be appointed if there is an open seat. If interested in joining the Board of Trustees, please contact the Property Manager for details.

Any problems, concerns, or suggestions, that unit owners may have regarding the overall management of the Eastern Point Condominium Association should be documented and submitted to the Board of Trustees through the Association's management company.

PROPERTY MANAGER

The Eastern Point Condominium Association utilizes the "Condo Property Manager" concept in the maintenance of the Condo Association property. These specific responsibilities for the Property Manager include, but are not limited to, the collection of monthly fees, the collection of assignments fees, the maintenance of a General Fund checking account for Association funds, the writing of checks against these funds, and the maintenance of Condo Association financial records on a monthly basis, performing all maintenance on condo units and condo common property including the gazebo, clubhouse, pool, and dock complex. In the performance of this maintenance program the Property Manager may use his own personnel or may contract the activity with "others" as the situation demands. Snowplowing and lawn maintenance are examples of the latter.

The Property Manager for the Condo Association is

MAY PROPERTY MANAGEMENT
P.O. Box 691
Shrewsbury, MA 01545

May Property Management can be contacted at the following telephone number and e-mail:

Phone: 508-808-8508

Office.MayProperty@gmail.com

In the event of a problem, during off hours, Saturdays, Sundays, and holidays, contacting this same number, 508-808-8508, will allow the caller to leave a recorded message which is monitored by May Property Management. Similarly, in the event of emergency (flooded basement, for example) contact May Property Management through the same number using the above recorded message. May Property Management will respond as soon as possible. **Do not initially contact a member of the Board of Trustees – contacting a Trustee may potentially increase the time for response by management and qualified personnel.**

In the response to non-emergency type problems, and in the interest of economy to the Condo Association, May Property Management may elect to combine a number of non-emergency type problems into a single visit by their maintenance personnel. In such an instance there may be a delay before getting to your problem.

May Property Management is also responsible for the monthly collection of condominium fees and dues. Fees and dues are due on or before the first day of every month. For the convenience of the unit owners, May Property Management utilizes an online fee collection portal powered by AppFolio, which can be accessed using the link below. If you have any issues accessing the portal, please contact May Property Management using the information above.

https://maymanagement.appfolio.com/connect/users/sign_in

FINANCIAL MANAGEMENT AND CONTROL

This section describes the method by which the Condo Association manages and controls its finances.

At the beginning of a calendar year the Condo Association Board of Trustees and Property Manager together, will prepare a financial budget for that year. This budget will contain a number of line items (approximately 20) that will detail both the income and expenses expected during that year. Each line item will have associated with it a dollar amount estimate for that line item (income or expense) for the year together with a monthly spread showing the months wherein the income/expense is anticipated to occur.

Kayak storage rental fees and annual dock fees shall be deposited into a Dock Fund Account. The Dock Fund Account proceeds shall be used to properly maintain the kayak storage and dock areas and keeping the same in a good state of repair shall be the responsibility of the Association.

The Condo Association Property Manager, under the supervision of the Board of Trustees will create and maintain the General Fund Checking account owned by the Condo Association.

All condo fees are paid to and collected by the Condo Property Manager and deposited in the Eastern Point Condo Association General Fund checking account or the Reserve Fund account. The Eastern Point checkbook is in the physical possession of the Eastern Point Property Manager's Accountant and only this accountant may prepare checks to be drawn against this account.

Checks may be signed only by a designated member (one of two) of the Board of Trustees.

Checks may not be written against a line item for which its associated funds have previously been expended or will be expended with this check. In this instance the deficiency will be drawn to the attention of the Board of Trustees at the next successive monthly meeting and the Board of Trustees will decide the action to be taken. The Board may elect to transfer funds from another line item or from the Reserve Fund. Use of the Reserve Fund will require the approval of the majority of the Board of Trustees and will occur only to resolve a capital expenditure issue and will normally not be used for routine maintenance items.

A review of the financial condition of the Association will usually be the first item to be discussed by the Board of Trustees at each meeting.

Association Records and Reviews

The Condo Association financial records will be held by the Association's property management agent but will remain the property of the Association. Unit Owners have rights of access to said records as provided in M.G.L. c. 183A, Section 10. At any duly-called meeting of the Association, a majority of the beneficial interest may vote to have an independent certified public accountant perform a review of the Association's records. The cost of said review shall be paid as a common expense of the Association.

Emergency Repair

In the event an emergency repair involving the Health and Welfare of members of the community occurs and its immediate resolutions does not permit the above procedure, the Property Manager is pre-authorized to expend up to \$1,000.00 to initially start the repair. The Board of Trustees will be apprised of the particulars of the situation together with an estimate of total repair costs and time and a proposed solution, which is to be agreed upon by the Property Manager and Board of Trustees within a 24-hour period of the event.

MAINTENANCE RESPONSIBILITIES

This section of the Policies and Procedures describes the responsibilities for maintenance by the Unit Owners, the Property Manager and the Dock Slip Owners, respectively.

Unit Owners

Detailed maintenance responsibilities are as set forth in the Master Deed and Trust. As a general rule, the owner of a condo unit is responsible for the maintenance of all items that are contained within the exterior Condo walls and its associated garage. Per Section VI of the Master Deed, Unit Owners are responsible for doors, windows, and skylights. Per Section VIII of the Master Deed, Unit Owners are responsible for any dock or personal watercraft ramp associated with their unit.

Condo Association

As a general rule, with certain exceptions, the Condo Association is responsible for all property within the condo proper (commonly referred to as "common property") and not otherwise maintained by the units' owners. The Association completes the general operations of the condominium and these maintenance

responsibilities through the use of a professional property management agent. This includes, but is not limited to, the condo/garage exterior wall structure and exterior wall surface, the condo/garage roof, lawn, and shrubbery located therein, the irrigation system, the roadways and walkways, exterior lighting, water wells and water distribution lines associated with the thermal heating and air conditioning system, club house, gazebo, guardhouse, swimming pool and the dock area with the exception of the slips as owned by the slip owners. Exceptions to the general rule for the condo Association include the maintenance of owner planted plants and shrubbery, patio expansions, gutters and other installations installed by the condo unit owner.

Slip Owners

See Slip Maintenance under Docks, Slips and Boats Section.

Special Maintenance Considerations

Basement flooding and roof leaks are special situations and should be treated as such.

Basement flooding: In the event a basement flood is encountered, the condo Association Property Manager may arrange to remove the water and dry the basement floor. In the event it is determined that the flooding was due to the unit owner's failure to take proper care and cautions against flooding (grease buildup in the unit's lines, shower flooding, etc. for example) the cleanup cost will be billed to the unit owner at cost.

The Condo Association will not be responsible for damage to any furniture, rugs, personal property, etc. resulting from basement flooding from any cause.

Caution: It is highly recommended that Unit Owners place any items stored in their basement on three or four inch high platforms to protect against any potential flooding. The 3 foot x 3 foot Warehouse Storage Platforms, available at most home improvement stores are excellent for this purpose.

Leaking Roof: Occasionally, a leak may develop in a Condo unit roof. The Condo Association Property Manager will take measures to repair the roof leak as soon as possible. Any damage to personal property, rugs, wallpaper, furniture, etc. is the responsibility of the unit owner and the unit owner's personal property insurance unless circumstances mitigate otherwise and are approved by the Trustees.

DOCKS, SLIPS AND BOATS

The Eastern Point Condominium common area includes a dock and boat complex. This complex consists of twenty-four boat slips, fourteen kayak cradles, eight jetski shoreports, two main docks, and three walkways connecting the main docks and the shoreline.

The Condo Trustees manage the dock complex through the Slip Owners Representatives and a Dockmaster.

Dockmaster

The Dockmaster is elected by the unit owners. His responsibilities include conducting periodic meetings of the slip owners, representing the slip owners at Trustee meetings and working with the Trustees in the care and maintenance of the dock complex.

Slip Owners

The exclusive “right to use” of twenty four slips in the dock complex, is owned by members of the Condo Association. The kayak cradles are attached to the main dock and are the property of the Condo Association.

The “exclusive right to use” of a slip does not entitle the owner to a title deed, rather it entitles the owner to the exclusive right to use of the slip. Owners of the “right to use” a slip should ensure they are in possession of proper documentation for their slip. The Dock Sale Certificate form may be obtained from the Trustees.

Slip owners may sell the “right to use” their slip, however, the buyer must be a member of the Condo Association and reside in the Eastern Point Condominium.

A dock may not be loaned, rented or leased to non-condo members.

Each slip owner must ensure that adequate personal property and injury insurance is carried on the boat docked at the slip.

Fees

There is an annual fee for any boat slip or jetski shoreports owned by either the Condo Association or a unit owner, and there is an annual rental fee for the use of

a kayak cradle. These fees are due and payable in May of the calendar year. The Property Manager will issue invoices and collect all fees.

Dock Fund Account

The Condo Association Property Manager will create a bank checking account designated as the “Dock Fund Account” and owned by the Eastern Point Condo Association. Deposits to the Dock Fund Account will be fees from kayak storage rentals and annual dock fees. The Dock Fund proceeds will be used, as set forth above, for the Association to properly maintain the kayak storage and dock areas.

The dock account will be incorporated as a line item into the condo monthly financial report created by the Property Manager.

License Fees

The Lake Commission requires that any boat slip on the lake pay an annual licensing fee. The Condo Association Property Manager will purchase tags for these licenses and attach the tags to the slips in the April-May time frame of the calendar year.

Slip Maintenance

The owners of slips are responsible for maintaining the general condition of their own slip, including cleats, bumpers, fenders, whips, etc. Common maintenance on slips will be as determined by the Trustees, in coordination with the Dockmaster, including painting, dock anchorage, repairs, etc. In the absence of available funds, the slip owner may perform maintenance on his slip as appropriate.

Maintenance of the portion of the dock areas other than the slips, such as the main dock, fingers, and the walkways between the main dock and the shoreline is the responsibility of the Condo Association.

Maximum Boat Length

The maximum boat length that can be docked at a condo slip is 23 feet as measured from the most forward point of the bow to the most aft part of the stern. Boats larger than 23 feet require board approval.

This restriction is placed on boat length so as not to overload the dock anchorage systems as well as to eliminate blind spots while docking and leaving the dock.

ALTERATIONS AND MODIFICATIONS

Internal Unit Alterations

With regard to fire hazards, the Town of Shrewsbury's Fire Marshal has issued a policy relative to the installation of gas appliances in condo units. Unit owners contemplating the installation of gas appliances should observe the requirements dictated in this policy and, as well, must apply for and receive written authorization from the Condo Association Board of Trustees prior to initiation of a gas appliance installation.

A unit owner may wish to install a dish antenna for the reception of television signals. Pursuant to the telecommunication act of 1996, the Federal Communications Commission has promulgated a revised order and rule which in essence, allows residents in condominiums to use areas for exclusive use for antennas and satellite dishes. However, these rules allow the Board of Trustees to provide for certain restrictions relating to the installation and appearance of the satellite dish or antenna. The previous Eastern Point Condo Association Board of Trustees has issued an Antenna and Satellite Dish Resolution which has been adopted by this Board. A copy of the resolution is available from the senior member of the Board of Trustees. Unit Owners contemplating the installation of a satellite dish should receive written authorization from the Board of Trustees prior to the installation of such item.

Unit Owners must obtain Trustee approval in accord with the Association's Master Deed and Trust relative to renovations and alterations. Unit Owners seeking approval shall provide the insurance certificate of any and all vendors being used as well as proof of any and all applicable licensure for any and all vendors. Any deviations from the approved plans shall be remedied at the expense of the unit owner applicant(s). In the event of a failure to remedy deviations from the approved plans, the Board of Trustees may seek injunctive relief requiring such remedial action and compliance with the approved plans and shall be entitled to recover from the unit owner applicant(s) all attorney fees, costs and other expenses associated with the deviation. In the instance of a major alteration to the interior of a condo unit, large quantities of trash (drywall, wash basins, bathroom items, kitchen items, furniture, etc.) may be generated. Owners should ensure that the contractor removes this debris on a daily basis and therefore does not allow the trash to accumulate in front of the unit.

Unit owners should also be aware that the weekly trash pickup will not pick up large quantities of material resulting from a condo alteration. (See Trash section of these Policies and Procedures).

External Unit Alterations

The owners of units in the Eastern Point Condo Association take considerable pride in the modified Victoriana style of architecture used in the construction of the various buildings in the Association area. Moreover, considerable expense is expended each year in maintaining the original Victorian style of architecture and in keeping the units and supporting facilities in a “like new” condition.

It is also recognized that owners, while desiring to maintain this overall architectural style and appearance, nevertheless they may want to “personalize” their individual condo unit.

The Condo Association Board of Trustees, wanting to support each of these objectives has adopted the following lists of “do’s” and “don’ts” for the guidance of Unit Owners.

Do’s

Individual condo owners are encouraged to “personalize” their unit by gardens and plantings that reflect their personalities, styles and wishes. They may want to create personal gardens in both front and rear of their unit that may include their own front and back of walkways and ground covers. Both annual and perennial plantings should be considered. Waterfalls, statuettes as appropriate, birdbaths, etc. that reflect the owners’ tastes are encouraged.

Don’ts

The Board of Trustees contracts with the Property Manager to cut, trim and remove any trees or shrubbery that has outgrown its location, has become diseased or requires trimming and shaping. Consequently, unit owners are asked to refrain from engaging in any modifying or removing of shrubbery and trees found on the Condo Association common property.

In the event a Unit owner believes there is a legitimate reason for pruning or removing a mature tree or shrubbery in the area of the owner’s condo, a written request should be submitted to the Board of Trustees who, in turn, will take the appropriate action as they determine.

Modifications to the external appearance of a condo building including changing the color, changing the window/door style or location, changing the roof appearance, or changing an external line/edge of a building should not be performed by unit owners without reference to and approval from the Board of

Trustees. In the event a unit owner wishes to perform an external modification, and this modification is within the spirit of retaining the appearance of the condo architecture, the owner should submit a written request, including a detailed drawing and description to the Board of Trustees. The Board of Trustees will take action as appropriate.

INSURANCE

Eastern Point Condominium Association carries so-called “master policy” insurance as provided in Article VI of the Association’s Trust, as amended Unit Owners need to carry coverage for the Association’s deductible amount in the event that circumstances result in a Unit Owner being responsible for the same. Owners should provide their insurance agent with the Association’s master policy information in order to secure appropriate coverage under their own policies.

Condo Unit Owners shall maintain insurance for the personal and household property contained therein. Particular attention should be given to protection against fire as well as basement flooding.

Additionally, owners of boat slips and boats should ensure their personal property insurance covers these items in an adequate amount including the possibility of damage, fire, etc. to the dock complex.

TRASH COLLECTION

Trash for the Eastern Point community is collected by a private trash collector.

Trash pickup is normally before 7 a.m. on Thursday of each week. When a Holiday falls on a given week, collection will take place the following day (Friday).

Recycling is collected every other week.

Please read this carefully to familiarize yourself with recycling procedures and rules, some, but not all, of which are summarized below:

Trash is not to be stored on unit decks or patios.

All trash and refuse from each unit shall be deposited in rubbish receptacles, bags, or containers suitable for such purposes.

Trash may not be put out for a pickup prior to 5:00 pm on Wednesday evening the day before collection. Trash put out for collection earlier than the designated time detracts from the appearance of the community grounds.

If the unit owner is unable to put the trash out for a particular Thursday, the owner should ask a neighbor unit for assistance or hold the trash for the next week's collection.

The trash vendor recycles bottles, plastic items, newspapers on a "every two-week basis". These items are to be placed in specific type containers and placed on the curbside.

The trash vendor recycles cardboard or pasteboard. Accordingly, pieces of cardboard or pasteboard larger than approximately 2 feet in each dimension should not be placed in the trash for collection.

Items that should not be placed out for trash collection include automobile batteries, broken glass, gasoline containers, acids, explosives, personal computers, televisions, or items that may contain quantities of mercury.

Remodeling material and demolition debris are not to be placed at the curb for pickup. If you have remodeling, building materials or a large accumulation of rubbish to dispose of, such as in preparation for moving, you should call a private rubbish removal company.

Lawn clippings, leaves, dead plants etc. should be placed in heavy duty trash bags and placed at the curbside.

Caution: The above is only a partial listing contact the Property Manager with any questions.

PET AND ANIMAL POLICIES

An abstract from the Original Eastern Point Condominium Trust documents policy (Schedule A, Section 11) on pets and animals is as contained below:

"No bird or animal, including dogs, shall be kept or harbored in any unit without the written approval of the Trustees. Dogs shall not be permitted in any of the

common areas unless carried or on a leash. The Unit Owner shall indemnify the Trust and hold it harmless from any loss or liability or claims for loss or liability of any kind or character whatsoever caused by or arising from said Owner housing an animal in the Condominium. If a dog or other animal becomes obnoxious or a nuisance to other Unit Owners by reason of barking or otherwise, the Unit Owner thereof must cause the problem to be corrected within ten (10) days or if not corrected, the Unit Owner, upon written notice from the Trustees, will be required to dispose of the dog or other animal.”

The Condo Association Board of Trustees has seen fit to modify this policy as follows:

Barking may be cause for fines.

The Lake has a healthy population of ducks, Canadian (geese) and a few white swans. Feeding of ducks, Canadian (geese) and other birdlife is to be discouraged.

The owner of each unit may have up to two pets, i.e. two dogs, two cats, or a cat and a dog.

The size of any one pet should not exceed 25 lbs. Dogs should not be of an “aggressive” breed as determined by the Association’s insurer.

The Town of Shrewsbury and the Association requires all dogs must have a leash on at all times when outside the Owner’s unit. Violation of this rule may result in fines.

The pet owner is responsible for “pick-up” after their pet has relieved itself. If an owner does not clean up after the pet, the owner may be fined.

While ducks and Canadian geese are attractive, they will occasionally leave the lake and graze on the Condominium Association lawns. While grazing, they may seek relief. This residue left by ducks and geese residue is a hazard and extremely unsightly. Unit Owners are encouraged to remove this residue whenever it occurs.

PARKING AND PARKING LOT

Only registered and licensed passenger vehicles in operating condition may be located on the property. These vehicles must be the property of unit occupants and/or their guests.

Unit occupants are allowed two (2) such vehicles on a full-time basis.

One vehicle should occupy the unit's garage. A second vehicle may be parked in the unit driveway or a reserved space.

A resident who finds an unauthorized vehicle parked in their driveway or reserved space may contact a Trustee to have it towed.

Unit owners are not permitted to park in visitor spots.

Only one (1) vehicle is permitted in a single parking spot.

Vehicles in any area deemed "no parking" may be towed.

Failure to comply with the above regulations will result in a fine being levied against the responsible unit owner.

The speed limit in the community is 10 MPH.

RULES FOR POOL, GAZEBO, AND RECREATION BUILDING

All Unit Owners should be aware of the rules regarding use of the pool, gazebo and recreational building.

Pool Rules

The pool is officially opened on or around Memorial Day and as soon as the Shrewsbury Board of Health inspects the pool chemistry, equipment, safety and sanitary level, pool rules postings, and gives approval to a variance in the use of a lifeguard. **Continued use of the pool is conditional on subsequent inspections, and adherence to all Town rules. Serious violations can result in our loss of lifeguard variance.**

The pool **cannot** be reserved for private use.

The pool is open from 9:00 am to 9:00 pm.

No Lifeguard is on duty – USE THE POOL AT YOUR OWN RISK!

Unit Owners are responsible for their guest's adherence to rules.

Guests must be accompanied by a unit owner. Use of the pool is limited to owners and their guests.

Items that are absolutely forbidden in the pool area by Town of Shrewsbury and Trustees include **glass items, dogs, cats, and other animals.**

Children under 16 years of age should be accompanied by an adult.

Showers must be taken before entering the pool.

No one with a communicable disease is allowed in the pool.

Infants and toddlers must wear protective pants in the pool.

Ball playing, horseplay, excessive splashing, running, and running dives are not allowed in the pool area.

Use of flotation tubes is discouraged. Swimmers have right of way.

Trash must be properly disposed of in trash containers or bags.

Food should only be eaten on the upper Gazebo deck.

Owners must keep pool facilities clean.

Owners must be considerate of others in terms of noise, splashing, etc.

Gazebo

The gazebo is designed as a quiet restful place for sitting, talking, and watching the lake by the residents. It is also available for private use of residents and their guests, if reserved in advance with the Trustees. A calendar is kept by the property management company. When submitting a reservation request to the property manager Unit Owners should include, the owner's name, date and time of activity, etc.

The owner must be present during all of the time of use of the gazebo by the owner's guests.

The gazebo is open from 9:00 am to 9:00 pm.

Reservation of the gazebo **does not** include the pool.

No gas grills should be on the gazebo deck.

Vehicles are not allowed on the grass area near the gazebo.

When using the gazebo, please be considerate of your neighbors in terms of noise and parking.

Clean up of the gazebo and/or damage to the gazebo is the responsibility of the Unit Owner.

No smoking is permitted in or around the gazebo within a distance of 50 feet.

Recreational Center

The Recreation Center (Club House) is a large facility housing racquetball courts, men's and women's locker rooms, and an area within which meetings of the residents may be held. The recreation center is available for private use of residents and their guests, if reserved in advance with the Management Company/Trustees. When submitting a reservation request to the property manager Unit Owners should include: The owner's name, date and time of activity, etc. The owner must be present during the time of use of the recreation center by the owner's guests.

Smoking is NOT allowed in the Recreation Center.

Street shoes or black soled sneakers are not allowed on the racquetball courts.

Please be considerate of your neighbors in terms of noise and parking when using the recreation center.

Clean up the recreation center after use.

Damage to the recreation center is the responsibility of the Unit Owner.

NO SMOKING

The Condo Association has adopted the policy of "No Smoking" on the common grounds of the Association. Accordingly, all Unit Owners, their families and their guests are requested to refrain from smoking while in the area of Eastern Point Condominium Association property, except while within the confines of the Unit Owner's own condo or one's own patio.