

Leisure Village® West Association

AT MANCHESTER, NEW JERSEY

POLICY ESTABLISHING THE RULES TO BE USED IN ELECTIONS FOR THE POSITION OF MEMBER OF THE BOARD OF TRUSTEES, And for VOTING REGARDING REFERENDUM

WHEREAS, Leisure Village West is a private residential community, not open to the general public; and,

WHEREAS, the need exists to establish and maintain detailed rules and procedures governing elections held for the position of trustee and referendum; and,

WHEREAS, the tranquility of the Community is deemed enhanced by the establishment and enforcement of such rules designed to recognize and address such activities within the Village; and,

WHEREAS, the Board of Trustees is empowered to establish and enforce such rules and procedures,

The Board of Trustees has established an Election Committee to manage, oversee and conduct the various events associated with and required during elections for:

1. The position of member of the Board of Trustees
2. Referendum votes for Master Deed changes
3. Referendum votes for Bylaw change

The following rules shall be used by the Committee:

- Section 1. Election of Trustees
Section 2. Referendum voting (Master Deed and Bylaws).

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959 BUCKINGHAM DRIVE, MANCHESTER, NEW JERSEY 08759



SECTION 1

Rules to be used in ELECTION OF TRUSTEES

As "The affairs of the Association shall be governed by a Board of Trustees consisting of not less than five nor more than nine members, as may be determined from time to time by the members of the Board of Trustees of the Association each of whom shall be a member of the Association and a resident of Leisure Village West" the Leisure Village West Association shall hold an annual election to fill open terms of office commencing October 1st of the year of election. ((Bylaws, Article V, Sec. 1, Sec. 2).

The Election of Trustees shall be held annually in the month of September at a day, time and place to be fixed by the Trustees. (Bylaws, Article V, Sec. 5)

1. To assist the Election Committee in verifying members in good standing, each year, the Board Secretary of the Association shall require the staff to prepare a computer-generated listing of all members. (**Listing to be on one-sided sheets**). This listing shall be used as the "Poll Book" indicating member **in-eligibility highlighted or marked**, Members shall be given the opportunity to challenge and/or clarify any rulings of non-eligibility; and the "Poll Book" shall be adjusted accordingly.
2. Each year, the Association shall prepare and distribute the Solicitation of Nomination; this letter shall include specific dates for election actions and requirements.
3. Any member is entitled to file for and seek election to the Board of Trustees.
4. Subsequent to the adoption and publication of this policy, all election-related actions requiring adoption and/or approval by the Board of Trustees, shall be approved only by "disinterested" members of the Board of Trustees. The term "disinterested" is meant to mean a member of the Board of Trustees who is not standing for election in the current election.
5. It is the express and specific intention of the Board of Trustees that 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**.
6. Petitions of nomination, or in the case of a person who has previously held the position of Trustee, a letter of intent to run, are due by the first Wednesday in August. (Bylaws, Art. 5, Sec.b (6).
7. Subsequent to verifying membership in good standing of candidates by Association staff, the Election Committee shall publish the names and resumes of the candidates, and shall place the announced candidates on all media for the information of all members.

8. The Board Secretary shall forward a letter to each **nominated** candidate specifying the conduct of the election process and containing the forms required of each candidate.

9. In addition, the Board Secretary shall prepare and mail a Notice of Election to the general membership, **with the assistance of the Association Secretary.**

10. This Notice of Election shall include the procedures and instructions regarding the voting operation.

11. Subsequent to the Accounting Department verification of candidates in good standing, the Election Committee shall conduct an Orientation meeting for all candidates.

12. Invitation to the orientation meeting shall be in writing. Candidates may attend personally or may provide representation by a member in good standing. In the case of representation, the candidate or his representative shall convey a letter, signed by the candidate, to the Election Committee. This letter shall name the candidate's representative, and shall include the candidate's agreement to abide by the representative's decisions regarding the candidate's actions.

13. During the third week of August a special bulletin shall be issued to all residents of Leisure Village West to acquaint Association members with the candidates for office. (Bylaws, Art. 5, Sec. b(6)).

14. Subject to Board and legal limitations on disclosure of proprietary and confidential information, candidates for election are entitled to access information pertinent to the operation of the Village and the Association. Accordingly, the Board of Trustees and the Association staff will **make** the following information available, in the Association office, upon written request of any candidate:

a. Copies of annual expenditures, by budget line item, for the two fiscal years prior to the current fiscal year, and, copy of the annualized budget and expenditures for the current fiscal year.

b. Copies of the minutes of monthly public Board meetings from the beginning of the current fiscal year through July of the current year.

c. Copies of the resolutions and/or policies adopted during the current fiscal year and the two previous fiscal years.

Requests for any of the above information shall be made in writing, over the signature of the candidate, to the Association Secretary. **Such requests shall be satisfied no later than three (3) working days after receipt of the request.** The deadline for submission of such requests shall be five (5) working days prior to the date established for Candidates' Day. Requests received after that time shall not be honored.

15. The Election Committee shall schedule a Candidate's Day, shall coordinate with the in-house TV Crew regarding the schedule and arrangements, and conduct Candidates Day.

16. The Election Committee shall make arrangements for all administrative and/or physical space support for the conduct of the election.

17. The Election Committee shall:

a. Assist in preparing and mailing ballots.

b. Conduct the election, count the votes cast, certify the results to the Board of Trustees, and prepare and place on the "Creeper" and www.lvwcreeper.com the appropriate announcement to the membership.

c. In the event a specific election vote is challenged, be prepared to provide an Investigative Sub-Committee to the Board of Trustees, so as to assist in the equitable and impartial disposition of the challenge.

Section 2

Rules to be used in REFERENDUMS

From time to time the Officers of the Association may determine that they shall bring before the membership actions regarding capital expenditures (Master Deed, Article 19), or condemnation, obsolescence or sale of facilities (Master Deed, Article 34 b,c,d) or amendment to the Bylaws of the Association.

ARTICLE XIII AMENDMENTS TO BYLAWS

SECTION 1. PROCEDURE FOR AMENDMENT. These Bylaws may be amended or repealed, or new bylaws may be adopted, by vote of the members representing fifty-one (51%) of the Association membership entitled to vote at such meeting or referendum wherein amendments to these Bylaws are being considered within the limitations prescribed by law. Prior to any vote on the amendment of these Bylaws, written notice shall be provided to Unit Owners including the exact language of the proposed amendment or repeal. In the event that federal, state or local law imposes legal requirements which must be included in these Bylaws, the Bylaws may be amended to include such compulsory provisions by the majority vote of the Board of Trustees.

1. ARTICLE 1, Section 11 of the Bylaws, states "member shall be deemed to be in 'good standing' and 'entitled to vote' at any annual meeting or any special meeting of the Association if, and only if, he shall have fully paid all assessments made or levied against him and his unit by the Trustees as hereinafter provided, together with all interest, costs, attorney's fees, penalties, and other expenses, if any, properly chargeable to him and against his unit, at least 3 days prior to the date fixed for such annual or special meetings."
2. Upon determining that the Members of the Association shall vote on a referendum, the Board Secretary of the Association shall require the staff to prepare a computer-generated listing of all members. (Listing to be on one-sided sheets). This listing shall be used as the "Poll Book" indicating member in-eligibility highlighted or marked, within these rules and procedures. Members shall be given the opportunity to challenge and/or clarify any rulings or non-eligibility; and the "Poll Book" shall be adjusted accordingly.
3. Upon determination that a referendum shall come before the membership of the Association, the Board of Trustees shall prepare and distribute by mail to the official address of each member of the Association, materials defining the issue, voting procedures and ballot.
4. The Election Committee shall assist the administrative staff in preparing the mailing.

5. The Election Committee shall assist in verifying membership upon return of referendum ballots.

6. A minimum of two members of the Election Committee shall count the votes.

7. Association Counsel shall assist in tallying referendum votes. A minimum of two members of the Election Committee shall take an active part in the final tally.

Board of Trustees Approved: June 1, 2016



Board Secretary

