

# CAI - LI Chapter News

Serving Long Island, New York

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Issue No. 42 – Autumn 2018

## WORKING WITH A PROFESSIONAL PROPERTY MANAGER

By NANCY FOX, DIRECTOR OF OPERATION - CAMCO SERVICES OF NY, INC.

Having worked in the property management field for some 25 years or so, I have learned a lot about how boards interact with their property manager. Can we call it a love-hate relationship?

Seeing that property management is in the service industry, I am always observing and measuring how well managers are able to live up to the expectations of the Boards they serve.

I have worked with Board Directors and/or Board Managers who absolutely love their property manager, and then with some who...um...not so much!

So, what makes a good working relationship keep working well, and what makes it go off the tracks? What makes the difference between a “great PM” or a “not-so-much” one?

The tone is set by the board president. Many good board presidents, with good intentions, may be missing the mark because they are unaware of some of the dynamics working between them and their manager. A good president has to keep a balance between running the association as a business, and at

the same time, remain a fair and honest leader in the community. The reality is that sometimes a board president must set aside his or her role as neighbor or friend in order to accomplish a task or make a decision.

Board presidents have many responsibilities. They must oversee rule and policy development and enforcement, conduct meetings, prepare agendas, and work with committees. They must oftentimes be the official spokesperson for the Board to members, to the PM, to vendors, and sometimes the local municipal leaders or even the press. A good president intentionally seeks knowledge and grows into the position and responsibilities of her position, using other professionals to help work through new and sometimes challenging decisions. This is where the attorney, CPA, engineer, etc. are valuable partners for her. All of the exceptional board presidents that I have worked with have these traits in common: they are fair and even handed, working well with volunteers, and developing their skills as team members.

A good starting point to jump off from would

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*The Newsletter Committee is always looking for new articles to publish. Articles should be educational and non-promotional in nature and have a suggested word count between 500 and 1,500 words. CAI-LI retains the right to edit articles to conform to content and space requirements. If you are interested in submitting an article for possible inclusion, please contact Christine M. Majid, Chapter Executive Director, at [info@cai-li.org](mailto:info@cai-li.org). Are you interested in advertising with us? Let us know!*

### Quarterly Deadlines

Winter Issue - January 31

Summer Issue - July 31

Spring Issue - April 30

Autumn Issue - October 31

## 2018 TRADE SHOW—WRAP-UP

By Eric Clemente & Woody Goldstein, CPA – Trade Show Co-Chairs

In the words of world famous NY Yankees Hall of Fame shortstop and announcer Phil Rizzuto, “Holy cow!” We hit it out of the ball park! This year we had 70 vendors and offered 10 educational classes, the largest number in each category since the Chapter’s inception. In addition, our 12th Annual Trade Show was attended by 250 community board members from communities across Long Island, who arrived early and stayed late. Once again, judging by the buzz around the venue throughout the event, everyone seemed to have enjoyed their experience.

We were very fortunate to have Ursula Koenig Burgess, Esq. as our keynote speaker. She is the President-Elect of CAI National and a Principal at Rees Broome, PC, which is a regional law firm in the Washington, DC area. Ursula gave an interactive, informative, and very engaging keynote presentation, which dealt with “Conflict Resolution.” From our vantage point, this portion of the Trade Show was very well attended and we will never think of the game Rock-Paper-Scissors in the same way again. Her presentation gave everyone something positive to think about as they returned to their communities and everyday lives.

This year we held 6 large classroom seminars, which covered the following informative subjects:

- Ask the Experts
- President/Vice President Duties
- Best Practices
- Budgeting and Financial Matters
- Ask the Legal Experts
- Tell Me Something I Didn’t Know

Based upon the excellent reception and success we had at the 2017 Trade Show, we expanded the number of smaller classroom seminars from 2 to 4. In 2018, these classes dealt with “Banking,” “The Future of Associations on Long Island,”

“Self-managed Communities,” and “Committees in a Co-Op, Condo or HOA.” Once again, these smaller classroom seminars were very well-attended, and we plan to continue this practice at the 2019 event. If any of our readers has suggestions for a large classroom or smaller classroom topic, please send them to Christine M. Majid, Chapter CED (her contact information is provided below).

As co-chairs of the 2018 Trade Show, we also want to recognize the hard work and excellent contributions received from our very pro-active Trade Show Committee. We will begin holding our monthly meetings shortly after the 2018 holiday season to plan the 2019 event, which we hope will be bigger and better than 2018. If you have any suggestions or comments about the Trade Show, please send them to Christine M. Majid, at [info@cai-li.org](mailto:info@cai-li.org), and she will forward them to us.

Please mark your calendars for the **2019 Trade Show** on **Saturday, October 5th**, at the **Hilton Long Island**, Melville, New York. ■



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be for the president to have realistic expectations and a true picture of who and what a property manager is engaged to do. A professional property manager is engaged as an agent of the association. This is a legal term and denotes a relationship that is fundamentally different from working with other professionals. This is a fiduciary responsibility. The definition of an agent is a person who has received the power to act on behalf of another, binding that other person as if he or she were themselves making the decisions. The concept originated in Roman law as represented by the maxim qui facit per alium, facit per se (he who acts through another, acts as if directly himself). Your manager is working on your behalf. He is your ally, confidant, and an extension of yourself.

He is to make sure that what you want done, gets done. And because he is a professional, he has the added benefit of bringing experiential knowledge to the table. Give him the credence he deserves unless he has proven unworthy of your trust in his competency.

Here are some easy pitfalls. A property manager is like a one-armed wall paper hanger. Some managers have a support staff of administrators and bookkeepers back at the office, but even though that may or may not be true, there are still a lot of things that just must be done first-hand. Remember to give your PM time to get his job done. Back in the day, when I started in the industry, the norm was for a PM to attend a monthly meeting, receive a list of tasks to take care of, and then come back next month to report how they made out.

Those days are no more! In this fast-paced technological society and in this age of instant gratification, a property manager's job has become extremely demanding. Today, after leaving a monthly meeting, a PM may get two texts and a phone call about the tasks discussed – and that's just on the ride home!

## Long Island Chapter Calendar of Events

*Wednesday, December 5th - 6:00 to 9:00 p.m.*  
*Annual Holiday Dinner*  
*The Bonwit Inn*  
*1 Vanderbilt Motor Parkway, Commack*

*Thursday, January 31st - 6:00 p.m.*  
*Chapter Annual Meeting with Educational Seminar*  
*Fairfield Corporate Plaza, Lower Conference Center*  
*175 Broad Hollow Road, Melville*

Professional managers must learn to set boundaries, and when you see them pushing back, take note – reassess; am I giving him too much work to do? Is she getting pulled in too many directions? A wise president appoints one board member to give direction to the PM, whether it's himself or another member like the VP, but it will help the flow of work to move more efficiently and it will remove a lot of the stress that occurs when too many board members are directing the property manager.

A tightrope feat for all board presidents is to try not to micromanage yet still keep things moving forward. Micromanaging board presidents (or any board member for that matter) truly frustrate and dishearten a property manager. They have been hired to carry through your duties, but if you

are constantly jumping in and usurping their responsibilities, it sends a message that they are not good enough or not handling the project well. Step back and take a cool-eyed look at the mountain of responsibilities your manager may be juggling and give her time to get things done. If she is not making any forward movement, or the delay seems inordinately long, ask questions first. There may be some valid reasons why the project has stalled. If the reason is poor planning, help the manager address the obstacles, discuss a project timeline and agree upon it together. The last course of action may be to bring in the manager's supervisor to

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## AVOIDING “US V. THEM” PART 1 — INCLUSION

By EDWARD M. TAYLOR, ESQ., TAYLOR, ELDRIDGE & ENDRES, P.C.

Too often, hard-working community association boards find themselves at odds with their homeowners. Conscientious Board members, who are volunteering their time, talents and energy to better the community, wonder why their efforts are unappreciated and why they are constantly under attack. The tendency is to “circle the wagons,” which only serves to perpetuate and exacerbate the feelings of animosity between Board members and the constituents they are trying to serve.

Such an adversarial atmosphere in any community will be the product of the particular circumstances of that community, but there may be certain guidelines that Boards can follow to try and avoid such downward spirals. One such guideline is Inclusion.

Condominium, co-op and homeowners association Boards often operate under the impression that they do not need homeowner approval before embarking on major spending or renovation projects. For the most part, these Boards are correct. While every Board must be cognizant of any limitations on spending set forth in the community’s governing documents, most boards do have extensive authority to spend money without obtaining homeowner approval, especially when the purpose is to maintain, repair and replace the common elements.

However, just because you can do something does not necessarily mean it is a good idea. Homeowners will usually be interested in knowing what is going on in their community, especially when it involves major expenditures. And they will be interested in hearing about the project before the Board’s decision has been made and the contract has been signed. When homeowners are told about a capital improvement contract after the fact, or if they find out about the project in an indirect manner and not from the Board directly, popular suspicion and resentment will be high.

There will always be opposition to the Board’s proposed spending, and inevitably, someone in the crowd at an informational meeting will suggest that a vote of the homeowners be taken. While the audience can be polled to get a sense of the sentiment in the room, the Board should explain that, ultimately, it is the Board’s responsibility to decide on such projects (if that is indeed the case) and that the Board needs to take into

account not only the opinions of those homeowners at the meeting but also those not in attendance. Furthermore, the Board needs to explain that its decision must be based upon the best interests of the community (the Board’s fiduciary duty) and not individual concerns or personal preferences.

Most homeowners will appreciate the Board’s sharing of information and will often agree with the Board’s rationale for embarking on the project at hand. Some homeowners will almost always be opposed to any spending, but even they should also appreciate the Board’s effort to explain the necessity of the project. And if community opposition to the project is overwhelming, maybe that is a sign that the Board needs to reconsider or “go back to the drawing board.”

Including your community members in the decision making process, although not always required, will go a long way toward maintaining a relationship of mutual trust and respect between the Board and its homeowners. ■

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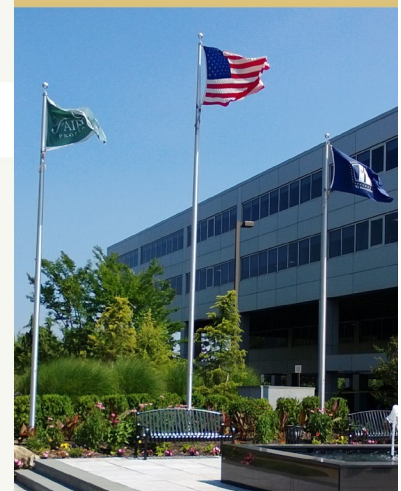
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address the problem.

Guard against negative talk and attitudes against your manager. It's easy to do but is usually caused by a lack of information. And offenses can be caught: if one of the Board members is annoyed at the manager and complains to the rest of the board, many or all of the other Board members can get angry also, even if they were not personally offended. That can create an "atmosphere" hanging in every board meeting, like an elephant in the room, that no one wants to talk about. This is a hard train to turn around and it picks up speed without a wise president to nip it in the bud by obtaining information about the situation and disarming the animosity early on. If your manager is not communicating well, maybe a weekly report or quick management meeting to communicate and update the status of her projects may be the simple solution.

If your PM has the freedom to verbally talk through some of the challenges she faces, that is a very healthy relationship! Managers are a unique "breed" who need to feel respected and needed.

I often use the analogy of a property manager likened to a golden retriever puppy. They are so excited to see you, please you - tails wagging, eager to get going on whatever project you sent them to do. If you throw the stick into the middle of the pond, they will almost drown in their attempt to "get it done." They need praise and encouragement because usually they are where the buck stops. All of the problems get dumped on their door. If the vendor makes a mistake, we yell at the manager. If the homeowner is unhappy, whether for good reason or for an unfortunate mishap, the manager is the one who hears it. If the projects don't go as planned, the board members can get a little "grouchy" with the PM.

Well, there is no perfect property manager, but they will try really hard to be perfect for you!

Sometimes, there just may be a personality conflict, or a difference in methodology, that will frustrate a board. When that happens, depending on how far down the road you are with the chronic conflicts, a frank conversation, usually with a

mediator, may help. Sometimes you run across a manager who may not have the skill set needed for the job and there may be times when it just can't be fixed. Your management company should be willing to make an exchange of managers for you if things have gotten so far out of hand that there is no going back.

At this very crucial point, let me just insert this one fact – no management company has a bunch of property managers sitting on a bench in the office, waiting to be called into the game! Switching out a PM from one community to another is a negotiating feat, of enormous proportions, which entails making changes with other boards, other managers, etc. It takes time and lots of blood, sweat and tears, mixed with lots of projected positive energy on the behalf of the management company. Everyone dislikes change!

A good management company should have someone within the organization who will be a liaison between the board and the manager. There should be an ability for the board to express their concerns and sometimes their frustrations to the management company representative who will hear and do her best to rectify the situation. Open and often communication is key here.

And, one final thought – you should be able to trust your management company completely. If you cannot trust your manager, it's time to think about changing things up. Maybe the firm you engaged can provide a better candidate, but if the scope



of suspicion extends to the entire firm, listen to your gut! Do your homework and seek out options. Contact other professionals that you trust for their advice (maybe your attorney), and interview other companies that you may have heard good reports about.

There's a saying that goes: "Sometimes while trying to achieve your dreams, you forget to enjoy the journey." Another saying is: "Don't sweat

the small stuff – and it's all small stuff!"

You are a special person, who has volunteered for a very important, thankless, and demanding job – let me take this moment to thank you! It has been my joy to work with hundreds of volunteers like you and they are some of my most favorite people! Hold the reins lightly and ENJOY yourself! ■



Have your community association board members changed since last year?

## Be sure to update

your board's member names, titles (President, Vice President, Treasurer, Secretary, and Board Member), and contact information to ensure your board members receive all the latest CAI member benefits!

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# THE IMPORTANCE OF UNDERSTANDING YOUR COMMUNITY WATERSHED

By GREG BLACKHAM, AQUATIC SPECIALIST - SOLITUDE LAKE MANAGEMENT



Did you know that everyone on this planet lives in a watershed? A watershed, defined, is any amount of land that collects water through precipitation and transports it to a common outlet. That common outlet could be a stream, river, reservoir, lake or even a large bay like the Chesapeake Bay. A watershed is simply a term used to describe a transitional downhill area that water collects and flows through to reach its destination, including groundwater. The topography of the land, through elevated ridges, outlines the edge of each watershed, and small sub-watersheds can combine to form larger watersheds. Everything we do affects our watershed and our watershed affects the quality of all life within it and beyond, which makes it critically important to understand our impact on surrounding waterbodies.

Water traveling through the watershed is altered in numerous



*Proactive stormwater management techniques can help improve the health of a community watershed and the beauty of the surrounding ecosystem.*

ways throughout its journey. Surface runoff, creeks and ditches pick up all types of organic and inorganic materials. Harmful pollutants, like chemicals, fertilizers and waste are transported into streams and waterbodies throughout the entire watershed, negatively impacting all life along the way. Nutrient pollution, primarily by phosphorous and nitrogen, can disrupt natural life cycles and bio-diversity in every habitat that they touch by fueling the growth of nuisance aquatic weeds and algae that the ecosystem cannot naturally manage. For example, cyanobacteria, commonly referred to as blue-green algae, thrive on phosphorous-rich water and can form harmful, potentially-toxic blooms that can endanger wildlife, pets and humans. Exposure to cyanobacteria has been linked to the development of degenerative diseases like ALS, Alzheimer's and Parkinson's

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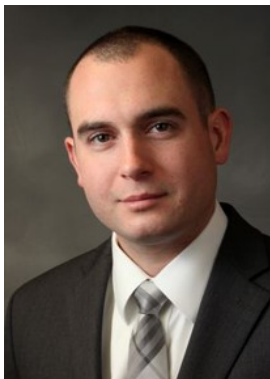
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**PRESIDENT’S MESSAGE**

By CHRISTOPHER BYRNES, ESQ. - SCHRODER & STROM, LLP  
AND CAI -LI CHAPTER PRESIDENT FOR 2018



Dear Members,

As we approach the holidays, I want to thank everyone for making this past year a tremendous success. It has been an absolute privilege serving as Chapter President, and I look forward to continuing my work on the Board of Directors (for as long as my term limit allows!)

In the coming year, we will continue to provide top-notch educational presentations and networking events to help our Community Association Volunteer Leaders/Board Members build better communities. Our incoming President for 2019, John Ryley (a/k/a the Dryer Vent Wizard), has fresh and exciting ideas for the future of our Long Island Chapter. I am sure you will all join me in wishing John the best of luck.

As a reminder, I wish to invite you to the Chapter’s Holiday Party at The Bonwit Inn in Commack on Wednesday, December 5th

from 6:00 to 9:00 p.m. If you haven’t yet registered and plan to attend, please be sure to let Christine know. I hope to see you at the dinner.

Happy Holidays!

Kind Regards,

Chris

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disease.

Prior to heavy urban development and widespread industrialization, nature was able to clean and filter water through a long and stable process. Through soil infiltration, plant transpiration and evaporation, water was purified sufficiently to achieve a lasting balance. Development disrupts the process through soil removal, compaction and the addition of acres of hard, impervious surfaces that increase water velocities and erosive forces. As the world continues to develop, so has our understanding of this delicate balance. We have learned that we can manage surface water at various stages in its cycle, including each pond and lake along its journey, to make it much less disruptive when it enters into our rivers, reservoirs and bays. We have also learned that we have many opportunities to intercept and mitigate nutrient pollution long before it becomes catastrophic to our most precious resources, sanctuaries and livelihood through stormwater management techniques and facilities.

Lakes and ponds are one of the most critical points of interception in our watershed because they exist at locations where a lot of water is contained in a relatively small area and the speed of discharge can be regulated. These points offer the best opportunity to remove excess nutrients and sediment from the water with a large array of methods, including aeration,



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nutrient mitigation products, organic waste removal, biological augmentation (beneficial bacteria infusion), invasive species management, and sediment settling.

Though extremely effective, sustainable lake and pond management is not the only way to proactively improve the output of our watershed. The following cultural practices can also prevent a lot of nutrient pollution and chemical translocation before impurities even have a chance to leave the community:

- Use fertilizer without phosphorous and limit overall use on our lawns.

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## A HELPING HAND WHEN NEEDED MOST

- FIRE/SMOKE DAMAGE
- STORM DAMAGE RESTORATION
- WATER DAMAGE RESTORATION
- FROZEN PIPE BURST
- MOLD REMEDIATION
- DEODORIZATION
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- Prevent leaves, lawn clippings and organic waste from over-burdening stormwater conduits.
- Recycle greywater whenever possible to reduce the need for treated wastewater.
- Use environmentally-friendly detergents and cleaners when washing vehicles and pressure-washing houses.
- Create natural filtering systems using infiltration media and vegetation to intercept water before it enters impervious surfaces and storm drains.
- Change farming practices to increase buffer zones and decrease soil and nutrient run-off.

It cannot be overstated how much watershed management determines the quality of life and the balance of nature. From direct impacts on crabbing, fishing and farming yields to property value, outdoor recreation and flood damage, watershed effects and consequences really are A to Z. Everyone should consider themselves a steward of water (and the environment in general). Improving the water quality of nearby lakes, ponds, rivers and streams will go a long way in protecting regional assets and local wildlife—not to mention all the unseen positive effects down the road and into the future. ■

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or a million opportunities...

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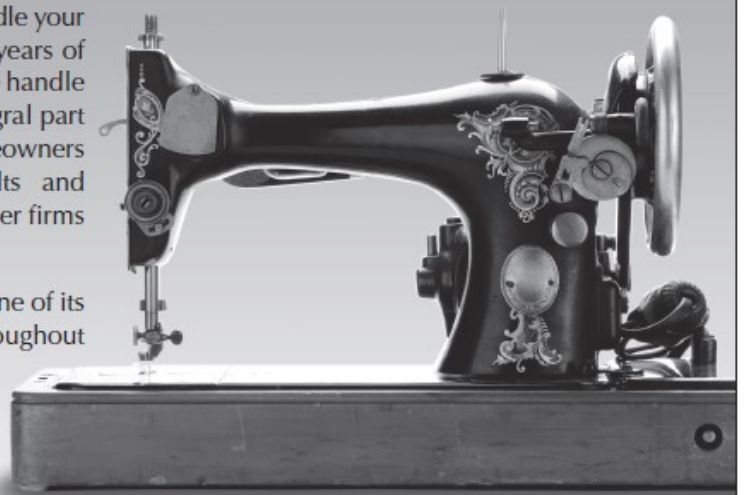
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