

<b>COLONY AT SMITHVILLE PROPERTY OWNERS ASSOCIATION</b> <b>P.O. BOX 20</b>	<b>LEEDS POINTS, NEW JERSEY 08220</b>
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**ANNUAL MEMBER MEETING**

**December 13, 1998**

The 1998 annual meeting of the Colony at Smithville Property Owners Association was held at the home of Mary Ellen and Wayne Lucia on Sunday, December 13, 1998.

Members in attendance were:

Barbara and Robert Mellon  
Beverly Kettrell  
Jack Bacsenko  
Donna Delaverdac  
Paul Larabee  
Mary Ellen and Wayne Lucia

Andrew Chung  
Peter Straub  
Vincent Sicurella  
Todd Beaupit  
Mary Osgood

This comprised a quorum of property owners as required for an association meeting.

Jack Bacsenko began the meeting stating that it would be conducted in an informal manner.

Jack called for a reading of the Treasurer's report by Todd Beaupit, Treasurer. Todd Beaupit gave his report and stated that currently there was approximately \$10,800 dollars in the Savings account creating an excess of funds.

**OLD BUSINESS**

To bring closure to the violation letters that were received by the 8 homeowners in January 1998, Jack Bacsenko proposed a motion to rescind the legal notices received from the attorney. The motion was seconded by Todd Beaupit and approved by all members present.

Beverly Kettrell passed out the results of the questionnaire reviewing Article V, Section 3 of the Declarations of Covenants, Conditions and Restrictions (see attached). The results of the survey showed that 15 out 18 homeowners who responded to the survey wanted changes to be made to the Covenants and Restrictions. Discussion of the Covenants and Restrictions changes continued and it was decided that it would be difficult but not impossible to make changes that would satisfy all homeowners. Vincent Sicurella volunteered to approach a lawyer about rewriting of the Covenants and Restrictions. All members agreed that this was a good idea and he will report his findings at the next meeting.

## NEW BUSINESS

Jack Bacsenko informed all homeowners that maintaining an excessive amount in the saving account, the Association was at risk of owing additional internal revenue taxes.

He then discussed with the members an idea that he suggested at a board meeting in November of non payment of 1998 homeowners dues to reduce the dollar amounts going into the saving account. A motion was presented to suspend payment of 1998 yearly dues and approved by all members present. The status of the 1999 yearly dues will be addressed at the next annual meeting. The floor was then open to ideas for additional use of the excess funds in the saving account.

Barbara Mellon suggested that some funds be used to plant a buffer of trees on Moss Mill Road to the edge of the Mellon property to separate the common area from the Leeds property. The fence that is currently there should also be extended.

It was also suggested that the tennis court be resurfaced. Peter Straub volunteered to get an estimate for the tennis court repair.

Mary Ellen Lucia suggested that some funds should be used to improve the landscaping of the common grounds. Research will be done on this and presented at the next meeting.

All suggestions for use of the excess funds in the saving account will be researched and discussed at the next annual meeting.

Todd Beaupit suggested that it would be easier and probably cost effective to pay all homeowner's monthly bills (trash collection etc.) on a yearly basis. The suggestion was put to a motion and approved by all homeowners present.

A tentative date for the next annual homeowners meeting was set for May 1999. We are looking for a volunteer to host the next meeting at their house. If you are interested in hosting the meeting please contact Jack Bacsenko or Beverly Kettrell by March 31, 1999.

Beverly Kettrell will be resigning as Secretary of the Board at the next meeting. If anyone is interested in taking on this responsibility please come to next meeting to be nominated.

The Homeowners present felt the meeting was very productive despite missing the members that were unable to come. We look forward to seeing all of you at the next meeting. There being no other business, a motion to adjourn was made and seconded.

## Results of Survey:

Listed below are the responses received from the homeowners to the questionnaire for Proposed Amendments to Article V, Section 3 of the Declaration of Covenants, Conditions and Restrictions

Responses:

1. Are you satisfied with the attached Article V, Section 3 (Protective Covenants) of the Declaration of Covenants, Conditions and Restrictions of the Colony at Smithville Property Owners Association?

3 homeowners - YES

15 homeowners - NO

2. Are there any amendments you would like to make to Article V, Section 3 (Protective Covenants) of the Declaration of Covenants, Conditions and Restrictions of the Colony at Smithville Property Owners Association?

15 homeowners - YES

3 homeowners - NO

If yes, please indicate which covenant (a-r) and give a detailed explanation in the space provided.

Covenant and Explanation:

E – Owner should be able to decide exterior paint color without approval of board  
Allow vinyl siding to be used on homes

F – Allow erection of tool sheds

Allow outdoor structures with guidelines that conform to dwelling

Allow basketball courts in backyards if desired by owner

Allow paved driveways with board approval

H – Ease overnight restriction for business and recreational vans to a longer term  
and delete advance board approval

J - Allow mini dish antennas - legal under federal law

Allow window type air conditioners

N – Grant permission for fences with guidelines (wood, backyards only)

Allow fences without guidelines

K - Should be allowed to dry clothes outside if desired

B – Should be allowed to have more than 2 domestic pets if desired

I – Allow boats less than 25 feet if kept in rear of property

Q – Should be removed requires manpower to annually inspect outdoor approved  
structures

R – Should be revised difficult to enforce

G -Cuttings to be deposited in wooded area of lot

1. Restructure protective Covenants to apply to common grounds only. Remove restrictions from personal property owners so that only those of the township will apply.

2. Not satisfied with enforcement of restrictions

3. Not happy with approval of fences where there is no pool.