

RESOLUTION 2013-03 (Revised May 2013)

Wellington Manor Homeowners Association

RESOLUTION REGARDING THE ANNUAL ELECTION

(This Revised Resolution dated August 31, 2013, supersedes the previous Resolution dated March 18, 2013. It includes minor revisions in accordance with the implemented and approved by the Covenants Committee, Election Committee and the Board at the 2013 Annual Meeting)

WHEREAS: The Board of Trustees wishes to publish detailed Election Requirements to ensure simple and complete, open elections in accordance with the Governing Documents; and

WHEREAS: The Board provided this statement in March of 2012 and now wishes to edit the Election Process in accordance with the March 2012 statement *"The WMHOA Board of Trustees has completed their review of the Covenants Committee's November 2011 Proposed Revisions to the Annual Election Process. The following Policy and Procedure 003 has been adopted by the Board to serve as a guide for the 2012 Annual Election. Subsequent to the 2012 Annual Meeting and Election, the Policy and Procedure will be reviewed and revised as required."*

NOW THEREFORE BE IT RESOLVED:

That the Board's process shall be as outlined below in ITEMS A THROUGH F BELOW:

A DEFINITION OF TERMS

1. Candidate/Board Member
 - a. Any candidate or member of the Board must be an Owner of Record.
2. Owner
 - a. "Owner shall mean and refer to the record owner, whether one or more persons, of fee simple title to any lot, but excluding those having such interest merely as security for the performance of an obligation." (quoted from the Declaration of Covenants, Article I, Section 13 of the Governing Documents)
 - b. For the purposes of Owner of Record verification, the Property Manager will utilize the Hopewell Township Tax Records as published on their Website at a specific date, as close to the election as possible.
3. Voter:
 - a. A voter is an *owner of record* of any property who is *in good standing* and may vote at the Annual Meeting and Election. If there is more than one owner of record of any property, the owners will determine who among them will cast a ballot at the Annual Meeting and Election.
4. Annual Meeting and Election:
 - a. The Annual Meeting and Election is held in May to fill the expired terms of Board Members.
5. Special Election:
6. A Special Election to fill the unexpected vacancy of a Board position before the term has expired, or in the case of a tied vote during the Annual Election to determine the outcome of the election.

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7. Registration:
 - a. The period prior to the beginning of the Annual Meeting and Election during which voters will present themselves to the Property Manager and Election Committee so that they may be registered
8. Anonymous Absentee/Floor Ballot (hereafter referred to as the Ballot):
 - a. A Ballot will be mailed to the *owner(s) of record* by the Property Manager.
 - b. The Ballot can be used by a qualified voter when he/she anticipates not being able to vote in person at the Annual Meeting. Unit owners may also bring their ballot to the Annual Meeting, or can fill one out at the Meeting. Those brought to the Meeting or filled out at the meeting are treated in the same fashion as the mailed ballots. An Absentee Ballot must be received by the Property Manager at by the close of business on the Friday preceding the Annual Meeting held on Monday.
9. Proxy Letter:
 - a. If an owner of record wishes to assign their voting privilege to another owner of record, a proxy letter will be furnished to any voter upon their request
10. Election Committee:
 - a. Established to assist the Property Manager in the Election process.
 - b. Shall include two members of the Covenants Committee and two residents appointed by the Board one of whom shall be a former Board President or Trustee.
11. Candidates Presentation:
 - a. A forum will be provided to all Candidates to explain why they would like to serve on the Board. The forum may be provided in *either or both of the two venues noted below*:
 - i. *Immediately before* the Election at the Annual Meeting , or
 - ii. A specific Candidate's Presentation Night, when, in the opinion of the Board, Election Committee, and Candidates a separate event is necessary.

B PREPARATION FOR AN ANNUAL ELECTION

1. First Notice of Annual Meeting and Election. Approximately forty-five (45) days before the Annual Meeting and Election, the Property Manager will mail the first notice of annual Meeting and Election and request for Nominations.
2. No later than thirty (30) days before the election, candidate(s) for the open position(s) will inform the Property Manager, in writing by mail or fax, of their intention to run for the Board.
3. In addition, a one-half (1/2) page Candidate Statement in Microsoft Word, must be emailed to the Property Manager which describes his/her background and reasons for wishing to join the Board.

C ANNUAL MEETING AND ELECTION ACTIVITIES

1. Voter Registration will be open 6:00 P.M. and will close promptly at 7:00 PM. Anyone arriving after 7:00 PM will not be permitted to register or vote in the election.
2. Homeowners who attend the meeting, but have voted absentee will not be required to register.
3. During registration, the Property Manager will "mark" each ballot to eliminate the potential submission of duplicate ballots. The ballot will be offered back to Homeowner for nominations from floor (if any)
4. At the announced time in accordance with the Annual Meeting and Election Agenda, voters will be asked to mark their ballot. They may either vote for the nominees pre-printed on the ballot, or if any additional candidates are nominated from the floor, voters may add the additional name to the bottom of their Ballots. Total votes may not exceed the number of open seats open for Election.
5. After the election has been declared closed by the Property Manager/Election Meeting Chair, the Property Manager and the Election Committee will collect all remaining Ballots.

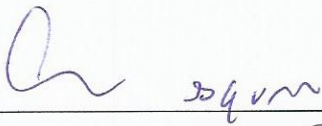
STATE OF NEW JERSEY :

: ss

COUNTY OF MERCER :

BE IT REMEMBERED, that on the 31st day of August, 2013, before me, the subscriber, a notary public of the State of New Jersey, personally appeared DANIEL VANDERGAST, who being by duly sworn on his oath, disposes and makes proof to my satisfaction that he is the Secretary of the Association named in the written Instrument and HARRY . BYRNE, is the President of said Association; the execution, as well as the make of this instrument, has been duly authorized by a proper resolution of said Association; that the deponent well knows the corporate seal of said Association; and that the seal affixed to said Instrument signed and delivered by said President and Secretary and for the voluntary acct and deed of said Association, in presence of deponent, who thereupon subscribed his name to as attesting witness.

Sworn and subscribed to before me on the date above



ASSISTANT GENERAL COUNSEL



DANIEL VANDERGAST

RECORD AND RETURN TO:

Michael Fedun, Esquire
SINGER & FEDUN, L.L.C.
Attorneys at Law
P.O. Box 134
Belle Mead, New Jersey 08502

D AFTER VOTES ARE CAST

1. The Election Committee will be sworn to secrecy not to divulge any registration details
2. The Property Manager and the Election Committee will process the Ballots. The Random Number assigned to each ballot will be used by the Property Manager to confirm the its validity.
3. The Property Manager will read the ballots, one at a time, check them for proper completion and then read the tallies of the votes to the Election Committee who will record them.
4. The Property Manager will sit at a table facing the Election Committee so that the Election Committee cannot see the registration list or ballot. . After the ballot is read, a line is drawn across it to indicate that it has been tallied.
5. If two or more of the leading candidates are tied, the Election Committee will schedule a Special Election to be held within approximately Forty (45) days. Only those tied candidates will be on the Special Election ballot.
6. . The Property Manager/Election Committee Chair will announce the Election Results.
7. At the conclusion, the Property Manager will put all of the ballots in an envelope and seal it. It will be retained it at the office for destruction after a period of one (1) year from the date of the Election.

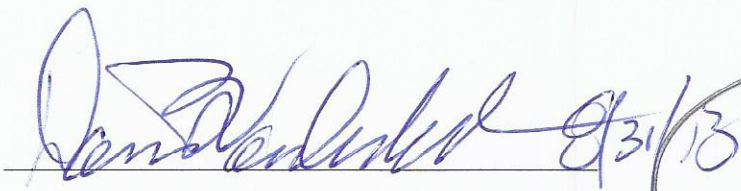
E SPECIAL ELECTIONS

1. When there is a tied vote at the Annual Election Meeting, the Property Manager/Board will:
 - a. Set a date for the Special Election
 - b. The Election mailing should be done at least 15 days before the Election Date.
 - c. Conduct the Election in accordance with relevant procedures used to conduct Annual Meeting.
2. When an unexpected Board vacancy occurs 90 days or more before a Board Member's term expires the Property Manager/Board *may*:
 - a. Set a date for the Special Election
 - b. The Election mailing should be done at least 15 days before the Election Date.
 - c. Conduct the Election in accordance with relevant procedures used to conduct Annual Meeting.
3. If the unexpected vacancy/vacancies occur within 89 days or less of the Annual Meeting and Election, there will be no Special Election unless there are not enough members on the Board to achieve a quorum.

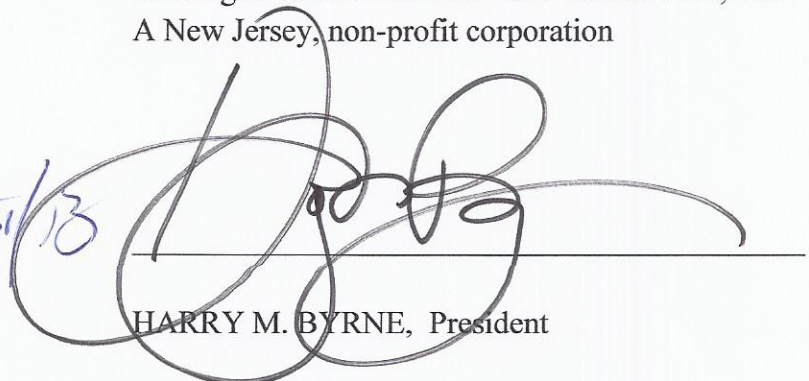
IN WITNESS WHEREOF, The Wellington Manor Homeowners' Association, Inc. has caused these presents to be signed and attested by its proper offices this 31st day of August, 2013

ATTEST:

Wellington Manor Homeowners' Association, Inc.
A New Jersey, non-profit corporation



DANIEL VANDERGAST, Secretary



HARRY M. BYRNE, President