AGENDA

LVWA BOARD OF TRUSTEE MEETING WEDNESDAY, AUGUST 5, 2020 at 7:00 PM ZOOM CONFERENCE

CALL TO ORDER

ROLL CALL

ITEMS TO BE VOTED ON:

- 1. Motion to waive the reading of the July 1, 2020 minutes.
- 2. Motion to approve the July 1, 2020 minutes.
- 3. Motion to waive the reading of the July 10, 2020 minutes.
- 4. Motion to approve the July 10, 2020 minutes.
- 5. Motion to adopt the Operating Budget, Reserve Funding and Maintenance Fee Schedules for FYE 9/30/21, as presented at the Open Meeting on July 22, 2020.
- 6. Motion to approve to purchase a Coleman 5-ton heat pump for the Maintenance office with all required materials from Johnstone Supply for \$5,061.32 and to include required permits from Manchester Township for \$500.00 and electrical upgrades from Curry Electric for \$700.00. The total cost of the project with LVW staff performing the install is \$6,261.32. This expense will be provided by account #3150 Property Fund/Replacements. The unaudited balance for this account as of 6/30/20 is \$804,655.81.
- Motion to approve to purchase and install all material and equipment needed to implement remote access at the Colonial Drive entrance in conjunction with Allied Universal and their partners for a cost not to exceed \$35,865.00. This expense will be provided by account #3230 - Cap. Repl.- Common Buildings. The unaudited balance for this account as of 6/30/20 is \$970,081.36.
- 8. Reference Number 2020-03 Motion to approve a written request seeking permission to rent unit above the 8 percent cap.

PRESENTATION OF REPORTS:

I. COMMITTEE REPORTS

Architectural Committee Community Services Committee Finance Committee Administration Committee (Tom Hardman) (Eleanor Berardis) (Mary Lou Doner) (Judith Langreich)

II. RECREATION REPORT

III. COMMUNITY MANAGER'S REPORT

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Policy Resolution Regarding Unit Owner and Renter's Insurance

The next open Board meeting will be held on Wednesday, September 2, 2020 at 1:00PM.

ADJOURN OPEN MEETING

POSTED: July 29, 2020

The meeting was called to order at 1:00 PM by President, Louis Maiocco.

PRESENT: President – Louis Maiocco, Vice President – Charles Lupo, Treasurer – Eugene Murphy, Secretary – Fay Weinstein, Assistant Treasurer – Al DAmato, Assistant Secretary – S. Falk-Zitelli and Trustee – Salvatore Tozzi. Also present were Community Manager – Joseph Schultz, Service Manager – Jim Snyder, Accounting Manager – Michelle O'Connor and Recreation Director – Mary Lighthipe.

Thomas Mitchell, Insurance Agent for LVW from Mitchell Insurance Agency was present during this meeting to explain insurance coverage during the Covid 19 pandemic.

Michael Polulak, Attorney from McGovern Legal Services LLC was also present to explain the risk of opening the pools/amenities verse keeping them closed. He also spoke about the enforceability of the waiver currently being used for the amenities that are open and explained that it will be modified to have an end date for when the current state of emergency ends and limit it to Covid 19 risk and exposure only.

NEW BUSINESS: (Items voted on)

- 1. L. Maiocco stated that as a recap pursuant to the Governors executive order #153 the New Jersey Public Facilities are permitted to open after June 22, 2020. The Board has spent many hours reviewing the CDC guidelines and the risk factors as to whether the pools should open. A vote was called on whether to open the pools for the 2020 pool season. It is after much deliberation and with an abundance of caution, the Board voted not to open the pools this year. The requirements to open the pools released by the New Jersey Department of Health are extensive and present a tremendous liability concern to the Association. This is primarily because the Association's insurance may not cover any claim related to Covid 19. This is a situation that could adversely affect each and every unit owner and may be one that the Association may never recover from.
- 2. E. Murphy moved to close the three current activities that are open (tennis, Willow golf course and the farm) based upon the lack of insurance coverage that was explained by the insurance agent. C. Lupo seconded.

E. Murphy – Yes S. Falk-Zitelli – Yes S. Tozzi – No A. DAmato – No F. Weinstein – No C. Lupo – Yes L. Maiocco – No

Motion failed. (The three current amenities will remain open)

F. Weinstein moved to open the remaining outdoor activities that are limited to or less than four players with a Ranger to monitor the guidelines. A.DAmato seconded.

S. Falk-Zitelli – Yes C. Lupo – No S. Tozzi – No E. Murphy – No A.DAmato – Yes F. Weinstein – Yes L. Maiocco – Yes

Motion carried.

J. Schultz mentioned that there is a request from a resident seeking permission to use a personal watercraft at one of the ponds. After discussion from the Board the request was denied due to lack of insurance coverage.

T. Mitchell from Mitchell Insurance Agency left the meeting at 1:54 PM.

ITEMS VOTED ON:

S. Tozzi moved to approve to contract with MK Elections for the 2020 Board of Trustees election for a total cost not to exceed \$15,000.00. This expense will be provided by the operating budget. E. Murphy seconded. All in favor. Motion carried.

Michael Polulak from McGovern Legal Services left the meeting at 1:57 PM.

F. Weinstein moved to waive the reading of the minutes. A.DAmato seconded. All in favor. Motion carried.

C. Lupo moved to approve the June 3, 2020 minutes. E. Murphy seconded. All in favor. Motion carried.

A.DAmato moved to approve the Policy Resolution Relating to Privacy. C. Lupo seconded. All in favor. Motion carried.

C. Lupo moved to approve the amendments for Schedule A in the LVW Bylaws. E. Murphy seconded. All in favor. Motion carried.

C. Lupo moved to approve the Resolution Relating to Election Procedures. E. Murphy seconded. All in favor. Motion carried.

E. Murphy moved to approve a written request, reference number 2020-01, seeking permission to rent unit above the 8 percent cap. C. Lupo seconded.

C. Lupo – No F. Weinstein – No A.DAmato – Yes S. Tozzi – No S. Falk-Zitelli – No E. Murphy – No L. Maiocco – No

Motion failed.

E. Murphy moved to approve a written request, reference number 2020-02, seeking permission to rent unit above the 8 percent cap. F. Weinstein seconded. All in favor. Motion carried.

A.DAmato moved to approve the purchase of a 2014 Nissan Van vin #: 3N6CM0KN4EK691377 from Certified Auto Mall Inc. for \$9,500.00. This expense was provided by account #3150 – Property Fund/Equipment Replacement. S. Tozzi seconded. All in favor. Motion carried.

F. Weinstein moved to approve the purchase of three pumps and motors from Always Pure & Clear Water Well Drilling for a cost of \$5,453.32. This expense will be provided by account #3260 – Capital Replacement Fund/Irrigation-Well Motors. S. Tozzi seconded. All in favor. Motion carried.

COMMITTEE REPORTS:

There were no reports given due to the Committees not meeting. The Finance Committee will be meeting in July via Zoom and the Architectural Committee will be meeting in August via Zoom.

RECREATION REPORT: M. Lighthipe, Recreation Director gave the report.

COMMUNITY MANAGER REPORT:

J. Schultz stated that Management is working on a system to hand out Resident Identification badges for the new residents that have not received one. The 24-hour bathroom access at Club Encore and Willow Hall will now be limited from 7AM to 5PM. Residents are reminded that the Governor has now placed a 14-day self-quarantine on all visitors from out of state.

J. Snyder stated that the HVAC packaged unit that heats and cools the maintenance office has failed. It is almost 20 years old and the parts needed are no longer

available. He went out to bid for a direct replacement, a heat pump unit, or a Mitsubishi split system. The Maintenance building has solar panels, so he feels the electric options will be economical. The Board will vote on this at the next open Board meeting on August 5, 2020. He gave an update on the Solar for the Maintenance Buildings which is now complete. The Maintenance crew has begun removing the Hotwire Pedestals throughout the Village. He thanked the Tennis Club and Sociables for their generous donations to Village. There have been a lot of complaints in regards to loose dogs. Residents are asked to follow the rules such as maintaining control of your pet while on a leash and picking up after your pet. The Grounds crew has begun the yearly five-foot area inspections and some residents may have received a 30-day notice to comply.

J. Schultz stated that fireworks are not permitted in the Village. As reported in a previous meeting, the Association successfully applied for the Paycheck Protection Program (or commonly known as the PPP Program). In its purest form this is a loan and a credit for keeping the employees working and paid, where we can apply for forgiveness after the loan has been successfully administered according to the terms. The Board recognizes and feels the frustration that comes from having to pay for amenities that the residents cannot enjoy. Now after a successful PPP application and favorable operating budget, the Board feels they will be able to issue a credit to every unit owner some portion of the excess operating budget by the end of the fiscal year. This is when the Board anticipates approval for the PPP forgiveness conditions. It is too early to commit on the exact dollar amount but perhaps more will be able to be shared at the next budget meeting on July 22, 2020.

UNFINISHED BUSINESS:

1. The proposal recommendations for the gate entry system was presented: The proposal is based upon quotes derived over a year of research, leaving the best approach supplied in conjunction with Allied Universal. The scope of the plan is to add visitor entry to the Colonial entrance. The gate would continue to be available for residents and, through the use of a virtual attendant, allowing visitor entry. The Colonial gate location was selected for its long gate approach, giving the greatest queue for vehicles without impacting the Township or State roadways. This would change the Route 37 entry to a resident only entry. The summary of the system would require one wally unit, which allows, one-way video and two-way audio communications with the remote attendant. This method requires the installation of two gates; one SunPower pivot gate would be installed adjacent to the resident entry gate, the visitor's lane and one wood gate would be installed on the island prior to the U-turn immediately to the west of the gatehouse, outside the Village fencing. Additional cameras may be needed, if not sufficient, in the Wally unit to give the attendant situation awareness of all activity and traffic flow. This will be voted on at the next open Board meeting on August 5, 2020.

J. Schultz stated that the garbage trucks are in the process of being built and will be ready by the end of August. The final lease will be ready to be signed soon.

F. Weinstein stated that the August magazine will feature Memories. Residents can send their pictures and stories to news@lvwa.net. The deadline is next week.

The full proposed budget for next year is posted on www.lvwcreeper.com and copies are also available at the Association office.

There are currently six candidates running for the Board of Trustees. The deadline to turn in a Nomination is July 1, 2020 at 4:00 PM.

A.DAmato stated that the recycling paper trailer at Club Encore does not accept plastic bags or bulk items.

The next open Board meeting is the budget meeting which will be held on Wednesday, July 22, 2020 at 1:00 PM. The following open Board meeting is scheduled for Wednesday, August 5, 2020 at 7:00 PM.

There being no further business, the Board meeting adjourned at approximately 2:47 PM.

Samantha Bowker Administrative Assistant

Fay Weinstein Board Secretary

Approved: PENDING

The meeting was called to order at 2:00 PM by President, Louis Maiocco.

PRESENT: President – Louis Maiocco, Treasurer – Eugene Murphy, Secretary – Fay Weinstein, Assistant Treasurer – Al DAmato, Assistant Secretary – S. Falk-Zitelli and Trustee – Salvatore Tozzi. Also present were Community Manager – Joseph Schultz, Service Manager – Jim Snyder, Accounting Manager – Michelle O'Connor and Recreation Director – Mary Lighthipe.

Absent: Vice President – Charles Lupo

The purpose of this special meeting is for possible reconsideration on the decision by the Board for keeping amenities open made at the July 1, 2020 open Board meeting.

J. Schultz explained the timeline for when the three current outdoor activities opened and how they are handled. He also explained the purpose of the waiver that is required to be signed in order to use those activities.

In light of the last open Board meeting on July 1, 2020, the Board received/reviewed all the various resident communications and in conjunction with the awareness of the lack of insurance coverage, the Board re-discussed the opening and closing of the outdoor amenities. After a lengthy discussion *E. Murphy moved to close all amenities. S. Tozzi seconded.*

S. Tozzi – Yes A.DAmato – No F. Weinstein – Abstain E. Murphy – Yes C. Lupo – Absent L. Maiocco – Yes S. Falk-Zitelli – Yes

Motion carried.

It was also stated that the clubhouses will remain closed until further notice.

F. Weinstein moved to have management develop a plan with approval from the Board to allow residents harvest crops in the next two weeks at the LVW farm. S. Tozzi seconded.

S. Falk-Zitelli – Yes S. Tozzi – Yes A.DAmato – No F. Weinstein – Yes E. Murphy – Yes C. Lupo – Absent L. Maiocco – Yes

Motion carried.

There being no further business, the Board meeting adjourned at approximately 2:56 PM.

Samantha Bowker Administrative Assistant

Fay Weinstein Board Secretary

Approved: PENDING

Leisure Village West Association

AT MANCHESTER, NEW JERSEY

Interoffice Memorandum

To: Board of Trustees

From: Howard Height

Date: July 21, 2020

Re: Maintenance Office HVAC unit - replacement

The HVAC propane packaged unit that heats and cools the maintenance office has failed. It is almost 20 years old and the parts needed are no longer available. After reviewing all types of replacement options we decided to go out to bid for a replacement heat pump unit. We also received pricing on materials only with Leisure Village Staff doing the install. The Maintenance building has solar panels, so we feel the heat pump will be economical. The quotes received are listed below.

Vendor		Price
Ор	tion # 1 – Heat Pump with contractor installation	n
Artic Air	Lennox heat pump 14 SEER	\$ 9,436.31
Renegade Mechanical	York heat pump 14 SEER	\$8,903.19
Comfort Care	Fujitsu Multi-zone heat pump 17 SEER	\$12,795.00
BC Express	Carrier hybrid heat pump 16 SEER	\$13,434.75
·	Option # 2 - Materials only LVWA staff install	
Johnstone Supply	Coleman 5 Ton Heat Pump – 16 SEER	\$5,061.32
Manchester Township	Electrical Permits	\$500.00
Curry Electric	Electrical upgrades needed.	\$700.00

(All quotes include tax and installation)

We recommend doing the job in-house and purchase the Coleman 5 Ton Heat Pump with all required materials from Johnstone Supply for \$5,061.32. Required permits would be \$500 from Manchester Township, and Curry Electric's electrical upgrades would be \$700.00. Total cost of the project \$6,261.32. This expense will be charged to GL# 3150 – Property Fund Replacements.

INTEROFFICE MEMORANDUM

TO:	TO THE BOARD OF TRUSTEES	
FROM:	JOE SCHULTZ	
SUBJECT:	COLONIAL GATE REMOTE ENTRY	
DATE:	JULY 13, 2020	
CC:	M. O'CONNOR, S. BOWKER	

After many months and numerous proposals, we have found the solution that best fits our community. A solution that addresses most, if not all, the criteria the Board had required for us to solve. The remote attendant solution from Allied Universal addresses those concerns and more. The proposal, see attached, includes a Village-wide gate control data system that allows residents to call just one number for visitor entry from any gate. It features resident control of their visitor list. It will enable cost-effective, operational hours, giving the Board the flexibility to add operation hours, if desired, at a fraction of the original costs. More importantly, it slashes the cost of operating, in general, for the gate while maintaining efficient and effective guard attendant operations.

We, therefore, propose to purchase and install all material and equipment needed to implement remote access at the Colonial Drive entrance in conjunction with Allied Universal and their partners. Once installed and operational, we issue a notification that the route 37 gate entrance will discontinue visitor access after 30 days have been complete. As the Board is well aware, Leisure Village West has the freedom to change the scope of our gate entry contract amending the hours of operation at any time.

I recommend the Board approves the project as proposed at a cost not to exceed \$35,865.00, allowing the staff to obtain all necessary equipment and services required to complete the project.

Remote Gate Attendant for Colonial Drive

Proposal:

The scope of the plan is to add visitor entry from the Colonial entrance to Huntington Drive. The gate would continue to be available for residents and, through the use of a virtual attendant, allowing visitor entry. Resident entry would not be altered in any way.

The Colonial gate location was selected for its long gate approach, giving the best queue for vehicles without impacting roadways. This is the primary reason we chose this location over other entrances, avoiding gridlock with a State or county roadways.

This proposal is based upon quotes derived over a year of research, leaving the best approach supplied in conjunction with Allied Universal, driven by the lowest operational costs out of any other vendor by far. Allied is already experienced with remote gate attendance and has partnerships with the right type of equipment to make the system work. The primary user interface they call a Wally Unit, which is just another name for an interactive kiosk many of you are already familiar with.

The visitors would interact precisely as they do now; the attendant will see and hear the visitor and either allow or deny entry based upon your criteria. The system will utilize two gates, both would open for a permitted entry, and only one would open if the visitor were denied entry to allow a turnaround exit. The unit provides additional cameras giving the attendant oversight of the surroundings ensuring compliance.

The proposal also considers that once installed and after a 30-60-day notification period, the visitor entry from route 37 will discontinue. The new Colonial visitor entry with the remote attendant will provide more benefits to our members at a reduced cost. That's not to say the route 37 gate will always be for residents only; once proven; we could come back with another proposal to provide the same features and conveniences there.

The benefits derived from the new operation could include longer operating hours, a centralized database for all three gates. Moreover, it would give residents direct control over their guest lists, all at about half of the current cost.

Additional features are expected to enhance operations, some of which are developed enough to implement, like driver's license scanning, and some have not reached operational competence but are well on the way, such as license plate and or facial recognition.

Projected Installation Expenditures:

Wooden Gate (1)	\$7,300.00
Metal Gate (1)	
Wally Unit (One-Time Setup)	\$12,000.00
Cameras (3)	
NVR (1)	
Bollards (12)	

Lighting (2)	
Electrical	\$650.00
Underground Road Crossing	\$500.00
Miscellaneous	\$700.00
Permits	\$1,500.00
Total	\$35,865.00

Annual Costs, 56 hours weekly:

Wally Unit	\$17,520.00
MaRC (virtual gate Attendant \$4.00 per hour)	\$12,480.00
HELIAUS technology	\$3600.00
Electric	\$566.00
Total	\$34,166.00

Current Annual Costs, 56 hours, Rt. 37 Gatehouse:

Electric	\$2,450.00
Attendant (\$18.50 per hour)	\$57,239.00
Maintenance (paint, cleaning, repair	rs, computer, etc.)\$4,500.00
Supplies (office, paper, furniture, etc	c.)\$1,200.00
Fios TV	\$1,140.00
Total	\$66,529.00
Estimated Annual Cost Savings	\$32,363.00

The one-time setup fee of the Wally unit provided in this quote may be significantly reduced by the Association's prep work anticipated.

LEISURE VILLAGE WEST ASSOCIATION, INC.

POLICY RESOLUTION

REGARDING UNIT OWNER AND RENTER'S INSURANCE

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 <u>et. seq.</u>, 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 <u>et. seq.</u>; and

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, the Bylaws, Article VI, Section 1(n), the Board of Trustees (the "Board") has the power to "make, and enforce compliance with, such reasonable rules and regulations relative to the operation, use and occupancy of the units, common elements and Association facilities, and to amend the same from time to time as when approved by appropriate resolutions [which] shall be binding on the owners and occupants of units, their successors in title and assigns. A copy of such rules and regulations and copies of any amendments thereof shall be delivered or mailed to each owner of a unit promptly upon the adoption thereof;" and

WHEREAS, the Board finds that Units left unrepaired due to lack of adequate insurance would degrade the character of the Association and the market value of the Units therein; and

WHEREAS, the Board deems it to be in the best interest of the Association to ensure that all Unit Owners and tenants maintain appropriate insurance policies to restore their Unit in case of a covered occurrence.

NOW, THEREFORE, the following Rules and Regulations are hereby adopted:

I. UNIT OWNER'S AND RENTER'S INSURANCE

1. All Unit Owners shall obtain and maintain an "HO6" condominium insurance policy with sufficient coverage to insure the full value of their Unit including any upgrades thereto, the Association's

insurance deductible, and it is recommended that the policy provide sufficient coverage for all personal property stored within the Unit.

- All Unit Owners who rent their Units shall, as part of the lease agreement, require the tenant(s) to obtain and maintain an "HO4" renter's insurance policy with at least \$300,000 in liability coverage. It is recommended that the policy provide sufficient coverage to insure the Association's insurance deductible and to provide sufficient coverage for the full value of the tenant's personal property stored within the Unit. The lease shall further provide that any failure to obtain and maintain said policy shall constitute a material default under the lease and be grounds for termination and eviction. Any Unit Owner who rents their unit must provide the Association with a copy of the tenant's insurance policy declaration page.
- 3. All Unit Owner's and Renter's policies shall include a waiver of subrogation.
- 4. All Unit Owners applying for a Rental Permit shall provide the Association's manager with proof of his or her insurance policy and shall provide an "HO4" renter's insurance policy with sufficient coverage as described above. Thereafter, proof of continued insurance shall be provided to the Association annually and upon each lease renewal in a form acceptable to the Association.
- 5. If any Unit is damaged or destroyed by fire or other casualty, the Unit Owner shall promptly restore the Unit to its condition preceding the fire or casualty.

II. ENFORCEMENT

- 1. The Board shall have the right to impose fines for violations of these Rules and Regulations up to the maximums permitted by the Governing Documents and by law.
- 2. In addition to fining, the Association may, but is under no obligation to, exercise any and all rights and remedies available to it at law, in equity, or pursuant to the Governing Documents should any Unit Owner fail to timely provide the Association's manager with proof of insurance, including, but not limited to, obtaining insurance on the Unit Owner's behalf and charging the cost back to his or her account.
- 3. Failure by any Unit Owner to pay any insurance deductible may result in the Association paying the same and treating the failure as a payment default, in which case the amount of the deductible shall be assessed to the Unit Owner's account and which amounts shall be owed and collected in the same manner as delinquent Common Expense Assessments.
- 4. All costs, damages, and fines due hereunder shall be collected by the Association in the same manner as assessments. These costs, damages, and fines shall be a continuing lien on the Unit that shall bind the Unit in the hands of the then Owner and the Owner's successors and assigns.
- 5. This Resolution is subject to the Association's existing Alternative Dispute Resolution Policy.

2.

- 6. Should any provision hereof be determined to be invalid, the remaining provisions hereof shall remain in full force and effect.
- 7. Any provision contained in any previously adopted Association resolution conflicting with any provisions set forth herein shall be deemed void and the provision contained herein shall govern.
- 8.

Notwithstanding any of the above, the Association may exercise all rights and remedies available to it by law, in equity, and/or pursuant to the Master Deed and Bylaws.

BARAFT SSOCIATION, INC.

LEISURE VILLAGE WEST ASSOCIATION, INC.

, Trustee	 	
, Trustee	 	 1 a
, Trustee	 	
, Trustee	 	
, Trustee	 	
, Trustee	 	

Attest:

, Secretary

Date

File:		
Book of Minutes -		
Book of Resolutions:		
	Book No.	Page No.
Policy		
Administrative		
Special		
General		
Resolution Effective:	, 2020.	

DRAFT , the President of Leisure Village

NOW THEREFORE,

West Association, Inc., based on the authority granted by the Association's Master Deed, By-Laws and the vote reflected above, submits this Resolution for recordation in the Office of the Clerk of Ocean County.

Leisure Village West Association Inc.,

, President

CORPORATE ACKNOWLEDGMENT

STATE OF NEW JERSEY)) ss.COUNTY OF OCEAN)

On the _____ day of _____, 2020, _____ personally appeared before me and this person acknowledged under oath, to my satisfaction, that:

(a) this person signed and delivered the foregoing document as the President of Leisure Village West Association, Inc. (the "Association") and

(b) this document was signed and delivered by the Association as its voluntary act and deed by virtue of authority from its Board of Trustees.

Signed and sworn to before me on

, 2020

NOTARY PUBLIC OF NEW JERSEY

> RECORD AND RETURN TO: MCGOVERN LEGAL SERVICES, LLC 850 Carolier Lane North Brunswick, NJ 08902 (732)-246-1221