

2nd Special Homeowners Meeting-By Laws Election Section Amendment

Minutes – 5/12/22. Draft-

- **Meeting called to order at 2:04 pm with 28 people in attendance.**
- Silence all cell phones - Pledge of Allegiance-Moment of silence.
- 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 (absent)
 - 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 - Holiday Heights Attorney
- 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 (for voting specifically) 2) Owner definition-and township support for our governing documents be 55+ to own)—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 - Staggered election years - Mail in voting resulted in the biggest turnout. It is a Board option with the greatest participation .
- 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.
- Reminder that doing nothing is supporting the Amendment.
- **The meeting was opened up for questions at 2:40 pm:**
- **Carolyn O-Prince Charles Dr-Filling a Board vacancy . The question from last week was-why not fill it with the next highest vote getter from previous election? 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 last meeting-is that the Board advertises for interest for an open position-whomever is qualified and 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.**
- **Sue A-GwynCt- How to count the 10% rule ballots returned? - One vote per household.**
- **Nick-Stroud Ct-Amendment change and voting question-Clarified the means needed to propose a change and to vote on the proposed changes.**
- **Janice-Canterbury La-Questions on the ADR procedure — the ADR committee and chair-how to deal with a removal from office — how to monitor Good standing and the ADR procedures were addressed.**
- **Lou T-Stockport- Question on Article VI-Office of Director-Section 3-Responsibilities of Office-#5.-Which states briefly " no member of the Board shall receive compensation from the Association...except for reimbursement of legitimate expenses approved by the Board."**
- **The question or claim was that the Board removed the words " or any other source" with some intent.? (Accusatory remark ?)**
- **The answer is very simple - The Board member may in fact be working and can receive compensation for any work or business they are involved in and we cannot limit that ability to earn money by continuing to allow that (any other source) wording to be part of the amendment language. The Board is prohibited from receiving any compensation from any aspect of the Association and all that is handled under that Association umbrella. That is and will continue to be the position of this or any Board.**
- **Rich M motion to adjourn - Meeting adjourned at 3:06 pm**

Respectfully submitted, Jim Netis /Secretary