



**LeisureTowne Association, Inc.  
Open Meeting Via Teleconference  
July 28, 2020  
11:00am**

**Board Members Present:** Larry O'Rourke, Kevin Boyd, Roger DeCillia, Carolyn Hall, Peg Foster, and Rich Teahan, Bob Quinn

**Also Present:** Kristine Clancy, Community, Manager Associa Mid Atlantic

**Call to Order**

L. O'Rourke called the meeting to order at 11:01am

**President Introductions and Announcements**

- This is the first open meeting of the new BOT
- Please be mindful that there is a heat advisory today. Stay indoors, crack up the AC, drink plenty of fluids and please check on your neighbors.
- Less than ideal way to meet, hoping things change soon, meantime we want to keep our commitment to meet regularly and communicate often
- The BOT meets twice weekly, telephonically. We have met face to face several times in the last month to conduct LT business
- Smaller groups and teams meet much more often to plan projects and perform the tasks assigned to each of us
- Overall, the BOT team is ramped up and tackling several projects and initiatives which you will hear about in greater detail in just a few minutes
- Corvid testing previously announced is on hold while Burlco works through logistical challenges
- Regarding The annual Flu shot program sponsored by touch - is also challenged by logistics caused by Covid – we are working through the issues and more information will be forthcoming
- Reminder ALL exterior work (no matter what it is) requires LT permitting and approval
- Geese – Lots of frustration -USDA contract – 4 treatments a year – treatments missed due to covid – exasperated the problem, not going to see discernable improvement till next spring
- Finally – All issues, complaints, concerns and requests must go to the office. Please discontinue calling BOT members – Process improvement – Track Monitor and Report to improve service levels

**Approval of the June 22, 2020 meeting minutes**

- *Motion made by L. O'Rourke and seconded by R. DeCillia to approve the Open Meeting Minutes. Motion passed.*

**Board Member reports-All board members provide a summary report of topics of importance.**

**Kevin Boyd-** Met with Black Lagoon, walking the lakes and seeing how Black Lagoon evaluates the lakes for treatment. I also spoke about Maidstone Pond and how it is currently 40% covered with emergent aquatic vegetation. Black Lagoon is also obtaining a permit to treat Maidstone Pond.

**Peg Foster-** Architectural Control Committee

Please be advised that **all** renovations that occur outside of your home must be approved by the Architectural Control Committee. Air conditioners, additions, roofs, awnings, painting, etc. must receive prior approval before the work is done. Please call Carol Browne at the office to submit an application for this work. Planting Committee for Friendship, Settlers, Laurel Halls and the Administration Office Right now Bob Quinn and I are in touch with the FireWise Committee, the Pinelands Association and Leisuretowne Garden Club to replant and beautify Friendship, Settlers, Laurel Hall and the Administration Office. The first thing we have to do is establish a budget. After the budget is determined, we have to decide on which plants we want to plant, procure them, and then we will be ready for the fall and spring planting.

**Carolyn Hall-Continued Closure of Amenities**

As you are aware, the number of positive COVID-19 cases and the number of deaths from the virus continues to escalate throughout New Jersey. Locally, the most recent data reflects this upward trend both in Burlington County and Southampton Township with the number of positive COVID-19 cases to be approximately 5,700 and 81 cases, respectively. The number of deaths attributable to the virus in Burlington County and Southampton Township has gradually increased.

The Board evaluates, on a weekly basis, the state, county and township COVID-19 statistics as well as any legislation and/or Executive Orders issued by Governor Murphy regarding the re-opening of facilities and pools. Please know that, during this crisis, the Board has solicited, on several occasions legal advice regarding the re-opening of our facilities. We recently considered opening our outside amenities, such as shuffleboard, bocce board, the putting green and the driving range. Once again, the legal recommendation remained the same, that is, our community amenities should remain closed. The reason for this advice and, hence, our decision to continue the closure of the facilities is as follows:

1. Our primary concern is the health of our residents who are part of the most vulnerable population to contract and experience the repercussions of the virus. As stated before, Southampton Township currently has 81 positive COVID-19 cases. In the majority of towns within Burlington County, the number of cases is much higher. For example,

Willingboro has 700 positive cases. To the Board, this is quite concerning. Our overarching goal has always been to protect our community and the health of our residents by not enhancing the spread of the virus.

2. Our worry regarding exposure to legal liability. Should a resident claim that he/she contracted the virus while utilizing community amenities and files a suit against this community, the suit will, in all probability, allege that the Board was negligent just by opening the amenities during the escalating crisis. The suit could not only hold liable Leisuretowne Association but could also hold personally liable each individual Board member. Should several individuals claim that they contracted the virus at our facilities, there could be multiple suits filed simultaneously.
3. There is no insurance to defend such a suit. And, our current insurance does not cover any claims against the individual Board members. With no insurance, the legal fees to defend our community from one legal suit or multiple legal suits could be extremely expensive and financially devastating to our community. And, should this happen, it may become necessary to assess each homeowner to defray exorbitant legal fees.
4. As stated before, we have followed the recommendations of Gregg Shivers, our Leisuretowne attorney. He has had multiple discussions with other attorneys who practice Community Association Law regarding the impact of the virus on other homeowners associations and has had discussions with other Boards facing the same dilemma. He remains current with published legal decisions regarding relevant case outcomes and has a broad overview of the impact of the virus on homeowners associations throughout New Jersey. Based on professional expertise, he continues to advise closure of our amenities.

It is important to note that the results of a recent survey conducted in June through to the beginning of July by the Community Associations Institute, an industry organization of homeowners associations, revealed that more than 80% of the respondents in New Jersey reported their pool and amenities are closed. The survey also revealed that 75% of the New Jersey respondents who kept their community amenities closed were following attorney recommendations.

We hope that this sheds some light on our reasons for continuing the closure of our facilities. It has been and continues to be a hard decision for the Board to keep our facilities closed. Please know that this decision has always been and will continue to be made with the health of our residents as the ultimate outcome.

## **FOR THE GOOD OF THE COMMUNITY**

\*Roger DeCillia.....Vice President  
Maintenance and Projects

### **MAINTENANCE**

- The sidewalks on Berkshire road were repaired on July 15 at a cost of \$1500.
- Trees that were determined to be a threat to LT residents will be removed and ground up on August 3<sup>rd</sup> & 4<sup>th</sup> at a cost of \$5331.
- Debris that has been accumulating in the maintenance yard for a number of years will be cleaned up and removed. We are currently seeking bids for the work. The debris will have to be sorted by category for proper disposal.
- The parking area for RV's in the maintenance yard got a **FREE** face lift thanks to the ingenuity of our maintenance supervisor Marc Williams and his assistant Jimmy Mellor. They came up with the idea of instead of hauling away the asphalt millings from the Settlers hall parking lot, why not spread them in the RV lot for a more smoother and level surface. A deal was made with the contractor by Kristine Clancy and the millings were dumped, spread and compressed by the contractor in lieu of hauling it away. Nice going Marc and Jimmy, you get a two thumbs up for that.
- The gate on Duchess court that is used by the Hampton Lakes Fire Department as a short cut needs to be repaired, There was a discussion between Larry O'Rourke, myself and the fire chief. We agreed to repair the gate and also discussed the procedure for its use as the gate is designed to be opened remotely and close automatically. The board now needs to approve the cost for the project.

### **PROJECTS**

- The repair, resurfacing and relining of the Settlers hall parking lot has been completed at a cost of \$64,125.
- The repair, resurfacing and relining of the tennis courts will start the week of July 19<sup>th</sup>. It will take 30 days for the asphalt to cure before the court overlays can be put on and the courts relined. New net poles and nets will also be installed. The courts should be completed and ready for use by the end of August. The total cost will be \$53,942.

-As for the Fitness center Larry O'Rourke and I have come up with a less expensive and quicker way to get this project done. I have spoken to our engineers and they now seem to agree with our logic and approach. They are currently putting our ideas to drawings. To date we have given away all equipment that we will not be using to LT residents. All furniture that is old and dated has been disposed of. Our maintenance staff is in the process of removing the old flooring (which should save us time and money). The new equipment has been selected. I will be meeting with a contractor to go over the final drawings and specs within the next week or so and hope to have a completion date by the end of August

-I am still waiting for a status report from our engineering firm for both the lake dredgings and underground pipe inspections. I hope to get them week of July 20 and will then partner with Kevin Boyd to complete the projects

**Auditor's Presentation-** Dustin Ward presented the audit report for March 31, 2020. Audit report and recommendations on file and will be uploaded to the community website.

**Community Manager reports-** Kristine Clancy continues to support the board, office and membership as the interim manager. The new community manager will begin the middle of August. Nancy Sauder's has an extensive background in community manager, with a specialty in onsite age restricted community management for over 27 years.

#### **New Business and Motions:**

**Motion made by L. O'Rourke and seconded by R. DeCillia to approve Welform Concrete to replace 3 sidewalk slabs at 23 Berkshire at a cost of \$1500.00, this is a reserve expense. Motioned carried.**

**Motion made by L. O'Rourke and seconded by R. DeCillia to approve B & C Tree to perform tree work at the following locations at a cost of \$5331.25 as an operating expense: Motion carried**

- a. Settlers Hall remove 1 white pine and pitch pine tree with sump removal
- b. 13 Sheffield remove 1 dead oak tree at lake
- c. 2 Chesterfield remove 2 small dead trees and prune large willow tree from home
- d. 754 W Minster remove under brush and prune all trees away from house

**4. Motion made by L. O'Rourke and seconded by R. DeCillia to approve Nicholas Construction for the reconstruction with new asphalt, crack fill and line striping of 2 tennis court and one pickle ballcourt with new nets at a cost of \$53,952.25 as a reserve expense. Motion carried.**

5. *Motion made by L. O'Rourke and seconded by R. DeCillia to approve the 2019 Audit Report as prepared by Rutolo and Spewak, Certified Public Accountants. Motion carried.*
6. *Motion made by L. O'Rourke and seconded by R. DeCillia to address the interfund balance as recommended by the CPA in their audit report by transferring \$52,733 from the Operating fund to the Reserve fund. Motion carried.*
7. *Motion made by L. O'Rourke and seconded by R. DeCillia to approve the American Pool contract addendums to go from pool mgmt to maintenance only for the remainder of the 2020 season at a cost of \$ 12,900 for Settlers pool and \$12,900 for Laurel pool, operating expense. Motion carried.*
8. *Motion made by L. O'Rourke and seconded by R. DeCillia to approve the Annual donation of \$600.00 to Hampton Lakes Fire Department as an operating expense. Motion carried.*

#### Public Portion-Reading of Questions/Comments

#### Chris Countess, 19 Banbury Lane

1. On your last robo call, you cited that we are in a soft shutdown. With everything closed, what constitutes a hard shutdown?

The soft shutdown referred more to what is generally happening in NJ than in LT. A hard shutdown was what we were experiencing earlier in the year when, for example, no stores were opened, and people were told to stay at home. Clearly that is not the case today. During the hard shut down our office team worked remotely, today they are back on site though not receiving nay residents face to face.

2. I do not understand why outdoor activities are closed including the pool and shuffle board courts. As responsible adults, we can all make the decision as to whether we feel comfortable to attend either of the above. Keep the restrooms and buildings closed, and we as responsible adults, must follow rules of social distancing and disinfecting chairs in the case of pools and shuffle board sticks in the case of shuffleboard. Masks would be highly recommended or required. Remember, the virus does not do well in the sun, heat, and water. There is no potential for LT liability, because if someone did get the virus, there is no way of telling where they got it from. Don't forget that Walmart and a host of other venues are open to a much larger population, and they are not concerned about lawsuits for the same reason. Please do not cite cost, because this proposal would not cost hardly anything.

As previously stated the BOT decisions are based, in part, on liability exposure. As our insurance provider notified us that we are not covered for Covid 19 related claims it would be irresponsible to open any facility which would expose the community to potential liability.

**James Coslove, 120 Gramercy Place**

Surprised to see some submitted questions (last meeting) in the Trustees Corner. That's good. Disappointed to see no answers. One of the questions was given by a friend of mine....I contacted him and asked if he received a personal response. He said "no". I hope that changes. There was no commitment to personally respond to each question, that's what we did an open meeting telecom and read the Q's and A's.

I like your "soft shutdown". If what we're going thru now is "soft" what on earth might a "hard shutdown" be?

Previously explained in earlier question

Personally, I do wish you would at least open the libraries now. I have books to return...I want books to read. And DVDs. I cannot think of one instance where going to either library there is more than 2 other people there. 90% of the time, I'm the only one.

What was the problem with the Settlers' Hall parking lot that it had to be repaved? And...of course, I'm angry that even after the Governor "opened" the pools, ours, stayed closed. Wondering how much a BOT over-reaction or over-protective issue is. That \$60,000 thing to open the pools? IMO so much bs.

The parking lot was repaved as it was failing with holes, cracks and areas of unevenness all of which may have led to injury and potential lawsuits. Aesthetics also was factor.

The Gov. did not open the pools his executive order stated they may be open under certain conditions. The \$60K number was the total cost over an entire season to operate the pools under Go. Murphy's mandates. I personally did the analysis and it is not BS. In any event, without liability exemptions, it is not advisable to open the pools.

**Bob Moretti, 77 Mayfair Road**

IMHO, we have an outstanding maintenance crew here in LT. These guys are out there in this summer's heat and the cold of winter.

Yes, they get paid, but is there any way the Board can set up a resident's donation fund to give our guys a monetary gift at Christmas?

There already exists a modest bonus in place for our workers which is distributed during the holidays. A simple thank you is enough and appreciated by the team.

### **Anita Haluszczak 792 Westminster Drive**

1. Are there any further plans for Pine View Park? Presently it is rather overgrown, dreary and not fully usable.  
Due to tree roots and other vegetation related hazards present, we elected to fence off portions of Pine View and allow it to return to its natural state. We are not permitted to remove the trees due to Pinelands restrictions and this seemed a rational course of action. We recognize, due to the recent storms, that trees and tree limbs have fallen, and the natural areas require a good clean up. This work has been added to the maintenance teams to do list and will be completed as time permits.
2. Will the rules for street parking be enforced going forward? Some roads are lined with the same cars each day. Clearly that's where they are being stored. Wasn't that the point of having the residents register their vehicles with the association and receive numbered stickers for them?  
Current rules regarding parking and storing of cars will absolutely be enforced. Compliance teams are ramping up after a protracted Covid related shutdown. In general, street parking is regulated by the township except for issues such as commercial vehicle parking or maximum number of vehicles which is covered by our rules and regs.

Thank you all for your hard work!

### **Nancy Weir, 126 Buckingham**

1. When you resurface the tennis courts, can you also line them for pickleball play. There is a growing population in LT engaging in this sport.  
Absolutely – resurfacing plans include lining one of the courts for pickle ball usage
2. Since there are no restrictions on tennis courts in NJ, will they reopen to us once the work is done?



We will follow both the Governor's executive order and our insurance carriers' restrictions relative to liability. When the liability exposure is eliminated we will gladly reopen. The liability is different for us compared to townships and publicly owned facilities.

**Lynda Miller, 29 St. David's Place**

I have already written one letter to the Board of Trustees regarding the opening of the pool but since that time I have received new information. A call was made to Congressman Andy Kim's office inquiring as to why our pools cannot open. His office stated that HOA's have permission to open the pools, but it is up to each individual HOA if they choose to do so. I checked around at other 55+ communities and learned that Medford Leas at Lumberton, Fawn Lakes, escapes 55 and all the 55+ in Brick Twp. have their pools open so my question is why can't we? Why can't the Board of Trustees contact some of these 55+ communities to find out how they were able to open? The summer is almost half over. We have been cooped up since mid-March. The pool is an important part of our lives socially and physically. The only exercise we have available right now is to walk in this ungodly heat. We need other options before summer is over. Thank you for your time

As previously explained in multiple venues, it is a matter of insurance and liability exposure.

We hear you, we love the pools too, but we have a fiduciary responsibility to protect LT from the risk of loss due to liability litigation.

**Kathy Agolio, 54 Gramercy Place**

1. Has the Board made any decision on residents using the tennis courts, bocce, shuffleboard and putting green?  
As much as we would love to open, until and unless the risk from liability related litigation is removed, we are not planning to open the amenities. This is consistent with the majority of active adult communities, our legal partners, our community management partners and best practices.
2. Our American flag has been at half-mast per the Governor's request in memory of lives lost due to Covid-19. Noticed the flag was no longer at half-mast and wondering why.  
As President Trump has suggested the lowering of flags, LT will follow his leadership and direction. All LT flags will be flown at half-staff.
3. Status of gate between Hampton Lakes and LeisureTowne? Presently the broken gate is closed and secured with a bungee cord.

We have procured competitive pricing on the repair and or replacement of both the back gate and RV lot gate and will vote to approve at our next open meeting.

Thank you for your attention to the above questions.

**Frank Marzullo, 59 Finchley Court**

1. Now that the dam issues have been completed, what is the status of the municipal boat/canoe launch and fishing pier?  
This is not an active project, there are no provisions for a municipal fishing pier or boat/canoe launch.
2. The Penny Ante poker group meets at the Village Green on Tuesday and Fridays from 11:30am to 3:30pm. The Village Green is closed during the corona-19 pandemic. Can a card table and chairs be relocated to the gazebo during this time slot? The poker players will return the table and chairs to Village Green following the end our game.  
Residents are perfectly free to bring their own table and chairs to use in the gazebo. We ask that you follow proper social distancing guidelines.
3. Can an article be added to the Trustees Corner which focuses on criminal activities taking place in LeisureTowne which have been reported to the NJ State Police? If the residents are aware of the incidents taking place, they can assist the police and Town Watch by observing anything suspicious and calling 911.  
The NJ State police have a policy whereby they do not share police activity information with the leadership at Leisuretowne so therefore, we do not have accurate and information which would be appropriate to share in the TC.

**Joe Wowk, 59 Dunstable Road**

- 1- Why hasn't any protection been provided to the gate attendants from COVID-19? The office has been closed since March 13, no visitors just phone calls. We should not interact with maintenance crew. But at all the gates we have direct contact every few minutes with visitors. Handled the ballot boxes and assist voters when needed during the election. The only direct protection provided was 3 masks per person starting the first week of June. Yes, we did receive cleaning supplies and hand sanitizers but there were gaps in the supply. We do our own cleaning now as per a sign posted in the gate houses. My question is why not plastic shields, plastic sheeting or anything to prevent direct contact. I think that is the least that can be done to help reduce the possibility of transmission,

Additional supplies of reusable masks were ordered Monday 7/27 and will be distributed immediately upon receipt. Sherri will begin a thrice weekly cleaning regimen next week. The Guards are asked to wipe down the shack in between. The post orders stipulate that social distancing is the required protocol so shielding will not be installed. These measures are enough to ensure that the guards are not unduly exposed.

2- Am I correct that the Rt.70 gate house cost \$31,500 to update? This was for 2 doors, 5 windows, new metal roof and new layer of wood siding. Nothing for the interior.

I replaced my roof 2 years ago, Georgetown model, it cost \$7,500 and that included replacing 3 sheets of plywood. A quality roof with a 60-year warranty.

I could have done the roof 4 times for \$30,000.

Using the standard rate of \$165 per square foot you could have built a brand-new building for \$33,000. Can you please explain.

The total cost for the exterior update was \$29,255 this included the removal of the old roof, the installation of a new 50-year metal roof, removal and replacement of new trim, fascia and soffits, removal and replacements of windows and doors, siding, disposal fees, permitting, plans – drawing and specification, project management and oversight and inspections.

We selected the contractor based on a complete bidding process with the lowest cost qualified bidder being National Contractors. We are satisfied with the quality of work and believe the residents of LT received good value.

The current cost for a comparable replacement building at 200 square feet would have been \$39,400 not including permits, pinelands approval and fees, concrete and foundation costs, .... you get the point, we did not overpay nor were we cheated.

Thank you.

**Jane Steinlauf, 765 Westminster Drive**

Westlake Golf and Country Club is an active adult 55 and over Community in Jackson, NJ. Ocean County. They have reopened their pools on Monday, July 13, 2020 with doable rules. Their BOT worked alongside their insurance company and drafted a waiver for residents to sign. Their property manager is Steven B Hodes, Premier Management Associates.

Previously, you had said you were working with other Adult Associations. How is that coming along?

Clearly the Country Club Shareholders are comfortable with the risk of liability associated with their decision ...yes, the pool is owned by the country club – I called and asked.

(I can forward you a copy of the rules, however I don't have a copy of the waiver.)

I'm hopeful we can get our pool open this season.

PLEASE KEEP TRYING.

2. Please keep more activities coming as per your last email "some fun news" Thank You – the activities have been organized by private residents like Nancy Schaffer and Bob Moretti – people wanting to give back and help their neighbors during these super stressful times.

**Adjournment**

*Motion made by B. Quinn and seconded by C. Hall to adjourn the Annual meeting at 12:18PM.*

*Motion passed.*