

AGENDA

LVWA BOARD OF TRUSTEE MEETING WEDNESDAY, JUNE 3, 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 May 6, 2020 minutes.

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 - (No report)

COMMUNITY MANAGER'S REPORT

UNFINISHED BUSINESS:

1. Entry System for the Gates
2. Gym Update - Town Hall meeting
3. Privacy Policy. (DISCUSS, VOTE ON JULY 1, 2020)

NEW BUSINESS:

1. Bylaws- Amend Schedules
2. 2020 Election

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

ADJOURN OPEN MEETING

POSTED: MAY 28, 2020

Present were 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 and Accounting Manager – Michelle O'Connor. Absent was Recreation Director – Mary Lighthipe.

This meeting commenced at approximately 7:05 PM.

ITEMS VOTED ON: *(continued on page 3)*

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

F. Weinstein moved to approve the April 1, 2020 minutes. A.DAmato seconded. All were in favor. Motion carried.

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

RECREATION REPORT: There was no report due to no activities taking place during the Coronavirus pandemic.

COMMUNITY MANAGER REPORT:

J. Schultz gave an update on the following: He stated that last year the Association signed a two-year rate endorsement, and that turned out to be prudent as the market has tightened up considerably. The Association was fortunate that the insurance premium only went up a little less than four percent as governed by the rate endorsement. However, still faced two additional problems, with the first being the liability umbrella. Our package insurance carrier, Philadelphia Insurance, was reluctant to write liability umbrellas higher than \$10 million. With a tight market, it was difficult to find other carriers to pick up the remaining \$15 million of what we previously had, a full \$25 million worth of a liability umbrella. This did come down to the wire, but were successful in obtaining full coverage from three different carriers, with only a slight increase over expiring dollars. Another issue, that had to be tackled this year and is mandated by the Bylaws to ensure the common buildings and the units to the maximum insurable values. With the values of the units increasing over the years, requires the Association to increase those limits, so this year the Association secured an additional 40 million worth of coverage raising the collectible number to just over 511 million. This was a necessary and mandated purchase with an increase in premium of nearly \$60,000. Fortunately, the Association anticipated most of this total premium increase of approximately \$112,000 over expiring, so the net effect on the budget won't be nearly as severe. Lastly, we entered into another two-year rate endorsement, which again seems wise, given the current state of the world.

The Board has received several emails requesting a reduction in maintenance fees since some services and/or activities are not available to residents during this pandemic. The Board understands and cannot issue any reduction in maintenance at this time due to several items being budgeted and still being paid such as insurance, guard services, etc. Since some items budgeted may see a decrease/savings, residents may see this reflected in the following year's budget.

In regards to the workforce, he mentioned that they are ramping up services sensibly wherever possible, alternating start times and workdays for some. Basically, there are three teams of employees

on different days to protect, as best as possible, the workforce from affecting workflow should someone test positive to limit how many would have to be isolated. All calls are routed to homes of the staff who have the ability to work from home. The administration staff is communicating in a group chat where everyone can assist, ensuring the business of the Association continues enforce. The maintenance staff has been outstanding, and helping in every way possible, volunteering for difficult jobs.

Next month, kicks off the annual Election of trustees with the call for nominations. With three potential openings on the Board, he asked that residents step up and run for office. For the election process itself, assuming, meeting in groups may not be possible during the span of our election process, some modifications will need to be made this year. The most substantial change will be for the candidates' forum and the meet and greets. For these events, they will have to be conducted over some virtual meeting programs like Zoom or similar. They will still be broadcast live over the community channels, but questions may come through other media, including email, letters, or possibly other live communication methods. These items will be ironed out over the next couple of weeks to be sure. Secondly, the election will only be conducted via paper ballot; voting machines will not be utilized. Currently, the plan will still allow for anonymous voting on the business day prior to and at the Annual Meeting of Members, otherwise known as Election Day. Again the exact nuances of that will be announced.

J. Snyder gave an update for the Maintenance Department. He stated that five-foot area inspections will begin in June. Residents are asked to not place their garbage at the curb. Recycling will not be picked up if it is in a plastic bag. Residents must use a reusable container. The Grounds Department as well as the other departments are staggering their shifts. They are continuing to mow the lawns and are currently in the Sheffield area. Weed whacking has begun. The seasonal crew has begun working for this season. The tree program has begun with the delivery and installation of the Ornamental Pears, the remainder of the trees will be delivered next week with installation to follow. The seasonal flowers were delayed a week due to the weather. Insect service requests are being taken and power washing will be resuming shortly. The Azek project is still on-going; it has been slowed but uninterrupted. Appliance and in-house emergencies are being taken care of daily. Outside house maintenance work is still being completed. The 2020 roofing project has begun. The exterior of Club Encore has been painted. The shuffleboard courts at Club Encore have been cleaned up. The siding and trimming painting is underway.

The Recreation Department is still cleaning and sanitizing all Clubhouses and Association buildings as per the CDC guidelines. The Maintenance employees' temperatures are checked every morning and all employees are wearing masks/gloves. The pools are running and Residents will be updated on the opening of the pools when the Governor provides the guidelines.

The unfinished business is deferred until regular open meetings are resumed and residents are able to participate in discussion.

There was no new business.

Although not part of the business portion of the meeting, some emails that were sent to the Board were addressed such as the CDC guidelines for masks and testing, visitors on Mother's Day and testing in the Village for residents, which the Board has looked into and has opted not to participate in.

J. Schultz presented the temporary resolution relating to re-opening the Golf Courses. The Governor has signed Executive Order No. 133 which provides that public and private golf courses may reopen as long as certain procedures consistent with the executive orders set forth in the temporary resolution are enacted and followed. After discussion, S. Tozzi moved to amend the temporary resolution to state that the Associations golf courses reopen to Association Residents only (not only Golf Club Members and not to allow Guests). E. Murphy seconded. All in favor. Motion carried. *F. Weinstein then moved to accept the temporary resolution relating to the re-opening of the Golf Courses. C. Lupo seconded. All in favor. Motion carried.* The Board also agreed to open only the Willow Golf Course and have all residents that chose to sign up for a tee-time agree to sign a waiver.

Currently, all other outdoor activities including fishing at the pond are prohibited until further notice. The Board will discuss the openings of outdoor activities when guidelines are provided from the Governor.

The next open Board meeting is scheduled for Wednesday, June 3, 2020 at 1:00 PM via Zoom conference.

There being no further business, the Board meeting adjourned at approximately 7:51 PM.

Samantha Bowker
Administrative Assistant

Fay Weinstein
Board Secretary

Approved: PENDING

**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 ABS, 2020 IN ABSENT

_____, Trustee _____
_____, Trustee _____
_____, Trustee _____
_____, Trustee _____
_____, Trustee _____
_____, Trustee _____
_____, Trustee _____

Attest:

DRAFT

_____, 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).

SCHEDULE B

As LVW matured, there were concerns that assessments for common expenses (maintenance fees) would be equitably and fairly applied. The result of resident recommendation, Financial Committee review and the Board of Trustees guidance by existing By-laws, the following methodology was implemented through resolution. In summary:

1. All units will share equally in future increases in the budget.
2. Common expenses are shared based on the size of the unit
3. Recreation expenses are based on a per resident charge
4. Unit expenses will be shared equally by all units