

**FORRESTAL VILLAGE COMMUNITY SERVICES ASSOCIATION, INC.**  
**POLICY RESOLUTION NO. 54**

**INSTALLATION OF GENERATORS**

WHEREAS, the Forrestal Village Community Services Association (hereafter referred to as the "Association"), is charged with the responsibility for making policies to manage the affairs of the Association within the limits specified in the Founding Documents; and

WHEREAS, it is important that decision making within the Association, as within all governing organizations, maintain reasonable standards of due process, to promote fairness and provide for checks and balances; and

WHEREAS, the Association is responsible for the governance and maintenance of the Community;

WHEREAS, the Association is authorized to adopt and enforce reasonable rules and regulations in the best interests of the Community; and

WHEREAS, the Association desires to adopt reasonable restrictions governing installation, maintenance, and use of generators in the best interests of the Community; and

WHEREAS, the Covenants Committee of the Association needs guidance in the specifications needed to consider applications to install generators;

NOW, THEREFORE, BE IT RESOLVED by the Association's Board of Directors' adoption of Policy Resolution No. 54 that the following interim restrictions and regulations regarding generators for the Community, which shall be binding upon all homeowners and their tenants.

**II. Definitions**

- A. Generator - An outdoor generator is an appliance that provides a temporary source of power during any type of electrical outage or when AC power is not readily available.
- B. Homeowner - Any homeowner in the Association.
- C. Tenant - A tenant who has written permission of the homeowner/landlord to install a generator.

**III. Association and Homeowner Responsibility**

- A. Homeowners are responsible for generator installation including responsibility for generators that are installed on individually owned, but Association maintained property. Homeowners may not install generators in a manner that increases maintenance costs for the Association. If damage to Association maintained property or other homeowner property occurs, homeowners are responsible for all repair and maintenance costs. The homeowner is responsible for all payment of medical expenses and other liability incurred by persons injured by generator installation, maintenance, and/or removal.
- B. The Association shall provide homeowners with 15 days written notice if any building maintenance requires generator removal. Homeowners shall be responsible for removing generators before such maintenance begins. If homeowners do not remove generators by the

stated date, the Association may remove generator at the homeowner's expense. The Association is not liable for any damage resulting from the removal, installation, or use and maintenance of the generator.

#### C. Installation by Tenants

Tenants may install generators in accordance with these rules only after obtaining written permission from the homeowner to do so. A copy of this permission notice must be submitted to the Management along with the application to the Covenants Committee prior to installation.

#### D. Proof of Insurance

Each contractor employed to provide such services must provide a Certificate of Insurance evidencing both general liability and workers compensation insurance.

### IV. Notification Process

A. Any homeowner desiring to install a generator must submit an application to Management and written approval by the Covenants Committee in accordance with standard Covenants Committee Application Guidelines along with the Generator Application Form and supporting documents. Tenants must include written permission from the homeowner.

B. The location of the generator must be shown on a property survey along with the application.

C. Building, electrical and plumbing permits from Plainsboro Township must be obtained.

D. Signature of approval from the adjacent homeowners must be obtained.

E. Application content that does not conform to all of the above rules and regulations will be returned to the homeowner or tenant for modification within seven days.

### V. Number of Generators

A. No more than one generator per unit may be installed.

### VII. Installation Rules

#### A. Generator Type and Size

1. Generators must be natural gas (NG) fired. Gasoline, diesel or propane tank generators are not permitted.

2. Generators for individual units must be no larger than 50" on the longest side.

3. Generators shall not produce a sound decibel level greater than 69db.

#### B. Location

1. The generator shall be installed outside of a unit and must be as unobtrusive as possible. The location of the generator must be on the same side of the unit as the air conditioner(s) are located, behind the front building line, and placed on a mounting pad at least 5 feet from any combustible materials, including but not limited to wood or plastic siding, a wood deck, or other wood.

2. Installation must be in a well-ventilated area at least 18 inches from the home's foundation and at least 5 feet away from any doors, windows, vents or air conditioner

intake.

3. Generators may not unduly encroach upon common areas or be installed within 5 feet of another homeowner's property.

### **C. Installation**

1. Manufacture Installation Guidelines must be followed by a licensed and insured professional contractor.

2. All installations shall be completed so that they do not damage the common areas, the lot or unit of any resident, or void any Association or homeowner's warranties, or in any way impair the integrity of buildings, common areas or lots.

3. Utility mark outs must be completed prior to digging. Call the underground line locating service in New Jersey at 800-732-1000 for information.

4. A power transfer switch must be installed by a licensed and insured electrician and must conform to all local, state and federal regulations.

5. A second or a larger gas meter must be professionally installed by a licensed plumber, if required. All gas piping must be buried or run through the homeowner's home or basement.

6. The installation must be approved by both the electrical utility and gas companies.

7. Homeowner must obtain a certificate of completion from Plainsboro Township within 30 days after completion of the installation and submit it to Management.

8. Homeowner must sign a waiver which indemnifies and holds harmless the Association from any loss, liability, damage or costs including bodily injury, death or property damage that may incur arising from the installation and use of the generator or any claims arising post installation.

### **D. Maintenance**

1. Homeowners shall not permit their generators to fall into disrepair or to become safety hazards.

2. Homeowners shall be responsible for generator maintenance and repair. Homeowners must show proof annually to the management office of a maintenance contract to service the unit.

3. If the generator is removed for any reason, the homeowner must remediate and restore any landscaping that was disturbed by its installation.

4. When the homeowner moves, the homeowner must either require the new homeowner to accept responsibility in writing or to remove the generator and associated components of the installation and remediate as described above.

5. Homeowner must ensure that the weekly generator testing occurs during day-time hours, not after 8 p.m. nor before 8 a.m.

**E. Safety**

1. Generators shall be installed and secured in a manner that complies with all applicable Township and state laws and regulations and the manufacturer's instructions. The homeowner, prior to installation, shall provide the Association with a copy of applicable governmental permits.
2. Installations must comply with all applicable codes.
3. Generators shall be permanently and effectively grounded to avoid and prevent electrical and fire damage.
4. Generators must be able to withstand all adverse weather conditions such as heavy winds, snow, water and ice. If located in an area where snow or leaves build up, homeowner must ensure the generator's air intake vent is not obstructed.

**IX. Enforcement**

The Association may seek injunctive relief to prohibit or seek removal of the installation if generator installation poses a serious, immediate safety hazard.

**X. Severability**

If any provision is ruled invalid, the remainder of these rules shall remain in full force and effect.

**Resolution Type: Policy Resolution**

**Regarding: Policy Resolution No. 54: Installation of Generators**

ATTEST:

\_\_\_\_\_  
Mary Ryan, Secretary

DATE: \_\_\_\_\_

\_\_\_\_ Yes      \_\_\_\_ No      \_\_\_\_ Abstain

\_\_\_\_\_  
Mari Molenaar, President

\_\_\_\_ Yes      \_\_\_\_ No      \_\_\_\_ Abstain

\_\_\_\_\_  
Neil Goodzeit, Vice President

\_\_\_\_ Yes      \_\_\_\_ No      \_\_\_\_ Abstain

\_\_\_\_\_  
Doyle Lyons, Treasurer

\_\_\_\_ Yes      \_\_\_\_ No      \_\_\_\_ Abstain

\_\_\_\_\_  
Mary Ryan, Secretary

\_\_\_\_ Yes      \_\_\_\_ No      \_\_\_\_ Abstain

\_\_\_\_\_  
Roger Dashevsky, Director

\_\_\_\_ Yes      \_\_\_\_ No      \_\_\_\_ Abstain

\_\_\_\_ Yes      \_\_\_\_ No      \_\_\_\_ Abstain

\_\_\_\_\_  
Bob Miller, Director

\_\_\_\_\_  
Robert Youdin, Director

Adopted at a Regular Meeting of the Board of Directors on