

AGENDA

LVWA BOARD OF TRUSTEE MEETING WEDNESDAY, JULY 18, 2018 WILLOW HALL

1:00PM

Pledge of Allegiance

Appearance by Manchester First Aid & Rescue Squad

Items to be voted on:

1. Motion to waive the reading of the minutes.
2. Motion to approve the July 3, 2018 minutes.
3. Motion to authorize the Association to contract with the following vendors for the **HVAC System Replacement - Club Encore**: Toms River Heating & AC - HVAC - \$226,465.00, Toms River Heating & AC. - Plumbing - \$3,250.00, Curry Electric - Electrical - \$5,736.12, with additional costs for permits and demolition for a total cost not to exceed \$240,000.00. This expense will be charged to GL#3230 - Capital Replacement - Common Buildings. The unaudited balance for GL#3230 as of 6/30/18 is \$1,307,396.98.
4. Motion to amend the By-Laws as proposed.

DIVISION REPORTS

Architectural Division	(Tom Hardman)
Activities & Services Division	(To Be Determined)
Finance Division	(Mary Lou Doner)
Administration Division	(Judith Langreich)

RECREATION REPORT

COMMUNITY MANAGER'S REPORT

UNFINISHED BUSINESS

1. Generator for Willow Hall

NEW BUSINESS

None

BOARD REPORT

ADJOURN OPEN MEETING

AUDIENCE COMMENTS:

In general, audience questions and comments should be addressed to the interest of all residents. For resolution of personal or maintenance issues, contact the Department Manager or the Service Manager and, if necessary, the Community Manager.

LEISURE VILLAGE WEST
BOARD OF TRUSTEE MEETING

JULY 3, 2018
WILLOW HALL

Present were S. Tozzi, C. Lupo, S. Falk-Zitelli, S. Kaufman, L. Maiocco and F. Weinstein. Also present were Community Manager – J. Schultz, Service Manager – J. Snyder, Accounting Administrator - M. O'Connor and Recreation Manager, Mary Lighthipe.

This meeting commenced at approximately 1:00 p.m. with the Pledge of Allegiance.

ITEMS VOTED ON:

1. S. Kaufman moved to waive the reading of the minutes. C. Lupo seconded. All present were in favor. Motion carried.
2. S. Falk-Zitelli moved to approve the June 20, 2018 corrected minutes . S.Kaufman seconded. All present were in favor. Motion carried.
3. C. Lupo made a motion to memorialize the purchase of a Manitowoc Indigo ice machine, model IYT0450A, for Club Encore from Katom Restaurant Supply, Inc. for a total cost of \$2,986.57. This expense will be charged to GL#3150-Property Fund-Replacements. The unaudited balance for this account as of 5/31/18 is \$827,171.82. S. Tozzi seconded. All present were in favor. Motion carried.
4. S. Kaufman made a motion to nominate Lou Maiocco as Vice President of the BOT for the remainder of the fiscal year. F. Weinstein seconded. Motion carried.

Mr. Tozzi informed residents that the Board of Trustees has approved the appointment of Mr. Kevin Murphy to the Finance Division.

Mr. Tozzi wished the candidates running for the Board of Trustees well and introduced those who were present.

COMMUNITY MANAGERS REPORT

J. Schultz, Community Manager, stated that NJNG is making a last effort to bring gas into the Village. Residents along Huntington up to the Colonial gatehouse including Devonshire, Stamford, Finchley, Bosworth and Burtons Court will be getting marketing material soon. If they do not get enough people, they will probably give up on the Village. Residents are encouraged to go forward with it.

J. Schultz, Community Manager, reminded residents that we are under water restrictions. Watering is every other day based on your unit being odd or even, with no watering allowed during the hours of 10 am and 5 pm, and watering outside of those times for no longer than 30 minutes. No one should be washing cars. Use the least amount of water possible.

J. Schultz, Community Manager, informed residents that a subset of the Architectural Division was asked to look at the best way to handle the HVAC system at Club Encore. They met with different vendors and, at this time, they are proposing to go forward and purchase the units from Toms River Heating and Cooling, have the gas piping done by Toms River Heating and Cooling, and have Curry Electric provide the electric for it. This expense is not to exceed \$240,000.00. It will be charged to GL#3230-Capital Replacement Common Buildings. Residents should have that in their package next time to discuss and hopefully move forward.

J. Snyder, Service Manager, updated residents on the Generator for Willow Hall. He is still waiting on a few quotes from plumbers and electricians. He is also working on the logistics and the permits. He is hoping to do the final reading at the July 18, 2018 meeting.

RECREATION REPORT

Mary Lighthipe gave the Recreation Report.

UNFINISHED BUSINESS

1. Radar speed traffic signs- Removed from agenda.
2. Generator for Willow Hall- J. Snyder updated in Manager's report.

NEW BUSINESS

1. TNR- J Schultz, Community Manager, informed residents this program is run by Manchester Township and is not sanctioned by LVWA.
2. Bylaws Amendments-J. Schultz, Community Manager, explained that as allowed by the Radburn Law, there are amendments the BOT can make without membership approval, and there is an amendment to the section regarding Divisions/Committees to conform to how HOA communities operate. These proposed amendments will be voted on at the July 18, 2018 meeting.

The business meeting was adjourned at 1:27 pm.

Michele Schoenig, for Samantha Bowker, Administrative Assistant

Sara Falk-Zitelli
Board Secretary

Approved: July 18, 2018

Leisure Village® West Association

AT MANCHESTER, NEW JERSEY

Interoffice Memorandum

To: Board of Trustees

From: Howard Height

Date: July 2, 2018

Re: HVAC System Replacement – Club Encore

The existing HVAC system in Club Encore is original to the building and overdue for replacement. We have been asked by the Board of Trustees to research the replacement of this HVAC system. We sent out an RFP and the bids received are as follows:

HVAC-BIDS

Contractor	Equipment	Price
Statewide Conditioning	Trane Package Units & DX Air Handlers	\$266,150.00
All Care Heating & AC	Carrier Package Units and Furnace –A/C units	\$186,000.00
BC Express	Mitsubishi VRM system - Entire Building	\$464,000.00
BTU Control Corp	Units 1/5/6 York and Mitsubishi (partial bid)	\$112,000.00
Toms River Heating and AC	Lennox Package Units and Mitsubishi ductless	\$226,465.00
Arctic Air	Did not return bid	N/A
Long's HVAC	Onsite inspection / Did not return bid	N/A
Aggressive HVAC	Onsite inspection / Declined to bid	N/A
AA Richard's	Scheduled onsite inspection / did not bid	N/A
Solarski HVAC	Chose not to bid on job	N/A

(Demo and masonry work to be performed in-house)

PLUMBING-BIDS GAS HOOK UP

Contractor	Equipment	Price
Toms River Heating and AC	1" gas line of existing 1 ¼" line (tapped off of kitchen run) gas regulators for all appliances	\$3,250.00
Messer Plumbing	1" gas line of existing 1 ¼" line (tapped off of kitchen run) gas regulators for all appliances	Bid not received
Wayne Grant Plumbing & Heating	1" gas line of existing 1 ¼" line (tapped off of kitchen run) gas regulators for all appliances	Bid not received
A Absolute Construction	3" gas line from meter	\$45,000

(Permit fees not included in bids)

ELECTRICAL-BIDS

Contractor	Equipment	Price
Curry Electric	Run new electric to new HVAC units	\$5,736.12
MJM Electric	Run new electric to new HVAC units	Bid not received
Ambient Electrical Contractors	Run new electric to new HVAC units	Bid not received



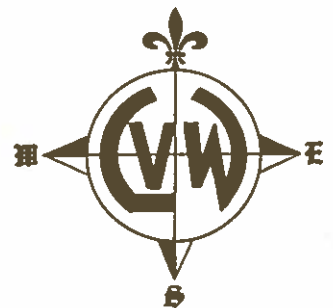
Leisure Village® West Association

AT MANCHESTER, NEW JERSEY

TOTAL PROJECT

Toms River Heating and AC	Lennox Package Units and Mitsubishi ductless	\$ 226,465.00
Toms River Heating and AC	Gas Piping	\$ 3,250.00
Curry Electric	Run new electric to new HVAC units	\$ 5,736.12
Manchester Township	Estimated Permits	\$ 4,000.00
Total Cost		\$ 239,451.12

After careful review by An Ad-Hoc Committee made up from Architectural Division members and staff, we are recommending awarding the HVAC portion of the project to Toms River Heating and Air Conditioning. We feel the equipment and design most closely fit the needs and demands of Leisure Village West. Their bid includes two sides of the building. Side one includes: Auditorium, Stage, Lobby, Kitchen and Greenery for a cost of \$120,390.00 and the second side of the building which includes the West Wing, Office, Library, Craft Court, Men's Card Room and Nautilus Room for a cost of \$106,075.00. It is also the Ad-Hoc and Staff's recommendation to award the plumbing portion of the project to Toms River Heating for a cost of \$3,250.00. The Electrical portion is recommended to be awarded to Curry Electric for \$5,736.12. The expense for the total project, is not to exceed \$240,000.00, this expense will be charged to GL# 3230 – Capital Replacement Common Buildings.



LEISURE VILLAGE WEST ASSOCIATION, INC.

AMENDMENT TO THE BY-LAWS

This Amendment to the By-Laws of Leisure Village West Association, Inc., (the "Association") made this ____ day of _____, 2018 by the Association, a non-profit Corporation of New Jersey, by and through it's Board of Trustees (the "Board"), having a principal address of 959 Buckingham Drive, Manchester, New Jersey 08759; and

WHEREAS, the Association was created by, among other things, an Amended and Consolidated Master Deed and Declaration of Restrictive and Protective Covenants with attached By-Laws, as may be amended from time to time (the "Governing Documents"), which was recorded in the office of the Ocean County Clerk on July 30, 2014, in Book 15860, Page 1840, et. seq.; and

WHEREAS, P.L. 2017, Ch. 106, often referred to as the Radburn Bill, a supplement to the Planned Real Estate Development Full Disclosure Act, passed on July 13, 2017, provides that, "[a]n executive board shall not amend the bylaws of an association without a vote of the association members open to all association members, as provided in the association's bylaws... except an executive board may amend the bylaws under the following circumstances: (a) to the extent necessary to render the bylaws consistent with State, federal or local law..."; and

WHEREAS, the Board of Trustees convened for a Special Meeting on _____, 201____, and a quorum being present, a majority of the Trustees present voted to amend the Association's By-Laws; and

NOW, THEREFORE, the Association hereby amends and modifies the Association's By-Laws as set forth below:

NOW, THEREFORE, THE ASSOCIATION'S BY-LAWS ARE AMENDED AS FOLLOWS:

1. MEMBER IN GOOD STANDING:

By-Laws, Article I, Sections 3(p) and 11 are hereby deleted in their entirety and replaced with the following:

The definition of "Good Standing" as it relates to use and access to common amenities:

"Good Standing" shall mean the status applicable to an association member who is current on the payment of common expenses, late fees, interest on unpaid assessments, legal fees, or other charges lawfully assessed, and which association member has not failed to satisfy a judgment for common expenses, late fees, interest on unpaid assessments, legal fees, or other charges lawfully assessed. The Association may restrict use and access to common amenities for any unit owner not current on the payment of common expenses, late fees, interest on unpaid assessments, legal fees, or other charges lawfully assessed.

The definition of "Good Standing" as it relates to (1) voting in board elections, (2) voting to amend the By-Laws, and (3) nominating or running for any membership position on the Board of Trustees.:

An association member who is: 1) current on the payment of common expenses, late fees, interest on unpaid assessments, legal fees, or other charges lawfully assessed; or 2) in full compliance with a settlement agreement with respect to the payments of assessments, legal fees or other charges lawfully assessed; or 3) has a pending, unresolved dispute concerning charges assessed which dispute has been initiated through a valid alternative to litigation pursuant to N.J.S.A. 46:45:22A-44.2(c), through N.J.S.A. 46:8B-14(k), or through a pertinent court action. A member who meets this definition shall be entitled to vote in a board election, vote to amend the By-Laws, and nominate or run for any membership position on the Board of Trustees.

2. ELECTION PROCEDURES AND NOTICE REQUIREMENTS:

By-Laws, Article III, Sections 3, Second Sentence is hereby deleted in its entirety and replaced with the following language:

Notice of the annual meeting and board election must be given not less than fourteen (14) days, nor more than sixty (60) days, prior to the annual meeting and election. In addition, notice of an election shall be provided to all members via personal delivery, mail or electronic means. (Members must consent in writing to receiving electronic notifications.) Notice of the election shall include a proxy ballot and an absentee ballot. Notice shall be deemed effective when deposited in the mail with proper postage or immediately upon sending an electronic notice.

Proxies used for elections shall state, "Use of this proxy is voluntary on the part of the granting owner. This proxy may be revoked at any time before the proxy holder casts a vote. Absentee ballots are also available." The Association must provide both a proxy form and an absentee ballot for all Board elections.

At least thirty (30) days prior to the mailing of the notice of an election meeting, the Association must provide written notice to all members of their right to nominate themselves or other Association members in good standing for candidacy to serve on the Board. Members must be given at least fourteen (14) days to respond to the request for nominations, and any nomination form that is received prior to the mailing of absentee ballots or proxies to Association members must be added to the ballots and proxies, if the nominee is in good standing. Ballots and proxies may be mailed no earlier than the day after the response deadline set in the request for nominations. If no response deadline is set in the request for nominations, then the deadline shall be the business day before notice of the election is mailed to the members. All candidates nominated for the Board shall be listed in alphabetical order by last name on the proxy ballot and absentee ballot.

3. AMENDMENTS

By-Laws, Article XIII, Section 1 is hereby amended to incorporate the following language:

Notwithstanding anything else herein, these By-Laws may be Amended in accordance with N.J.S.A. 45:22A-46(d)(5) by providing notice of the proposed Amendment to all Owners and allowing thirty (30) days for the Owners to reject the proposed change. If, at the expiration of the thirty (30) period, less than ten percent (10%) of the Owners have rejected the proposed Amendment, then said Amendment shall be recorded with the County Clerk and put into full effect.

4. DIVISIONS/COMMITTEES:

By-Laws, Article XVI, is hereby amended as follows:

The "standing divisions of the Board of Trustees" shall hereinafter be referred to as "Committees" and the "Physical Plant" Division shall hereinafter be referred to as the "Architectural Committee." Other than terminology, there is no substantive change to the roles and duties of the standing Divisions/Committees.

5. In the event any provision of this Amendment is deemed unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.
6. All provisions of the By-Laws not amended by this Amendment shall remain unchanged and in full force and effect.
7. Notwithstanding the full execution of this Amendment, this Amendment shall not take effect until this Amendment is recorded in the Ocean County Clerk's Office.