

Breakers in Brigantine HOA Board Meeting

Meeting minutes from July 15, 2025

Board members present: Jack Hubbert, Linda Patsakos, Liz Nittolo, Peg Slusser, Ken Gedaka

Meeting called to order at 6:00 p.m.

OLD BUSINESS

Landscaping

L Patsakos reported that the contract for the HOA landscaper, Great Landscaping and Painting LLC, will conclude at the end of 2025. The Board will conduct a review of the contractor's performance later this year and determine whether the contract will be renewed or put out to bid. This review will also assess the services included in the current contract, and whether those services should be adjusted (while staying mindful of budget).

L. Patsakos also reported that the landscaper had some difficulty this year with shrub trimming due to later timing of the trimming work. She suggested sending reminders earlier (March or April) for residents to place ribbons on bushes they do not want trimmed.

Earlier in the summer, the Board received questions/comments from a unit owner about what is, and is not, included in the landscaper's contract. In general, the unit owner asked about whether the landscaper is responsible to maintain plants that appear to be stressed (brown or dried foliage, certain parts of the plant appear damaged or diseased, etc.). A copy of the landscaping scope of work is attached to these minutes. Broadly speaking, the landscaper is responsible for periodic trimming (currently once per year), periodic spraying of weeds, removal of dead shrubs and tree limbs if requested by unit owner, and spring/fall clean up. The current contract does not include services such as feeding plants, treating diseased plants, or watering shrubbery.

Nick from Unit 31 raised concerns about overgrown brush on the left side of the boardwalk path leading to the beach. Some of this brush had started to encroach on the walkway and has also obscured much of the signage from the City regarding beach access regulations. It has been confirmed that this area is on City owned property and as such, the City should maintain it. L Patsakos confirmed the Board has called the City in the past for similar issues, and the City is typically responsive. L Nittolo offered to contact the City to request trimming of this overgrown brush.

Review HOA Exterior Modification Process

Recently, there was some misunderstanding about the exterior modification review process. In summary, Article IV in the Breakers Homeowners' Association Declaration of Covenants and Restrictions requires HOA Board approval before structural or other permanent improvements are built. Details about this approval process, as well as a summary of improvements that do not require HOA Board approval, are outlined in Article IV (see copy included with these minutes). If Unit owners have questions about this, please reach out to the HOA Board via email: Breakersinbrigantine@gmail.com.

TREASURER'S REPORT

L Patsakos provided an update on the HOA's finances.

Approximately \$65,000 total, with a CD totaling \$41,000 and cash in a checking account of \$24,000.

She reported that it had been discovered that the CD had not been paying the correct interest rate since November 2024 (it was only paying 1%). L Patsakos contacted TD Bank, which confirmed the error and acknowledged the bank will address the mistake on July 16, 2025. J Hubbert will follow-up to ensure the interest rate is properly corrected and that interest payments in arrears are properly credited to the HOA account.

As of the date of this HOA Board meeting, two unit owners were delinquent in paying their annual HOA dues. Assuming those dues are collected, as well as the timely collection of the second payment for unit owners who chose to pay in two installments, L Patsakos anticipates having approximately \$70,000 in the account by year's end. This amount will help fund the exterior painting project, which is targeted for late 2026.

NEW BUSINESS

Update on 2026 Re-Stain Project

K Gedeka provided an update on the 2026 re-stain project. Five contractors were researched. An important criterion at this stage is that the contractors have a strong local presence in Atlantic County or Cape May County. A privately owned firm is preferred rather than a large, faceless national firm or a small "mom & pop" company.

Clean Lines, Ott Brothers Painting, Brush Masters Painting Contractors, Stojanov Brothers Painting and Paperhanging, and Certa Pro of Egg Harbor were identified as potential contractors for the 2026 project. Each firm generally has positive online reviews, has a strong local presence, and has been in business for many years or decades.

Next step is to narrow this candidate list to three, followed by issuing a Request for Proposal. This will be done in early fall of this year.

Nick from Unit 31 advised the Board to thoroughly question painting companies on their definition of “two coats” in their proposals. Previous experience suggests that many painting contractors define “two coats” as brushing over the same place twice quickly, rather than the accurate definition of “two coats,” which means painting once, letting it properly dry, and then applying a second coat (typically done several hours after the first coat dried). K Gedaka acknowledged Nick’s comment and will follow-up with contractors about this issue during the RFP phase.

Mailbox Painting Project

L Patsakos confirmed that the mailbox painting project was scheduled for July (weather dependent). The project had been delayed due to recurring rainstorms.

Review Composite Siding Test at Units 27 & 29

As discussed at previous Board meetings and at last year’s Annual Meeting, the Board approved Units 27 and 29 to test a new composite siding material (instead of using cedar siding). This new material was installed earlier this summer on the chimneys and certain rear upper-level exteriors.

Several members of the Board, as well as Nick from Unit 31, commented positively on the appearance of the new siding. K Gedaka presented pictures of the new siding (see attachment). This new composite siding is more expensive than cedar; however, it offers potential benefits, such as elimination of rot, and potentially longer time between re-painting.

J Hubbert suggested bringing the decision to potentially allow composite siding to be used throughout the Breakers community to the Annual Meeting for a community vote. K Gedaka noted that if an option is presented for a community vote, the HOA must have very clear standards and guidelines regarding the use of composite siding. For example, precise specifications should be established for architectural elements, such as the spacing of siding grooves, to ensure a consistent and harmonious architecture look throughout the community.

L Patsakos expressed a desire for a product that is already pre-painted, which would eliminate the need for future painting. However, it is unlikely to find a company that will ensure the same color is available for their product year after year. Even the composite material must be painted. It was also noted that the HOA considered changing to a more durable (e.g.: vinyl) siding many years, but the proposal was rejected by the Board.

Regarding cedar, it was noted that it’s a durable wood that can last 30-40 or more years if properly maintained. Some unit owners have re-painted their siding more frequently than the HOA painting interval for various reasons, including certain sides of their units that are susceptible to the impacts of wind and extended sun exposure.

Delinquent HOA Dues Payments

As of the date of this Board meeting, two unit owners had not paid the 2025 HOA dues, despite multiple attempts to contact and remind them. J Hubbert discussed the new delinquency notice that was developed and sent to the aforementioned unit owners (see attachment). L Patsakos reported that one of the two delinquent payments was received after she had placed a letter on the unit's front door.

The Board makes every effort to provide several reminders to unit owners about payment dates and deadlines for HOA dues, which can either be paid in one or two installments.

J Hubbert indicated that persistent delinquencies could eventually escalate to small claims court, which would lead to legal fees for the delinquent unit owner, and/or placement of liens on the unit.

A unit owner asked if moving to a single annual payment (instead of the current arrangement, which allows for either a single payment, or two half payments) might reduce late payment opportunities. J Hubbert explained that changing from a two annual installment option (June 30 and November 30) to a single payment option would require unit owner approval at an Annual Meeting, as the current HOA document provide for both a single (June 30) or a two-payment (June 30 and November 30) options.

ANY OTHER BUSINESS (AOB)

L Patsakos mentioned the boardwalk path leading to the beach is in constant need of repairs (side rails in poor shape, deck boards periodically lifting up creating a tripping hazard, etc.). She has been in touch with the City (mayor and Public Works superintendent). They replied that the City is aware of the maintenance challenges for the boardwalk path and are trying to maintain it as best of possible. The City introduced a bond ordinance in July to help cover the cost of a full reconstruction of the walkway, with a goal of completing it next summer. It is unclear whether "reconstruction" means tearing down the old structure and building something new, or doing a full repair of all railings and boards on the current structure. L Patsakos will continue to communicate with the City until this structure is replaced or dramatically improved.

The meeting was adjourned at 6:55 p.m.

SEE FOLLOWING PAGES FOR ATTACHMENTS

ARTICLE VII

ASSOCIATION SERVICES

The Association shall perform the following services, within The Breakers, assessing costs thereof against all of the Lots within The Breakers as part of the Annual Assessment to which the Lots are subject, as provided in Article VIII hereof, which Annual Assessment shall be a lien upon each Lot and a personal obligation of each Owner, and shall become due and payable in all respects as provided in Article VIII hereof:

(a) To care for shrubbery and trees and to otherwise maintain the shrubbery and trees on the Lots in a harmonious and aesthetic condition, including tree / shrubbery removal and tree / shrubbery replacement where routine maintenance of the trees / shrubbery is not feasible. At the option of the Board, such services may also include periodic loose leaves and other debris collection and removal from the Lots including pedestrian pathways and / or sidewalks.

(b) To paint the exterior of the Units, including the appurtenant decks, periodically as determined by the Board.

(c) To provide independently, or in cooperation (by contract or other arrangement) with appropriate governmental authorities, or other persons, firms or corporations, any other services useful or beneficial to The Breakers which are authorized by the Owners of at least a majority of the Lots.

**Breakers HOA
Modification Request Form**

Please submit this form to the Board at breakersinbrigantine@gmail.com or via US mail to Breakers in Brigantine, P.O. Box 333; Brigantine, NJ 08203.

ALL MODIFICATION REQUESTS WILL BE VOTED ON DURING OPEN BOARD MEETINGS.

WORK CANNOT PROCEED UNTIL BOARD APPROVAL HAS BEEN PROVIDED.

PLEASE ATTACH DRAWINGS AND / OR PICTURES IF RELEVANT TO YOUR REQUEST.

I hereby apply for permission to make the following alterations to the exterior of the Unit or the Lot:

Contractor Name and Address

Owners Name:

Owners Address:

Owners Email and Phone Number:

Date:

Signature of Owner(s):

It is the responsibility of the Unit owner to solicit and receive City approval / permits where necessary before proceeding with work. The Board may approve a request contingent on obtaining City permits.

All injuries and any damages to other Units or Lots caused by modification activity are the requesting Unit owner's responsibility.

PLEASE USE LICENSED AND INSURED CONTRACTORS

ARTICLE IV

ARCHITECTURAL CONTROL AS TO LOTS AND UNITS

No structure or other permanent improvement shall be commenced, built, erected or maintained upon a Lot, nor shall any exterior addition or change (including change of external color scheme) be made to a Unit until the plans and specifications showing the nature, kind, shape, height, materials, exterior colors and location of same shall have been submitted to and approved by the Board as to harmony of external design, color and location in relation to surrounding Units and Lots. Routine maintenance, replacements and upgrades of existing Unit exterior features (e.g., doors, windows, decks, roofing, siding, etc.) with components of harmonious design and color to other Units shall not require the advance approval of the Board. The Board shall respond to a modification request within 2 weeks of submission by the Unit Owner provided, however, that the Board may elect to delay its decision on the modification request until the next Board meeting. If the Board does not either approve or deny a modification request within 45 days of submission, the modification request shall be deemed approved. The Board shall not take any action on a modification request that is not consistent with applicable law.

Holiday decorations and other aesthetic and harmonious decorations to the Lots or the exterior of the Units shall not require the advance approval of the Board.

No fence or wall shall be constructed or maintained between the Lots.

The Board may from time to time establish and revise the form to be used in the submission of an application for modification to a Lot or the exterior of a Unit. All work on a Lot or the exterior of a Unit requiring a permit from the City of Brigantine shall be obtained by the Owner and a copy of such permit shall be supplied to the Board prior to the Board rendering its decision on the application for modification. The Board may, however, approve a modification request in advance of the issuance of the City of Brigantine permit on the condition that such permit be issued prior to commencement of the modification work.

The Board shall not require any change to any existing Unit or Lot condition as of the date of the approval of this Declaration without the affected Unit owner's consent.



Subject: Notice of Delinquent Assessment

Dear Unit Owner:

Our records indicate that you have not paid the first installment of your Annual HOA Assessment for the current fiscal year, which was due prior to June 30th. As of July 8, 2025, your Unit remains delinquent for this payment.

As per Article VIII, Paragraph 5 of the Amended and Restated Declaration of Covenants and Restrictions (the "Declaration"), and Article VI of the Amended and Restated By-Laws (the "By-Laws"), the first installment of the Annual Assessment was due prior to June 30th.

Current Delinquency and Charges:

Your account currently shows the following outstanding balance:

- First Installment of Annual Assessment (Due prior to June 30th): \$500
- Late Fee (Due July 31st if \$500 not paid): \$50.00
- Accrued Interest (Due July 31st if \$500 not paid): \$7.23 per month per \$550 due (calculated at 16% per annum). If the Board accelerates the November \$500 payment due, your applicable monthly interest amount that will begin to accrue against your Unit as of July 1st will be \$13.81 on the full \$1,050.00.

Please be advised that our Association's governing documents outline various consequences associated with delinquent or non-payment of Annual HOA Assessment dues.

Action Required: To avoid penalties and further actions outlined in the Association's governing documents, , please remit the **Total Outstanding Amount Due immediately of \$500 by July 31st**, allowing reasonable time for receipt. If paying after that date, the full accelerated balance of \$1,000 will be due plus the late fee and accrued interest. Payment should be made to The Breakers Homeowners' Association.

Important Reminders:

- Every Unit Owner is required to provide the Board with a single current email

address for notices and online voting, and to promptly notify the Board of any changes.

- If your Unit is jointly owned, please ensure a single person is designated in writing to the Association for voting purposes, and for receiving notices.

Please take immediate action to resolve this matter. If you have already submitted payment, contact the Board via email (BreakersinBrigantine@gmail.com) with proof of payment so that our records can be updated.

Thank you for your prompt attention to this matter.

Sincerely,

Breakers HOA Board

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