

# **BREAKERS HOMEOWNERS' ASSOCIATION**

## **MEETING OF THE BOARD**

May 4, 2022

Video / Audio Conference

The meeting of the Board was called to order at 7:00 P.M. The following Board members were present via conf call / video:

Marilyn Anthony, Treasurer  
Beth Shillin, President  
Judy Parker  
Killraine Dean  
Frank Lardiere  
Todd Ingerto – Vice President  
Jack Hubbert, Secretary

The Board reviewed the draft minutes of the March 2022 Board Meeting that were circulated. After discussion, the minutes were approved and will be posted on the Website.

The next item on the Agenda was the Treasurer's Report. The April Bank Statement was reviewed by the Board. The Association has approximately \$25,000 in the bank at this time.

A discussion was held regarding the ARB approving invoices before they are paid. The landscaper sends his invoice to **Brigantineinbreakers@gmail.com** (which is the Board's email address). Beth commented that the landscaper invoices the Board per fixed contracted installment amounts that are in the approved budget. Verification that the services were provided is sufficient to pay the landscaper as it is an approved budgeted item. There is no need for the Board to approve every installment payment. Nick F commented that he checks on the work after an invoice is submitted.

Discussion was held as to scope of landscape contract regarding back areas of #6 to #16. There was unit owner input on the issue advocating that the areas should be maintained by the Association. Historically these areas were not included in the landscape maintenance although they are unit owner properties. The current contract does not specifically define the areas for the landscaping services other than Breaker's property. The landscaper was not aware that these areas should be maintained so adding them will be a change order to the contract. The current proposal from the landscaper is to clean these areas twice a year at \$500 per cleaning. Several ideas were discussed including a one-time deep clean and then periodic cleaning of the areas. Marilyn will discuss with Cobra alternate ideas in hopes of reducing the \$1,000 change order charge. After discussion, it was approved that Marilyn will

discuss with Cobra and report back to the Board.

Dues payment discussion was held regarding availability of electronic payments. Marilyn created a Venmo and Paypal account for the Breakers. Paying by check is still an option. Zelle was suggested as an option, but it is not available to the Association at TD Bank. Both Venmo and Paypal have transaction fees. The Board will review the fees incurred after the June payments are in and assess the cost / benefit of the payment options. Marilyn will draft and the Secretary will send out the dues letter to the unit owners this month listing the 3 payment options.

The Board then held a discussion regarding the October Annual Meeting. Holiday weekend is October 7-10. October 15<sup>th</sup> was discussed and approved. Todd asked how many open spots will be up for election? It was agreed that the Board will hold a special meeting to discuss the annual meeting on June 1, 2022.

Todd raised the issue of what to do, if anything, about the Association's lack of incorporation. The Association failed to file and pay its annual NJ nonprofit corporation registration over 30 years ago, so it is no longer a corporation in good standing. Presently, since it is not a corporation, the Association does business as an unincorporated association. To revert back to corporate status would cost thousands of dollars as we would have to file and pay all the prior registrations. An analysis of the protections afforded unit owners if the Association was a corporation vs continuing to do business as an unincorporated association will be drafted by Todd for future discussion.

A unit owner raised the issue of whether trash receptacles out front were in violation of the Association governing documents. Various opinions were exchanged and the governing documents will be reviewed prior to the next meeting.

A unit owner raised the issue of an ARB quarterly walk around. The matter was discussed, and opinions were exchanged. The governing documents will be reviewed prior to the next meeting.

Meeting adjourned.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Jack Hubbert", written over a horizontal line.

Jack Hubbert, Secretary