

Special Homeowners Meeting-By Laws Election Section Amendment

Minutes – 5/5/22. **Draft-**

- **Meeting called to order at 7:08 pm with 97 people in attendance.**
- Silence all cell phones - Pledge of Allegiance-Moment of silence.
- Commented on a Robo Call regarding recommended wearing of masks for the meeting due to large crowds expected
- Jim N-Spoke about Covid cases in the community and the importance of the sign in sheet and contact tracing
- Rich McCall-Opening Comments.
 - Thanked everyone for attending this important meeting.
 - The Board will be presenting the Amendment-Articles I, III, IV, V, VI, VII, and VIII of the By-Laws, concerning “Voting and the Election process, which is necessary, in order to be in compliance with the Radburn Act and other NJ State regulations and ,as laws dictate, must be adopted as part of our bylaws.
 - We have followed these changes to our election process during our past two Director Elections in 2020 and 2021. As a result of utilizing mail-in ballots, as outlined in this Amendment, the participation rate of Homeowners has greatly increased.
 - Rules of order for the meeting :
 - No other subject matter will be discussed during this meeting. At the end of the presentations, the Meeting will be opened for questions.
 - Only Homeowners will be permitted to ask questions. Prior to asking your question, please announce your full name and home address.
 - There will be a time limit set for questions and answers. Therefore to allow time for all Homeowners’ questions you will be limited to only one question. If time allows we will permit additional questions to be asked. Please do not ask a question that has already been answered, it will not be answered again.
 - Anyone being disruptive during the meeting will be asked to leave, and if necessary be escorted out of the building.

Special thanks to the By-Laws Committee and Board members, past and present, for all the work they’ve done over the last several years to get us to this point.

- Introductions
 - The Board Members starting with:
 - Richard McCall, President
 - Carol Hudak, Vice President
 - Jim Netis, Secretary & By-Laws Committee Liaison
 - Jim Anderson, Treasurer
 - Joanne Grzywinski, Director at Large
 - Dan Carney, Director at Large
 - Lou Mangerpan, Director at Large (absent)
 - The By-Laws Committee
 - Dee Barletta, Committee Chairperson
 - And By-Laws Committee Members

- Ed Lipinski, Gil Wels and Gale Campbell

- Paul Leodori, our Attorney-who will provide a general overview and legal aspects and specific highlights and features of the actual changes.

- Dee Barletta-ByLaws Committee Chair-read a short statement.
- Jim Netis presented an overview of points and topics for general information.
- Jim Netis introduced Paul Leodori, Holiday Heights Attorney-for a general presentation covering the legal aspects of the proposed changes made by the Board, with highlights of features of the actual changes.
- **Paul Leodori-presented the following highlights:**
- History of the Radburn community with governing documents which prohibited most people from running for the Board.
- In 2017 the Radburn Act was major legislation in governing elections in communities. In May of 2020-The NJ Dept of Community Affairs passed their rules and regulations which were over and above the Radburn Act . In February 2022-Berkeley Township passed an amended ordinance to clarify and preserve age restrictions in senior communities.
- The Radburn Act rules were applied to our election process beginning in 2020 and in 2021.
- The Radburn Act and the DCA are the guiding lights of this amendment. Our By Laws are now inconsistent with the law.
- Amendment highlights: 1) Statutory Good Standing - 2) Owner definition (estate planning-TBD)-3)-Amendment change as per Radburn Act- voting either by an affirmative vote or the 10% rule (being used now)-mailed out to homeowners to return the ballot only if a negative vote-if less than 10% oppose-the amendment is passed. Being used to make changes less difficult to attain rather than attempt to get maximum participation needed previously.
- Elections - Mail in voting resulted in the biggest turnout. It is a Board option with the greatest participation as the key.
- Radburn mandates only a one year appointment for a Board vacancy and that position must be voted upon at the next election for a completion of term. The Board has the right to appoint an interim director but advertises for interest and asks for submission of a resume and conducts an interview with each interested party and votes on the best qualified candidate.
- Radburn has time frames — date certain and notice requirement is mandated. It is required to advise people of the status of their good standing.
- Removal from office by the Board or by petition of homeowners.
- Allows for the Board to decide and elect the Officers of the Board.
- The Election Committee Chair is a very important position that holds the process together and runs the election.
- Paul was highly pleased by the ByLaws amendment and called it" state of the art"-a " great product" that will greatly benefit the community.
- **The meeting was opened up for questions at 7:50 pm:**
- **Ron F-21 Lambert-where to find information on Radburn Act ?-Google—The Radburn Act and NJ statute-45.22A-46.**
- **George W-23 Woodstock-How and where are ballots counted and can the public be present. Yes, -In the Auditorium on June 3rd. Time to be announced.**
- **Lou T-62 Stockport-Clarify phases of the governing documents to be worked on.The next step will be the-Declarations- then on to complete the ByLaws and finish up with R&R.. Question was raised about the process of this amendment whether you vote on the whole presentation-or some of the parts ? For this amendment it must be voted on in its entirety. It's all or nothing — unfortunately.**
- **Pat-54 Narberth-Terms of office in upcoming election**
- **Jennifer-197 Prince Charles-Board appointment for vacancy and varied election seats for this upcoming election.**
- **Gloria-77 Chesterfield-Can you run again if your resign? Yes,-as long as you do not owe money and are in good standing.**
- **Rita-Oakham Ct-contended if a director resigns-the next highest vote getter should be next in line for the position?**
- **Current By Laws and Radburn and DCA regulations confirm-Board has the right to appoint an interim director.**
- **The procedure the Board follows and this was not shared at the meeting-is that the Board advertises for interest for an open position- whoever is interested is asked to submit a resume and the board conducts an interview process with all interested parties and then the Board votes on the best qualified person. This is one part of the By Laws that has not been changed or altered since the 1998 edition of the HH Handbook.**

- Donna-Westgate Ct-Same question
- Joe-29 Prince Charles-same question.
- Dee B-By Laws Chair-Its an interim position only and new people would need to get up to speed and the Board has to do what's best for the sake of running the community
- According to the DCA rules-Communities with less than 50 Units can pick the next person voted upon. Communities with over 50 units can pick someone who has the knowledge and experience necessary.
- Rich M-In the past year we replaced 2 Board members-one resigned and one passed away. The Board, using the criteria explained above-appointed prior Board members as replacements.
- Janice-184 Canterbury-what is the 10% vote for this amendment? 10% of the homes (1415)-142-or 143 negative ballots received for the amendment to fail.
- Lisa-154 Chesterfield - Issue with version of the Handbook in her possession? Has a 2012 version? Check with office.
- Gary-Kirby Ct-has 2005 version ? Check with office.
- Note-All handbooks must be left for the new buyer. Everyone signs for receipt of the handbook when you purchase your home-.
- There are past versions of the handbook on file from 1987 (original) 1998-2004 and our current 2013 version.
- We will not be ordering any current 2013 versions as we are beginning revisions and a new version will be approved to replace the current version.
- Rich M motion to adjourn - Meeting adjourned at 8:30 pm

Respectfully submitted,

Jim Netis / Secretary