

**WINFIELD MUTUAL HOUSING CORPORATION
WINFIELD PARK, NEW JERSEY
BOARD OF TRUSTEES – MINUTES
MARCH 12, 2019**

The regular meeting of the Board of Trustees was called to order by the President, Michael Litzenberger at 6:18 P.M.

ROLL CALL: Michael Litzenberger, President	Trisha C. Zambell, Secretary
Robert Weiss, Vice President	Steve Besanceney
Donna Schautz, Treasurer (Vac)	Michael Stewart, Attorney
Judy Thompson, Ass't Treasurer	Trisha Donahue, Manager

FEBRUARY 19, 2019 MEETING MINUTES: A motion was made by Steve Besanceney, seconded by Robert Weiss and carried to accept the February 19, 2019 Meeting Minutes.

MANAGER'S REPORT:

REVENUE: \$517,374 EXPENSE: \$186,783 ACQ. M.O. \$11,250

VACATES: TRANSFERS: NEW MEMBERS: Ann Cocco died and assigned 14 B Pacific by Will to William Reuter. Thomas Belunis moved out : Thomas Olden transferred to 65 A Wavecrest and Edward and Mary Yergalonis moved into 38 A Seafoam. Mary is the daughter of Joan Kelly. John Reuter moved out and Scott Austin moved into 12 B 2 Pacific. Scott has no priority.

DECEASED:

Justin Tansky	71 C Wavecrest	Died 12/22/18
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A motion was made by Trish Zambell, seconded by Judy Thompson and carried to accept the Manager's Report.

INFORMATIONAL:

2/21/19	From: Michael Stewart, Esq.	Re: Ron Carter/Board Inquiries
2/22/19	From: Michael Stewart, Esq.	Re: Rentals
3/4/19	From: Michael Stewart, Esq.	Re: Vacate
3/5/19	From: Michael Stewart, Esq.	Re: Dismissal

COMMUNICATIONS:

2/19/19	From: D & M Trophies	Re: Hockey trophies
2/28/19	From: Laura Caliguire	Re: Sewer Bill
3/1/19	From: Perimeter Insulation	Re: Quote Insulation

A motion was made by Robert Weiss, seconded by Trish Zambell and carried to accept the informational / communications.

LEGAL

WMHC CONTRACT/RULES & REGULATIONS: Discuss the issues associated with renting rooms and/or cellars as stated in the Handbook and the rules governing evictions per Mutual Owners Contract and Rules and Regulations.

A motion was made by Steve Besanceney, seconded by Trish Zambell and carried reiterating Article 8 of the Certificate of Incorporation: "This Corporation is a non-profit corporation, without capital stock or shares thereof and shall not engage in any activities for the purpose of obtaining pecuniary profit or net earnings for members or individuals".

RENTING ROOMS: A motion was made by Robert Weiss, seconded by Trish Zambell and carried stating any members renting rooms out are in violation of their contract and Rules and Regulations. Therefore, after careful review and deliberations, it was strongly expressed that eviction proceedings unanimously move forward. Our corporation policy must be defended. Legal counsel was instructed to submit a written report set forth on the current status of this matter. All binding documents are in order. Excerpt from Member's Handbook, page 52:

“RENTING ROOMS – OR THE CELLAR: Certain members advertised that they have rooms (or cellars) available to rent. **REMEMBER** there is no landlord and there are no tenants under the mutual plan. The Mutual Ownership Contract specifically states that the member shall occupy the dwelling as a private dwelling **only for himself and his immediate family** (as defined by the Corporation). Therefore, anytime a member rents out rooms – or the cellar – this is in direct conflict with the provisions of the contract and constitutes a clear violation of our Occupancy Agreement. However, notwithstanding the foregoing contractual limitations, by today’s standards, it is nevertheless acceptable for people in a relationship to cohabit as current laws allow persons who are not married to live together. However, people in a relationship who are room-mates, or have a joint household, establish an entirely different state of affairs than that of **RENTING OUT ROOMS OR THE CELLAR** to different families. Therefore, as those members, who are renting to others, and violating their contractual obligations by failing to occupy the dwelling **AS A PRIVATE** (not multi-family) **DWELLING** for themselves and their immediate family, the board will institute corrective measures.

Furthermore, Article 8 of the Certificate of Incorporation captioned Special Provisions, states in part that: *“This Corporation is a non-profit corporation without capital stock or shares thereof and shall not engage in any activities for the purpose of obtaining pecuniary profit or net earnings for members or individuals.”*

To maintain our non-profit status, member’s monthly payments shall be sufficient to cover the cost of operations, maintenance, repairs and replacements, reserves, water, taxes, management and administration services. Therefore, any amount a renter pays, when added to the monthly charge the member is contractually obligated to pay, may be construed as pecuniary profit or net earnings to the member. This unauthorized occupancy violates one of the fundamental precepts upon which Mutual Housing was founded and constitutes a major and flagrant violation of the member’s contractual obligations.”

OLD BUSINESS

T & J DELI: Discuss meeting with Lessors with regard to their lease agreement and security deposit. A motion was made by Trish Zambell, seconded by Judy Thompson and carried stating the policies were designed to provide liability and property protection to owners of building, therefore, for the remainder of lease, no changes.

MEMBER SELECTION: A motion was made by Trish Zambell, seconded by Judy Thompson and carried accepting the following applications: Non-priority 2-1/2-#3022 : 2-1/2-#3026 : 2-1/2-#3033 : 2-1/2-#3035 : Brother/Sister 4-1/2-#327. Reapplication 3 - #1065 and transfers #1318 : #1319 and #1320 who do not need to be interviewed.

NEW BUSINESS

HOCKEY TROPHIES: Greg Hoffman requested the purchase of hockey trophies to be given to the children at their award’s dinner in the amount of \$ 518.00. A motion was made by Steve Besanceney, seconded by Judy Thompson and carried granting permission for the purchase.

RESOLUTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE

CLARK SEWER BILL: Received the sewer bill which has a quarterly increase of \$7,000.00 for the year 2018 (\$70,063 a quarter). A motion was made by Trish Zambell, seconded by Steve Besanceney and carried accepting the sewer bill.

RESOLUTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE

UNION CONTRACT: Michael Litzenberger will advise Board of the final union contract that was adopted. A motion was made by Trish Zambell, seconded by Robert Weiss and carried tabling this matter until all employees have signed a confidentiality agreement.

RULES & REGULATION COMMITTEE: Attached are proposed changes and New Rule Proposal Request for Board review. A motion was made by Steve Besanceney, seconded by Trish Zambell and carried to accept changes to the following.

RESOLUTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE

Lattice (Decks) awaiting approval from the Board of Trustees: 2' x 8' Lattice can only be used on the left and right side of rails. Lattice must be attached to a corner post nearest to the dwelling. Lattice must be framed and secured correctly. No Lattice is allowed on top of pool decks but can be installed around the bottom. Workmanship shall be first class and the structure always maintained in a manner satisfactory to the Corporation.

Deer Netting/Garden Netting & Stakes: Installation of plastic deer netting for trees and shrubs shall start on October 1 and must be removed by March 31.

Installation of plastic netting for gardens start on May 1 and must be removed by October 1

Deer and garden netting size of hole spacing no smaller than ½ inch to no longer than 1 inch. Must be no higher than 7 feet from ground.

Deer and garden netting must be made of plastic and color must be black or dark green. It's the least visible.

Poles/Stakes should be no higher than 7 feet.

No Construction fencing or shade cloth fencing of any type.

Stakes and Deer netting around trees and shrubs should be no more than 1 foot away from trees and shrubs.

Deer and garden netting cannot be used as a barrier or fence.

A motion to adjourn was made by Trish Zambell, seconded by Robert Weiss and carried

Meeting adjourned 9:55 PM.

P. C. Zambell, Secretary