

RADBURN UNITED COMPLAINT TO DCA

Concise Statement of Complaint and Request for Relief

On May 17, 2017, in order to forestall this past summer's Planned Real Estate Development Full Disclosure Act ("PREDFDA") amendments from bringing effective self-government to the Radburn planned community, a small group of Radburn homeowners (about three dozen people out of a community of some 3,000, who then had the power to amend the Radburn By-Laws) met to adopt sweeping amendments limiting the future rights of Radburn homeowners. All of these amendments (the "May Amendments") to the Radburn By-Laws remain in effect to date, and are, in many respects, in violation of current state law. The May Amendments deny Radburn homeowners in good standing the right to nominate themselves and run for the Board of Trustees. They give two outside commercial entities -- the developers now in the first stages of building an addition to the Radburn community -- overwhelming and, we believe, illegal power to control Radburn elections and block Radburn By-Laws amendments. The May Amendments additionally reduce the number of seats the community will be allowed to fill in its first election since the PREDFDA amendments were signed into law.

Senate S.2492 was unanimously adopted by the New Jersey Legislature and signed into law by the Governor. It is codified in N.J.S.A.45:22A-43 et al., and DCA has jurisdiction to ensure that common interest associations, such as Radburn, abide by its provisions. *Radburn United*, an unincorporated group of homeowners in Radburn, file this complaint requesting that DCA declare certain provisions of Radburn's By-Laws inconsistent with PREDFDA, as amended, and that DCA compel the Association to hold immediate Board elections in accord with the law. (Elections are overdue under Radburn's By-Laws.) Those provisions that we assert are inconsistent with the law include, but are not limited to 1) a definition of unit that gives the developer of 165 unbuilt units representing 22.7% of the total units to exist in Radburn, 165 votes; 2) provisions that restrict the Board nomination procedure; 3) a provision that purports to give the current Chair the authority to extend Board members' terms, limiting the seats to be filled by open nominations and elections; 4) provisions that give former Radburn members exclusive access to working sessions of the Board and an exclusive advisory role, and 5) provisions regarding amendment of the By-Laws.

In this complaint, we also assert additional complaints regarding the Association's lack of financial transparency and the manner in which it operates its Board meetings.

I. Introduction

New Jersey P. L. 2017 c.106, which enhances owner voting participation rights in common interest communities, was signed into law on July 13, 2017. The law, written by New Jersey Senator Robert Gordon and co-sponsored by a bipartisan group of 18 other state legislators, passed both houses unanimously. The intent of the law is to: (1) establish that all unit owners are members of the association and provide basic election participation rights for certain residents of common interest communities, including the right of owners in good standing to nominate any unit owner in good standing as a candidate for any position on the executive board, run, appear on the ballot, and be elected to any executive board position, in every executive board election, and for those rights to apply regardless of the date of a community's establishment; and (2) establish that, except

under the very limited exceptions provided, a person may not serve on an executive board unless elected through a process consistent with the provisions of PREDFDA.

The Radburn Association is a PREDFDA planned unit development of approximately 557 individually assessed units, four commercial properties, several parks, and a school in Fair Lawn (Bergen County), New Jersey. It is governed by a nine-member Board of Trustees, which historically was selected on a rotating schedule. The Board hires a Manager for day-to-day operations. Before the enactment of P.L. 2017, c. 106, four candidates for trustee were nominated by the sitting Board for two open slots, each year, and placed on the annual ballot for election by all owners, tenants, and other residents. Two additional Trustees were elected solely by current and prior Trustees, whom the old By-Laws had defined as “Voting Members” (the “Original Members”). Write-in candidates were not honored for any one of these eight trustee positions. A ninth trustee served in his or her *ex officio* capacity as a representative of the Radburn Citizen’s Association and was nominated and elected by all residents of the community. The Original Members represented only about 3% of Radburn homeowners.

On May 17, 2017, just prior to the Senate’s vote on S.2492, a Membership meeting was called specifically to amend the Radburn By-Laws. The Original Members adopted new bylaws by a vote of 26 of the approximately 36 Original Members, with the use of proxy ballots. These May By-Law Amendments are currently in place. Based on statements made during the Membership meeting, these By-Laws were adopted explicitly to preserve the power of the Original Members, **and to slow down the democratic and legally required transition to a board that would be elected under the provisions of the new legislation.** It is important to note that five of the current nine sitting trustees did not vote in favor of these May By-Law changes. We assert that the changes made to Radburn’s By-Laws were not intended to satisfy the requirements of the then pending PREDFDA amendments; rather, they were intended to thwart the democratic impact of those amendments by:

- making numerous changes to the nomination and election of Trustees, including the creation of a new class of “Advisors” to the Board, consisting of the Original Members, giving them executive powers normally reserved for the Board, such as control of nominations, access to closed work sessions and replacement of vacated Board seats;
- granting 165 votes, comprising of one vote for each planned unit, to Landmark Developers (and/ or Pulte Homes), who are responsible for developing a new condominium project for which approvals have been granted and limited assessments paid to Radburn, but for which no master deed has yet been filed and for which no units have been built or sold;
- eliminating 93 votes from an apartment complex by granting that owner of that complex only one vote; prohibiting proxy voting; and restricting member voting to a single vote per separately owned residence, which had previously been two votes per household;
- adopting the extreme position of requiring a positive vote of a full two-thirds of all homeowners (which includes the bloc of votes given to the developers) to amend the By-Laws. By having granted nearly 23% of all votes to the

developers, this imbalance in opposition of homeowner control has set an unreasonably high bar for any change emerging from the community; and

- reducing the prior rotation of four Trustees seats annually to just two, while granting the current Board president exclusive power to extend the terms of other currently seated Trustees.

In addition to these By-Law Amendments, we believe that the Board President continues to operate the Board in a manner that is intended to evade accountability as PREDFDA requires by:

- continuing to conduct business on a regular basis, in closed work sessions or in committees without votes of the full Board, claiming “consensus” or “executive decision” as an exempt alternative to formal voting;
- failing to call the annual Members’ meeting, as per bylaws, instead claiming to have substituted the annual budget summary hearing in its place;
- failing, with the Manager, to announce the annual election for officers who were to have assumed office in January 2018;
- authorizing the Manager to restrict homeowners’ rights and access to make copies of financial records as required under N.J.S.A. 46B-14g, claiming that an Association policy adopted in 2008 limits that access; and
- providing to homeowners documentation of receipts, bills, expenditures and unit assessments only in summary or redacted form.

As a result of the afore-mentioned by-law changes and unlawful operating practices, we assert that the Radburn Association is failing to properly implement PREDFDA, as amended, and is subverting both the intent and the letter of the law. We, accordingly request declaratory and injunctive relief as further specified below to compel the Association to permit this planned community to go forward with the full participation of all its owners.

II. Chronology

A. The May 17, 2017 Amendments to the Radburn By-Laws

The recent amendments to PREDFDA were adopted unanimously last summer by the New Jersey Legislature, in part, to address the fact that Radburn was governed by a group of nine trustees, with only one of the nine trustees freely nominated and elected by the Radburn community. For decades, Radburn was governed by about three dozen people, the Original Members, who, together with the sitting trustees, controlled the selection of eight out of nine seats on the board. This relatively small oligarchy had picked its own successors for generations. Decade after decade, the Original Members refused all requests for reform that would enfranchise the members of the Radburn community. As a direct consequence, advocates of the right of basic self-government in Radburn resorted to the state courts unsuccessfully in 2006; with the Original Members unelected government spending, without the permission of the general community, many hundreds of thousands of dollars of the community’s money in order to oppose efforts by the community to establish self-government. Then, in the summer of 2017, the state legislature moved decisively on behalf of Radburn and other homeowners whose common interest associations were not following principles of democratic elections or governance.

Shortly before this summer's amendments were to be considered by the New Jersey Assembly, the Original Members were called to a meeting on the evening of May 17, 2017, at which time they were told that they were to consider amendments to the Radburn By-Laws that were alleged to be necessary to make those By-Laws consistent with the upcoming amendments to PREDFDA that were about to go into effect. However, a review of the by-law amendments proposed and how such amendments were presented and developed reveals that the entire point of the May By-Law Amendments was to thwart and/or delay fair and open elections. It appears that a plan was put together by a small group of trustees (in consultation with the Board's attorney) to fraudulently push through the revised Radburn By-Laws so as to put off, as long as possible, the day that the Radburn community would have the power to choose its own trustees and operate the Board in an open and transparent manner. The proposed amendments were not disclosed to the full Radburn Board prior to the May Original Members Meeting, and the amendments were not fully and accurately discussed with the Original Members at that meeting before the Original Members voted. This included no disclosure to the Original Members that the amendments would provide the developer of a new portion of Radburn with 165 votes, and accordingly unprecedented influence. As one Radburn homeowner had previously told Senator Bob Gordon, the chief sponsor of PREDFDA's amendments, the Radburn oligarchy was going to do everything it could to "get around" the law.

Objectionable Elements of the By-Law Amendments

First, while PREDFDA, as it was to be amended, provided that developers of unbuilt or unsold units were "association members," it stated specifically that nothing in the law should be interpreted to impact such developer's transition obligations under N.J.S.A. 45:22A-47(a)(3), nor require such developers to vote in board elections. Nonetheless, the two developers that were currently beginning the work of adding a new development to the Radburn community were given a total of 165 votes for the 165 units they intended to build (though they were paying assessments to Radburn on only a handful of tax lots). The developers thus suddenly received almost 23% of the total possible Radburn electorate (*i.e.*, 165 of 726 units), commanding substantially more votes than were typically cast to elect a trustee. Those currently in control of the Radburn Board and their counsel had worked closely with one of the developers for years to push through the development in the face of concerns from the general community. Accordingly, upon information and belief, those Board members and/or their counsel have confirmed, or have been given reason to believe, that the developers would vote for their candidates, thus giving those candidates an overwhelming start in any contested election.

Second, the developers' 165 votes were also to be available to stop any attempt to amend the by-laws so as to take those 165 votes away. Under PREDFDA, unless a by-law amendment is necessary to conform the by-laws to law, when a board of trustees passes such an amendment, it may be vetoed by 10% of the community's homeowners. As a result of the May By-Laws, the developers were suddenly granted approximately 23% of the community's votes and thus, an exclusive right to independently veto any future by-law amendments. Therefore, unless it could be established that giving these developers these votes was a violation of Sec. 47 of PREDFDA, which Radburn United believes is the case, the developers themselves could veto any Board attempt to take away their votes.

In addition, although the alternative amendment process, under PREDFDA, would be for the community to amend its own by-laws, the proposed May amendments intended to make that alternative virtually impossible. Under the Radburn By-Laws as they existed prior to May 2017, the Original Members were able to amend the By-Laws by a two-thirds vote of whatever Members attended a By-Laws amendment meeting (and proxy votes were allowed). Under the proposed amendments, after May, when state law would mandate that all Radburn homeowners were to be Members, the two-thirds vote required was to be a two-thirds vote of all Radburn units, regardless of who came to the actual voting meeting. The By-Laws additionally eliminated proxy votes, although mail-in ballots would be available under conditions set by the Manager). Thus, if the community tried to take the developers' votes away by calling a Members Voting meeting, with the developers continuing to support their own power, the rest of the community would have to reach, not 66% of the vote, but approximately 87% of the votes of actual residents in order to prevail. The same harsh truth would apply to any by-law amendment that the developer would decide to oppose on behalf of Original Members or the even smaller group that has always run Radburn.

In order to make these anti-democratic May Amendments harder for a newly elected board to take back, the By-Laws were altered so as to require that in all cases -- even when the Board was merely seeking to conform the Radburn By-Laws to state law -- a supermajority of seven Board votes was now required, instead of a simple majority of five.

Furthermore, in order to make the 165 votes awarded to the developers loom even larger in Radburn's affairs, each home owned in Radburn was reduced from having two votes to having one; and, for the first time in the 90-year history of Radburn, the 93 rental units in Radburn were barred from voting with the owner of the building containing the rental units being granted only one vote.

The proposed May Amendments did not consist merely of rigging the voting process and the process for amending the by-laws so as to hold off self-government; they went further in brazen defiance of PREDFDA's amendments to refuse the Radburn community the open nomination process specifically and clearly commanded by S.2492. First, members of the tiny minority who had always been in charge would be remodeled as a "Nominating Committee." If you were not selected to run for the Board by that Committee, you could not nominate yourself, as state law now requires. You would have to submit a nominating petition signed by the owners of 50 different Radburn homes.¹ And, if you were currently in litigation with Radburn -- over any issue whatsoever -- you were not entitled to run at all. This would, of course, allow frivolous lawsuits by the current Radburn leadership to bar pro-democracy candidates from running. Second, under the May Amendments, if any trustee failed to complete his term, that trustee would be replaced, not by the current Board, as PREDFDA, as amended, requires, but by an Advisory Committee again consisting only of members of the tiny group of those who had previously been in power, who would additionally be limited to choose one replacement from members of that particular group. Finally, the May Amendments provided that the current Radburn Association president, a long-term opponent of self-government in Radburn, would pick two trustees, and extend their

¹ While the Radburn Association has promised to allow self-nomination in the next election, the actual By-Laws illegally prohibiting self-nomination remain unchanged.

terms, so they wouldn't have to stand for re-election in 2017. Under the new By-Laws, the number of seats open to the community to fill under the amended state law was thus reduced from four to two.

(There were still other elements in the amendments intended to prolong the influence of the Original Members, but the specifics listed above are more than sufficient to indicate both the purpose of the "May By-Law Amendment Plan" and its intent to defy what was anticipated to become state law.)

Concrete Steps to Ensure Adoption

Given that the proposed May Amendments would give the developers an overwhelming influence over Radburn's affairs and would treat them for voting purposes differently than the other commercial property owners in Radburn (including the owner of 93 rental units), it appears that a small group of the Original Members thought it necessary to make sure that the whole group of the Original Members not understand what they were being asked to vote on. A review of the events that happened prior to and during the May 17, 2017 Members meeting indicates that this behind-the-scenes group took a number of concrete steps to ensure that the entire By-Law Amendment Plan would be put to a vote without ever being properly explained to all those voting. Such actions include:

1. When the issue of forming a Board committee to bring Radburn's By-Laws into consistency with the anticipated new state law was raised by a trustee at a Board of Trustees meeting, the Board President informed the Board that forming such a committee would be premature.

2. Meanwhile, without informing the Board as a whole, the Board President secretly appointed a By-Laws Amendment Committee, whose existence, membership, and decisions were kept hidden from those members of the Board of Trustees who were not appointed to the Committee.

3. This Committee employed the Radburn counsel to draft a set of By-Laws revisions, without the Board as a whole knowing what the counsel was doing, or authorizing him to be paid for doing it. What the Counsel and the Committee agreed upon was kept secret from the Board by the Board President and the other members of the Committee.

4. A Members' meeting was called for May 17, allegedly on the request of 1/3 of the Members, but those who had called and were managing the meeting refused to state at the meeting the names of those Members who had allegedly requested the meeting. When the Original Members met, on the evening of May 17, the Board of Trustees, and the other Original Members, were suddenly shown the work of the Committee for the first time. The Original Members were told they had to vote on the Committee's proposals that very night. The Radburn attorney repeatedly misinformed all persons in the room that, as soon as the PREDFDA amendments became law, it would be impossible to pass any amendments to the Radburn By-Laws, even amendments necessary to bring Radburn By-Laws into consistency with state law. In order to make this inaccurate claim, Radburn counsel mischaracterized both the statute being considered

by the Legislature and Radburn's current By-Laws. He further misinformed the Original Members that the bill was going to be brought to the governor's desk May 21. A copy of the transcript of portions of this May 17 meeting is attached to this Complaint as Exhibit A.

5. Radburn's attorney made a prepared presentation that allegedly explained the proposed By-Laws changes to the Original Members. Counsel's prepared "explanation," however, did not even refer to the fact that the developers would hold 165 votes. It was further explained that tenants would not be permitted to vote, but it was not explicitly noted that the owner of the 93 rental units would be limited to one vote.

6. The Original Members were given two hours or less to review scores of pages of proposed amendments. They were not allowed to take them home or discuss them with anyone outside the room. They were not allowed to seek advice from an attorney of their own choosing. They were told that, whatever they wished, they were not allowed to modify the amendments, but had to vote on them as the amendments had been presented. (There was, of course, no Radburn By-Law denying Members the right to amend what they were voting on. That rule was just made up on the spot for the advantage of those running the meeting.) The Original Members were then bullied into voting on the spot. (Significantly, a majority of the sitting Board declined to vote in favor of the amendments under such conditions.) The deception practiced upon the Original Members in May is made clear by the public admission, at the December 11, 2017 Radburn Association open Board meeting, by one Original Member who had voted for the May amendments, that he would never have done so had he known the developers were to receive 165 votes.

By the use of these six concrete steps, the Original Members were pressured into passing the amendments on the basis of misinformation and incomplete information. The amendments as proposed were passed on May 17, 2017, and remain in effect. A great many of their provisions are in obvious violation of PREDFDA as amended.

B. The Good Faith Attempts Made by the Broader Radburn Community to Secure Appropriate Amendments to the By-Laws.

Radburn United had been the representative of the Radburn community in seeking the recent amendments to PREDFDA. Radburn United (an affiliation of Radburn residents who are advocating for full democracy in governing Radburn) had sought and won the crucial support of the bill's key sponsor, N.J. State Senator Bob Gordon, and had hired one of the state's most prominent lobbyists to help steer the bill through both houses. As the bill was modified and amended over many months, Radburn United worked closely with Senator Gordon to ensure that any changes in the bill would not limit the benefit it would give to the Radburn community.

Once the 2017 PREDFDA amendments became law, Radburn United organized a series of newsletters and educational meetings, keeping the community informed as to the illegal nature of the May 2017 Radburn By-Law Amendments. See Memorandum to Radburn United from New Jersey Appleseed, dated August 7, 2017, attached hereto as Exhibit B, which was distributed through Radburn United's website. The Radburn Association and its attorney have, for example, repeatedly misinformed the community that PREDFDA requires developers of unbuilt units to

vote in Board elections. Radburn United drew the community's attention both to the language in the statute that contradicted this misinformation, and to a letter by Sen. Bob Gordon to the Radburn Board of Trustees confirming that no such requirement existed. See Letter dated December 15, 2017 from Senator Gordon to President of Radburn, attached hereto as Exhibit C.

Radburn United considers it to be significant that the same lawyer who appears to be providing the Radburn Association with so much misinformation about the PREDFDA amendments, and has approved so many by-law amendments that are fundamentally inconsistent with that law is the same lawyer who claimed at one time that none of the 1993 PREDFDA's provisions applied to Radburn. Moreover, this attorney is the same lawyer who charges the Radburn community about a quarter of a million dollars per year, regardless of what is or is not occurring in Radburn. This amounts to something like ten times what Fair Lawn pays for legal services, on a per capita basis. To the best of our knowledge, these legal bills have never been questioned by the Radburn Board of Trustees in an open Board meeting. Certainly, there is no evidence that the Board has ever taken any steps to lower Radburn's legal expenditures.

Notwithstanding the fact that dialogue among lawyers generates additional legal bills for Radburn residents, Radburn United has done its best, through its attorney, New Jersey Appleseed Public Interest Law Center, to reach out to Radburn's attorney to settle our differences. Despite numerous phone conversations and at least one meeting, it appears that the Radburn Association is not willing to budge on two issues: the 165 votes given to the developers and the number of open Board seats for the next election. We have also sought the assistance of the two relevant developers in modifying the By-Laws so as to take back the grant of 165 votes. The developers in question are Landmark (a/k/a Bergen Development Group), the current owner of the relevant properties on Plaza Road in Fair Lawn, and Pulte Homes, which will be responsible for construction of the condominium units. We understand that portions of the property will be transferred over to the Pulte Homes over time as it builds and sells units in sections; one portion of the property may have already been transferred.

In any case, Radburn United's counsel contacted the Pulte Homes first. It appeared that Pulte Homes did not know that it had or would have any voting rights in Radburn elections. Radburn United asked Pulte Homes to agree to a change in its voting rights -- to either be treated like a commercial owner and to receive one vote per lot (prior to its subdivision) or retain a seat on the board with no voting rights as to other trustees, as allowed under N.J.S.A. 45:22A-47(a)(3) (which contemplates owner control when a developer has less than 25% of the units in the Association to sell); and if there was an election prior to either such change to refrain from voting except for quorum purposes. It was left that Pulte would have further discussions among its personnel and would get back New Jersey Appleseed. It has not done so.

Shortly thereafter, a member of Radburn United and its counsel met with Landmark. Counsel for Radburn was present and insisted that this discussion was a formal settlement negotiation, and therefore confidential, though Radburn United does not and did not have any adversarial role with respect to Landmark. The conversation that followed was very similar to the one Radburn United's counsel had had with Pulte. Once again, in spite of promises of a prompt response to Radburn United's good faith proposals, no such response has been received from Landmark.

email asking both developers to support Radburn United's proposals when the meeting takes place. At this time, no response has been forthcoming from either developer. See Exhibit H.

III. Legal Analysis

Radburn United's legal position is explained in Exhibit B, *supra*. As to the two issues not discussed therein, we say the following:

On the issue of the 165 votes for the developers, we note that PREDFDA as amended does now define a developer of unbuilt units as an association member. However, the law is clear that there is nothing in the law that requires such developer to have any voting rights with respect to the election of the Board; and the statute itself specifically states that it does not modify such developer's transition obligations as outlined in N.J.S.A. 45:22A-47. Accordingly, the current developers, as owners of less than 25% of the units that will constitute the Radburn Association, are not permitted to vote for or control the Radburn Board. At best, they may retain one seat on the Radburn Board, if they so desire, or, in the alternative, they may be given the same voting rights as other commercial owners in Radburn (i.e., one vote per taxable lot on which that commercial developer is paying a Radburn assessment). Though we understand that Sec. 47 also applies to Pulte Homes with respect to the condominium association it will establish once the master deed creating that association will be filed, PREDFDA, as amended, cannot be interpreted to transform an owner-controlled association, such as Radburn, into one dominated by a developer, simply because the association has decided to authorize the development of additional condominium units -- especially when the addition amounts to only 23% of the total development. Such an interpretation would turn the statute on its head.

On the issue of cutting down the number of open trustee seats from four to two, Radburn United asserts that the May 17, 2017 By-Law Amendments were explicitly enacted to slow the transition of the Radburn Board and to retain as much control by the Original Members as possible. By adopting these By-Law Amendments, the Original Members of Radburn violated their fiduciary duties to all the homeowners of Radburn. Under PREDFDA as amended, all current Radburn homeowners are unquestionably entitled to nominate and elect their governing Board -- it is the entire membership of Radburn that gets to elect the Board, not the president of the old Board, who, in accord with the amended By-Laws, by-passed the community when she effectively elected three Board members by extending their terms.

IV. Conclusion

We, the undersigned, on behalf of Radburn United, request that DCA declare certain provisions of Radburn's By-Laws inconsistent with PREDFDA, as amended, and that DCA compel the Association to hold immediate Board elections in accord with the law. Specifically,

1. The definition of "unit" should be revised so as not to require the developer of 165 unbuilt units to have 165 votes;

Continuing to work in consultation with its counsel, Radburn United prepared two proposals for revising Radburn's By-Laws. The first proposal entails throwing out the May 2017 Amendments in their entirety, and replacing them with those amendments necessary to bring the Radburn By-Laws into consistency with PREDFDA as amended. See Exhibit D. The second proposal, to be used if it was impossible to invalidate the May 2017 amendments, starts with the By-Laws as they were amended in May, and moved on from there. See Exhibit E. Sympathetic members of the Radburn Board of Trustees, including the freely nominated and elected president of the Radburn Citizens' Association, arranged, under the Radburn By-Laws, for four of the nine trustees to compel the Radburn Association Board to meet and vote on its By-Law proposals. See Exhibit F. The proposal to scrap and replace the May 2017 amendments was defeated 5-4. The proposal to adopt a comprehensive set of amendments to the current By-Laws was then also defeated 5-4. But when the group of four trustees compelled the Board to vote, on a straight up-or-down basis, whether the developers should have 165 votes, the Board voted 5-4 to change the By-Laws and take back the votes given to the developers. Prior to May 2017, that 5-4 vote would have modified the By-Laws. Because of the May 2017 Amendments, a supermajority of seven is now required, so the will of the majority of the Board was thwarted as to this very significant issue.

It should be noted that the 5-4 vote in favor of taking back the developers' votes came after a packed three-hour meeting of the Radburn Association, in which homeowner after homeowner, many of them previous supporters of the anti-democratic efforts of the Original Members, spoke out against the overwhelming power that had been granted the developers. No one in the audience spoke in favor of the developers having such significant bloc of votes. No one on the Board attempted to explain why giving the developers the votes had been a good idea in the first place. At the end of the meeting, the President of the Board closed the meeting with the promise of further action on the issue. No, such further action has materialized.

For Radburn United, the next logical step was to call a Members' Meeting at which Radburn United would seek to meet the enormous burden placed by the May 2017 amendments upon anyone seeking to amend the Radburn By-Laws by member votes only. Radburn homeowners were approached to sign a petition mandating the calling of Members' Meeting in order to take back the developers' 165 votes. Several Radburn homeowners told the petition collectors that they were afraid to sign the petition, because of the record of the Radburn Association in inflicting reprisals on those who oppose those currently in power. Despite the history of such intimidation tactics by the Radburn Association, Radburn United secured, in a single weekend, sufficient petition signatures to mandate the calling of a Members' Meeting. Under Radburn's By-Laws, 25% of households have to sign the petition -- a total of 182 units. A total of 263 households have already joined the petition. A copy of the petition is attached hereto as Exhibit G. As noted above, however, under current rules, the community will be forced to muster a positive vote of about 87% from all actual Radburn households in order successfully to amend the By-Laws -- a task that was intended to be, and is, virtually impossible considering non-resident owners and other realities.

During the last week of November, Radburn United through its counsel, had approached both Landmark and Pulte via email to support its call for a Members' meeting. No response was received. Similarly, prior to filing this complaint, on January 22, 2018, counsel sent a second

2. The Board nomination provisions of the Radburn By-Laws should be revised to eliminate the Nominating Committee and allow for self-nomination by all homeowners in good standing;
3. The provision that purports to give the current Board president the authority to extend Board members' terms, and thus limit the seats to be filled by open nominations and elections, should be declared null and void; and all four seats should promptly be filled by an open nomination and election process involving all Radburn owners;
4. The provisions that purport to give former Radburn members exclusive access to working sessions of the Board and to give them an exclusive advisory role should be declared null and void;
5. The provisions regarding amendment of the By-Laws should be revised to reflect the specific requirements of state law that Members have the right to be notified of all Board amendments to the By-Laws and their right to veto, by a 10% vote, any Board amendment not necessary to bring those By-Laws into consistency with state law.
6. The provisions governing replacement of trustees who fail to complete their terms should be revised to declare that the replacements will be selected by the current Board from the entire group of Radburn homeowners in good standing, not just the Advisory Committee.

In addition, we request that DCA further advise the Radburn Association that the presentation to Members of Association financial records such as receipts, bills, and expenditures in summary or redacted form is not sufficient to meet the financial disclosure requirements of PREDFDA; that all Member must be allowed full access to the Association's financial records; and all Members must be allowed to make and retain copies of them. Furthermore, we request that the DCA advise the Radburn Association to end the process of avoiding public Board votes, and governing instead by closed sessions in which a quorum of the Board is present and it is alleged that "consensus decisions," not votes, have been reached. It is our position that even a so-called "consensus decision" is required under PREDFDA to occur at a public meeting and to involve an actual vote by the Board.

It is also our position that Radburn's By-Laws may be brought into consistency with state law either by declaring the May 2017 amendments null and void, and substituting those amendments attached as Exhibit D, or by simply amending the current By-Laws as proposed in Exhibit E. Radburn United would prefer the first more simple alternative, especially if DCA agrees with Radburn United that the May amendments were a violation of the Original Members', including the Board of Trustees', fiduciary duties to all Radburn unit owners and therefore should be regarded as null and void. Therefore, we respectfully request that DCA rescind the May By-Law Amendments and monitor Radburn's first full democratic election to ensure that it occurs in accordance with PREDFDA, as amended in July 2017.

Radburn United Facilitators:

Phillip Mark Plotch	Eric Schutz	Art Murray
Robert Gulak	Evan Bolla	Ron Coll

Excerpts from Members Voting Meeting, May 2017

Arthur Zucker

I work for The Radburn Association, not you. So if I'm asked by the president of the association.....

[Voices from room] "We are all members. We are the Radburn Association."
...I'll answer any questions that I am directed to answer... My opinion, and I feel very strongly about it, is that there's no doubt that there was a request by more than one third of the members, and the president can act on behalf of the board, and that's the end of the story.

The meeting was legally called. I am confident in a court of law that if you're going to sue, I'm confident that this meeting was legally called.

Question: How many people signed the letter to call this meeting>

Zucker: This is not the place to do that. the president is telling you that the meeting was properly called. If someone wants to contest [it] there is a time to do that. the meeting is now underway. I would really encourage you even people who don't want to be here to listen and get educated. If you don't listen tonight, and if you wait, you will not be able to act.

Marion Paganello

In tonight's meeting you'll read an executive summary and the actual bylaw changes. Then there will be a period of time after the meeting when there will be discussions and question and answer.

When the bill is signed into law, we will not be able to make new bylaws changes. It does provide for the most part for these changes to remain in place. Changes we [present] you tonight really we feel preserve some of the time-tested ingredients of our governance, the architectural committee and are institutional knowledge.

This community is 88 years old. We feel that we have a good recipe, and these bylaws changes tweak the recipe. So, you will see this evening, there is a transitional plan and framework in place so that we're not waking up one morning and find, and I don't want to say "Banana Republic," that the community has no set government structure.

Stu Herrmann

We turned our current bylaws inside out, look at all the pros and cons of the way they are, the way they could be under the law, which [we] seem to think will happen Monday of next week. We spent many hours and many meetings to bring you what we think is a good product, that will preserve Radburn's integrity, history and governance, while making changes that will encompass some of the changes requested and required. Please listen carefully and ask questions, but know this: we need to act now. Not next week. That could be too late.

Don Morris

Our community was and still is studied by scholars, community planners, and architects. It's considered the gold standard of [planned] communities as evidenced by its designation as a National Historic Site and in 2005 a national landmark. Is there as noted that consistency and stability was a major part of the result of our form of governance, and the Board of Trustees' consistent enforcement of the restrictions. This is all going to change shortly. This is why we're here tonight. Pending legislation in Trenton will most likely be voted on and made law possibly

Exhibit A

by next Monday. It will not only change our government structure, but will preclude us from making bylaws revisions in the future. Our discussion tonight will focus on the legislation requirements, how we intend to comply, and most importantly how we can amend our bylaws so we have a say and this is vital in the transition that will take place. about you make tonight will probably easy most important vote you make as a member or trustee.

Arthur Zucker [from here to end]

I've put a few slides together that show what [the] pending legislation is, what the community would be living with under the new law. just to give you a little bit of a preview, what I tried to do is demonstrate what the changes to the statute would encompass. This is as a matter of fact this is on the agenda for Monday. The assembly is voting on this on Monday. And I'm told it can be on the governor's desk by Monday. So I'm going to show you through these slides what will occur [in] Radburn if this law is passed, what type of bylaws changes are being studied by the committee and have been endorsed by the committee for your consideration, and, how Radburn's governance will be subject to these bylaws. I'm trying to compare the two things. Life in Radburn, governance in Radburn under the statute versus life in Radburn with the statute and some bylaws changes.

The first slide shows how life and governance rather be after legislation passes versus a life and governance will be after the statute passes with some changes in the bylaws. What types of bylaws changes are being studied by the committee and endorsed by the committee for your consideration, and how Radburn governance would be with the statute yet subject to these bylaws.

This first slide is the amendments to PREDFDA that are being proposed. It was a statute that was drafted to deal with condo communities mostly. There is an Assembly Bill and a Senate Bill, both. Mirror images of each other proposing to amend PREDFDA for one reason: to impact the governments of Radburn. it's only about Radburn. It's not about anything else. It's a law designed to change Radburn's governance by its terms, these amendments say that it goes into effect immediately. I [wrote] Monday there as a reminder to myself to tell you that the assembly is taking this up on Monday, and the Senate has passed it already.

[Audience member: It's going back to the Senate...]

[Audience member: And not Monday, either...]

[Board President Paganello: We are a room of adults, I assume. There will be no more talking out of turn. No more random questions. There will be a period for questions. Let's be proud of our behavior.]

The statute, the amendments, will remake the composition of governance here, governance itself, and the way in which people are elected. As a matter of fact, because of our election cycle, within a period of one year there will be 7 new seats that come up for election on the board: four in January 2018, and 3 more in January 2019. So, literally within a 12-month, you are going to have seven new people on the board. The statute provides that the board can no longer amend the bylaws, and if it does, 10% of the community can undo it. Somewhere around 70 people basically can undo any [change] that we try to make. In addition, to change the bylaws in the future would require the affirmative vote of two-thirds of the community. Close to 500 people would have to vote to change the bylaws, so when we talk about the fact that the bylaws cannot be amended when the statue passes as a practical matter that's a problem.

If the statute is passed without any bylaws amendments, tenants will have the right to vote. That is our conclusion, based upon the current bylaws. They will, they will not just have an argument,

they will have a right. They may also be members. That's a little closer of a question when you read it. The statute provides virtually no qualifications to be a trustee. You can be 12 years old, and you could run to be a trustee. You could [owe] the Radburn Association all kinds of money, not pay the Radburn charge, and run to be a trustee.

Right now, there are provisions in the Declaration of Restrictions and and statutes to do such things such as alter the Declaration of Restrictions, dissolve the Radburn Association, sell off all of its property, and eliminate the architectural guidelines. If the statute passes without any amendments to the bylaws, those things can happen without without when I'm describing as a supermajority which I'll explain in a minute.

By amending our bylaws, we can ensure that these things only happen by a supermajority. So you've been here 90 years. 90 years of governance. That's successful. What I mean by that is Radburn's here and thriving.

So what is going to happen is overnight and this takes effect immediately, overnight there is going to be almost entirely new leadership -- actually by January 1, 2018 there is going to be no transitioning. For example, basically all residents are going to be members. There is the ability under the statute for someone who is very vocal to basically hack the board with their people and do it by proxy. That could happen in the statute without changes to the bylaws. Tenants could easily control the board. That could happen. These things could create risks to Radburn, and no ability to change the governance after the statute passes, unless the bylaws are changed.

This next slide is what the committee has studied over many hours. For the most part, this complies with PREDFDA. For the most part, almost exclusively, it will be in compliance with the new statute on Monday. The committee's idea was to the extent that the law gives us some leeway to do things let's change these bylaws now.

Orderly transition: Here's the concept. So that we don't have seven new trustees within a period of 12 months, make sure only two new trustees are voted in every year. Two on January one 2018, two on January one 2019, 2 on January one 2020 and every 4th year there will be three new trustees voted in. That way we don't have seven new people in 12 months. So, to accomplish that, people need to be held over from the current board. So these new bylaws changes would allow the president to hold people over so that only two seats turn over every two years for three years, and then three in the fourth year.

Term limits: The new statute provides so that somebody could be a trustee forever. Literally forever. So we provide some term limits. You can only serve so many times as a trustee.

The trustees advisory committee is just what it sounds. It's there to provide advice. And it's made up of essentially you -- people the voting membership who were elected to be trustee in the past and in the future whoever is selected next year goes on to this committee so it's a large committee. And the committee would have certain abilities. They can't put people on the board, but they can help to make sure that things are done in an orderly fashion.

A nominating committee: Under the new PREDFDA, anybody who wants to run for the board essentially can do so. But in addition, candidates can be nominated, so some will be nominated in some will run because they want to.

Advisors to the board: what's provided in these proposed amendments is giving you and the new elected Trustees of the future the ability to create two advisors to the board. those are two people they have no right to vote, but the concept is they can be there. They can be in the room, and when the committee is talking about or the board is talking about something that goes back in history and is important these can be people who you select that can help you I know about Radburn and have a history here. if you are talking about doing something they can say look here's what happened you're 25 years ago. They will bring some depth to the board some history to the board. And it's constantly changing. Anybody who is ever elected would be able to sit on it, and you would be able to select two advisors to advise the board.

The last thing that we have provided is a petition process so that there is a nominating committee and in addition to who they nominate anybody who wants to run can do so by getting a petition together. In addition to that the statute tells people they can run to find themselves but we also want to have a petition process.

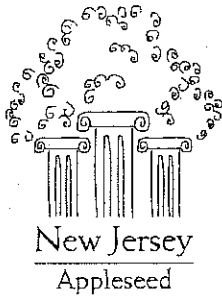
So these are the kinds of things that are being proposed, and we have an executive summary that is kind of a 20000 foot review of what the new bylaws will do.

These new bylaws are designed to create an orderly transition to a New Order. The membership is going to be much bigger. Instead of having seven new people in 12 months, it will be a more orderly transition. A process for nomination with the nominating committee and petition process that seeks to make sure that someone who just wants to have their own way has a... so it's not that easy to do it. I get a bunch of my friends to support me, I packed the board, and I take over Radburn.

Checks and balances. Those were the words that kept coming up and all of the committee meetings. Okay we're going to have the statute. What kinds of checks and balances can we put in because Radburn has been successful for 90 years. This is a whole new order and is it completely different from the way Radburn has been governed. those are the kinds of things we talked about.

A transition that the current membership picks. Not one dictated by the people in Trenton who don't know about Radburn. And I will tell you, they know little about Radburn. Radburn is a very complicated and sophisticated structure, very unique, there's maybe been one or two others like it. They know little about it and what legislators do is they write it and they worry about it later. So instead of having them change your governance, people who have never been here and who don't understand it at all, instead of having them choose what your governance is going to be some of the bylaws Amendment you can keep some control and still be in full compliance with the law.

And hopefully, this will keep the Radburn idea alive. It will keep it from being overrun, ruined, destroyed.



To: Radburn United
From: Renée Steinhagen, Esq.
Date: August 7, 2017

Re: Limited Legal Analysis of the recently adopted By-Laws of the Radburn Association

Introduction

In anticipation of legislation amending and supplementing certain provisions of the Planned Real Estate Development Full Disclosure Act, ("PREDFDA"), N.J.S.A. 45:22A-43 et al, the Trustees of the Radburn Association rewrote the Association's longstanding By-Laws, and adopted, effective May 18, 2017, new By-laws to maintain the current governance structure and practices of the Association with respect to membership, nominations, open board meetings, and financial disclosure while seemingly comporting with the requirements of the amended law. You have asked me to analyze whether these new By-Laws are in fact consistent with such requirements.

First, for purposes of this memorandum, I am assuming that the new By-Laws were validly adopted. I must note, however, that there are significant questions whether that was in fact the case.

Secondly, in an environment where the entire Radburn community is engaged in the process of amending its By-laws to comply with the recently adopted amendments to PREDFDA (as set forth in the Fourth Reprint, Senate No. 2492) and DCA's Guidelines for Access to Financial Records and Elections in Common Interest Communities, there are several additional policy decisions that the community may want to address. The issues that I recommend revisiting in any updating and revision of the By-Laws, though current provisions are not technically unlawful, include the voting rights of tenants and/or their right to attend both membership meetings and Board meetings, the right of members to comment during (not just observe) open Board meetings, the artificial dichotomy between Working Sessions of the full Board and Voting Meetings of the Board instead of simply requiring regularly scheduled Board meetings, which would be open to all members, the question of whether the By-Laws should require more specific, routine disclosure of financial information such as monthly financial statements and/or annual audit reports to the entire membership, the issue of whether the community should adopt alternative methods to amend the by-laws. Radburn has an important history and tradition of resident involvement in the affairs of the planned community (through

New Jersey Appleseed
Public Interest Law Center of New Jersey
50 Park Place, Suite 1025
Newark, New Jersey 07102

Phone: 973.735.0523 Fax: 973-710-4653
Email: steinhagen_pilc@yahoo.com
Website: www.njappleseed.org

Exhibit B

the Radburn Citizens Association), and the current amendment process should occur within that social and institutional context.

Finally, it is my recommendation that to facilitate resident participation in the amendment of the Radburn By-Laws and to minimize confrontation between all homeowners/tenants and former Association members (i.e. current Board members and former trustees), the Radburn community should employ the old By-Laws as the base-line document to which changes must be made rather than start with the new By-Laws. I make this recommendation because the old By-Laws constitute a simpler and more direct expression of resident participation in governance than the new By-laws despite its limited concept of membership, and are not infused with an attempt to subvert the recent legislation that promotes principles of transparency, inclusiveness and fairness in the governance of all common interest associations.

Analysis of Current Violations

Membership/Voting and Other Participation Rights

N.J.S.A. 45:22A-43(a), as amended, reads:

The form of administration of an association organized pursuant to [N.J.S.A. 45:22A-43] shall provide for the election of an executive board, elected by the association members, and voting-eligible tenants where applicable and responsible to the members of the association . . . , through which the powers of the association shall be exercised and its functions performed.

N.J.S.A. 45:22A-23, as amended defines "Association member" to mean

The owner of a unit within a planned real estate development, or a unit's tenant to the extent that the governing documents of the planned real estate development permit tenant membership in the association and the developer to the extent that the development contains unsold lots, parcels, units or interests pursuant to subsection c of [N.J.S.A. 45:22A-43]. This definition shall not be construed to provide the developer a different transition obligation than that required pursuant to [N.J.S.A. 45:22A-47] or to require that the developer is allowed to vote in executive board elections. (emphasis added)

See also N.J.S.A. 45:22A-42(c) ("Membership in the association of a planned real estate development shall be comprised of each owner within the planned real estate development, and may include the developer if the development contains unsold lots, parcels, units, or interests.")(emphasis added). Association members are guaranteed voting rights on "an equal basis" (typically one vote per unit) or "a basis consistent with each unit's value or size" (N.J.S.A. 45:22A-45(new section)(a)(7)); are given the right to attend "all meetings of the executive board except conference or working sessions," N.J.S.A. 45:22A-46(a); and are given the right to elect other members in good standing to the executive board, including the right to remove an individual from the board. N.J.S.A. 45:22A-45(new section): Although the amended version of 22A-45 permits certain seats on the executive board to be elected by designated "different use

types," "geographical areas within the development," "affordable units" or "separate developments, so long as each development's voting weight is approximately proportional, based on the number, value or size of the units," the thrust of the amendments is that association members should be treated the same for purposes of electing the executive board and holding such board accountable. Specifically, no group or class of homeowners shall enjoy special voting rights or access to decision-making unless elected to the executive board by the entire membership.

Applying these sections to the new By-Laws the following provisions are unlawful:

Article I: Membership; Voting: (e) "Members may vote only regarding those matters as expressly provided in these By-Laws, or where required by the New Jersey Nonprofit Corporation Act, but otherwise members have no voting rights." **First and foremost, members are granted voting rights pursuant to PREDFDA, as amended, and the Radburn Declaration of Restrictions.** PREDFDA guarantees a member's right to elect the Radburn Trustees, remove a trustee, and amend the Association's By-Laws. Furthermore, the Radburn Declaration of Restrictions grants all homeowners in the community a role in amending such restrictions. (Article VII, §2(f)). Article I (e) goes on to state that "No member shall be permitted to grant a proxy with respect to such Member's voting rights, as proxy voting is expressly prohibited." Although the New Jersey Nonprofit Corporation Act provides a board with the discretion to adopt proxy voting, PREDFDA as amended states: "**An association shall not prohibit a voting-eligible tenant where applicable from casting a vote allocated to a unit . . . nor prohibit an individual acting pursuant to a valid power of attorney or proxy from casting a ballot.**"

Article III, Section 5 (Establishment of a Trustees' Advisory Committee): In an attempt to maintain the status quo in Radburn where only trustees and former trustees of the Association were the only members entitled to elect certain trustees, the new By-Laws create an Advisory Committee that has a special status in the community. In some respects, the authority given this Committee violates PREDFDA, and must be changed. In other aspects, as discussed in the footnote below, it simply is a form of preferential treatment that the community may find to be an unreasonable provision that violates the Association's duty to "exercise their powers and discharge their functions in a manner that protects and furthers the health, safety and general welfare of the residents of the community." N.J.S.A. 45:22A-44(b), and thus should also be changed.¹ The following aspects of the Committee are unlawful: Pursuant to Article III, Sec. 2(b), any vacancy in the Board "shall be filled, as provided in SECTION 5(a) of this ARTICLE, by the Trustees' Advisory Committee." PREDFDA, as amended, specifically requires "the

¹ Pursuant to Art. III, Sec. 5(a), members of the Trustee's Advisory Committee are allocated two voting seats on the Architecture Committee and are granted the power to fill any vacancies on such Committee. Since PREDFDA, as amended, does not specifically deal with Association committees, and concerns itself solely with the election of the Association Executive Board, this By-Law provision is not per se inconsistent with the law. However, it is a form of preferential treatment among Association members that may be considered unjustified, unreasonable and detrimental to the "general welfare of the residents of the community." N.J.S.A. 45: 22A-44(b).

executive board members of an association [to] fill[] a vacancy in the executive board created by resignation, death, failure to maintain any reasonable qualification, including maintaining good standing, to be an executive board member," not a nonelected association member. N.J.S.A. 45:22A-45(f)(3)(a). This provision is thus unlawful.

Article III, Sec. 5(b) of the By-Laws, grants Advisory Committee members to participate "in all sessions and all meetings of the Board," not just Voting Meetings which are the only Board meetings that are open to all other Association members under the By-Laws. Either Working Sessions or other Board meetings, where the full Board of Trustees is present or a quorum thereof, are "open" meetings where all Association members can attend or they are considered closed, "confidential" board meetings. See Article VI, Sec. 3 (permitting Advisory Committee members to attend Working Sessions and deeming documents discussed at such meetings confidential). If the latter, then only the Trustees may be present, and a select group of homeowners should not be permitted access. N.J.S.A. 45:22A-46. Similarly, **requiring the Board to allow members of the Advisory Committee to comment at Board Voting Meetings (Article VI, Sec. 3(e)), and giving the Board "discretion to permit comments by Members in attendance" is inconsistent with PREDFDA**. Although the Board, under the law has the authority to disallow comment by association members at open board meetings, it does not have the authority to discriminate among association members and create a special privileged class. Cf. Thanasoulis v. Winston Towers 200 Assoc., 110 N.J. 650 (1988)(holding that Association exceeded its authority under the Condominium Act and Master Deed by adopting parking fee differential that treated nonresidential unit owners differently than residential owners); Micheve, L.L.C. v. Wyndham Place at Freehold Condominium Ass'n., 381 N.J. Super. 148 (App. Div. 2005), cert. denied 186 N.J. 256 (2006)(finding discriminatory revenue-raising device assessed only against a discrete class of unit owners – new owners—was invalid).

Perhaps, most importantly and contrary to the principle in PREDFDA that all "unit owners living in community association should have the right to nominate candidates, run for, freely elect and be elected to the executive boards that govern the communities" and that "except under the very limited exceptions provided, a person may not serve on an executive board unless elected through a process consistent with the provisions of PREDFDA" (Legislative declarations 1(f)), **Article III, Sec. 5(a) requires that the Trustees Advisory Committee may select only members of itself to fill vacancies on the Board. This limitation is unreasonable and clearly is a further attempt by the former members of the Association to retain their previous status.** This By-Law provision, which creates a discrete class of unit owners/association members who are eligible to serve on the Executive Board when a vacancy is created, cannot be supported by PREDFDA and is inconsistent with the Association's fiduciary duties to treat all association members equally for purposes of voting for and serving on the Executive Board of the Association.

In sum, the establishment of the Trustees Advisory Committee is an unlawful attempt to give preferential governance status to a discrete class of members – former Association members under the old By-Laws – in an attempt to maintain their privileged status and control despite the adoption of amendments to PREDFDA, which clearly seek to democratize the governance of common interest associations.

Nomination and Election of Trustees

Pursuant to amendments to N.J.S.A. 45:22A-45 (New section),

a. An association shall hold executive board elections in accordance with the provisions of its governing documents, including validly-adopted executive board rules, that do not conflict with the provisions of this section. . . .

c(4) [For developments with 50 or more units], [a]n association, subject to exceptions under f. of this section, shall not prohibit an association member in good standing from nominating himself or herself, or any other association member in good standing as a candidate for any membership position on the executive board, so long as the nomination is made prior to the mailing of ballots or proxies to the association members. . . .

f(e) states that not more than one owner, entity-owner representative, or voting-eligible tenant where applicable from a single unit may serve on the governing board simultaneously.

PREDFDA, N.J.S.A. 45:22A-23(r), as amended, defines "good standing" to mean,

the status solely with respect to eligibility to (1) vote in executive board elections, (2) vote to amend the bylaws, and eligibility to (3) nominate or run for any membership position on the executive board applicable to an association member who is current on the payment of common expenses, late fees, interest on unpaid assessments, legal fees, or other charges lawfully assessed, and which association member has not failed to satisfy a judgment of common expenses, legal fees, or other charges lawfully assessed. An association member is in good standing if he is in full compliance with a settlement agreement with respect to the payments of assessments, legal fees or other charges lawfully assessed, or the association member has a pending, unresolved dispute concerning charges assessed which dispute has been initiated through a valid alternative to litigation . . . or through a pertinent court action.

This definition is also reflected in DCA's Guidelines for Elections in Common Interest Communities, which also governs the absentee ballot process to be used by such associations (Section V. b and Section VI.c). Both PREDFDA's and the Guideline's definition speak solely in terms of payment of assessments or other financial charges, and include a person engaged in a bona fide dispute with respect to such charges; an owner in "good standing" does not exclude an association member who maybe engaged in litigation with the Association regarding nonfinancial matters, such as proposed improvements to their individual residence or Association policy regarding common property.

Accordingly, the following By-Laws are inconsistent with PREDFDA, as amended.

Article III, Section 1 (e) and (f) require those who wish to nominate themselves as a candidate for the Board of Trustees to submit their names to a Nominating Committee, which in turn will select from among those candidates a certain number of people. The By-Laws regulate the number of votes cast by each Nominating Committee member (who in accord with Article III, Sec. 5(a) consist of members of the Trustees Advisory Committee), with a tie-breaking vote given to the President of the Executive Board. This is the old system with a new coat, and is clearly inconsistent with PREDFDA as amended.

Alternatively, Article III, Section 1(g) requires those who wish to run for trustees must get signatures from 50 different households. Relative to the fifty (50) signatures a person seeking to run for the City Council of a large New Jersey municipality must typically secure to get on the primary ballot this provision is clearly unreasonable. Moreover, it is not permitted by PREDFDA as amended. See also Dublirer v. 2000 Linwood Ave. Owners, Inc., 220 N.J. 71 (2014)(finding New Jersey speech and association clause of the New Jersey Constitution applicable to residents in a high-rise cooperative apartment building). In the face of PREDFDA's liberal directive permitting all association members who are in good standing to self-nominate, the Association's attempt to control the nominating process through the two processes outlined in the By-Laws is unlawful. Such nominating process is no longer governed by the more general standard of "fair and reasonable" nominating procedure set forth in the Nonprofit Corporation Act. N.J.S.A. 15A:5-20(e). Each homeowner is simply allowed to nominate himself or herself and may not be required to supply any additional signatures.

The By-Laws, Article III, Section 1(c) also include a list of additional requirements concerning eligibility to be a candidate for the Executive Board that are not found in PREDFDA, nor the Nonprofit Corporation Act. These include a four-year residency requirement, and a requirement that one is "current as to all charges and fees owed to the Association, and "not adverse to the Association in any litigation or arbitration." PREDFDA is silent as to a four-year duration requirement, but given that one can vote in any municipal or state election, if one moves within the jurisdiction 30 days prior to the election, this requirement is clearly unconstitutional. See Dublirer, supra. On the other hand, PREDFDA specifically defines "good standing" and neither the requirement that one is current as to all charges and fees (even if one is disputing such charges) nor the requirement that one is not adverse to the Association in any arbitration or litigation is consistent with that definition.

Indeed, it is when an association member disagrees with the Executive Board that he/she often becomes interested in becoming a member of the Executive Board. Again, PREDFDA specifically permits all unit owners to nominate themselves or other homeowners as a candidate for the Board, except it does not permit two association members who live in the same unit to serve on the Board simultaneously. **Accordingly, the Radburn Association cannot seek to perpetuate the status quo by prohibiting all members who disagree with its policies and actions from running for the Board, including those homeowners who are in a good faith bona fide dispute with the Association either in arbitration or litigation.**

Furthermore, the Association must look to the DCA Guidelines for Elections in Common Interest Communities to delineate its voting process to ensure privacy of unit owners, accuracy

in counting, and general fairness in the process. For example, although Article III, Section 1(b) states that the form of the ballot and election procedures will be "established by the Association's Manager (as described in SECTION (d) of ARTICLE IV)," there is no such section in the By-Laws, and Section 2 of that Article governing the functions of the Manager is silent as to the Manager's role in Board elections, let alone any reference to DCA's Guidelines or the Nonprofit Corporation Act, as required in N.J.S.A. 45:22A-45(e)(new section)(associations of developments of 50 or more units shall conform to the requirements of the New Jersey Nonprofit Act regarding the counting of ballots).

Board Powers and Responsibilities/Amendment of Restrictions

Pursuant to PREDFDA, N.J.S.A. 45:22A-45(new section) as amended, an Association, with 50 or more units, shall

c.(1) not provide for a term of an executive board member to be for more than 4 years, provided that nothing shall prevent an executive board member from continuing to serve until his or her successor is duly qualified and elected.

f.(3)(a) not allow a person to take an executive board position through appointment, provided that nothing herein shall prevent the executive board members of an association from filling a vacancy in the executive board created by resignation, death, failure to maintain any reasonable qualification, including maintaining good standing, to be an executive board member or by removal following a vote of removal open to all association members in accordance with the terms of the bylaws.

Indeed, the New Jersey Nonprofit Corporation Act, N.J.S.A. 15A:6-6(a), permits trustees to be removed "for cause" by the affirmative vote of the majority of the votes cast by the members entitled to vote for the election of trustees; and, if the by-laws provide, by the board. A decision to remove or suspend a trustee for cause, may be reviewed, however, by the Superior Court in a summary manner or otherwise. N.J.S.A. 15A:6-6(d). Together, these provisions require all Board members to be elected, except when a vacancy is created either by resignation, death or failure to maintain a reasonable qualification to be a board member (*i.e.*, "for cause" within context of common interest association), and do not permit any one Board member to serve for a term greater than 4 years.

Notwithstanding these provisions, **Article III, Section 1 of the By-Laws allows the current President to select certain trustees to have their terms extended for a period of up to four years.** This means that certain current trustees will in effect be appointed rather than elected, and will serve terms longer than four years. That is their current term will be extended for a period of up to four years resulting in some trustees serving five or six years. Also, Article III, Section 2(a) requires a minimum of 2/3 of the total votes entitled to be cast by the members in order to remove a trustee for cause rather than the majority required under the Nonprofit Corporation Act, and "for cause" is very broadly defined. In fact, the Association's history of defining most Association documents and meetings as "confidential" continues to

distort its definition of "for cause," as well its lack of toleration of open discussion and dissent within the Board. The By-Laws requirement that a trustee may be removed if he/she has not sufficiently "deferred to decisions and actions by the Board by engaging in conduct to circumvent or thwart such decisions or actions," and has not "recused himself or herself from all affairs of the Board until [a] conflict [of interest that may be narrow in scope] is resolved" is overbroad and is inconsistent with PREDFDA, principles of fiduciary duty as well as principles of free speech. A Board member, holding a minority or dissenting view, must be able to issue a dissenting opinion, make his/her views heard among the membership, and take action he/she deems appropriate to satisfy his/her duty to the Association. The Radburn Association may not guarantee unanimous decision-making by threatening to remove any trustees that holds a minority opinion.

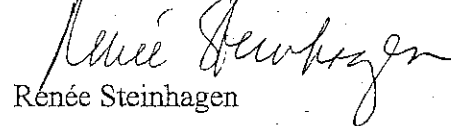
Article XII, Section 8 and 9 seemingly govern the Radburn Association's policy of what financial documents it must maintain, and disclose to members. These sections are inconsistent with N.J.S.A. 46:8B-14(g), and DCA's Access to Financial Records Guide. An association, such as Radburn must disclose, at minimum, (1) a record of all receipts and expenditures; and (2) an account for each unit setting forth any shares of common expenses or other charges due, the due dates thereof, the present balance due and any interest in common surplus. Radburn's continuing effort to limit the record of receipts and expenditures to "an annual financial statement," without reference to individual or detailed items in both the expense and revenue columns cannot be sanctioned. According to DCA's interpretation of the requirements of N.J.S.A. 46:8B-14(g), association members should be given detailed balance sheets on a monthly or quarterly basis or as prepared by the Association's manager to be shared with Board Trustees, and they must have access to the bank statements, ledgers, journals or invoices, including legal bills, and other accounting records that support such financial statements. The Association's persistent effort to ignore §DCA's Guidelines for Financial Disclosure is indicated in **Article III, Section 4(b) wherein the Association acknowledges only the authority of the Nonprofit Corporation Act when it comes to record and financial document disclosure** and continues to pretend that the Board must only disclose financial information to Association members "at the annual meeting of the Members, [when it] present[s] a discussion of the Association's expenditures and receipts for the past year and a discussion of the proposed annual budget of the Association for the upcoming year."

In addition, Article VI, Section 2(b) ostensibly violates the Declaration of Restrictions insofar as it does not acknowledge the role of owners, in contrast to the Board, in amending, modifying or extinguishing the Declaration or any Deeds. Pursuant to Article VII, §2 all homeowners in the community are granted a role in amending such restrictions.

Again, as noted in the afore-described sections on membership and nominations, the Radburn Association cannot confer itself powers to keep the current Board and former trustees in control and to avoid scrutiny by all Association members. As the DCA Guidelines on Financial Access state: "The association's financial situation and management are basic board election issues." Accordingly, the Association must regulate its affairs in a transparent manner so that all Association members can properly participate in elections of the Executive Board and hold its Board responsible for the proper management of the community. Board members who seek to

share Association financial documents with Association members or to make their opinions public in open Board and Membership meetings, not just Voting Meetings, cannot operate under the threat of removal, and the former Members of the Association (reincarnated as the current Board and the Trustee's Advisory Committee) can no longer ensure a Potemkin village of stability simply by keeping Board affairs under the mantle of "confidential" Working Sessions. PREDFDA, as amended, and DCA's Guidelines enforcing PREDFDA, do not tolerate such By-Laws.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Renée Steinhagen".

Renée Steinhagen



NEW JERSEY SENATE

BOB GORDON

SENATOR

38TH LEGISLATIVE DISTRICT

MAJORITY CONFERENCE LEADER

RADBURN PLAZA BUILDING

14-25 PLAZA ROAD

P.O. Box 398

FAIR LAWN, NJ 07410

TEL: (201) 703-9779

FAX: (201) 703-9127

SenGordon@njleg.org

COMMITTEES:

CHAIRMAN:

LEGISLATIVE OVERSIGHT

VICE-CHAIRMAN:

TRANSPORTATION

HEALTH, HUMAN SERVICES
& SENIOR CITIZENS

December 15, 2017

Dear Members of the Radburn Association Board:

I understand there may be confusion concerning the language of my Radburn legislation (P.L.2017, c.106) as it relates to a developer's voting rights. This letter seeks to clarify any misunderstanding.

Paragraph (7) of subsection c. of N.J.S.A.45:22A-45.2, as amended by P.L.2017, c.106, states that an "association member" has the right to vote in an executive board election. However, this right only extends to a developer if the governing documents of the association grant membership to the developer. The amendments made to the Planned Real Estate Development Full Disclosure Act (PREDFDA) by P.L.2017, c.106 included language specific to this issue:

"q. "Association member" means the owner of a unit within a planned real estate development, or a unit's tenant to the extent that the governing documents of the planned real estate development permit tenant membership in the association, and the developer to the extent that the development contains unsold lots, parcels, units, or interests pursuant to subsection c. of Section 1 of P.L.1993, c.30 (C.45:22A-43). *This definition shall not be construed to provide the developer a different transition obligation than that required pursuant to section 5 of P.L.1993, c.30 (C.45:22A-47), or to require that the developer is allowed to vote in executive board elections.* (N.J.S.A.45:22A-43, emphasis added)

As written, a homeowner's association is not required to give a developer any votes in an executive board election. I hope you find this information helpful.

Sincerely,

Bob Gordon
Senator, District 38

Exhibit C

BY-LAWS OF THE RADBURN ASSOCIATION

These By-Laws of the Radburn Association (these "By-Laws") are effective December 11, 2017 and supersede the by-laws of the Radburn Association in effect prior thereto.

ARTICLE I: MEMBERSHIP, VOTING

(a) The Members of The Radburn Association (the "Association") are only those individuals or corporate entities who own a Unit (as hereinafter defined) located within the Property (as such term is defined in ARTICLE THIRD, SECTION 1, of the Certificate of Incorporation of the Association).

(b) A Unit is:

(i) a lot, parcel, unit, or interest in a planned real estate development, including a tax lot, as recognized on the Borough of Fair Lawn's tax assessor's records, (a "tax lot") with a residential or commercial building thereon or with a prospective dwelling unit or units planned to be constructed thereon for which a developer of such units has obtained approval from the Fair Lawn Planning Board or a building permit from the Fair Lawn Building Department, whether or not construction has commenced or a master deed has been filed; or

(ii) a residential or commercial condominium unit, as defined in the "Condominium Act," N.J.S.A. 46:8B-1 et seq.

(c) Upon the sale or transfer of a Unit, membership in the Association is transferred to the buyer or transferee.

(d) The owner of a single Unit, as described in SECTION b(i) of this ARTICLE, which unit has more than one residential or commercial unit, is entitled to two votes.

(e) Each Unit is allocated two votes except for units including prospective dwelling units. The owners of units that do not include prospective dwelling units are hereinafter referred as Voting Members.

Exhibit D

ARTICLE II: CORPORATE POWERS

No amendments.

ARTICLE THREE; BOARD OF TRUSTEES

SECTION 1.

(a) The Board shall consist of nine (9) individuals ("Trustees") elected by the Members in accordance with these By-Laws and the requirements of the Planned Real Estate Development Full Disclosure Act, N.J.S.A. 45:22A-21 et seq. (PREDFDA). Each trustee on the board as of December 11, 2017 will serve out the term for which he or she was originally elected. Each new trustee will then be elected for a three-year term. Once each and every trustee has been elected by a vote in which the full membership, as defined by PREDFDA, as amended in 2017, has been permitted to participate, each subsequent term will then be staggered by lot so that, following the expiration of the staggered terms, in any given election year three trustees will be up for election for a term of three years each.

(b) Elections of Trustees shall be conducted using an official form of ballot which will be provided to the Members pursuant to procedures established by the Association's Manager (as described in SECTION (d) of Article IV) the "Manager"), subject to the provisions of this Article, and in accord with the requirements of PREDFDA. Ballots will, however, be opened and counted at an "Election Meeting" at which time all Members, including candidates, can attend and witness the counting of the ballots.

(c) In order to be eligible (i) for consideration for candidacy for Trustee, or (ii) if elected, to serve as Trustee, an individual must be a Member in "Good standing" as that term is defined in PREDFDA.

(d) Any individual who is a Member desiring to run for election to the Board may nominate himself or herself and will be included on the ballot. Any individual who is a Member may also be nominated by any other individual who is Member, provided the potential nominee consents to be nominated. Written notice of such nomination shall be submitted to the

Manager.

(e) The position of serving as a Trustee is an unpaid position.

Section 2. No amendments.

Section 3. No amendments.

*Section 4 (b) ADD: Such information shall also be made available to any Member for inspection upon request, and shall be **routinely presented at every Board Meeting.*

No other amendments to Article Three.

ARTICLE IV: OFFICERS; MANAGER

No amendments.

ARTICLE V: COMMITTEES

No amendments.

ARTICLE VI: MEETINGS

Section 1(c) At all meetings of Members of the Association, each Voting Member *shall be entitled to vote in person or by proxy authorized in writing or mail-in ballot.*

Section 2(a) Regular meetings of the Board shall be held at the office of the Association in the Borough of Fair Lawn on the third Monday of each month at 7:30 PM, subject to change by the Board. Notice of any cancellation or rescheduling of such meets must be provided to all Members of the Association.

*Section 2(b) Special Meetings of the Board may be called by the President, or upon the written request of three (3) trustees, upon

****notice**** of

the date, time, and place of said meeting, which notice shall be delivered to all Members by telephone, fax, email, or mail at least 24 hours in advance of the time of said meeting. Said notice need not set forth the purposes of said meeting nor the business to be considered thereat. [END OF 2(b)]*

Section 3 (Subsections 1 and 2) All meetings of the Board, except conference or working sessions at which no binding votes are to be taken, shall be open to attendance by all Members, and adequate notice of any such meeting shall be given to all Members, except the Board may restrict attendance during portions of any meeting dealing with (1) any matter the disclosure of which would constitute an unwarranted invasion of individual privacy; (2) any pending or anticipated litigation or contract negotiations; (3) any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer; (4) any matter involving the employment, promotion, discipline or dismissal of a specific officer or employee of the Association. At each meeting required under this SECTION to be open to all Members, minutes of the proceedings shall be taken, and copies of those minutes shall be made available to all Members before the next open meeting. If the Board shall determine under the exceptions (1)-(4) above to restrict Members from attending a specific portion of a meeting, the Board may relocate to another location for such restricted portion of such meeting, and shall reconvene at its prior location subsequent to the conclusion of such restricted portion. Alternatively, the Board may require Members temporarily to excuse themselves from such restricted portion of such meeting.

No other amendments to this Article.

ARTICLES VII-XII

No amendments.

ARTICLE XIII: AMENDMENTS

SECTION 1. No amendments.

SECTION 2. Amendment by the Board. The Board may, at any meeting of the Board, alter or amend the By-Laws, or repeal By-Laws (each a "Board Proposed By-Law Change") as deemed by the Board necessary or convenient for the regulation of the Association's affairs, provided that notice of any such Board Proposed By-Law Change is mailed or hand-delivered to all Members. If the Board Proposed By-Law Change is not necessary to render the By-Laws consistent with State, Federal, or local law, the notice mailed or hand-delivered to all Members shall include a reproduction of SECTION 2 of this ARTICLE and a ballot to reject the Board Proposed By-Law Change. If at least ten percent (10%) of Members vote to reject the Board Proposed By-Law Change within 30 days of its mailing or hand-delivery, the amendment shall be deemed defeated.

RADBURN ASSOCIATION RESOLUTION TO AMEND BY-LAWS CONCERNING VOTING RIGHTS AND ELECTIONS TO COMPLY WITH RECENT AMENDMENTS TO PREDFDA, N.J.S.A. 45:22A-21 et seq.

WHEREAS, since its inception in the late 1920's, the Radburn Association was a common interest homeowner's association in which only the trustees and former trustees of the Board of the Association were considered members of the Association;

WHEREAS, for the past three decades, many homeowners residing in Radburn have sought to achieve membership status for all unit owners and open board elections, in which all homeowners may nominate themselves to be a candidate for trustee and all unit owners can vote for each trustee constituting the entire board;

WHEREAS, Senator Robert Gordon sponsored legislation to achieve such goals, with the organized support of many Radburn homeowners, that resulted in the adoption of amendments in July of this year to PREDFDA, L. 2017, c.106;

WHEREAS, the Radburn Association Board and its former members adopted amendments to the Radburn By-Laws on May 17, 2017, specifically to slow down the transition to a Board of Trustees that would be entirely elected by all unit owners, among other purposes;

WHEREAS, this Board of Trustees seeks to adopt changes to the May 17, 2017 By-Laws with respect to voting rights and elections to ensure that such By-Laws are consistent with PREDFDA, as amended, we now resolve to adopt the following amendments:

Article I (MEMBERSHIP; VOTING) [Cutting Landmark to Two Votes]

(a) Remains the same. (b) A Unit is:

(i) a lot, parcel, unit or interest in a planned real estate development including a tax lot (as recognized on the Borough of Fair Lawn's tax assessor's records) (a "tax lot") with a residential or commercial building or buildings thereon or with a "prospective dwelling unit or units" planned to be constructed thereon for which a developer of such units has obtained approval from the Fair Law Planning Board or a building permit from the Fair Lawn Building Department, whether or not construction has commenced or a master deed (subordinate to the Radburn Master deed) has been filed; or
(ii) a residential or commercial condominium unit, as defined in the "Condominium Act," N.J.S.A. 46:8B-1 et seq.

(c) All owners of a lot, parcel unit or interest that is governed by the Radburn Covenant of Restrictions, including an owner of a tax lot on which

Exhibit E

a residential or commercial building(s) has been established or a developer who owns a tax lot on which prospective dwelling units are expected to be constructed are considered members of the Radburn Association. Upon the sale or transfer of a unit, membership in the Radburn Association is transferred to the buyer or transferee. Following the original appearance of the tax lot upon the Borough of Fair Lawn's tax assessor's records and upon any subdivision of such tax lot pursuant to the filing of a master deed (subordinate to the Radburn Master deed), a developer of prospective units loses its right to vote, and the right to vote resides only with the purchaser of any unit built on the subdivided lot. Accordingly, prospective dwelling units that are developed pursuant to the Condominium Act [] confer membership on the individual purchasers of such residential units upon construction and transfer to the purchaser of such unit, whether such units are a townhouse, single-family home or affordable dwelling unit.

(d) Members may vote only regarding those matters that are expressly provided by the Radburn Covenant of Restrictions, these By-Laws or where required by PREDFDA, as amended, or the New Jersey Nonprofit Corporation Act, N.J.S.A. 15A:1-1 et seq., (the "Act"). No Member shall be permitted to grant a proxy with respect to such Member's voting rights, as proxy voting is expressly prohibited. Mail-In ballots or absentee ballots are required to be available whenever a vote of the membership is required, and a person may vote a Member's ballot if authorized pursuant to a valid power of attorney.

(e) The owner of a single Unit as described in SECTION (b)(i) of this ARTICLE, which Unit has more than one residential, commercial or prospective dwelling unit, is entitled to one vote per tax lot. These By-Laws do not permit tenants of Unit owners to be Members; tenants of Unit owners, including condominium units or other residential units, including rental units, are expressly prohibited from being Members and enjoying the privileges of membership in the Radburn Association.

(g) is renumbered as (f) and otherwise remains the same.

Article III (BOARD OF TRUSTEES; TRUSTEES' ADVISORY COMMITTEE; ADVISORS)
[Restoring Four Open Seats for Radburn Homeowners to Fill
and Setting Up an Open Nomination Process as Required by Law]

1(a) is annulled ab initio and restated to read as follows:

The Board shall consist of nine (9) individuals ("Trustees) elected by the Members in accordance with these By-Laws. Once the entire Board has been elected by the full membership, as defined by PREDFDA, as amended in 2017, each trustee's term will be staggered by lot so that, following the expiration

of the staggered terms, in any given election year three trustees will be up for election for a term of three years each. Until that time, each trustee's term shall expire when the term for which he or she was elected ends.

1(b) [The first and second sentences are omitted, including "Rather"] Elections of Trustees shall be conducted using an official form of ballot which will be provided to the Members pursuant to procedures established by the Association's Manager (as described in SECTION (d) of Article IV) the "Manager"), subject to the provisions of this Article, and in accord with the requirements of PREDFDA. Ballots will, however, be opened and counted at an "Election Meeting" at which time all Members, including candidates can attend and witness the counting of the ballots.

1(c) In order to be eligible (i) for consideration for candidacy for Trustee, or (ii) if elected, to serve as Trustee, an individual must be a Member in "Good standing" as that term is defined in the Planned Real Estate Development Full Disclosure Act, N.J.S.A. 45:22A-21 et seq. (PREDFDA") . [The last sentence of 1(c) remains the same.]

1(d) Any individual who is a Member desiring to run for election to the Board may be included on the Ballot either by nomination or self-nomination as set forth in SECTION 1(e) of this ARTICLE, or by being nominated by petition as set forth in SECTION 1(f) of this Article.

1(e) Any individual who is qualified to be considered for candidacy for Trustee based on the requirements set forth in SECTION 1(c) of this ARTICLE may be nominated by any Member in Good standing, including, without limitation, themselves, by submitting to the Manager a written nomination in the form, and pursuant to procedures, prescribed by the Manager in accordance with the requirements of PREDFDA.

1(f) omitted in its entirety and replaced with: 1(f) Individuals who qualified to be considered for candidacy for Trustee based on the requirements set forth in SECTION 1(c) of this ARTICLE may also be nominated by petition on a petition form obtained from the Manager, so long as such petition bears the genuine signature of Members who collectively own a minimum of fifty (50) Units and who have not signed petitions, during the same election cycle, for more than the number of Trustees to be elected during such cycle. Petitions must be received by the Manager pursuant to procedures prescribed by the Manager.

1(g) The position of serving as a Trustee is an unpaid position.

[Guaranteeing the Right of the Board to Fill Board Vacancies and Abolishing the Nominating Committee]

2(b) Any vacancy in the Board (whether by reason of removal, death, disability, failure to be qualified, resignation, or otherwise) shall be filled by the Board, to the extent not prohibited by PREDFDA, with the members of the Trustees' Advisory Committee or other Member in "Good standing" as that term is defined in PREDFDA who has expressed an interest in serving on the Board of Trustees. [The last sentence of 2(b) remains the same.]

5(a) All Members who have been elected to serve as a Trustee, or who in the future are elected to serve as a Trustee (unless removed for "cause" pursuant to SECTION 2(a) of this ARTICLE) shall automatically be members of a committee known as The Radburn Association Board of Trustees' Advisory Committee (the "Trustees' Advisory Committee"). The Trustees' Advisory Committee shall have the authority by a majority vote of the members of the Trustees' Advisory Committee present and voting at any meeting of the Trustees' Advisory Committee at which a quorum of a minimum of one-third of its members are present, to:

Omit 5(a)(i) and (ii) and renumber remaining subsections as follows:[image: page3image29272]

(i) every other year, select two (2) former elected Trustees who are Members to serve for two (2) years as advisors to the Board with the rights and powers described in SECTION 5(b) of this ARTICLE III (the "Advisors to the Board"), without any limit on the number of terms such Advisors to the Board may serve; (ii) endorse one (1) or more candidates for the Board; (iii) each year select two (2) members of the Trustees' Advisory Committee to serve as members of the Committee on Architecture (two additional members will be appointed by the President, and the President will act as the fifth member, as described in ARTICLE IV, SECTION 1(a)); and (iv) fill vacancies in the [omit Nominating Committee] Advisors to the Board and the Committee on Architecture.

5(c) The Trustees' Advisory Committee [delete Nominating Committee] shall, at a minimum have an annual meeting of its members.

5(d) The Trustees' Advisory Committee [delete Nominating Committee] and the Advisors to the Board are unpaid positions.

Article IV (OFFICERS; MANAGER)

1(a) . . . The President shall (i) Preside over all meetings of the Members, the Board, and any committee established pursuant to these By-Laws (including, but not limited to, the Trustees' Advisory Committee, [delete Nominating Committee] the Committee on Architecture. and all Standing

Committees and Special Committees . . .

Article V (COMMITTEES)

In addition to the Trustees' Advisory Committee, [delete Nominating Committee] and Committee on Architecture established pursuant to these By-Laws, the Board may establish "Standing Committees" . . .

Article XIII (AMENDMENTS)

[Restoring Notice to the Community of By-Laws Changes and

Specifying the Veto Power of the Community]

SECTION 1 remains the same.

SECTION 2: Amendment by Board. The Board may, at any Voting Meeting, alter or amend the By-Laws, repeal By-Laws, or make new By-Laws (each a "By-Laws Change") as provided by PREDFDA, provided that at least seven (7) Trustees vote in favor of the By-Law Change. [The rest of the section will appear as follows despite Mr. Zucker's direction to delete the last two sentences]:

Following a By-Law Change by the Board, such By-Law must be mailed or hand-delivered to the Members, and such notice shall include a reproduction of the SECTION 2 of this ARTICLE and a ballot to reject the proposed amendment. Other than an amendment to render the By-Laws consistent with State, Federal, or local law, if at least ten (10%) of Association members vote to reject the amendment within 30 days of its mailing, the amendment shall be deemed defeated.

The above amendments are adopted on ____ day of November, 2017, by a vote of:
____ In favor and ____ Opposed
List names of Trustees and Vote

December 3, 2017

Dear Fellow Members of the Radburn Association Board of Trustees (and Association Manager):

This written communication is to serve as formal notice that, at the Budget Meeting of December 11, 2017, a Voting Meeting will also occur. Article VI, Section 2(a) of the Radburn Association By-Laws specifically empowers three trustees to call a Voting Meeting. The four trustees signing below are making use of this power, and are calling a Voting Meeting for the evening of December 11, 2017 at 7:30 PM in the clubroom of the Grange.

We request that the Association Manager immediately confirm in writing to all trustees that a Voting Meeting will take place at that time and give proper notice to all members of the Radburn Association.

At that Voting Meeting, we will be making a series of motions to vote on changes to our Radburn By-Laws.

1. We will propose to rescind the May 2017 amendments to the By-Laws in their entirety and update the By-laws to be in compliance with PREDFDA and any other applicable legal requirements. If that amendment does not pass:
2. We will propose to amend the current By-Laws so that:
 - (a) The By-Law giving the Daly Field developers a total of 165 votes is revoked.
 - (b) All four seats that were originally scheduled to become open this year are open and on the ballot in this year's Radburn community election.
 - (c) The Radburn By-Laws guarantee notice to all Members when the Radburn Board of Trustees passes amendments to the By-Laws, and specify when and how such Board amendments may be vetoed by the Members.
 - (d) When seats on the Board of Trustees become open between Radburn elections, any Member in good standing may be considered to fill the open seat, and the selection for the interim replacement trustees will be made by the Board of Trustees, as is required by law.If this second amendment does not pass:
3. We will propose a straight up-or-down vote on the sole issue of revoking the developers' 165 votes.

We anticipate your full cooperation, as is required by the Radburn By-Laws, in arranging this Voting Meeting, and thank you in advance.

Joanne Kurr
31 Sandford Rd

Kathy Cahill
9 Bancroft Pl.

Jennifer Gibli
12 Bancroft Pl.

Sara Suehr
18 Ramsey Terr

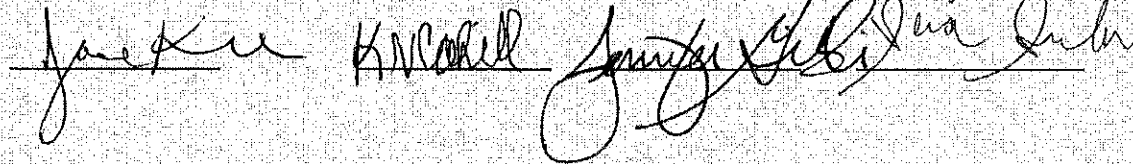


Exhibit F

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
<i>Ty Fujimura</i>	Ty Fujimura	18 Randolph
<i>Mitchell Miller</i>	Mitchell Miller	14 Randolph Terrace
<i>Fern Wilensky</i>	Fern Wilensky	11 Randolph Ter
<i>ASYA LISAK</i>	ASYA LISAK	1 RANDOLPH TER
<i>JARYD MORAN</i>	JARYD MORAN	12 Randolph Terrace
<i>Susan Coyne</i>	Susan Coyne	24 Randolph Terrace
<i>Susan Smith</i>	Susan Smith	3 Randolph Terr.
<i>Alicia Vega-Gonzalez</i>	Alicia Vega-Gonzalez	8 Randolph Terr
<i>MARYANNE TURK</i>	MARYANNE TURK	5 SHERIDAN
<i>Tom McConnell</i>	Tom McConnell	4 Sheridan Pl.
<i>Colin Dunnigan</i>	Colin Dunnigan	2 Sherman Pl
<i>Mollie Bashan</i>	Mollie Bashan	7 Burlington Pl.
<i>Jonathan Bashan</i>	Jonathan Bashan	9 Burlington Pl.
<i>GENEVIEVE A. PAULUS</i>	GENEVIEVE A. PAULUS	17 Randolph Terr
<i>Simon Leeskin</i>	Simon Leeskin	11A RANDOLPH TERR.
<i>Ken Berger</i>	Ken Berger	7 Randolph Terr
<i>DEWEE TOPANSKY</i>	DEWEE TOPANSKY	5 ALLEN PLACE
<i>Alexsandra Pawliska</i>	Alexsandra Pawliska	20 Randolph Ter
<i>Victoria Schragar</i>	Victoria Schragar	1 Allen Place
<i>Jenny Andersson</i>	Jenny Andersson	21 Randolph Terr.

I, Alba Lucia Morales Jimenez, the circulator of this petition page, residing at 12 Randolph Terrace in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

Alba L. Morales J.
SIGNATURE

Alba Lucia Morales Jimenez
PRINTED NAME

12/17/2017
DATE

Exhibit G

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

	SIGNATURE	PRINTED NAME	ADDRESS
1.		ERIC SCHUTZ	20-14 RADBURN RD
2.		Philip M. Mealey	19-20 Radburn Rd
3.		John W. White	19-12 Radburn Rd
4.		Judith Sheeran	20-06 Radburn Rd
5.		GREGORY SIMON	17 BARRY PL
6.		PAUL KRAIVANGER	8 BARRY PL
7.		Paul Kraivanger	8 Barry Pl
8.		Wayne Klein	5 Barry Place
9.		NAOMI FEIGIN	26-06 RADBURN
10.		STEVE WECHSLER	378 OWEN AVE
11.		Carl Barnes	308 Owen Ave
12.		Alina Bas	345 Owen Ave
13.		G. M. de la Carrera	343 OWEN AVE
14.			
15.			
16.			
17.			
18.			
19.			
20.			

I, Eric Schutz, the circulator of this petition page, residing at 20-14 Radburn Rd in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

	ERIC SCHUTZ	12/17/17
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

	SIGNATURE	PRINTED NAME	ADDRESS
1.		Joseph Hfmark	8 ARLINGTON
2.		ALBINA LEVIN	4 ARLINGTON
3.		DUDLEY EISNER	1 ARLINGTON
4.		Yonit Dotan	2 Arlington Pl.
5.		Lynn Free	308 HOWARD AVE
6.		David Skellern	300 PLUMMER
7.		April Barth	11 Arlington Place
8.		DAN SCHLOSSBERG	10 BALLARD PLACE
9.		DIAN NOONAN	10 Arlington Place
10.		DAVID POLGAR	3 ARLINGTON PL.
11.		JUDI JASON	343 Howard Ave
12.		FRANK SALAMEH	351 HOWARD AVE
13.		JESSICA CARLIN	333 HOWARD AVE
14.		Donna Pasternak	325 Howard Ave
15.		Rose Harris	*7 Arlington Place
16.		Avi Weissbavet	6 Arlington Pl
17.		Ann Codd	334 Howard
18.		Eric Meeks	350 Plaza Bld N
19.		BOB GREMILLET	1 BRISTOL PL.
20.		MICHAEL RONCY	14 BURNHAM PL.

I, GILDA LINDEN
14 ARLINGTON PLACE, the circulator of this petition page, residing at
in Radburn, do hereby certify that my residence is as stated;
that each person whose name appears on this page signed the same in person in my presence; that each signer
satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier
than six months prior to the date of my signature on this petition page.

	<u>GILDA LINDEN</u>	<u>12-19-17</u>
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
	Eduardo Hernandez	12 Ramapo Ter
	Wendy Fowler	16 Ramapo Terrace
	Betsy Kesterman	14 Ramapo Terrace
	Brent Pahlman	11 Ramapo
	Mrs. Dorothy	9 Ramapo Ter
	Marilyn Miller	5 Ramapo Ter
	GENA GRUBER	7 Ramapo Terrace
	Elisa Mastrocola	17 Ramapo Terrace
	DIANE VANDEBEGIS	1 RAMAPO TERR

1. ASYA LISA R
1 RANDOLPH TER

I, the circulator of this petition page, residing at _____ in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

SIGNATURE

ASYA LISA R
PRINTED NAME

12/19/17
DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
	Allison Grete	4 Ballard Pl.
	JOHN WALSH	1 BALLARD PL
	June Moshinsky	6 Rutgers TER.
	NATALIA ATSOUTA	10 Rutgers TER.
	TINEA GREENBERG	15 Rutgers Ter
	JANICE MANZ	11 Rutgers Dr
	Hilda Gabriel	16 Rutgers Terr.
	YRUSKIN Rd	
	IRINA DENISENKO	5 RUSKIN Rd
	DAVID A. POYDOS	6 RUSKIN Rd
	Linda Meyer	8 RUSKIN Fairlawn NJ 07410
	PAUL SAGER	16 RUSKIN Rd
	Andrew Temme	11 RUSKIN Rd.
	NICKY MONTEIRO	7 RUSKIN Rd

I, Arthur Murray Ramsey Terrace

, the circulator of this petition page, residing at _____ in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

Arthur Murray

12/20/17

SIGNATURE

PRINTED NAME

DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
<i>[Signature]</i>	PAUL H McGowan	3 Burnham Pl
<i>[Signature]</i>	Mitchell Burran	4 Burnham Place
<i>[Signature]</i>	Juan E. Lopez	5 Burnham Place
<i>[Signature]</i>	CHES LEKACH	7 Burnham Place
<i>[Signature]</i>	PRASANNA SHAW	9 Burnham Pl
<i>[Signature]</i>	ROBERT BLAKE	11 Burnham Pl
<i>[Signature]</i>	Kelli Smith	10 Burnham Pl
<i>[Signature]</i>	W. J. LANE	8 Burnham Pl
<i>[Signature]</i>	R. SMITH	323 PLAZA RD NORTH
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

I, **LISA PARENTE**
3 RAMSEY TERRACE

, the circulator of this petition page, residing at
in Radburn, do hereby certify that my residence is as stated;
that each person whose name appears on this page signed the same in person in my presence; that each signer
satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier
than six months prior to the date of my signature on this petition page.

[Signature]
SIGNATURE

LISA PARENTE
PRINTED NAME

12/17/17
DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

	SIGNATURE	PRINTED NAME	ADDRESS
1.		Olga Golod	7 Addison Pl.
2.		Chris Hume	6 Addison Pl.
3.		A. O'NEILL	7 Andover Pl.
4.		Kathleen Labadie	10 Andover Pl.
5.		Howard Chabotain	5 Andover Place
6.		Stabi	11 Andover Pl.
7.		Kimberly Tison	8 Andover Pl.
8.		Leah Willey	2 Andover Pl.
9.		IGOR YELISEYEV	6 Bancroft Pl.
10.		Irena Kogan	11 Addison Pl.
11.		Kogan Lyan	11 Addison Pl.
12.		ANNA GRIMBLER	5 ADDUDON PL
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

I, **IGOR YELISEYEV**, the circulator of this petition page, residing at **6 Bancroft Pl.** in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

	IGOR YELISEYEV	12/24/2017
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

	SIGNATURE	PRINTED NAME	ADDRESS
1.		Amy Plotch	17 Bancroft
2.		Philip Plotch	17 BANCROFT PLACE
3.		Evelyn Polls	16 Bancroft Place
4.		Eve Polls	16 Bancroft Place
5.		Donna Longlatourette	11A Bancroft Pl.
6.		Rob Heffernan	11A BANCROFT PL
7.		JOEL RINGER	13 BANCROFT PL
8.		Robin Ringer	13 Bancroft Pl.
9.		Rita Yeliseyev	6 Bancroft Pl.
10.		JACK RUTHAZER	5 BANCROFT PL
11.		Judy Ruthazer	5 Bancroft Pl
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

I, Philip Plotch, the circulator of this petition page, residing at 17 BANCROFT PLACE in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

	Philip Plotch	12/20/17
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
<i>[Signature]</i>	M. K. SHANKAR	2 Ramsey Ter.
<i>[Signature]</i>	EMMA TSG	4 Ramsey Ter
<i>[Signature]</i>	EMMA TSG	6 Ramsey Ter
<i>[Signature]</i>	Robin Stoll	8 Ramsey Ter
<i>[Signature]</i>	Anthony B...	10 Ramsey Ter
<i>[Signature]</i>	KISSA SAMUEL	9 RAMSEY TER.
<i>[Signature]</i>	MICHAEL BAKAYUK	14 Ramsey Terrace
<i>[Signature]</i>	...	16 Ramsey
<i>[Signature]</i>	...	18 Ramsey
<i>[Signature]</i>	...	19 Ramsey
<i>[Signature]</i>	MICHAEL COHEN	17 RAMSEY TERR
<i>[Signature]</i>	Hester Kank...	12 Parker Terrace
<i>[Signature]</i>	Eugene M. Banta	15 Ramsey Terrace
<i>[Signature]</i>	Scott Frank	3 Ramsey Terr
<i>[Signature]</i>	Laura Ferrantino	11 Ramsey Terr.
<i>[Signature]</i>	Barry Silverstein	8 Breachy Crescent
<i>[Signature]</i>	...	16 Breachy Crescent
<i>[Signature]</i>	AMU STOD	6 Breachy Crescent
<i>[Signature]</i>	Joseph Reganator	8 Ballard Pl
<i>[Signature]</i>	Karen M...	6 Ballard

I, Arthur Murray 7 Ramsey Terrace, the circulator of this petition page, residing at _____ in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

[Signature] Arthur Murray 12/20/17
SIGNATURE PRINTED NAME DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
1. <i>[Signature]</i>	Michael Bozelsky	2 Reading Terrace
2. <i>[Signature]</i>	Grace Fleming	5 Reading Terrace
3. <i>[Signature]</i>	Benjamin Dyer	9 Reading
4. <i>[Signature]</i>	Susan Campbell	11 Reading Ter.
5. <i>[Signature]</i>	Felice R. Koplik	6 Reading Terrace
6. <i>[Signature]</i>	Lina Vilner	10 Reading Ter
7. <i>[Signature]</i>	ALEXANDER YANOVSKY	16 READING TER
8. <i>[Signature]</i>	James Markiewicz	17 Reading Ter
9. <i>[Signature]</i>	BETH MARKIEWICZ	17 Reading Ter
10. <i>[Signature]</i>	GEORGE TESSAR	15 READING TER
11. <i>[Signature]</i>	Alexander Shulkin	23 Reading Ter
12. <i>[Signature]</i>	Eileen Maloney	21 Reading Ter
13. <i>[Signature]</i>	DEBORAH CITKOWY	22 Reading Ter
14. <i>[Signature]</i>	BARBARA SYLVIA MARKOWSKI	7 READING TER
15. <i>[Signature]</i>		
16. <i>[Signature]</i>		
17. <i>[Signature]</i>		
18. <i>[Signature]</i>		
19. <i>[Signature]</i>		
20. <i>[Signature]</i>		

I, **FELICE KOPLIK**, the circulator of this petition page, residing at **6 READING TERRACE** in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

<i>[Signature]</i>	Felice Koplik	12-19-17
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

	SIGNATURE	PRINTED NAME	ADDRESS
1.	<i>Nancy Brown</i>	Nancy Brown	3 Bristol Pl
2.	<i>Ann Wedhorn</i>	Ann Wedhorn	7 Bristol Pl.
3.	<i>James J. Coughlin</i>	Coughlin	11 Bristol Pl.
4.	<i>Jennifer Gibli</i>	Jennifer Gibli	12 Bristol Place
5.	<i>A. L. Nolan</i>	A. L. Nolan	14 Bristol Pl
6.	<i>Stacy Rodas</i>	Stacy Rodas	14 Bristol Pl.
7.	<i>Lisa Coll Nicolasa</i>	Lisa Coll Nicolasa	11 Bolton Place
8.	<i>Rachel Stearns</i>	Rachel Stearns	341 Owen Ave
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

I, Rachel A. Stearns, the circulator of this petition page, residing at 341 Owen Ave in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

Rachel Stearns
SIGNATURE

Rachel Stearns
PRINTED NAME

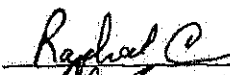
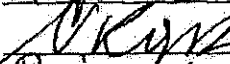
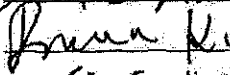
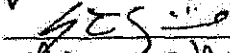
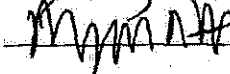
12/17/17
DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

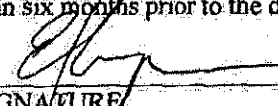
We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
1. 	Raphael Cheung	335 Hazard North
2. 	Nicole Romanik	5 Brighton PL
3. 	PINA KAPLAN	10 Brighton Place
4. 	STALIN GUILAMO	8 BRISTON PLACE
5. 	DOUGLAS MEERH	6 BRISTON PLACE
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

I, Elizabeth Kuriyama, the circulator of this petition page, residing at 15 Ryder Road in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.


SIGNATURE

Elizabeth Kuriyama
PRINTED NAME

12/17/17
DATE

Aberdeen

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS
AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

	SIGNATURE	PRINTED NAME	ADDRESS
1.		WEIDHORN	4 ABERDEEN PL
2.		Lynn Mornawick	1 Aberdeen Place
3.		Stephen Barth	3 Aberdeen PL
4.		Kim Justice	9 Aberdeen PL
5.		Liat Magid	17 Aberdeen PL
6.		Lori Sabot	11 Aberdeen PL
7.		Eli Greenbaum	16 Aberdeen St
8.		Mikhail Drachuk	8 Aberdeen PL
9.		Erik Thorsen	6 Aberdeen PL
10.		Brian Davis	7 Aberdeen PL
11.		Tony Pritchard	2 Aberdeen PL
12.		Alex Vaulic	12 Aberdeen PL
13.		RICHARD VACCARO	15 ABERDEEN PL
14.		MARYANN ACKERMAN	11A ABERDEEN PL
15.			
16.			
17.			
18.		Jared Max Goldman	18 Aberdeen PL
19.			
20.			

I, Jill Davis, the circulator of this petition page, residing at 7 Aberdeen PL in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

	JILL DAVIS	12/19/17
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
	John D. Maggio	21 Remington Rd
	Caroline Cano	22 Remington Rd.
	THIAGO GARCIA	18 REMINGTON RD.
	WILLIAM P. NUGENT	14 REMINGTON RD.
	SUNITHA	15 Remington Rd.
	Colleen Hoese	11 Beckington Rd
	Clyde Brathwaite	9 Remington Rd
	Andrey Buharov	7 Remington Rd
	DANIEL L. GANTZ	5 Ryder Rd
	DOMINICK S. FUNG	7 Ryder Rd
	Walter Hederman	8 Ryder Rd
	Tasha Skelton	16 Remington Rd.
	Amanda Mantilla	12 Remington Rd.
	JUDITH ZUCKERMAN	5 Remington Rd
	Michael Alania	11 Ryd Rd
	E. Kurigama	15 Ryder Rd
	Tracy Bailey	18 Ryder Rd
	Seth W. Zinner	21 Ryder Rd.
	Michael Gelfand	22 Ryder Rd.
	Alena Maslavlits	23 Ryder Rd.

I, John D. Maggio, the circulator of this petition page, residing at 21 Remington Rd in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

John D. Maggio 12/19/17
SIGNATURE PRINTED NAME DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

SIGNATURE	PRINTED NAME	ADDRESS
<i>[Signature]</i>	Jane B...	13-01 Plaza Rd.
<i>[Signature]</i>	MARVIN DINEP	13-15 PLAZA RD.
<i>[Signature]</i>	ANKUR DESAI	13-21 plaza rd.
<i>[Signature]</i>	AL MA...	13-26 Plaza Rd
<i>[Signature]</i>	D BORDONARO	13-24 Plaza Rd
<i>[Signature]</i>	Isabel D Lemus	13-29 Plaza Rd.
<i>[Signature]</i>	Gustavo Blanco	13-20 Plaza Rd.
<i>[Signature]</i>	Kathy Moore	13-16 Plaza Rd
<i>[Signature]</i>	Tiffany Schindler	13-14 Plaza Rd
<i>[Signature]</i>	CATALINA D. GARCHITORENA	13-12 Plaza Rd.
<i>[Signature]</i>	NATALYA OROS	22 #A Townley Rd
<i>[Signature]</i>	Ronda Coll	10 Ramapo Terrace
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

I, **RONALD COLL**
10 RAMAPO TERRACE

, the circulator of this petition page, owning the residence at in Radburn, do hereby certify that my unit address is as stated; that I am a member in good standing of the Radburn Association; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

[Signature]
SIGNATURE

RONALD COLL
PRINTED NAME

12/17/17
DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

	SIGNATURE	PRINTED NAME	ADDRESS
1.		Shana Cohen	4 Beekman Place
2.		Valentina Klyachko	7 Beekman Place
3.		Thomas A. Morrell	9 Beekman Place
4.		JULTON KOSZAR	10 BECKMAN PLACE
5.		Erica Rosenberg	11A Beekman Pl
6.		JULIA ENERSON	17 Beekman PLACE
7.		Maria Harbuch	14 Beekman pL
8.		Stephen Taylor	9 BEDFORD PI
9.		Tom Snyder	3 Bedford
10.		Laya Adler-Hakim	11 Bedford PI
11.		Alison Curley	15 Bedford Pl
12.		Mark Miller	3 Bedford Place
13.		Leisa Ann Horowitz	2 Beekman Pl
14.		Jessica Ochs	8 Beekman Pl
15.		LAURA ZAGARIA	35A Owen Ave
16.		ELEN KAHN	5 Beekman Pl
17.		STEINNE DIGERONIMO	360 OWEN AV
18.		STEINNE DIGERONIMO	16 BECKMAN PL
19.		STEINNE DIGERONIMO	16 5 ARDEN PL
20.		STEINNE DIGERONIMO	

I, Shana Cohen 4 Beekman Place, the circulator of this petition page, residing at _____ in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

SIGNATURE

PRINTED NAME

DATE

12/17/17

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
<i>Lucine Erik</i>	Lucine Erik	11 Allen Place
<i>Bryn Press</i>	Bryn Press	15 Allen Place
<i>Diane Wall</i>	Diane Wall	14 Allen Place
<i>Chie Arukas</i>	Chie Arukas	12 Allen Pl. Fair Lawn
<i>Nicole Grace</i>	Nicole Grace	6 Allen Place, Fair Lawn
<i>Hen Brachman</i>	Hen Brachman	4 Allen Place
<i>Jessica Garrett</i>	Jessica Garrett	3 Burlington Place
<i>Alan Stapelman</i>	Alan Stapelman	13 Burlington Pl.
<i>Frances Christianson</i>	Frances Christianson	12 Burlington Pl.
<i>Ellen Glassett</i>	Ellen Glassett	8 Burlington Pl.
<i>Amara L Sordher</i>	Amara L Sordher	4 Burlington Pl.

I, Kim Justice of 9 Aberdeen, the circulator of this petition page, residing at _____ in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

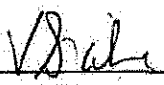
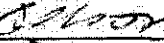
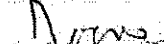


Kim Justice Kim Justice 1/4/18
SIGNATURE PRINTED NAME DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

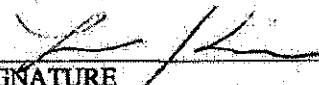
We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

	SIGNATURE	PRINTED NAME	ADDRESS
1.		Vanessa Siabanis	21 Sandford Rd.
2.		Julian Thor	23 Sandford Rd
3.		JOANNE KURE	31 SANDFORD
4.		Mimi Stitzer	36 Sandford Rd.
5.		Michael Purkis	38 Sandford Rd
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

I, **LAURENCE KOPLIK**, the circulator of this petition page, residing at **6 READING TERRACE** in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

	LAURENCE KOPLIK	12-19-2017
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
1. <i>Claire Prettore</i>	CLAIRE PRETTORE	341 Howard Ave
2. <i>Robert E. Brown</i>	ROBERT E. BROWN	335 Howard
3. <i>Philip Jones</i>	PHILIP JONES	312 Howard St
4. <i>Rita Goldberg</i>	RITA GOLDBERG	14 Redgustere
5. <i>Gerald M. Fishbein</i>	GERALD M. FISHBEIN	12 Sawcroft
6. <i>Stanley Hayden</i>	STANLEY HAYDEN	17 Bampton Place
7. <i>Amy Hopwood</i>	AMY HOPWOOD	340 HOWARD AVE.
8. <i>Joan Davis</i>	JOAN DAVIS	319 Howard Ave
9. <i>Jackowitz</i>	JACKOWITZ	14 ARLINGTON
10. <i>Nancy Myers</i>	NANCY MYERS	9 Audubon Pl, Fair Lawn
11. <i>Richard Rebidue</i>	RICHARD REBIDUE	25 Sanford Rd, Fair Lawn
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

I, GILDA LINDEN, the circulator of this petition page, residing at 14 ARLINGTON PLACE in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

Gilda Linden
SIGNATURE

GILDA LINDEN
PRINTED NAME

12-19-17
DATE

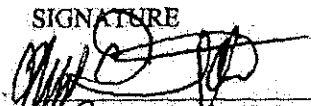


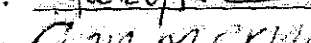
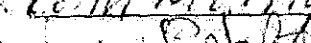
Ashburn

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS
AMENDMENTS

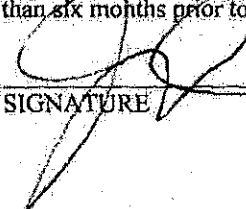
We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
	WILLIAM J. QUINTAVALLE	1 ASHBURN
	Alison Shields	5 Ashburn
	Henry Becker	7 Ashburn
	ANN M. ARRIGO	9 Ashburn
	Jim Halsten	10 Ashburn

I, Jill Davis 7 Ashburn, the circulator of this petition page, residing at 7 Ashburn in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

	Jill Davis	12/17/17
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

SIGNATURE	PRINTED NAME	ADDRESS
1. <i>H. Stern</i>	H. STERN	24 WARREN RD
2. <i>Franklin Tang</i>	FRANKLIN TANG	13-09 PLAZA RD
3. <i>A. Remennik</i>	A. REMENNICK	8A TOWNLEY RD
4. <i>Darino Krawitz</i>	DARINO KRAWITZ	24B TOWNLEY RD
5. <i>Leo Ashkinadze</i>	Leo Ashkinadze	16 Townley Rd
6. <i>Michael Ross</i>	MICHAEL ROSS	15 RAMAPO TERRACE
7. <i>Eugene Gerlanis</i>	EUGENE GERLANIS	10A TOWNLEY RD
8. <i>Janna Gerlanis</i>	Janna GERLANIS	10B TOWNLEY RD
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

I, **RONALD COLL**
10 RAMAPO TERRACE

, the circulator of this petition page, owning the residence at in Radburn, do hereby certify that my unit address is as stated; that I am a member in good standing of the Radburn Association; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

Ronald Coll
SIGNATURE

RONALD COLL
PRINTED NAME

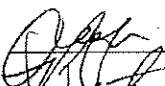
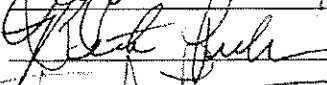
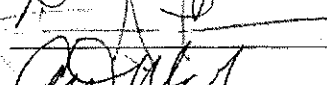
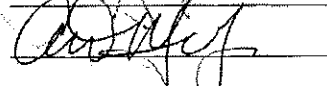
1/20/18
DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS
AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
1. 	ROBERT GULACK	4 Bancroft Place, Fair Lawn, NJ
2. 	Beth Perlman	8 Bancroft Place Fair Lawn, NJ
3. 	JANICE TESSAR	321 PLAZA RD. NORTH, FAIR LAWN, NJ 07410
4. 	Art Murray	7 Ramsey Terr, Fair Lawn, NJ 07410
5. _____		
6. _____		
7. _____		
8. _____		
9. _____		
10. _____		
11. _____		
12. _____		
13. _____		
14. _____		
15. _____		
16. _____		
17. _____		
18. _____		
19. _____		
20. _____		

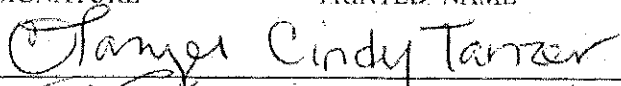
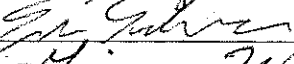


I, Robert Gulack, the circulator of this petition page, residing at 4 Bancroft Place in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

	ROBERT GULACK	1/17/18
SIGNATURE	PRINTED NAME	DATE

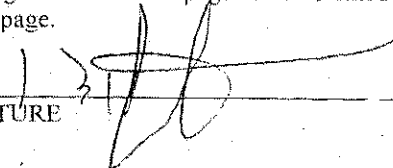
RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS
AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

	SIGNATURE	PRINTED NAME	ADDRESS
1.		Cheryl Cindy Tanner	9 Addison Pl.
2.		ERIC GEHBAUER	350 OWEN AVE
3.		Gineen Weiss	10 Brearly Crescent
4.		Jerry Lips	7 SEAGULL CRESCENT
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

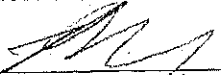
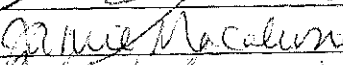

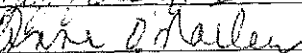
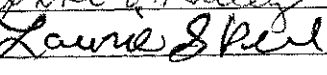
I, JEFF KIZAWITZ, the circulator of this petition page, owning the residence at _____ in Radburn, do hereby certify that my unit address is as stated; that I am a member in good standing of the Radburn Association; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

SIGNATURE		PRINTED NAME	<u>JEFF KIZAWITZ</u>	DATE	<u>1/17/18</u>
-----------	---	--------------	----------------------	------	----------------

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS
AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

	SIGNATURE	PRINTED NAME	ADDRESS
1.		Rosalind Borodkin	13-18 PLAZA ROAD
2.		Jamie Macaluso	20 Ryder Rd
3.		Jeff Weisberg	9 BOSTON PL
4.		Anne O'Malley	12 Bolton Place
5.		Laurie Perl	30 Sanford Rd
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

I, Kathy Moore 1346 Plaza Rd, the circulator of this petition page, owning the residence at in Radburn, do hereby certify that my unit address is as stated; that I am a member in good standing of the Radburn Association; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

	Kathy Moore	1/13/18
SIGNATURE	PRINTED NAME	DATE

RADBURN ASSOCIATION MEMBERS' PETITION FOR ADOPTION OF BY-LAWS
AMENDMENTS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the By-laws, calling for a Meeting of the Members at which the By-laws can be amended by the Members, so that:

the By-Law giving the Daly Field developer 165 votes is revoked by vote of the Members.

(Please note: only one owner named on your deed may sign the petition)

SIGNATURE	PRINTED NAME	ADDRESS
1. <i>[Signature]</i>	B. H. BENTAMINE	10 Hirschklau Lane
2. <i>[Signature]</i>	SONG HAK LEE	7 Hirschklau Lane
3. <i>[Signature]</i>	Howard Zuckerberg	8 Hirschklau Lane
4. <i>[Signature]</i>	Gerald Klinek	2 Hirschklau
5. <i>[Signature]</i>	Rachel Boylan	9 Hirschklau Lane
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

I, Rachel Boylan, living at 9 Hirschklau Lane Farr Lawn, the circulator of this petition page, residing at _____ in Radburn, do hereby certify that my residence is as stated; that each person whose name appears on this page signed the same in person in my presence; that each signer satisfactorily identified himself/herself to me; and that all of the signatures on this page were obtained not earlier than six months prior to the date of my signature on this petition page.

<i>[Signature]</i>	<u>Rachel Boylan</u>	<u>1/18/18</u>
SIGNATURE	PRINTED NAME	DATE

R2

From: Renee Steinhagen <steinhagen_pilc@yahoo.com>
Date: Thu, Nov 30, 2017 at 4:57 PM
Subject: Request by radburn United for Support/Signature-
To: "jim.mullen@pultegroup.com" <jim.mullen@pultegroup.com>, Sean Dorney <sean.dorney@pulte.com>, "rshim@huttshim.com" <rshim@huttshim.com>

Jim, Sean, and Ron,

Radburn United has met with both Landmark and the PulteGroup to discuss with you the situation at Radburn, where many residents believe that the current By-Laws, most recently amended in May 2017, violate PREDFDA, as amended and treat the current homeowners unfairly. We left both meetings believing that you understood the situation and Radburn United's position, but nothing with respect to your respective voting rights was resolved.

Now, I am coming to you with a specific request. It has become apparent to Radburn homeowners that the current Board is not going to take any action to amend the By-laws prior to the upcoming election. Accordingly, Radburn United has decided to follow the Radburn By-laws that enable the homeowner's themselves to amend the By-laws. The process is an arduous one insofar as 66% of all Radburn units must ultimately approve the changes, but we believe that we can ultimately get there.

A first step in the process is a petition to request that a special members' meeting be held to vote on amendments. Voting at that meeting may occur by mail-in ballot. Accordingly, we are requesting that you agree to sign the below petition. We understand that the PulteGroup now controls approximately 44 votes, and Landmark the remaining 121.

PETITION TO REQUEST MEMBERSHIP VOTING MEETING TO AMEND BY-LAWS

We, the undersigned Members of the Radburn Association, hereby present this petition, under Article Six, Section 1(b) of the Radburn Association By-Laws, calling for a Meeting of the Members of the Radburn Association at which the By-Laws can be amended by the Members, so that:

1. The By-Law giving the Daly Field developers a total of 165 votes is revoked, and replaced with a provision granting votes based upon actual tax lots prior to any future subdivision.
2. All four seats that were originally scheduled to become open this year are open and on the ballot in this year's Radburn community election.
3. The Radburn By-Laws guarantee notice to all Members when the Radburn Board of Trustees passes amendments to the By-Laws, and specifies when and how such Board amendments may be vetoed by the Members.
4. All Radburn Members in good standing will have the power to nominate themselves to run for trustee.
5. When seats on the Board of Trustees become open between the elections, any Member in good standing may be considered to fill the open seat, and the selection for the interim replacement trustee will be made by the Board of Trustees, as is required by law.

I am leaving for Berlin tonight so will not be available to talk about this over the phone over the next week. However, I will be checking my emails so if you have any questions, please do not hesitate to contact me electronically.

On behalf of Radburn United, we hope that you will join us in taking the matter into the hands of the homeowners themselves rather than waiting around for Mr. Zucker to permit the Board of Trustees to vote on our proposed amendments.

Looking forward to your anticipated cooperation,

Renee Steinhagen
NJ Appleseed PILC
917-771-8060 (cell)

Exhibit H

Renee

3:54 PM

Steinhagen <renee@njappleseed.org>

to jim.mullen, Sean, rshim

Jim, Sean and Ron,

It's been over a month since I last reached out to you and wanted to give you an update as to where Radburn United stands with respect to its petition. After sending you the petition below, people decided to simplify the petition to just deal with the 165 votes that were given to the developers under the May 2017 amendments. That petition has been circulated and we are at approximately 263 households. Rather than request your signature as I did at the end of November, I am just reaching out to get your actual support when the vote arises. With your support, the By-law changes will certainly be approved; without your vote, the logistics of getting another 220 or so households to participate in the election will be very difficult (though not impossible).

It is also our understanding, that the current Board of Trustees did vote on this issue and there was a 5-4 vote in favor of the change; however, 7 votes were necessary for it to go through.

As I stated to you previously, we are looking forward to your anticipated cooperation, especially since we understand that Pulte is getting ready, or actually has commenced, to sell units in Radburn.

Renee Steinhagen
NJ Appleseed PILC
973-735-0523
917-771-8060(cell)