



752 Harbortown Blvd, Perth Amboy, NJ 08861
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www.harbortowncrossingowners.com

January 6, 2023

Dear Board of Directors,

The purpose of this notice and my subsequent requests is to provide documentation, transparency and oversight of the structure of the Harbortown Crossing Homeowners Association, which has had ineffective leadership in the previous years without remedies for its members. Remedies can be found in the state laws governing New Jersey common interest communities, The Planned Real Estate Development Full Disclosure Act (PREDFDA), N.J.S.A. 45:22A-46a and the New Jersey Condominium Act, N.J.S.A. 46:8B-1. The New Jersey Department of Community Affairs (DCA) has promulgated regulations to assist in the implementation of these statutory requirements in Chapter 20 of Title 5 of the New Jersey Administrative Code (N.J.S.AC. 5:20-1.1 et seq.).

The following Bylaws are related to the above statement:

1. Bylaw: (BOARD OF DIRECTORS, ARTICLE IV, SECTION 10) Non-Waiver. All the rights, duties and privileges of the Board shall be deemed to be continuing and shall not be exhausted by any single act or series of acts. To the same extent, the failure to use or employ any remedy or right hereunder or hereafter granted shall not preclude its exercise in the future nor shall any custom bind the Board.
2. Bylaw: (ENFORCEMENT, ARTICLE XI, SECTION 3) Waiver. No restriction condition obligation or covenant contained in these Bylaws shall be deemed to have been abrogated or waived reason of the failure to enforce the same irrespective of the number of violations or breaches thereof which may occur.

This is a written request by Evangeline Dixon, a Member/Director, to the Board of Directors on behalf of the Members (at least 25% of all the votes entitled to be cast at the meeting) for a meeting with the Board of Directors and Premier Property Management. This request outlines the purpose of the meeting and the matters proposed to be acted upon (BYLAW-ARTICLE III-MEETING OF UNIT OWNERS-SECTION 1.2.3.4.5.6.7.8.9.10.).



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The purpose of the meeting is to discuss the following upcoming events and what the proposed actions will be to prepare for them in accordance to the Bylaws related to each:

1. The discussion for the appointment of a vacancy on the Executive Board, the election of the Executive Board and the Election of Officers.

- Related Bylaw: BOARD OF DIRECTORS, ARTICLE IV, SECTIONS 1-11
- Related Bylaw: MEETINGS OF UNIT OWNERS, ARTICLE III, SECTIONS 1-10
- Related Bylaw: NATURE OF BYLAWS, ARTICLE I, SECTIONS 1-4
- Related Bylaws: MEMBERSHIP AND VOTING RIGHTS, ARTICLE II- SECTIONS 1-8
- Related Bylaw: OFFICERS - ARTICLE VII, SECTIONS 1-6

2. The discussion of DCA ALTERNATIVE DISPUTE RESOLUTION GUIDE, DCA ACCESS TO FINANCIAL RECORDS GUIDE and the DCA OPEN MEETINGS GUIDE related to the annual budget and changes in the HOA. In addition to the aforementioned three areas of jurisdiction, The Planned Real Estate Development Full Disclosure ACT (PREDFDA) (N.J.S.A. 45:22A-21 ET SEQ.), was recently amended and supplemented by the passage of P.L. 2017, c. 106, which sought to enhance the voting participation rights of residents in common interest communities. The amended PREDFDA established that all unit owners are members of the association and also provided basic election participation rights, including the right of resident 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 ballot and be elected to any Executive Board position. It is worth noting that owners are empowered to correct any such matters in which the Association is not in compliance with its obligations related to governing documents. Members can go through ADR or litigation as well as by petitioning the Board or electing new board members.

Please respond to this request via e-mail to advise if and when a meeting can be scheduled to address the above issues. I look forward to your response.

Respectfully Submitted,

Evangeline Dixon
Member/Director
Harbortown Crossing Homeowners Association
e-mail: edixon745@yahoo.com