

# AGENDA

## LVWA BOARD OF TRUSTEE MEETING WEDNESDAY, JULY 1, 2020 ZOOM CONFERENCE

1:00 PM

**Pledge of Allegiance** - (SUSPENDED FOR THIS MEETING)

### **ITEMS TO BE VOTED ON:**

1. Motion to waive the reading of the minutes.
2. Motion to approve the June 3, 2020 minutes.
3. Motion to approve the Policy Resolution Relating to Privacy.
4. Motion to approve the amendments for Schedule A in the LVW Bylaws.
5. Motion 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.
6. Motion to approve the Resolution Relating to Election Procedures.
7. Reference Number 2020-01 Motion to approve a written request seeking permission to rent unit above the 8% cap.
8. Reference Number 2020-02 Motion to approve a written request seeking permission to rent unit above the 8% cap.
9. Motion to approve the purchase of a 2014 Nissan Van Vin #3N6CMOKN4EK691377 from Certified Auto Mall Inc. for \$9,500.00. This expense was provided by account #3150 - Property Fund/Equipment Replacement. The unaudited balance for this account as of 5/31/20 is \$792,879.67.
10. Motion 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. The unaudited balance for this account as of 5/31/20 is \$152,839.29.

### **COMMITTEE REPORTS:** (POSTPONED UNTIL FURTHER NOTICE)

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

### **RECREATION REPORT.**

### **COMMUNITY MANAGER'S REPORT**

### **UNFINISHED BUSINESS:**

1. Remote Entry Gate System

### **NEW BUSINESS:**

1. Decision regarding Pools
2. Decision regarding Outdoor Activities

The next open Board meeting will be held on Wednesday, August 5, 2020 at 7:00PM.

### **ADJOURN OPEN MEETING**

POSTED: June 24, 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.

J. Schultz gave an update regarding the new DCA regulations for Board meetings.

ITEMS VOTED ON: *(continued after New Business)*

F. Weinstein moved to waive the reading of the minutes. S. Tozzi seconded. All were in favor. Motion carried.

F. Weinstein moved to approve the May 6, 2020 minutes. C. Lupo seconded. All were in favor. Motion carried.

COMMITTEE REPORTS: There were no reports given due to the Committees not meeting.

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

COMMUNITY MANAGER REPORT:

J. Schultz stated that Clubs should utilize LVWcreeper.com to advertise their Club news. Since Clubs are not functioning right now, they are suspended from doing group activities until further notice including sponsoring any outside Village events. The LVW magazine, One-Call messages, leisurevillagewest.com, as well as, the Community Channels are the only official Community information formats. Posting on any other social media site will not be seen nor addressed by the Board of Trustees in any capacity. The trucks that are being built for the in-house trash collection will be ready by the end of August.

J. Snyder stated that recycling is today and reminded residents that plastic bags are not accepted. He gave a report on the last three months of service requests for the Maintenance and Grounds departments. The pools are currently running and ready for when the Board agrees to open them, the replacement of walkways is underway, the Azek project continues, as well as, all other outside maintenance. Seasonal labor is slowly increasing. The Board along with the attorney have discussed the executive orders from the Governor and as of next week tennis can resume to doubles and golf can have foursomes. Fishing will be allowed as long as residents exhibit social distancing. The patios at the Clubhouses will be open but residents will have to bring their own seating since the furniture will be removed. Non-contact sports will be in the next executive order from the Governor but no date is set for when that order will go into effect which may include pickleball, shuffleboard, Bocce and other outdoor activities. The Governor and the Health Department as of today have not given the order to be able to open the pools. The Association is a private community however, the pool is considered commercial which is governed by the Health Department. The Board will update the Community when and if each activity is allowed to resume via the creepers and/or a One-Call.

J. Schultz stated that the Association has successfully applied for the Payroll Protection Plan program and was approved. The details for the forgiveness portion are still being worked on.

UNFINISHED BUSINESS:

1. The Board has just received a proposal for the gate entry system and will discuss before presenting to the residents.
2. The proposal for a townhall meeting regarding the Gym will be removed from the Agenda due to the current pandemic.
3. The Policy Resolution Relating to Privacy was presented again. Questions emailed to the Board were addressed. The Board will vote on this at the next open Board meeting on July 1, 2020.

NEW BUSINESS:

1. The Board presented the proposed amendments for Schedules A and B in the LVW Bylaws. This will be voted on at the next open Board meeting on July 1, 2020.
2. J. Schultz presented some of the highlights from the new DCA regulations regarding Elections: Co-Owners of a single unit may not serve on the Board simultaneously, Ballots must be cast in an anonymous manner, the maximum term length is four years, Board vacancies may be filled by appointment; however, the appointee's seat must be put up for election within one year of the appointment, the notice of call for nominations must be sent at least 30 days, but no more than 60 days, prior to the mailing of the election notice, instructions must be included on the ballots, Candidate name must be in alphabetical order by last name and must be same font, size and color, cannot indicate incumbent board members, there must be as many write-in candidate lines as there are open seats for an election. Due to the current pandemic, the Board has discussed and started the process to contract with a third party, MK Elections to handle the ballots which will only be accepted by mail. There will be no voting machines this year. More details will be provided for the Candidates Forum and there is still no decision if the Candidates meet and greets will take place.

L. Maiocco announced that the LVW Red Cross blood drive will be held on Wednesday, June 24<sup>th</sup> from 11:00AM to 4:00PM at 207 Center Street, Lakehurst, this is left at the McDonalds on the left attached to the Fire House.

J. Snyder stated that in April of 2017, the first solar panels were installed on the Maintenance and Equipment Cold Storage Buildings. Since then four of the 13 inverters have failed. The manufacturer of these inverters was a company out of California. Last year, the Association was able to send one of the inverters back for warranty replacement. Since that time, every effort has been made to reach the company. It seems they have gone out of business. Management has reached out to a local solar company, Kopp Electric. They moved a known good inverter from the Cold Storage Building to one of the failed inverters on the Maintenance building. This was done as a "test" to verify the configuration would work. The test was successful. Kopp Electric was asked to provide a quote to install new inverters along with all necessary parts and wiring to make the Cold Storage buildings solar system fully operational. Additionally, they will remove the four working inverters from the Cold Storage building to replace the two failed inverters on the Maintenance building. This will allow for two spare inverters if and when needed.

*F. Weinstein moved to contract with Kopp Electric to install three new inverters, required parts and wiring for the Cold Storage Solar System, and remove and reinstall the operational HiQ inverters from the Cold Storage building to the Maintenance building for a total cost of \$24,700.00. This expense will be provided by account #3230 – Capital Replacements/Common Buildings. C. Lupo seconded. All were favor. Motion carried.*

Management researched the costs to replace the barrier gate at the Colonial entrance. This is the gate with the wooden arm. The gate has failed and the cost to repair is more than \$1800. The Village has been looking into replacing all barrier gates with newer models with LED lighted aluminum breakaway arms. The replacement gates will be DoorKing model 1601 traffic management operators with LED lighted aluminum breakaway arms. The Colonial gate will be the first gate to be updated. The quotes are:

All quotes include tax and installation

Vendor		Price
Control Systems	DoorKing 1601 with LED lighted breakaway arms 2-year warranty on parts / 1 year on labor	\$ 7,428.56
RCS	DoorKing 1601 with LED lighted breakaway arms 1-year warranty parts and labor	\$ 7,086.00
NJ Door Works	DoorKing 1601 with LED lighted breakaway arms 1-year warranty parts and labor	\$8,370.06

It the recommendation to contract with Control Systems to replace the barrier gate at the Colonial entrance. They had the shortage lead time and best warranty. Control Systems has a long-standing relationship with LVWA. They provide monitoring for our fire and alarm safety systems, and recently installed the new ADA door operator at Leisure Fair. The total cost is \$ 7,428.56. This expense will be charged to GL# 3150 – Property Fund/Replacements.

*E. Murphy moved to contract with Control Systems to replace the barrier gate at the Colonial entrance for a total cost of \$7,428.56. This expense will be provided by account #3150 – Property Fund/Replacements. S. Tozzi seconded. All were favor. Motion carried.*

J. Snyder stated that the Night/Weekend truck had reached its useful life and is in need of replacement. This truck is used in the daily operation providing essential after hours and weekend maintenance services. He asked the Board to allow a threshold of a maximum of \$10,000.00 to shop and purchase a used utility van and then memorialize the purchase. All Board members agreed.

L. Maiocco stated that the Maintenance staff is in the process of removing the Hotwire pedestals in the Village. The Verizon towers is a legal matter.

F. Weinstein thanked everyone for the many compliments regarding the themed LVW issues and appreciated the feedback. Since the Editors and proofreaders cannot meet during this time, the themed issues will continue until the Clubs meet again. The July issue will feature Authors from the Village and short stories or poems which may be sent to news@lvwa.net. The August issue will feature memories.

Although not part of the Business portion of the meeting, the Board and Community Manager reviewed some resident emails received before the open portion of the Board meeting raising questions or concerns or seeking clarification about a variety of issues.

The next open Board meeting is scheduled for Wednesday, July 1, 2020 at 1:00 PM.

There being no further business, the Board meeting adjourned at approximately 2:26 PM.

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Samantha Bowker  
Administrative Assistant

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Fay Weinstein  
Board Secretary

Approved: PENDING

DRAFT

**LEISURE VILLAGE WEST ASSOCIATION, INC.  
POLICY RESOLUTION  
RELATING TO PRIVACY**

**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. seq.**, 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.; 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 has determined that it is in the best interest of the Association to establish procedures and guidelines to protect the privacy of its residents;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

**Opening Statement:** *The following policies are intended to provide as much privacy as a member of a condominium Association may expect to maintain – when taking into consideration open records laws and modern technology. However, no policy can control or prevent all acts of malicious individuals, who may be intent on violating someone else's privacy. Please remain alert and report any suspicious activity to the police department and follow up with the Association office.*

*We must all acknowledge that we live in an unprecedented age of access to information and the ability to share it with the world. Nearly every person carries a smart phone that is capable of taking photographs, recording video and audio and editing the media directly on the device. That media can then be shared with the world in an instant through the internet and social media, and there is very little the Association can do to regulate the use of these items. These technologies change and advance on a daily basis. The Board of Trustees calls on all residents to treat each other with dignity and respect that goes beyond the letter of any law or policy on privacy. Treat others as you would like to be treated – or better!*

## **UNIT OWNER SECURITY CAMERAS**

### **I. Unit Owner Security Camera Installation Guidelines**

- A. Any unit owner wishing to install an exterior security camera, other than a doorbell camera, must submit a property modification form to the Association's property manager requesting approval of the proposed installation. No exterior security camera may be installed until written approval is provided to the unit owner by the Association.
- B. Approved security cameras must be installed on the wood door frame/trim, directly over the subject door. If there is no wood frame/trim, or if there is insufficient space on the wood frame/trim, then the camera may be installed directly onto the siding over the door. The uppermost part of the mounting base for any security camera installed directly on the siding shall be no more than six (6") inches above the top of the door.
- C. Doorbell cameras, such as the "Ring" camera, do not require prior written authorization from the Association and are also permitted to be installed on the side wood frame/trim of doorways in a "typical" doorbell location.
- D. The exterior-mounted cameras may not exceed five (5") inches in size (5 inches high, 5 inches wide and extending 5 inches from the mounting base).
- E. Wireless cameras are preferred. If a wired system is used the wires must be completely concealed behind the trim/siding. Any installed wiring for an exterior security camera must be run directly into the home, without disturbing or running under the aluminum siding. No exterior conduit or piping is permitted for camera wiring.
- F. Any damage to a building caused by installation, maintenance and/or repairs of the exterior-mounted security cameras shall be the owner's responsibility to repair. This includes any damage created by water penetration. The Unit Owner shall be liable to restore the area to its original condition upon removal of any security camera system.
- G. The view of the security cameras may only be directed in front of the Unit and directly behind the Unit, and at an angle which extends the view no further than twenty-five (25) feet from the building.
- H. Under no circumstances may cameras be pointed into neighboring units in or any direction which unreasonably invades neighboring residents' privacy.

## **II. Use of Unit Owner Cameras and Video/Photographic Footage**

- A. Unit owners are fully responsible for the use of any security camera installed at their home. This includes aiming the cameras, recording use and storage, and any other camera-related issue.
- B. The Association is not responsible for and will not monitor any person's use of his/her security camera and/or the footage recorded by such camera.
- C. In the event that the Association's Board determines that a Unit Owner's security camera footage may provide beneficial to the Association, the Association may require camera owners to preserve footage and provide a copy of any requested footage to the Association. Unit Owners shall be obligated to provide the requested footage to the Association. In the event that the Unit Owner does not comply, the Association may seek judicial intervention and shall be entitled to seek recovery of its attorneys' fees and costs incurred from the noncompliant Unit Owner.
- D. Before being permitted to install an exterior security camera, a unit owner shall be required to sign an acknowledgment of the rules and regulations governing their installation of a security camera, and that they are responsible for any misuse or the violation of any laws regarding photography and videography.

## **III. Enforcement**

- A. Unit owners are responsible for any damage caused by a security camera installed at their unit.
- B. With regard to exterior security cameras, the Association will only enforce the terms of this Resolution involving matters such as the location, size and color of exterior security cameras.
- C. Any person, who believes his/her privacy has been violated by a person's use of a security camera should report the claim to the police.
- D. 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/or By-Laws.
- E. Should any provision hereof be determined to be invalid, the remaining provisions hereof shall remain in full force and effect.

## **ASSOCIATION SECURITY CAMERAS**

- A. The Association's Board of Trustees shall have sole discretion in determining how and where to install the Association's security cameras.
- B. The Association will use its best efforts to install the security cameras in such a way as to avoid an unreasonable invasion of privacy.
- C. The Association shall be the sole owner of the security cameras and of any recordings, video footage, or information obtained by the security cameras.
- D. The Association shall not be compelled to provide the recordings, video footage, or information obtained by the security cameras to any third party unless directed by court order.



- E. Unit owners may submit a request in writing to the Association to review footage obtained by one or more security camera; however, the Association's Board of Trustees shall have sole authority in approving or denying said request.

#### **UNIT OWNER PERSONAL INFORMATION**

- A. The Association's management shall maintain a current list of all residents and unit owners in the Association.
- B. Unit owner and resident personal information stored by management may include, but shall not be limited to, current addresses, mailing addresses, telephone numbers, work contact information, emergency contact information, email addresses, pet information, and/or vehicle identification information.
- C. Neither the Association nor management shall use any unit owner or resident personal information for any commercial purpose, including but not limited to marketing or solicitation, or provide it to a third party to be used for any commercial purpose.
- F. Unit owner and resident personal information stored by management shall not be provided to any third party unless directed by court order.
- D. Unit owner and resident personal information stored by management shall be maintained in such a way as to ensure the privacy of the unit owner and/or resident and to ensure that the information is secure and not accessible to third parties.

#### **MEMBERSHIP DIRECTORY**

- A. The Association's Membership Directory may contain each member's name, property address, and telephone number.
- B. Any member may opt out of providing their name, property address, and/or telephone number to be listed in the Membership Directory by notifying management in writing of their decision to do so.
- C. The Membership Directory shall be made available to any member upon request.
- D. No member may use the Membership Directory for any commercial purpose, including but not limited to marketing or solicitation, or provide it to a third party to be used for any commercial purpose.

#### **ASSOCIATION WEBSITE AND SOCIAL MEDIA**

- A. The Association's official public website is: <https://leisurevillagewest.com/>.
- B. Except in a password-protected area, the Association shall not post any unit owner or resident personal information on the Association's official website, any unofficial website, or on social media.

- C. The Association shall not provide any unit owner's or resident's personal information to any third party who intends to post the information on the Association's official website, any unofficial website, or on social media.
- D. The Association shall not be liable for the actions of any unsanctioned third parties who post private or otherwise personal information of any unit owner or resident in the Association on any unofficial website or on social media.
- E. The Association's website may use "cookies" to gather information about website users on its official website. If so, all statutorily required disclosure(s) will be posted on the website.
- F. The Association's website privacy policy will be available on the Association's official website and will be updated, as necessary, to reflect changes in the law. A link to the website's privacy policy will be available on the official website's home page.

**ELECTRONIC DATA**

- A. The Association shall ensure all Association computers are password protected.
- B. The Association shall install antivirus software on all Association computers, as well as a firewall to prevent unauthorized access to the computers and the Association's electronic data.
- C. Remote access to the Association's computers and electronic data shall be limited to Association personnel that require access to such data to perform their jobs.

**LEISURE VILLAGE WEST ASSOCIATION, INC.**

Resolution Type: Policy

Relating To: Privacy

Duly adopted at a meeting of the Leisure Village West Association, Inc. held this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Officer Resolution Effective: \_\_\_\_\_ Vote: YES, NO ABSENT

\_\_\_\_\_, Trustee \_\_\_\_\_  
\_\_\_\_\_, Trustee \_\_\_\_\_  
\_\_\_\_\_, Trustee \_\_\_\_\_  
\_\_\_\_\_, Trustee \_\_\_\_\_  
\_\_\_\_\_, Trustee \_\_\_\_\_  
\_\_\_\_\_, Trustee \_\_\_\_\_  
\_\_\_\_\_, Trustee \_\_\_\_\_

Attest:

\_\_\_\_\_, Secretary

Date

File:  
Book of Minutes -  
Book of Resolutions:

Book No.

Page No

Policy  
Administrative  
Special  
General

**NOW THEREFORE,** \_\_\_\_\_, the President of Leisure Village 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

\_\_\_\_\_  
NOTARY PUBLIC OF  
NEW JERSEY

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

SCHEDULE A

MONTHLY OPERATION AND MAINTENANCE CHARGES

~~The Board of Trustees of Leisure Village West Association has determined that the following shall be the monthly charges for operation and maintenance of Leisure Village West Condominiums and Leisure Village West Association for the current and fiscal year and payable by owner members of the Association as provided in the Bylaws:~~

<u>Unit Model</u>	<u>Number of Occupants</u>		
	<u>1</u>	<u>2</u>	<u>3</u>
Concord			
Eton			
Falmouth			
Nantucket			
Greenbriar			
Cambridge			
Wheaton			
Oxford			
Baronet			
Stratford			
Blair			
Winfield			
St Tropez			
Hastings			
Regency			
Roxy			
Savoy			
Ritz			
Pickford			
Waldorf			
Victoria			

~~These charges shall be subject to amendment from time to time as provided in the Bylaws.~~

The monthly charges established each year above shall be used by the Association to provide the following benefits to the owner-members:

- a. Painting and minor repairs and replacement of damaged unit buildings including all the common elements thereof, but not including painting or decorating of the interior of units
- b. Painting and decorating and minor repairs and replacement of damaged community recreational facilities and buildings, both exterior and interior.

- c. Payment of taxes and assessments and mortgages, if any, on community and recreational facilities of the Association.
- d. Maintenance of the common grounds, walks, roadways, landscaping of the community and recreational facilities of the Association.
- e. Maintenance of the common grounds, walks, roadways and landscaping of the common elements of all Condominiums.
- f. Maintenance, repairs of plumbing lines and fixtures and electrical wiring in individual units; maintenance and repairs of air conditioners, heating units and appliances in individual units (any appliance purchased as optional equipment is not covered by maintenance).
- g. Operation of the following facilities for the use and enjoyment of members: Swimming pools, horseshoes, lakes, docks, community hall, ~~pitch and putt two executive~~ nine-hole golf courses, intra community bus transportation, shuffleboard, arts and crafts facility, etc.
- h. Payment for all utilities for community and recreational facilities of the Association.
- i. For replacement of personal property of the Association.
- ~~j. Television cable connection to master antenna and closed-circuit television facilities.~~
- ~~j. Bulk cable services and community closed circuit television facilities.~~
- k. Trash and snow removal.
- l. Fire, extended coverage, workman's compensation, theft and public liability insurance covering all the community and recreational facilities of the Association and the common elements of the Condominiums, but not including personal liability and personal property of the individual owner-members.
- m. Administrative expenses of the Association including salaries for all paid employees of the Association (manager, guards, janitors, groundskeepers, clerical personnel, etc).

# DRAFT

**LEISURE VILLAGE WEST ASSOCIATION, INC.  
RESOLUTION  
RELATING TO ELECTION PROCEDURES**

**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. seq.**, 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;"

**WHEREAS**, in July of 2017, the Legislature of the State of New Jersey amended the New Jersey Planned Real Estate Development Full Disclosure Act ("PREDFDA"), N.J.S.A. 45:22A-43 et. seq., establishing new requirements for the elections of the executive boards of common interest residential communities, such as the Association; and

**WHEREAS**, the Board now wishes to adopt the following election procedures to ensure that the Association's elections comply with new election requirements as set forth in N.J.S.A. 45:22A-45.2; and

**NOW, THEREFORE, BE IT RESOLVED THAT:**

Annual Meeting

1. The annual meeting of members to elect Trustees shall be held annually on the last business day in August or as otherwise set forth in the Bylaws.

Quorum

2. The presence in person or by special ballot of a majority of the members (1,347 units) of the Association shall constitute a quorum for the Annual Meeting.

# DRAFT

## Election Committee

3. The Board of Trustees shall annually establish an Election Committee to assign a team of impartial inspectors to conduct the various duties associated with and required during elections.

## Staff Involvement

4. The involvement of the employed staff of Leisure Village West Association in the election process shall be strictly limited to administrative and logistical support only.

## Good Standing

5. A member must be in good standing to either run for or be elected to the Board of Trustees.
6. A member shall be in good standing if, and only if, he or she is current in payment of all assessments, fees, and charges; is compliant with a judgment for assessments, fees and charges; is fully compliant with a settlement agreement for assessments, fees and charges; or has requested or is participating in ADR or a court proceeding for a dispute over the matter affecting the owner's good standing.
7. At least 30 days prior to the annual meeting, the Association shall notify any member who is not in good standing and include an explanation why the member is not in good standing. The notice shall state that the resident has the right to contest the determination of good standing via ADR. The members shall be allowed to rectify their standing up until five business days prior to the election date.

## Candidacy

8. All unit owners of the Association have the right to nominate themselves or other Association members in good standing for candidacy to serve on the Board.

## Call for Nominations

9. On the first business day in June, the Secretary of the Board sends the first "Call for Nominations" letter, via U.S. Mail, to all members and to those with voting rights announcing a call for nominations for the position of trustee. Members are advised that they may nominate another member or self-nominate by submitting a document with the printed name, unit address, and phone number of the nominee and, if not a self-nomination, the name, unit address, and phone number of the member making the nomination along with a letter accepting the nomination from the nominee. The announcement shall also contain the following:
  - a. The Annual Meeting date and time;
  - b. A listing of terms available to hold office;



- c. An invitation to Candidates' Forum shall be held on July 30, 2020 and thereafter shall be held annually on the third Friday in July;
- d. Notification that nominees may provide a brief one-page profile to be made available in a separate special bulletin mailed to all members;

## Nomination Deadline

10. Nominations must be submitted to the Secretary of the Board in the Association Office no later than 4:00 p.m. of the first business day in July. If not self-nominated, a letter accepting the nomination must also be submitted.

## Good Standing Status

11. The Secretary of the Board will verify good standing status of all nominees with the accounting department.
12. Nominee(s) not in good standing will be advised by the Secretary of the Board no later than the nomination deadline that they are not in good standing and the notice shall include an explanation why the member is not in good standing. The notice shall state that the nominee has the right to contest the determination of good standing via ADR. The nominee shall be allowed to rectify their standing up until five business days prior to the election date.

## Nominated Candidates

13. Nominated candidates in good standing will be posted in alphabetical order by last name as they are received, via LVWA media by the Secretary of the Board. After such posting, nominees may begin campaign activities. No further updates will be made after the nomination deadline date or after the final slate is posted.
14. The Election Committee shall secure and provide equal space in each recreation hall for candidates to place their campaign material.
15. Candidates shall have equal opportunity to participate in one (1), twenty (20) minute, unmoderated televised event to be made available starting in alphabetical order after the nomination deadline date.
16. The Election Committee shall preside over preparation of ballots for mailing. The Election Committee shall produce a ballot with an alphabetical listing of candidates together with a preaddressed, stamped return envelope addressed to 959 Buckingham Drive Manchester, NJ 08759. All candidate names shall be listed in the same font, size, and color and shall not indicate which candidates are incumbent board members. The ballot shall contain one write-in line for each open seat to allow members to vote for write-in candidates. The ballot shall also contain a notification that unit owners may revoke voting-eligible tenant proxies up until the last call for votes at the Annual Meeting and state that "The use of the proxy is voluntary on the part of the granting owner. The proxy may be revoked at any time before the proxy holder casts a vote."

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17. The Election Committee shall arrange the Candidates' Forum to be held on July 30, 2020 and thereafter shall be held annually on the third Friday in July and shall be moderated by an independent non-member moderator such as an attorney or former judge. The Election Committee shall coordinate the event with the in-house TV Crew regarding the schedule. During odd years, the forum will be held at night and during even years, the forum will be held during the day.
18. The Election Committee shall supervise the mailing of the ballots on the first business day after the Candidates' Forum and shall produce a written affirmation to serve as proof of mailing to be read at the Annual Meeting.

## Voting

19. Voting members in good standing must complete the ballot by selecting their choices. All ballots shall be anonymous. Once completed, return by U.S. mail in the provided preaddressed, stamped envelope, prior to the Annual Meeting. A ballot box located at the Association Office shall be made available during business hours and also from 8:00 a.m. until 7:00 p.m. on each of the two days prior to the Annual Meeting. Members may deliver a ballot in person at the Annual Meeting at the time and place announced for that purpose. Alternatively, the Board is authorized to hire a third party to facilitate the election process including collecting and tabulating the election ballots.

## Poll Book

20. The Board Secretary shall have prepared a computer-generated listing of all members in good standing. This listing shall be used as the Poll Book.
21. Voting members in good standing opting to vote in person may do so at the Annual Meeting after providing proper ID with name and unit address and signing the Poll Book at the door.
22. Commencing when ballots are first received until the Annual Meeting, the Election Committee shall indicate in the Poll Book that a ballot has been received from a unit. The unopened, validated ballots shall be locked in fireproof cabinet in street and unit order until the Annual Meeting.
23. The Election Committee shall produce all ballots and Poll Book at the Annual Meeting for final votes to be received.

## Annual Meeting

24. The Annual Meeting shall be called to order and presided over by the highest-ranking disinterested trustee officer at the time of the Annual Meeting.
25. The Election Chair shall read into the minutes of the Annual Meeting the statement of verification of ballot mailing.
26. The Officer chairing the meeting shall make a final call for votes and for any revocation of proxies.
27. The Election Chair shall certify that a quorum has been reached. If a quorum cannot be certified, the Chair of the Annual Meeting shall accept a motion to adjourn the meeting for 30 days.

# DRAFT

28. If a quorum has been met, the meeting shall suspend, and the Election Committee shall commence the voting process by opening envelopes containing the ballots and separating the ballots into stacks of fifty (50).
29. The Election Committee inspectors shall start tabulating the votes in public, continuing until all votes are counted and tabulated. Members may stay and observe the process but may not interfere with the count. Candidates who receive the highest number of votes shall fill the longest terms available.
30. Once the count is complete, the Chair of the Election Committee shall notify the chair of the Annual Meeting to reconvene and call the meeting back to order.
31. The Election Committee shall certify the final count and announce the results.
32. The Election Committee, after the election, shall secure all ballots for a period of two years.

## Challenges

33. In the event a specific election vote is challenged, the Board shall instruct the Election Committee to provide an Investigative Sub-Committee to assist in the equitable and impartial disposition of the challenge.

## General

34. Notwithstanding any of the above, the Association may exercise all rights and remedies available to it at law, in equity, or pursuant to the Governing Documents.
35. Should any provision of this Resolution be deemed invalid, the remaining provisions hereof shall remain in full force and effect.
36. Any provision contained within any previously adopted resolution of the Association that conflicts with any provisions set forth herein shall be deemed void and this Resolution shall govern.

# DRAFT

## LEISURE VILLAGE WEST ASSOCIATION, INC.

Resolution Type: Policy

Relating To: Elections

Duly adopted at a meeting of the Leisure Village West Association, Inc. held this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

<u>Officer</u>	Vote:			
	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____, Trustee	___	___	___	___
_____, Trustee	___	___	___	___
_____, Trustee	___	___	___	___
_____, Trustee	___	___	___	___
_____, Trustee	___	___	___	___
_____, Trustee	___	___	___	___
_____, Trustee	___	___	___	___

Attest:

\_\_\_\_\_, Secretary

\_\_\_\_\_, Date

File:

Book of Minutes -

Book of Resolutions:

Policy

Administrative

Special

General

Book No.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Page No.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Resolution Effective: \_\_\_\_\_, 2020.

# DRAFT

NOW THEREFORE, \_\_\_\_\_, the President of Leisure Village 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

# Leisure Village® West Association

AT MANCHESTER, NEW JERSEY

## Interoffice Memorandum

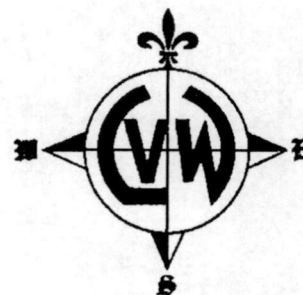
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To: Board of Trustees  
From: Jim Snyder  
Date: June 8, 2020  
Re: Night/Weekend Truck Replacements

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Our Night/Weekend truck had reached its useful life and was in need of replacement. This truck is used in our daily operation providing essential after hours and weekend maintenance services. We have asked the Board of Trustees to allow us a threshold of \$10,000.00 to shop for a used utility van to purchase. After a long search we have found a 2014 Nissan Van that meets our requirements. This price including Tax and Registration is \$9,500.00

It is our recommendation to memorialize the purchase of a 2014 Nissan Van Vin # 3N6CMOKN4EK691377 from Certified Auto Mall Inc., for \$9,500.00. The funds to meet this expense will be provided by account #3150 – Property Fund - Equipment Replacement.



# Leisure Village West Association

AT MANCHESTER, NEW JERSEY

## Interoffice Memorandum

To: Board of Trustees

From: Jim Snyder

Date: June 8, 2020

Re: Irrigation Pump and motors

With the start of our 2020 Irrigation season we have a need to purchase 3 well pumps and motors for stock.

Vendor	Qty	Description	Total with Tax and Freight
Always Pure	3	Well Motor	
Always Pure	3	Well Pump head 5 HP	
Always Pure	N/A	Control Box	
			\$5,453.32

Ferguson	3	Well Motor	
Ferguson	3	Well Pump head 5 HP	
Ferguson	3	Control Box	
			\$6,602.01

Aquarius Supply	3	Well Motor	
Aquarius Supply	3	Well Pump head 5 HP	
Aquarius Supply	3	Control Box	
			\$8,505.94

Sustainable Supply	3	Well Motor	
Sustainable Supply	3	Well Pump head 5 HP	
Sustainable Supply	3	Control Box	
			\$12,702.44

We recommending the purchase of three pump and motor from Always Pure & Clear Water Well Drilling for a cost of \$5,453.32 charged to account # 3260 Capital Replacement Fund – Irrigation / Well Motors.

