

RESOURCES & BEST PRACTICES FOR THOSE SERVING WNY COMMUNITY ASSOCIATIONS

COMMUNITY ASSOCIATION CONNECTION

SPRING 2021

Tips for Dealing with Difficult Neighbors



Amy Repke, HOAResources.com

We all *can* just get along. The key? Communication. It's often the best way to prevent and resolve conflict before it reaches the legal system. You don't have to be friends or spend time together to achieve a peaceful coexistence, but you should try to be a good neighbor and follow these tips:

- **Say hello.** At the mailbox, while walking the dog or when you see a moving van arrive, introduce yourself. Learn your neighbors' names and regularly offer a friendly greeting.
- **Provide a heads up.** If you're planning a construction project, altering your landscaping or hosting a big party, contact your neighbors beforehand.
- **Do unto others.** Treat neighbors as you would like to be treated. Be considerate about noise from vehicles, stereos, pets, etc.
- **Know your differences.** Make an effort to understand each other. Differences in age, ethnic background and years in the neighborhood can lead to different expectations or misunderstandings.
- **Consider the view.** Keep areas of your property that others can see presentable.
- **Appreciate them.** If the neighbors do something you like, let them know. They'll be pleased you noticed, and it'll be easier to talk later if they do something you don't like.
- **Stay positive.** Most people don't try to create problems. If a neighbor does something that irritates you, don't assume it was deliberate.
- **Talk honestly.** Tolerance is important, but don't let a real irritation go because it seems unimportant or hard to discuss. Let your neighbors know if something they do annoys.
- **Be respectful.** Talk directly to your neighbors if there's a problem. Gossiping with others can damage relationships and create trouble.
- **Remain calm.** If a neighbor mentions a problem they have with you, thank them for the input. You don't have to agree or justify any behavior. Wait for any anger to subside before responding.
- **Listen carefully.** When discussing a problem, try to understand your neighbor's position and why he or she feels that way.
- **Take your time.** Take a break to think about what you and your neighbor have discussed. Arrange to finish the conversation at another time.

Ready...Set...Grow!



Is your green thumb itchy to start spring planting? These online resources will make sure your garden is off to a successful start!

The National Gardening Association offers numerous free online newsletters to homeowners covering urban and small-space gardening, vegetable and fruit gardening, craft and cooking projects and specific gardening information by geographical region. Newsletters include feature articles, tips and resources. To sign up go to www.garden.org/subscriptions.

In addition, CAI just published a fabulous article on how to garden in small spaces: <https://hoaresources.caionline.org/spruce-up-your-place-this-spring/>

Another wonderful resource that exists right in our backyards is Cornell Cooperative Extension. Their Master Gardeners will be happy to answer any questions you may have via email. Their website is full of advice and information: <https://cals.cornell.edu/cornell-cooperative-extension>



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SPRING 2021

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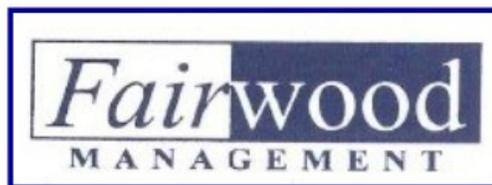
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CAI WNY Welcomes A New Chapter Executive Director!



Bonnie Gionta, Chapter President

I am pleased to announce the Board of Directors has hired Angela Ramage-Wolf to serve as the next Executive Director of our chapter. Angela brings a wealth of knowledge and talent to the position, having served as the Executive Director of the Illinois Association of Criminal Defense Lawyers, as well as a professor of writing, journalism, and communications at various colleges and universities.

Angela is originally from Olean, New York and attended Saint Bonaventure University for her undergraduate and masters degrees. She relocated to Rochester three years ago to be closer to family after living in Chicago for many years. She has been busy remodeling a home in Chili with her Jack Russell Terrier, Siberian Husky, and Golden Retriever. Angela has always loved this area and is happy to be back.

The first home she owned was a condominium self-managed by its owners. Angela was a strong proponent of hiring a property management company. When owners began renting their units, rules became harder to enforce and property values were affected. Angela sold her unit shortly thereafter. Eventually the other owners gave in and hired a professional management company. As a result of her experience, Angela has a tremendous appreciation for people who serve community associations.

The Board and I look forward to working with Angela as we begin to plan for in-person gatherings again. We have not set a date for when our first "live" event will take place, but promise to keep you posted! In the meantime, I hope you will join us on Wednesday, June 16h from 6-7 p.m. for our annual "Ask the Experts: Legal Panel," on condominium and community association law. This webinar is free for members of CAI WNY and \$10 for non-members. You may register by visiting our website: www.caiwny.org. Attorneys Ronald Shubert of Phillips Lytle, Corey Auerbach of Barclay Damon, and Marc Schneider of Schneider Buchell have volunteered to serve on our panel.



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Election Fraud, Hoarding & Fiduciary Duty

Ronald Shubert, Esq.

Ronald is a partner in the law firm of Phillips Lytle LLP and presently represents more than 400 community associations in New York State.

QUESTION

I live in a condominium and was wondering what duty the Board of Managers owes to the owners? Also, can a Board member be removed?

ANSWER

The duty is called a "fiduciary duty" which arises out of a relationship in which one person or entity (the Board) is entrusted to control the decisions or interests of another (the owners). This standard is breached when a Board member acts in his/her own interest.

Accordingly, a Board member must remain informed of the association affairs at all times; attend and participate in all meetings and be prepared for the meetings; be knowledgeable about the Declaration, Bylaws, Rules and Regulations; ask for professional assistance in situations where required; and at all times advise the Board of conflicts of interest. When faced with conflicts of interest the Board members should disclose the conflict and abstain from voting.

Some examples of breach of fiduciary duty are failure to file a lawsuit before the statute of limitations expires; failure to properly maintain the property; failure to give notice to the insurance carrier when an accident occurs, and failure to properly fund reserves. If a Director doubts whether he or she is acting properly, he or she should ask themselves the following question: "Would a prudent person in a similar situation, after making reasonable inquiry make the same decision?" If the answer is yes, then there is no self-dealing conflict of interest, and the Director is acting properly.

As to the removal of a Board Member, the Bylaws of the condominium (or association) provide a procedure by which a Board member can be removed for cause or without cause by a vote of the community. Typically, cause is defined as behavior which is not in the best interests of the condominium, conflict of interest, etc. Before a Board member can be removed, however, they have a right to be heard. Removal is a drastic measure but has been used by communities in the past.

In the end, it is up to the community to elect members to the Board who are competent, do not have hidden agendas, and are acting in the best interest of the entire community.

QUESTION

At the Annual Meeting of our condominium Board, two unit owners counted the votes, and announced the results. After the meeting was adjourned, the property manager took the ballots and the paperwork back to her office. Without direction from the Board, the property manager re-counted the votes and came up with a different result. What is the status of the election?



ANSWER

The answer depends on whether the vote counters on the night of the election were appointed inspectors of election or not. Inspectors of election are appointed by the Board pursuant to the condominium Bylaws and their job is to determine the eligibility of voters and validity of proxies, count the ballots, and make a report of the election results.

The object of the appointment of inspectors of election is to ensure that the election is conducted with fairness to all unit owners. Accordingly, at the end of the election, the results reported by the inspectors are considered final.

If later the inspectors come to the conclusion that the results were wrong, it will be appropriate for them to prepare a revised report with the correct results. If they refuse, any unit owner could take the matter to court.

If, on the other hand, the vote counters are not official inspectors of election, the results they announce have no greater claim to correctness or validity, then the managing agent's count.

Since the object of the vote is to determine the will of the unit owners, an effort should be made to determine who is right. It would be appropriate for the vote counters to review or re-count the ballots to determine if they or the managing agent made a mistake and to seek candidates who were properly elected.

QUESTION

We believe one of our association members has become a hoarder in that her unit is filled with old newspapers, magazines, boxes, etc. At what point, if ever, should we intervene and who would we call?

ANSWER

If you believe that there is a life and safety issue, I would suggest contacting the Building Department of your local municipality, Crisis Services, or if appropriate the County Adult Protective Services Unit.

In my experience, a call to Crisis Services will result in a visit by a Crisis Services Team who will assess whether or not there are mental health issues that need to be addressed and they then can make a referral to Adult Protective Services.

Of course, the other concern is fire safety which can be addressed by the local Building Inspector or Fire Marshal. Dealing with this situation is difficult because there is a fine line between respecting the rights of an owner and protecting the community from a potentially dangerous situation.

Member Spotlight: Tanya Ryan-Penna



Board President, Colonial Heights Homeowners Association, Fairport, NY

Tanya Ryan-Penna has been the President at Colonial Heights Homeowners Association in Fairport, New York for thirteen years, and a resident for thirty one. She wasn't sure what she was getting into when she agreed to serve on the Board back in 2006, but it sounded interesting, so she gave it a try. Undenounced to her, Tanya would be overseeing major association improvements and initiatives throughout the next decade. It was during these projects that Tanya got to know, and develop relationships with, people from all walks of life including property managers, insurance agents, vendors, contractors, and community members. Making these connections has been her favorite part of being President.

Prior to COVID, Tanya organized two community days a year when homeowners could volunteer to help with fall and spring clean up. Donations were collected for the local food cupboard and someone hosted social hour in their garage after the work was finished. Colonial Heights also held an annual potluck each summer that was even attended by their mailman!

Colonial Heights is bordered by woods and has its fair share of chipmunks and field mice. Tanya heard about a program that rehabilitated injured barn owls and placed them in communities. She found a local Eagle scout to build three owl houses which were installed in trees bordering the property. Tanya and her property manager retrieved three barn owls from the rescue service, and with a little assistance, placed them in their new homes where they lived for quite sometime while enjoying the local cuisine!

Tanya's proudest accomplishment as President was getting 3/4 of the homeowners to approve revision of the association's Declaration and Bylaws. She and the Board were also successful at getting a special assessment approved for roof replacements. She attributes this to effective communication and education of homeowners. Tanya says attending the Rochester area Presidents' Group has helped her in her role. The group is run by Ed Sciariano and held monthly at Concord Square or via Zoom. Ryan-Penna says the Presidents Group has allowed her to network with other presidents, and to tap into their knowledge, expertise, and resources. She strongly encourages other Board Presidents to get involved.



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Updated CDC and New York Mask and Gathering Guidelines



Marc Schneider, Esq.

On April 27, 2021, Governor Cuomo announced that the State of New York would be immediately adopting a portion of the new CDC mask guidelines, which now allows, in specific instances, for fully vaccinated individuals to engage in certain outdoor activities unmasked (except when in a crowded setting and venue). Publicly, Governor Cuomo stated that New York would adopt the CDC guidelines. However, that is not exactly what was done.

A review of the announcement and the corresponding Executive Order indicated that the State was only adopting the CDC guidelines applicable to vaccinated individuals only. Based on the foregoing, the New York mask guidelines would have only permitted for fully vaccinated individuals to be maskless for the following outdoor activities:

- Walk, run, roll, or bike outdoors with members of your household.
- Attend a small, outdoor gathering with fully vaccinated family and friends.
- Attend a small, outdoor gathering with fully vaccinated and unvaccinated people.

However, the CDC guidelines are more generous to unvaccinated individuals as they would permit unvaccinated individuals to engage in the first two activities listed unmasked as well.

On May 17, 2021, New York issued Executive Order 202.108 and as part of said Executive Order, conformed its policies to that of the CDC recommendations. In that regard, part of Executive Order 202.108 states:

The directive contained in Executive Order 202.17, as extended and modified by Executive Order 202.105, that required any individual over the age of two to cover their nose or mouth with a mask or cloth face-covering when in a public place, is hereby extended and modified only insofar as to no longer require, effective May 19, 2021, individuals who are fully vaccinated to cover their noses or mouths with a mask or cloth face-covering while indoors except in certain settings as prescribed in Department of Health guidance, which aligns with guidance published by the Centers for Disease Control and Prevention (CDC).

Note, however, regardless of the NY State policy, Boards can still require their residents to wear masks in the common areas. In fact, it is prudent to do so in order to avoid the conflicts which will arise if you adopted the NYS policy. Think of having to ask someone to prove they are vaccinated when you see them at the pool or in the common areas. Boards certainly do not want to be the Covid Cops and should not have to! They can, however, decide to enact a policy which is in the best interests of the health welfare and safety of their residents.

Community Rules and Meetings.

Recently, many of our firm's clients have contacted us to discuss amending their COVID-19 rules to permit "all" their residents to be maskless outdoors in the shared Common Areas or Common Elements of their respective communities. However, given the foregoing NYS guidelines, such an amendment of a community's COVID-19 rules would be premature and would invite liability as

permitting all residents to be maskless would violate the current New York mask regulations. As such, we would strongly recommend that such rule changes allowing unvaccinated individuals to be outside or inside maskless should not be adopted until such time as New York permits unrestricted mask-wearing.

Additionally, as we approach the summer months and the warmer weather that accompanies it, some communities have expressed curiosity about holding outdoor in-person community meetings in lieu of the Zoom meetings that have been held throughout the pandemic. As with the lifting of restrictions on outdoor mask-wearing, New York has announced that on May 10, 2021, outdoor social gatherings will be capped at 500 individuals, and if all individuals in attendance at the gathering can demonstrate proof that they are fully vaccinated or have had a recent negative Covid test, then no cap will be applied.

In both scenarios, social distancing measures will have to be enforced. As such, for the majority of communities, a 500-person outdoor capacity will be more than sufficient to hold a community meeting, provided you do so in a fashion that complies with the social distancing requirements.

The cap for indoor social gatherings/community meetings will also be increasing on May 19, 2021. As of that date, New York will permit indoor social gatherings to be up to 250 individuals. For most communities, this cap would technically be sufficient to hold an all-indoor community meeting inside a venue, meeting room, or in a community's clubhouse. However, social distancing guidelines must still be adhered to. As such, given spacing constraints of the rooms where the meetings will be held, this may be more difficult to accomplish than the outdoor meetings.

Should a community wish to conduct an in-person presence, regardless of whether it is indoors or outdoors, we recommend giving your residents the opportunity to attend the meeting via Zoom or other online video services as an additional option. This would allow more residents to "attend" the community meeting, but also ensure that an in-person community meeting will be able to accommodate the social distancing requirements the State is still requiring and allow those residents who are uncomfortable or unable to be in person to still participate.

In that regard, we remind you that if you want to conduct formal "zoom" meetings, feel free to contact us to ensure they are conducted legally. In that regard, presently, technically, Zoom meetings are not legally allowed for Condominiums as the Executive Orders did not provide for same (although there are ways to legally conduct Condominium zoom meetings by conducting them simultaneously with a limited capacity in person meeting).

While virtual meetings are permitted for Co-ops and Home Owners Associations, once (or if) the permissions provided for same in the Executive Orders expire, your community association's governing documents will need to be amended to continue to hold a virtual (Zoom) meeting (where formal business will be conducted as opposed to informational meetings where they can always be done that way). We already have community associations that are proposing such amendments to their governing documents now so that the practice can continue as many Boards have found the "Zoom" meetings to be very effective and efficient and want to be able to do them indefinitely.



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Community Association Management: A Job Not Without Risk

A Brief Q&A on How Best to Protect Yourself

Bonnie Gionta, CIC



A community association manager's job is rewarding, but it's not without risk. Today's management professionals do much more than just focus on taking good care of the properties. They also act as accountant, human resource manager, complaint mediator, law enforcer, property inspector, real estate guru, insurance consultant, and much more. With such a wide array of responsibilities, many community managers worry about whether they're protected against mistakes or oversights that could come back to haunt them in the form of lawsuits. Errors and Omissions (E&O) and Commercial General Liability (CGL) insurance help protect against financial losses that are directly related to mistakes made by managers.

How can I be sued even if an error was truly a mistake?

Let's be honest, anyone can be sued for just about anything. Even though you do the best for the associations you serve, there may be situations where you find yourself in a bit of hot water whether you did what is alleged or not. This is why the liability policies all include defense language similar to "the insurer will defend whether the allegations are frivolous, false or fraudulent." Imagine each of the following scenarios:

- A manager had a vehicle towed at an association they manage. The owner sued claiming that the vehicle was towed in violation of the declarations. They also added that you discriminated against them, because they were a minority, old or disabled.
- A tenant fell and was injured on an uneven walkway. The investigation revealed that the manager hired an unlicensed contractor to install it. The tenant sued the manager to cover medical costs and lost wages associated with the injury.
- The same scenario as above, but the unlicensed contractor was also uninsured, and the subcontractor was injured on the job.
- A manager is accused of mismanaging an association's funds following a construction defect lawsuit settlement. The HOA is currently wrapping up an accounting audit and is planning to sue the management company.
- A manager didn't handle an eviction notice properly, resulting in a wrongful eviction lawsuit.
- The manager's employee walked away with a laptop that included the personal data of all its managed associations.

No matter how well trained, experienced, and meticulous managers strive to be, there's a good chance that one day they could still be sued. Mistakes happen. Not only do mistakes happen, but challenging association members happen. There's no way to guarantee that you'll ever be fully protected from risk.

I have an "indemnity agreement" or "hold harmless provision" in my management agreement with the association. Doesn't that mean I'm already covered?

No. Indemnity agreements and hold harmless provisions under general liability policies typically only cover bodily injury, property damage, personal injury, and advertising injury claims. Further, they generally require the manager to spend his or her own money to defend a lawsuit or a claim, then apply for reimbursement later. There's no guarantee that the reimbursement will ever be received. If this should happen to you, you could drain your bank accounts with no promise of recouping the costs. The less considered unintended consequence is that not only will you be seeking indemnity to recover your costs, but you will be seeking it for "your" mistake from "your" client.

I'm already covered through the community association's Directors and Officers (D&O) liability policy. Do I really need E&O insurance?

Many management professionals don't realize that D&O policies don't provide coverage if the community association itself sues them. You would need to purchase a separate E&O policy to protect yourself against this circumstance.

You should keep in mind that not all D&O policies are the same with respect to coverage for management professionals. Some do not provide any coverage for the CAMs, some only provide coverage pursuant to the express services stated in a written management agreement, and some provide coverage as long as there is an agreement, whether written or not.

If you own a management company that has employees, you should be aware that there is no D&O policy on the market that will provide coverage for a management professional when their employee brings a claim against the management professional or company. Employment practices liability coverage is needed to protect against this type of exposure (this can be added to an E&O policy).

Why do I need CGL coverage? Isn't E&O coverage enough protection?

Managers need both Commercial General Liability (CGL) and professional liability (E&O) coverage. The CGL policies that the associations carry naming the manager/management company as an additional insured have exclusions that may prevent the manager from being covered. Specifically, most CGL policies include a professional services exclusion.

The association CGL is there to protect the management professional if its services or lack of services caused a third-party bodily injury (BI) and/or property damage (PD). Most E&O policies will expressly exclude BI and/or PD, although there are a few policies that provide "contingent BI/PD" when the damage arises out of the management professional's act, error or omission.

Are all E&O policies the same? Can't I just purchase the cheapest policy?

Errors and Omissions insurance is designed to protect managers against claims such as discrimination, wrongful eviction, class action suits, hiring unlicensed contractors, and other actions. Just like all insurance, the cheapest policy is often the cheapest policy. Not all policies are created equal, so below are some questions to ask when shopping for an E&O policy:

- Does the policy include non-monetary relief, investigations, or regulatory proceedings?
- How long do I have to report a potential claim? 30 days, 60 days, 90 days?
- Does the definition of loss in the policy include punitive damages?
- Does the policy include class action lawsuits?
- Does the policy include independent contractors?
- Does the policy include employment practices coverage and if so, is it included or is it extra?
- Does the policy include contingent bodily injury and or property damage coverage?

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These days it seems that boards are being barraged by many issues that weren't even considered only a few years ago. Lawsuits and claims of financial mismanagement are taking place on a daily basis. They are at best a nuisance, and at worst very costly and stressful. Over the years, homeowners volunteered to serve on the Board because they had expertise and skills from professional careers that were applicable to the Association. Examples include attorneys, accountants and engineers.

Boards comprise individuals with these skills as well as other owners who are simply concerned about protecting their most important investment: their home. This approach generally worked well in the early years of the community association industry. Today, however, community associations are being managed more like a business with the help of outside consultants such as attorneys, engineers, and accountants who specialize in serving community association properties. One example is planning for future capital repairs with an adequate reserve fund.

Now more than ever, associations are using the services of independent engineering firms that specialize in 30-year reserve studies. A professional reserve study determines accurate, supportable annual reserve contributions that are necessary for the repair or replacement of common property as it wears out over time.

Professional reserve studies are designed to eliminate special assessments by ensuring that sufficient funds are available when property components need to be repaired or replaced. Elimination of special assessments offers peace of mind to owners and reduces claims of financial mismanagement.

Why are community associations being managed like businesses?

Homeowners view their home as a financial investment that they expect to appreciate in value. More important, associations are increasingly emulating business management because of the fiduciary nature and responsibility of association boards.

Lawsuits and claims of financial mismanagement have driven state governments to protect citizens who are a part of community living. Regulatory pressure from state governments has increased dramatically in recent years regarding the fiduciary obligations of boards and managers.

Examples include licensing and certification of property managers and more state legislation. These laws are designed to ensure that associations are reserving appropriate levels of funding for common element replacement. Some state statutes call for "reasonable" or "adequate" reserve funds, while others such as Florida (FL Statute 718) require reserves for roof replacement, building painting, pavement resurfacing and, "any other item for which the deferred maintenance ex-

pense or replacement cost exceeds \$10,000." (FL Statute 718.112(2)(f)) While regulations vary for homeowners associations (FL Statute 720) and cooperatives (FL Statute 719) there is a strong trend toward more legislation rather than less.

The purpose of condominium related legislation is to protect current association members and prospective buyers, and to ensure that the Association is properly managed. Questions of fiduciary responsibility date back at least as far as the early 1980s in California case law with the landmark Raven's Cove decision, which discussed the fiduciary responsibilities of directors of a nonprofit organization, namely, the association.

On January 20, 1981, The Court of Appeal, Taylor, P.J., held that: "...Where owners' association's original directors...failed to exercise their supervisory and managerial responsibilities to assess each condominium unit for an adequate reserve fund... Former directors of the association breached their fiduciary duty and were individually liable to the association for said breach..." Thus, important case law came into being which affects the individual liability of condominium directors and officers. One may wonder what his "fiduciary duties" are or "why should I be concerned if I am covered by D&O liability insurance?" As a director of a community association, your actions (or inactions) have an impact on the members' and your own financial well-being now and in the future. Your association's insurance premiums could escalate as a result of D&O litigation.

Also, board members can be subpoenaed in litigious situations years after leaving the Board to testify against accusations of mismanagement. Even the American Institute of Certified Public Accountants (AICPA) has guidelines that specifically address community associations and the funding of reserves.

The AICPA Audits of Common Interest Realty Associations clearly states that the Association's "primary duties are to maintain and preserve the common property." Inadequate funding for future major repairs and replacements may adversely affect the ability of owners to sell or refinance their units, because of the concerns of prospective buyers or the banks which can lead to difficulty in obtaining mortgage financing.

The AICPA audit guidelines require disclosure in the financial statements about an Association's funding for future repairs and replacements. If the disclosure about an Association's funding for major repairs or replacements is inadequate, the auditor will modify his or her report. In other words, the Association will receive a qualified audit. Qualified audits raise many questions on the part of prospective buyers, and particularly, their lenders.

Association boards are becoming more sophisticated in the way they conduct association business. Sound business decisions for the future cannot be made without a reliable snapshot of where the organization is now, as well as where it is planning to go.



Why Proactive Annual Lake and Pond Management is Better for the Environment and Your Wallet

Marc Bellaud, Aquatic Biologist at SOLitude Lake

We have all heard the adages about being proactive: “The early bird gets the worm” and “Never do tomorrow what you can do today.” These principles apply to nearly every facet of life, whether it’s our job performance, healthcare, financial planning, or in this case, lake and pond management. It’s no secret that taking care of our environment is important, but it goes beyond that. Science suggests that the preservation of our water resources is a key factor in our health and happiness; memorable experiences and time spent around the water lead to a greater sense of peace and connection to the world around us.

Much like the human body, when a lake or pond is ‘young,’ it typically requires less effort and funds to keep it healthy and functional. But a lifetime of neglect can lead to premature aging and serious imbalances. Without ongoing management, waterbodies become inundated with organic matter, sediment, debris, and other pollutants that cause aesthetic, ecological, and functional problems. These can arise in a multitude of ways, including recurring water quality issues, nuisance weeds and algae, and foul odors—and even scarier issues may lurk unnoticed beneath the water for many years before they manifest. When they do finally appear, it is generally a sign that the waterbody requires significant intervention.

- Disregarded plant matter and debris can clog and damage stormwater equipment and increase the risk of dangerous flooding
- Harmful Algal Blooms can create toxins that may harm aquatic animals, pets, and humans
- Invasive plants like Phragmites can take years of dedicated treatments to successfully eradicate
- Invasive animal species like armored catfish, bufo toads, and quagga mussels can out-compete beneficial native species and pose significant challenges and costs to remove
- Shoreline instability can cause expedite lake and pond “aging” and endanger others
- The accumulation of muck and sediment over time can reduce depth and volume - with costly and invasive dredging oftentimes being the only solution

The number of tools necessary to restore an imbalanced lake or pond depends on many factors, and the benefits can be fleeting if not done consistently. That’s why year-round maintenance is key. To begin developing an annual management program, aquatic specialists conduct preliminary assessments that examine the biological, physical, and chemical

properties of the water. Detailed visual inspections and baseline water quality tests provide valuable insights into the overall health of the waterbody and establish an important foundation of data to inform future management decisions.

Once preliminary assessments are completed, a customized management program can be designed. The most effective programs lean on cutting-edge technologies, comprehensive data collection, routine laboratory analysis, and premium services like nutrient remediation, algae ID, biological augmentation, oxygenation, and erosion control solutions that help stakeholders achieve the trifecta of health, functionality, and beauty. And these solutions are underscored by the guidance and expertise of scientists who specialize in freshwater management.

Lakes and ponds exhibiting more mild issues or those with budgetary limitations can still be supported by the basics like periodic visual monitoring, nuisance vegetation control, buffer management, and decorative pond dye. These ongoing efforts help lay the groundwork until more advanced solutions come into the picture. Consulting with your lake and pond management professional can help you make the most appropriate decision for your property and your wallet.

Lakes and ponds are an investment, but the upfront costs to kickstart your management program will help to reduce expenses that are often much larger and more concerning down the road. While every aquatic ecosystem has different needs, they all benefit most from comprehensive maintenance strategies supported by the most effective and sustainable technologies available to us. Like most other facets of life, when it comes to lake and pond management “an ounce of prevention is worth a pound of cure.”



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