

AGENDA

LVWA BOARD OF TRUSTEE MEETING WEDNESDAY, AUGUST 2, 2023 at 1:00 PM WILLOW HALL

Board Meetings are an important part of running an HOA, so keeping them as efficient and productive as possible is key. Rules of Public Comment and Participation in the open portion of the Board meeting are as follows; residents will be allowed a three-minute comment or question related to the topic on the agenda at the time it is being discussed or presented by the Board of Trustees. Maximum two times at podium.

- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL

ITEMS TO BE VOTED ON:

1. Motion to waive the reading of the minutes.
2. Motion to approve the July 5, 2023 minutes.
3. Motion to adopt the Operating Budget, Reserve Funding, and Maintenance Fee Schedules for FYE 9/30/24, as presented at the Open Meeting on July 26, 2023.
4. Motion to approve the Resolution regarding Flags and Banners.
5. Motion to approve the revisions to the Amended Policy Resolution Regarding the Administrative Transfer Fee for Owners of LVW.
6. Motion to approve the revisions to the Policy Resolution regarding Election Signs.

PRESENTATION OF REPORTS:

I. COMMITTEE REPORTS

- Architectural Committee (Barbara Owens)
- Community Services Committee (Michael Morizio)
- Finance Committee (Charles Corvo)
- Administration Committee (Mary Rose McCarthy)
- Election Committee (Mary Lou Doner)

II. RECREATION REPORT (Mary Lighthipe)

III. COMMUNITY MANAGER'S REPORT (Jim Snyder)

UNFINISHED BUSINESS

NEW BUSINESS

The Annual Meeting of Members will be held on Thursday, August 31, 2023 at 1:00 PM in the Auditorium at Willow Hall. The next open Board meeting will be held on Wednesday, September 6, 2023 at 1:00 PM in the auditorium at Willow Hall.

- ADJOURN OPEN MEETING

AGENDA

LVWA BOARD OF TRUSTEE MEETING WEDNESDAY, AUGUST 2, 2023 at 1:00 PM WILLOW HALL

RESIDENT COMMENTS PERIOD:

- ★ Rules of Public Comment and Participation in the Open Forum are as follows;
 - In general, residents' questions and comments should be addressed to the interest of all residents. For resolution of personal or maintenance issues, contact the Department Manager and, if necessary, the Community Manager.
 - The Open Forum is not a debating time or a time to cross-examine our neighbors serving as Trustees.
 - This is an opportunity for residents to be heard but everyone is to stay civil and use respectful language while also avoiding personal attacks.
 - The Open Forum will be limited to one-hour but may end sooner if only a few residents address the Board.
 - Residents may make a comment or ask a question and will be allowed three-minutes to do so, there will be a two-minute comment or answer, if necessary from the Board of Trustees and a one-minute follow-up question allowed by the resident.
 - Maximum two times at the podium.
 - If a resident was unable to ask a question or make a comment, the Board may be emailed at bot@lvwa.net. Emails will be reviewed at a Board of Trustee workshop meeting. Statements and opinions of village wide significance will periodically be addressed at an Open Board of Trustee Meeting and/or in the Manager's Corner of the LVW News Magazine.

The meeting was called to order at 1:00 PM by Board President, Charles Lupo with the Pledge of Allegiance.

PRESENT: Trustees: Present were Board President - Charles Lupo, Vice President - Joyce Carmody, Treasurer - Eugene Murphy, Board Secretary - Thomas Hardman, Trustee - Wayne Steinman, Trustee – Michael Blank and Trustee - Fay Weinstein.

Management Staff: Present were Community Manager – Jim Snyder, Accounting Administrator – Michelle Lampard and Recreation Director – Mary Lighthipe. Also present was Michael Polulak from McGovern Legal Services.

ITEMS VOTED ON: *(continued in Community Manager's Report)*

T. Hardman moved to waive the reading of the minutes. W. Steinman seconded. All were in favor. Motion carried.

T. Hardman moved to approve the June 7, 2023 minutes. M. Blank seconded. There were questions from the audience and a vote was called. All were in favor. Motion carried.

J. Carmody moved to contract with iIdentifyIOT to provide all hardware installation and software for a new gate reader system for the Route 37, Colonial and Route 70 resident entry gates for a cost of \$13,911.36. The funds to meet this expense will be provided by account #3230 – Capital Replacement/Common Buildings. W. Steinman seconded. There were questions from the audience and a vote was called. All were in favor. Motion carried.

M. Blank moved to approve the purchase of eight (8) colorado 1-quad zoom lighting fixtures with clamps and safety cables from Hayden Production Services for a total cost of \$6,433.75. The funds to meet this expense will be provided by account #3230 – Capital Replacement/Common Buildings. W. Steinman seconded. There was no discussion and a vote was called. All were in favor. Motion carried.

J. Snyder presented a PowerPoint presentation regarding the Club Encore Patio Structure.

F. Weinstein moved to contract with Accent Group to construct the Encore patio structure for a cost of \$147,160.00, along with the approval to spend \$20,000.00 in extras for a total cost of \$167,160.00. The funds to meet this expense will be provided by account #3230 – Capital Replacement/Common Buildings. There was a discussion from the Trustees and audience questions. A vote was called and all were in favor. Motion carried.

(T. Hardman left the meeting at 2:32 PM)

PRESENTATION OF REPORTS:

COMMITTEE REPORTS:

B. Owens, Chairperson, gave a report for the Architectural Committee.

M. Morizio, Chairperson, gave a report for the Community Services Committee.

C. Corvo, Chairperson, gave a report for the Finance Committee.

M R. McCarthy, Chairperson, gave a report for the Administration Committee.

M L. Doner, Chairperson gave a report (PPP) for the Election Committee.

M. Lighthipe gave a report for Recreation.

COMMUNITY MANAGER'S REPORT: (J. Snyder)

It is time to move forward with replacing the second half of the "Star" electric carts fleet. The first half (6) that were ordered will arrive shortly. After recent negotiations with the supplier Vic Gerard, they agreed to hold the price on the unit price per cart that was given last year. In order to receive the carts in the timeliest manner, we would need to give Vic Gerard a purchase order number to start the process. Payment would not be necessary until delivery. As with the first half of the order, delivery is seven to twelve months out to receive the carts. Management is recommending to move forward with the planned purchase of the second half of the fleet (seven electric carts) for a total cost of \$194,066.04. This expense will be provided by account #3150 – Equipment Replacement. *F. Weinstein moved to approve the purchase of seven (7) electric carts from Vic Gerard for a cost of \$194,066.04. This expense will be provided by account #3150 – Equipment Replacement. J. Carmody seconded. There was no discussion and a vote was called. All present were in favor. (T. Hardman left the meeting) Motion carried.*

There have been several issues over the past four days with incidents occurring at the pools including the pool companies' employee not doing their job. Management will be addressing this with the owner of the company. Residents are reminded to adhere to the pool rules.

Pets, Parking and Permits; Pets are not permitted to be walked around the Common Buildings. There is no overnight parking on the streets between the hours of 2:00 AM and 6:00 AM. Permits are required from the Association, especially when installing a patio which must include a diagram.

The Board and Management have been actively researching areas to install the Patio Shade Structure that was originally purchased two years ago before the pool opened which was meant to be installed in the Club Encore pool area. The shade structure arrived after the pool season had begun. The decision at that time was to hold off on installing the structure until the pool closes in order to do the construction for it. In that time, a new Board had discussed the installation and they decided not to install at that location based on feedback from residents. The Board has agreed to install the shade structure on the upper part of the Willow pool. Management will be looking at the area to be sure this is feasible to install and will provide an update at the next Board meeting.

There was no unfinished business.

NEW BUSINESS:

1. The Resolution regarding Flags and Banners was presented as attached to the agenda. The Board will vote on this at the next Board meeting on August 2, 2023.
2. The revisions to Amended Policy Resolution regarding the Administrative Transfer Fee for Owners of LVW. There were questions from the audience. The Board will vote on this at the next open Board meeting on August 2, 2023.

The next open Board meeting will be held on Wednesday, August 2, 2023 at 1:00 PM in the auditorium at Willow Hall.

There being no further business, the Board meeting adjourned at approximately 3:12 PM.

Samantha Bowker
Administrative Assistant

Tom Hardman
Board Secretary

Approved: PENDING

**POLICY RESOLUTION
REGARDING FLAGS AND BANNERS**

WHEREAS, the Leisure Village West Association Board of Trustees pursuant to Article VI, Section 1. A, of the Bylaws is empowered to exercise all operation, maintenance, cleaning, sanitation, upkeep, and protection of the buildings in each condominium and their general and limited common elements.

WHEREAS, the Association desires and intends to adopt reasonable restrictions governing the installation, dimensions, and use of flags and banners in exclusive use areas and limited common areas of units in the Community that are consistent with Federal and State law,

NOW, THEREFORE, the Association adopts the following restrictions and regulations for the Community, hereinafter referred to as the "Rules," which shall be binding upon all owners and their grantees, lessees, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess an interest in the Community, and which shall supersede any previously adopted rules on the same subject matter. These rules are adopted by the Board of Trustees of Leisure Village West Association on _____.

- 1) Unit owners may post flags and banners on poles attached to their units and in the permanent landscaped area (known as the "5-foot area") in the time, place and manner herein described.
- 2) Definitions:
 - (a) Owner--any association unit owner. For the purpose of this rule only, "owner" includes a tenant who has the permission of the unit owner to install a flag or banner.
 - (b) Exclusive-use area--limited common area in which the owner has a direct or indirect ownership interest and that is designed for the exclusive use of the owner as defined in the Master Deed association document that is next to the owner's unit.
 - (c) Flags—For purpose of this rule, a flag is a piece of cloth or similar material, used as the symbol or emblem of a country
 - (d) Banner—For purpose of this rule, a banner is a piece of cloth or similar material, displaying a design, symbol and/ or language
- 3) Installation
 - (a) Quantity: A total of four (4) flags and banners may be displayed at a unit.
 - (i) A total of two (2) flags and/or banners may be attached to a unit.
 - (ii) A total of two (2) flags and/or banners may be installed in the permanent landscaped ("5 foot") area

(b) Size and Type

- (i) Flags and banners must be made of cloth or similar material.
- (ii) Flags of the United States must be no larger than 3'x5'.
- (iii) Banners attached to a unit or a permitted in ground flagpole must be no larger than 20"x40".
- (iv) Flags and banners in the permanent landscaped ("5 foot") area must be no larger than 13"x18".

(c) Location

- (i) Two (2) flagpole brackets may be attached to the trim of each unit.
- (ii) Inground flagpoles are allowed only with a permit from the Association.
- (iii) Two (2) metal flag/banner stands may be placed in the permanent landscaped ("5 foot") area.
- (iv) Flags and banners must not encroach upon any common elements of any other owner's individual unit or limited common element, or the air space of another owner's limited common element.
- (v) Flags and banners must be secured so they do not jeopardize the soundness or safety of any structure or the safety of any person at or near the sign.

(d) Manner of Displaying Flags

- (i) The flag of the United States of America may be flown from a bracket attached to a unit or from a freestanding permitted flagpole or from a garden stand holder in the permanent landscaped ("5 foot") area.
- (ii) The United States flag must be appropriately lighted if displayed after dark.
- (iii) The flag of another country may be flown from a bracket attached to a unit or from a freestanding flagpole or from a garden stand holder in the permanent landscaped (5-foot area) only if a United States flag is flown as well. The United States flag must be of equal or larger size and must be displayed at a greater height than the flag of another county if they are flown from the same flagpole (U.S. Code 4 Sec. 7; NJ Code 52 Sec. 3-4).

(e) Manner of Displaying Banners

- (i) Decorative seasonal and holiday banners and other permissible banners may be flown from a bracket attached to a unit or from a garden stand holder in the permanent landscaped ("5 foot") area.

(ii) Non-permissible banners:

In order to preserve the cooperative character of the community and respect for all its members, banners that are **NOT permissible include but are not limited** to the following:

1. Banners that use language and/or symbols that criticize, demean, or express hostility toward:
 - a. a religion, a religious group, or members of a religion or religious group
 - b. a racial or ethnic group or members of such groups
 - c. a sexual orientation or persons with that orientation
 - d. a gender identity or persons with that gender identity
 - e. a political party or members of a political party
 - f. an elected official
 - g. a law or governmental policy
 - h. any individual
2. Banners that express support for illegal activities
3. Banners that express support for the election of a political party or candidate or approval of a ballot item (See regulations regarding election signage).

(f) Duration:

- (i) Seasonal banners may be displayed beginning two weeks prior to the start of each season and must be removed within two weeks after the end of that season.
- (ii) Holiday banners may be displayed beginning one month prior to the holiday and must be removed within two weeks after the event.
- (iii) Other permissible flags and banners may be displayed continuously.

4) Enforcement

- (a) If these rules are violated, the Association may bring action for the violation of these rules. If the violation is not corrected within a reasonable length of time, additional fines of \$20 per day will be imposed for each day that the violation continues. To the extent permitted by law and/or the governing documents, the Association shall be entitled to reasonable attorney fees, costs and expenses incurred in the enforcement of this policy.

Board Secretary

Voted and Approved: PENDING

**AMENDED POLICY RESOLUTION
REGARDING THE ADMINISTRATIVE TRANSFER FEE FOR OWNERS
OF LEISURE VILLAGE WEST UNITS**

WHEREAS, the Leisure Village West Association, Inc. (the "Association") was formed by the filing of a certain Certificate of Incorporation, on May 31, 1972, with the Secretary of State of the State of New Jersey having its offices at 959 Buckingham Drive, Manchester, New Jersey 08759; and

WHEREAS, the Association was established and exists by certain **Master Deeds with attached Bylaws recorded on January 10, 1978, in the Ocean County Clerk's Office in Deed Book 3683 page 51 et. and as amended from time to time (collectively the " Master Deed")**; and

WHEREAS, the Association's Master Deeds were amended and consolidated and recorded on **July 30, 2014 in the Ocean County Clerk's Office in Deed Book 15860-page 1840 et. seq.,**

WHEREAS, the Bylaws, Article VI, Section 1, provides, "The Board of Trustees shall have and exercise all lawful powers and duties necessary for the proper conduct and administration of the affairs of the Association and the operation and maintenance of Leisure Village West and may do or cause to be done all such other lawful acts and things as are not by law, by these Bylaws or otherwise, directed or required to be done or exercised by members of the Association or owners of units, or by others;" and

WHEREAS, Bylaws, Article I, Section 10(A) states that "Each unit owner shall pay to the Association upon acquisition of title to his Unit a nonrefundable and non-transferable fee in the amount as determined by the Association's Board of Trustees.;" and

WHEREAS, Bylaws, Article I, Section 10(B) states that "[a] unit owner need not pay a condominium unit title transfer fee to the Association when the transfer of title: (a) is from an owner to a spouse or co-owner of the same unit; (b) is a resident unit owner for at least two years who then sells their unit and within six months of that sale purchases another unit within the community; (c) is a transfer upon death to a direct lineal descendant; or (d) is a transfer to a child while retaining a life estate in the unit; (e) is from the unit owner to the Association.;" and

WHEREAS, N.J.S.A. 46:8B-15(e) provides, in pertinent part: "If authorized by the master deed or bylaws, the association may levy and collect a capital contribution, membership fee or other charge upon the initial sale or subsequent resale of a unit, which collection shall be earmarked for the purpose of maintenance of or improvements to common elements to defray common expenses or otherwise, provided that such charge shall not exceed nine times the amount of the most recent monthly common expense assessment for that unit.;" and

WHEREAS, the Board of Trustees established an Administrative Transfer Fee Policy on February 16, 1994; and

WHEREAS, on December 7, 1994, the Board of Trustees of Leisure Village West amended the Policy Establishing and Instituting an Administrative Transfer Fee for buyers of Leisure Village West units, and

WHEREAS, on August 6, 2003, June 4, 2008, August 1, 2012, March 9, 2016, January 2, 2019, and June 1, 2022 the Board of Trustees increased the administrative transfer fee to \$750.00, \$1,000.00, \$1,500.00, \$1,700.00, \$1,850.00, and \$2,150.00 respectively, and

WHEREAS, on June 1, 2022, the Administrative Transfer Fee funds were determined to be allocated as follows: \$1,000.00 into the Association's Annual Operating Account, and \$1,150.00 into the Association's Reserve Account; and

WHEREAS, the Board has deemed it necessary to maintain a steady flow of cash to meet the increased costs and future financial obligations and desires and to lessen the financial impact on resident members of the Association,

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Administrative Transfer Fee for ~~buyers~~ all title transfers of a Leisure Village West units shall be ~~\$2,150.00~~ 2,300.00.
2. The Administrative Transfer Fee funds shall be allocated as follows: \$1,000.00 into the Association's Annual Operating Account, and ~~\$1,150.00~~ \$1,300.00 into the Association's Reserve Account.
- ~~2.3.~~ The Administrative Transfer Fee shall become effective for all sales contracts signed on or after October 1, 2023.

Leisure Village West Association

AT MANCHESTER, NEW JERSEY

RESOLUTION

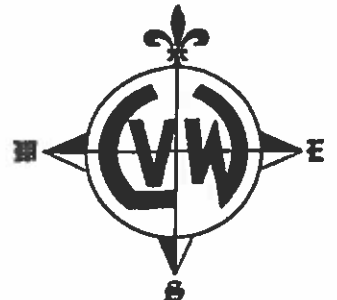
ELECTION SIGNS

WHEREAS, the Leisure Village West Association Board of Trustees pursuant to Article VI, Section 1. A, of the Bylaws is empowered to exercise all operation, maintenance, cleaning, sanitation, upkeep, and protection of the buildings in each condominium and their general and limited common elements.

WHEREAS, the Association desires and intends to adopt reasonable restrictions governing the installation, dimensions, and use of election signs in the best interests of the Community and consistent with Federal and State law,

NOW, THEREFORE, the Association adopts the following restrictions and regulations for the Community, hereinafter referred to as the "Rules," which shall be binding upon all owners and their grantees, lessees, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess an interest in the Community, and which shall supersede any previously adopted rules on the same subject matter. These rules are adopted by the Board of Trustees of Leisure Village West Association on the day of June 7, 2023.

- 1) Unit owners may post election signage for National, New Jersey State, and Local Governmental, and Trustee elections within the confines of their unit for the time period defined.
- 2) Definitions:
 - (a) Owner--any association unit owner. For the purpose of this rule only, "owner" includes a tenant who has the permission of the unit owner to install an election sign.
 - (b) Exclusive-use area--limited common area in which the owner has a direct or indirect ownership interest and that is designed for the exclusive use of the owner as defined in the Master Deed association document that is next to the owner's unit.
- 3) Installation
 - (a) Size and Type
 - (i) Dimensions shall be no greater than 24-inches in width and 18-inches in height. Only non-illuminated signs may be installed, and no additional lighting may be added.



(b) Location

- (i) No more than ~~two~~one election signs per open position may be installed by the owner at the unit. These ~~may~~are to include ~~two~~ in the windows or ~~two~~ in the five-foot area, ~~two~~ on the door of a vehicle parked in the driveway, or a combination of signs in a window, the five-foot area, and a car parked in the driveway.
- (ii) Signs must not encroach upon any common elements of any other owner's individual unit or limited common element, or the air space of another owner's limited common element.
- (iii) Signs must be secured so they do not jeopardize the soundness or safety of any structure or the safety of any person at or near the sign.
- (iv) There shall be no penetrations or attachment to exterior surfaces of the unit or building.
- (v) Signs placed on vehicles must adhere to New Jersey motor vehicle regulations prohibiting signage on front or side windshields or that obstructs a clear view of traffic following or on the sides of a vehicle (NJ Rev Stat 39 § 3-74 (2013)).
- (vi) Vehicles with election signage may be parked in lots near common elements while owners are using the amenities. They are subject to all other LVWA parking regulations.

(c) Duration

- (i) Signs in windows, the five-foot area and on vehicles may be posted 45 days prior to the election date and must be removed within 7 days after election date.

4) Enforcement

- (a) If these rules are violated, the Association may bring action for the violation of these rules. If the violation is not corrected within a reasonable length of time, additional fines of \$20 per day will be imposed for each day that the violation continues. To the extent permitted by law and/or the governing documents, the Association shall be entitled to reasonable attorney fees, costs and expenses incurred in the enforcement of this policy.

Secretary

Voted and Approved: February 11, 2015

Amended: October 7, 2020

Amended: June 7, 2023

Amended: PENDING