

# AGENDA

## LVWA BOARD OF TRUSTEE MEETING WEDNESDAY, SEPTEMBER 6, 2023 at 1:00 PM WILLOW HALL

*Board Meetings are an important part of running an HOA, so keeping them as efficient and productive as possible is key. Rules of Public Comment and Participation in the open portion of the Board meeting are as follows; residents will be allowed a three-minute comment or question related to the topic on the agenda at the time it is being discussed or presented by the Board of Trustees. Maximum two times at podium.*

- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL

**APPEARANCES:** David Merritt from McGovern Legal Services Re: Update on Water Service Repairs

### **FIRST ORDER OF BUSINESS:**

1. Reorganization of Officers
  - OFFICIAL REPORT FROM 2023 TRUSTEE ELECTION

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

1. Motion to waive the reading of the minutes.
2. Motion to approve the August 2, 2023 minutes.

### **PRESENTATION OF REPORTS:**

#### **I. COMMITTEE REPORTS**

- Architectural Committee (Barbara Owens)
- Community Services Committee (Michael Morizio)
- Finance Committee (Charles Corvo)
- Administration Committee (Mary Rose McCarthy)

#### **II. RECREATION REPORT**

(Mary Lighthipe)

#### **III. COMMUNITY MANAGER'S REPORT**

(Jim Snyder)

### **UNFINISHED BUSINESS**

1. Community Manager's Contract

### **NEW BUSINESS**

1. Revisions to Policy Resolution regarding Revised Schedule "A" to the Bylaws.

The next open Board meeting will be held on Wednesday, October 4, 2023 at 1:00 PM in the auditorium at Willow Hall.

- ADJOURN OPEN MEETING

# AGENDA

## LVWA BOARD OF TRUSTEE MEETING WEDNESDAY, SEPTEMBER 6, 2023 at 1:00 PM WILLOW HALL

### **RESIDENT COMMENTS PERIOD:**

- ★ Rules of Public Comment and Participation in the Open Forum are as follows;
  - In general, residents' questions and comments should be addressed to the interest of all residents. For resolution of personal or maintenance issues, contact the Department Manager and, if necessary, the Community Manager.
  - The Open Forum is not a debating time or a time to cross-examine our neighbors serving as Trustees.
  - This is an opportunity for residents to be heard but everyone is to stay civil and use respectful language while also avoiding personal attacks.
  - The Open Forum will be limited to one-hour but may end sooner if only a few residents address the Board.
  - Residents may make a comment or ask a question and will be allowed three-minutes to do so, there will be a two-minute comment or answer, if necessary from the Board of Trustees and a one-minute follow-up question allowed by the resident.
  - Maximum two times at the podium.
  - If a resident was unable to ask a question or make a comment, the Board may be emailed at [bot@lvwa.net](mailto:bot@lvwa.net). Emails will be reviewed at a Board of Trustee workshop meeting. Statements and opinions of village wide significance will periodically be addressed at an Open Board of Trustee Meeting and/or in the Manager's Corner of the LVW News Magazine.

The meeting was called to order at 1:00 PM by Board President, Charles Lupo with the Pledge of Allegiance.

**PRESENT:** Trustees: Present were Board President - Charles Lupo, Vice President - Joyce Carmody, Treasurer - Eugene Murphy, Trustee - Wayne Steinman, Trustee - Michael Blank and Trustee - Fay Weinstein.

Management Staff: Present were Community Manager - Jim Snyder, Accounting Administrator - Michelle Lampard and Recreation Director - Mary Lighthipe.

**ABSENT:** Trustee: Board Secretary - Thomas Hardman.

**ITEMS VOTED ON:** *(continued in Community Manager's Report and New Business)*

J. Carmody moved to waive the reading of the minutes. M. Blank seconded. All present were in favor. Motion carried.

J. Carmody moved to approve the July 5, 2023 minutes. F. Weinstein seconded. There were questions and comments from the audience and a vote was called. All present were in favor. Motion carried.

E. Murphy moved to adopt the Operating Budget, Reserve Funding, and Maintenance Fee Schedule for FYE 9/30/24, as presented at the open meeting on July 26, 2023. W. Steinman seconded. There was no discussion and a vote was called. All present were in favor. Motion carried.

E. Murphy moved to approve the Resolution regarding Flags and Banners. M. Blank seconded. There was no discussion and a vote was called. All present were in favor. Motion carried.

W. Steinman moved to approve the revisions to the amended Policy Resolution regarding the Administrative Transfer Fee for Owners of LVW. F. Weinstein seconded. There was a suggestion from the audience to amend the policy to state, "unless listed as an exception under the Bylaws." W. Steinman moved to accept this amendment to the Policy Resolution regarding the Administrative Transfer Fee for Owners of LVW. J. Carmody seconded. There was no further discussion and a vote was called. All present were in favor. Motion carried.

W. Steinman moved to table motion #6 on the agenda. F. Weinstein seconded. A vote was called and all present were in favor. Motion carried.

W. Steinman moved to allow no more than three election signs installed per unit for the 2023 Trustee election. E. Murphy seconded. There were questions and comments from the audience. A vote was called.

M. Blank - Yes  
W. Steinman - Yes  
F. Weinstein - Yes  
T. Hardman - Absent  
E. Murphy - Yes  
J. Carmody - No  
C. Lupo - Yes

Motion carried.

PRESENTATION OF REPORTS:

COMMITTEE REPORTS:

B. Owens, Chairperson, gave a report for the Architectural Committee.

M. Morizio, Chairperson, gave a report for the Community Services Committee.  
(There were questions and comments from the audience regarding the Dance Club).

C. Corvo, Chairperson, gave a report for the Finance Committee.

M R. McCarthy, Chairperson, gave a report for the Administration Committee.

M L. Doner, Chairperson gave a report for the Election Committee.

M. Lighthipe gave a report for Recreation.

COMMUNITY MANAGER'S REPORT: (J. Snyder)

The commercial refrigerator and freezer in the Willow Kitchen are over 17 years old and due for replacement. The freezer no longer will maintain a cold enough temperature. Recently replaced were the refrigerator and freezer in the Encore kitchen and would like to replace the units in the Willow kitchen with the same make and models as the Encore kitchen units. The following bids were received;

Equipment/Vendor	Brand/Model	Price
Johnson Restaurant Equipment	Atosa MBF8005GR Refrigerator Atosa MBF9007GRL Freezer	\$6,330.33
Tiger Chef	Atosa MBF8005GR Refrigerator Atosa MBF9007GRL Freezer	\$6,330.33
Culinary Depot	Atosa MBF8005GR Refrigerator Atosa MBF9007GRL Freezer	\$6,330.33

Management is recommending the above equipment from Johnson's Restaurant Equipment Inc. for \$6,330.33. Johnson's Restaurant Equipment will deliver and set-up the new units and remove the old units for an additional \$150.00. The total with tax and installation and removal of old units will be \$6,480.33. This expense will be provided by account #3230 – Capital Replacement/Common Buildings. F. Weinstein moved to approve the purchase of the Atosa MBF8005GR Refrigerator and Atosa MBF9007GRL Freezer from Johnson's Restaurant Equipment for \$6,330.33 and approve an additional \$150.00 for set-up of the new units and removal of the old units. The total cost with tax and installation is \$6,480.33. This expense will be provided by account #3230 – Capital Replacement/Common Buildings. E. Murphy seconded. There was no discussion and a vote was called. All present were in favor. Motion carried.

Management has been informed that the reconstruction of the Colonial Drive Bridge will begin on or about August 14th. The process should take approximately three weeks. Colonial Drive will be closed from Route 37 to Route 70 for through traffic. The Colonial Gate will remain open, however, only with access to and from Route 70.

Management will be evaluating the job performance from the pool company since there have been so many reported incidents. Residents are asked to follow the pool rules.

Residents should use the smoking designated areas that are now marked.

It is suggested that August is "Be Kind" month. Residents are reminded to be friendly and kind to their fellow residents.

Manchester High School students and LVW Staff will be assisting in a Frontsteps help session along with any device a resident may need help with on Tuesday, August 15<sup>th</sup>.

The Hot Tub at Club Encore will be closed the rest of the season due to a major leak.

A new gutter cleaning process has taken place and will continue.

Management is working on better ways for communication regarding maintenance requests.

There was no unfinished business.

NEW BUSINESS:

*E. Murphy moved to approve the transfer for all available funds from account #3100 – Capital Improvement to account #3292 – Capital Replacement/Cedar Shakes. J. Carmody seconded. An explanation was provided regarding the reason for the transfer and there were questions from the audience. A vote was called and all present were in favor. Motion carried.*

C. Lupo thanked the outgoing Trustees for volunteering their time to the Village.

The Annual Meeting of Members will be held on Thursday, August 31, 2023 at 1:00 PM in the Auditorium at Willow Hall. The next open Board meeting will be held on Wednesday, September 6, 2023 at 1:00 PM in the auditorium at Willow Hall.

There being no further business, the Board meeting adjourned at approximately 2:50 PM.

\_\_\_\_\_  
Samantha Bowker  
Administrative Assistant

\_\_\_\_\_  
Tom Hardman  
Board Secretary

Approved: PENDING

**LEISURE VILLAGE WEST ASSOCIATION, INC.**

**POLICY RESOLUTION**

**REGARDING REVISED SCHEDULE "A" TO THE BYLAWS**

**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**, 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 IV, Section 11, provides that "The Board of Trustees may amend Schedule A in its discretion from time to time, but at least annually. The Association shall print each revision of Schedule A in the LVW News and in the Bulletin. Copies shall also be made available upon request at the Association offices"; and

**WHEREAS**, the Bylaws, Article IV, Section 11, further provides "For purposes of recording these Bylaws, only the Schedule A in effect at the date of recordation shall be recorded. Thereafter, any interested person seeking an updated schedule of Monthly Operation and Maintenance Charges must request same from the Association offices;" and

**WHEREAS**, the Bylaws, Article VI, Section 1(n), the Board of Trustees (the "Board") has the power to "make, and enforce compliance with, such reasonable rules and regulations relative to the operation, use and occupancy of the units, common elements, and Association facilities, and to amend the same from time to time as when approved by appropriate resolutions [which] shall be binding on the owners and occupants of units, their successors in title and assigns. A copy of

such rules and regulations and copies of any amendments thereof shall be delivered or mailed to each owner of a unit promptly upon the adoption thereof;" and

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

**WHEREAS**, the Board deems it to be in the best interest of the Association to modify Schedule "A" to the Bylaws as set forth in the attached Schedule "A."

**NOW, THEREFORE**, the Schedule "A" set forth on the following page shall be adapted:

## SCHEDULE A

### MONTHLY OPERATION AND MAINTENANCE CHARGES

The monthly charges established each year 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, 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. 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, grounds-keepers, clerical personnel, etc.)
- n. Maintenance of the Encore patio roof structure, outdoor kitchen and furniture.

LEISURE VILLAGE WEST ASSOCIATION, INC.

Resolution Type: Policy

Relating To: Modification to Schedule A to the Bylaws

Duly adopted at a meeting of the Leisure Village West Association, Inc. held this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Officer

Vote:

YES NO ABSTAIN ABSENT

, 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: \_\_\_\_\_, 2023.