

# Community Trends®

Community Associations Institute  
New Jersey Chapter December 2013



**IT'S THE END OF  
THE YEAR AS  
WE KNOW IT**

**INSIDE:**

**MORTGAGE  
MADNESS**

Page 8

**WHEN NATURE  
CALLS**

Page 18

**BACK IN MY DAY**

Page 22

**...and more!**



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## President's Corner



**Nina Stanton**

**Clearbrook Community Association  
2013 CAI-NJ President**

This past year has flown by at the speed of light and looking back over this year, I am in total amazement in the success of fulfilling our mission to enhance the quality of community association living through education, legislative advocacy and professional development. We achieved our success from the participation, involvement, contributing efforts and engagement of our membership at every level.

I am honored to have served as your President for the past year and have been blessed by getting to know, learn and grow from everyone at CAI-NJ. I can assure you, the entire membership, that my fellow colleagues on the board of directors are thoroughly engaged in moving our chapter forward. We are ever-evolving, trying new things and listening to innovative ideas. It is human nature to resist change but change is progress and progress is taking steps forward; we are committed to proceeding to improve the way we serve the entire membership.

CAI-NJ is one of the largest chapters in the United States, with over 1,600 members (835 CAVL's, 355 Managers, 69 Management Companies and 342 Business Partners). We provide continuous education and resources to

**"Change is the law of life. And those who look only to the past or present are certain to miss the future."**

—John F. Kennedy

help our members stay abreast of the current news, laws and issues affecting community associations in the State of New Jersey. The Community Associations Institute (CAI) is a national, non-profit organization dedicated to providing the education and resources necessary to foster vibrant, responsive, competent, community associations and helping them promote harmony and responsible leadership.

The Community Association Volunteer Leader (CAVL) Committee, a CAI-NJ new committee, met for its first time on February 19, 2013. The motivated CAVL members proposed new ideas for their membership group and submitted their suggestions for the first CAVL Roundtable Networking event which was held in May which was a full house and a huge success. Our eager CAVL's also submitted their suggestions for the seminars at the Conference & Expo, which was another opportunity for them to fully engage in providing input for their educational needs. There were two (2) Essentials of CAVL National Courses given, one in the central region (Clearbrook Community) and the other in the southern region (Greenbriar Woodlands). There was also another successful Senior Summit at the Renaissance at Manchester.

*CONTINUES ON PAGE 20.*

## On the Cover...

**The cover photo is the 2013 CAI-NJ Shoot the Cover Contest winner selected by the CAI-NJ Editorial Committee:**

"The Morning Star Villa in Cape May, New Jersey was the first four star hotel in North America and converted 100 years later into condominiums. It is listed on the Historical Registry."

— Kathleen M. Stauffer, Twin River Community Trust

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**Community Trends®**  
1675 Whitehorse-Mercerville Road,  
Suite 206  
Mercerville, NJ 08619  
Tel: (609) 588-0030  
Hotline: (609) 477-0956  
Fax: (609) 588-0040  
Website: [www.cainj.org](http://www.cainj.org)  
E-mail: [info@cainj.org](mailto:info@cainj.org)  
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# Save the Date...

## Thursday, February 27, 2014

### CAI-NJ 2014 Awards Dinner

at Ariana's Grand  
800 Rahway Avenue  
Woodbridge, NJ 07095

Registration: 5:30 p.m.  
Cocktail Hour: 6:00 p.m. - 7:00 p.m.  
Dinner: 7:00 p.m. - 9:00 p.m.

For more information, or to register  
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## Contents

### In Every Issue

President's Corner .....	2
Legislative Update .....	4
Chapter Trends .....	6
CAI-NJ Upcoming Events .....	21
CAI Membership Application .....	36
New Members .....	37
Recruiter Club .....	39

### Extras

Business Partner Education Program Wrap-up..	16
2013 Managers Education Proram Wrap-up.....	17
Shoot the Cover Contest.....	26
Monmouth Poll.....	28
The Essentials of Community Association	
Volunteer Leadership Wrap-up.....	34
Community Spotlight .....	41
Management Trends.....	42
How Far Does <i>Community Trends®</i> Travel?..	44
National Trends .....	48
Q&A.....	56

### Features:

Will the CFPB Ability to Repay Rule Affect the Availability of Mortgage Loans and "Qualified Mortgage" Standard?.....	8
Pet Waste Pickup: A Year-Round Responsibility.....	18
What Will They Think of Next? .....	22

# Legislative Update

## CAI Alert —

### Momentum Grows in Congress for Flood Insurance Fix GOVERNMENT AFFAIRS

Legislation has been introduced in Congress to delay increases in flood insurance premiums required by the Biggert Waters Flood Insurance Reform Act of 2012 (BW Act). The “Homeowner Flood Insurance Affordability Act” (HFIA) sets aside substantial flood insurance rate hikes until the Federal Emergency Management Agency (FEMA) takes action to ensure homeowners have a reasonable ability to afford flood insurance coverage.

The BW Act requires that most properties insured through the National Flood Insurance Program (NFIP) be charged rates reflecting the full risk of flood loss. The premium increases apply immediately to flood insurance policies covering businesses and when residential properties are sold or a lapsed policy is renewed. Additionally, the BW Act requires that flood insurance rate maps be updated on an expedited schedule.

Due to BW Act reforms, many homeowners are facing significant increases in their flood insurance premiums. The increases can be so substantial that owners can no longer afford to maintain flood insurance coverage. This is a substantial problem for homeowners in areas where flood insurance coverage is required by federal law for mortgaged properties.

Additionally, many homeowners find their property has been designated as having a higher flood risk as a result of new FEMA flood insurance rate maps. FEMA has acknowledged that the agency's flood insurance rate mapping methodologies are flawed and need to be improved. An example of the flawed process is that in many cases FEMA flood risk maps do not take into account state and local flood control projects. This forces communities and individual homeowners to pay out of pocket to challenge map inaccuracies while at the

same time paying higher flood insurance premiums.

To help Congress better understand the impact of BW Act reforms, the law required that FEMA determine how flood insurance rate hikes would affect homeowners living in areas where flood insurance coverage is mandatory. The BW Act additionally required that FEMA study how substantial increases in flood insurance premiums would affect overall participation in the NFIP. Congress was seeking to determine if homeowners in mandatory purchase areas could afford very significant increases in flood insurance premiums and if the viability of the NFIP would be further threatened if higher rates resulted in fewer policies being written.

In a recent hearing of the Senate Banking Committee on implementation of the BW Act, FEMA Administrator Craig Fugate disclosed that FEMA has made little to no progress in studying how the BW Act impacts homeowners or the future viability of the NFIP. While expressing some concern that homeowners will be unable to pay the new flood insurance premiums, Fugate stated that unless Congress changed the law, flood insurance premium hikes will go into effect as planned.

In response to Administrator Fugate's comments, HFIA was introduced in the U.S. House of Representatives and the U.S. Senate (H.R. 3370 and S.1610, respectively). The legislation is drawing broad, bipartisan support in both chambers with H.R. 3370 having 119 cosponsors and 20 Senators cosponsoring S. 1610. CAI anticipates the number of cosponsors for H.R. 3370 and S.1610 will continue to grow as revised flood insurance rate maps become effective and more homeowners across the country face potentially unaffordable flood insurance premiums.

Despite strong support for HFIA in

Congress, the legislation faces numerous obstacles. In the House of Representatives, key leaders on the Financial Services Committee have expressed opposition to HFIA as currently drafted. Numerous Senators have expressed similar concerns while other Senators are opposed to any substantive changes to the BW Act. This opposition makes it unlikely that HFIA will be adopted as a standalone measure in the near-term.

Notwithstanding this opposition, HFIA supporters in Congress continue to press congressional leadership for a vote on their legislation. A very likely outcome is that an amended version of HFIA will be attached to must pass legislation, such as legislation to fund the federal government or to reauthorize federal agriculture programs.

CAI's Government and Public Affairs Department will continue to monitor the debate on flood insurance and HFIA. If you have any questions or comments, please send an email to [government@caionline.org](mailto:government@caionline.org) or call (888) 224-4321.

A section-by-section summary of HFIA is below.

#### Homeowner Flood Insurance Affordability Act of 2013 Section by Section Summary

##### Section 1. Short Title

The Homeowner Flood Insurance Affordability Act

##### Section 2. Definitions

Defines the following key terms—

- *Affordability Authority Bill* — legislation considered under expedited procedures providing FEMA authority to issue regulations implementing premium affordability policies

CONTINUES ON PAGE 50.

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# chapterTrends

## The Curchin Group Raises \$16,000 for Local Charities in Eighth Annual Miniature Golf Tournament

*Red Bank, NJ* — The Curchin Group, LLC, a mid-sized, full-service accounting firm based in Red Bank, N.J., raised \$16,000 for two local charities at the Eighth Annual Curchin Open Miniature Golf Tournament held on November 6, 2013. Clients, sponsors, and friends played a round of miniature golf on Curchin's team-designed 9-hole course, which flowed through the Firm's office. Since 2006, the annual indoor tournament has taken place at The Curchin Group's Red Bank, New Jersey office.

Each player donated \$20.00 for admission, which included a round of mini golf, food, and beverages. Additional funds were raised through the sale of Fantasy Scratch-Off cards and the event was sponsored by over 50 businesses and individuals. Peter Pfister, CPA, a Partner at Curchin and the Chairperson of the event, remarked, "It's so rewarding to see our Curchin team and the community cheerfully join in every year with increasingly stronger numbers to support all these wonderful causes. Our donors help ensure that 100% of all funds raised go directly to these charities, and it's icing on the cake that everyone has so much fun doing it."

All proceeds from the event benefited two local charities: Girl Scouts of the Jersey Shore, which serves girls in Monmouth and Ocean counties, N.J., to follow the mission of Girl Scouts to build girls of courage, confidence, and character, who make the world a better place; and Family & Children's Service (FCS) of Long Branch, N.J., founded in 1909 with a mission to help people at vulnerable times in their lives through education, intervention, care and counseling. Over the past eight years, The Curchin Open has raised and donated approximately \$105,000 to local charities. For information about how to get involved in next year's event, please contact Peter Pfister at [ppfister@curchin.com](mailto:ppfister@curchin.com) or (732) 747-0500, or visit the Curchin Web site at [www.curchin.com](http://www.curchin.com).

Celebrating over 55 years in Monmouth County, NJ, The Curchin Group, LLC is a certified public accounting firm that helps small to mid-sized businesses and individuals reach their financial goals through providing a broad range of Assurance; Tax; Financial Planning; Business Advisory; 1031 Exchanges; Family Business Consulting; and Litigation & Valuation Services. The firm is dedicated to giving solid accounting and financial advice, sustaining long-term relationships with its clients and employees and giving back to the surrounding community.

**Be a part of the Trend!** Submit your company's or association's news, milestones, achievements – including wedding and birth announcements – to [communitytrends@cainj.org](mailto:communitytrends@cainj.org) for publication in the chapterTrends section of *Community Trends*®.



Photos Courtesy CAI-NJ.



Breanne DeRaps



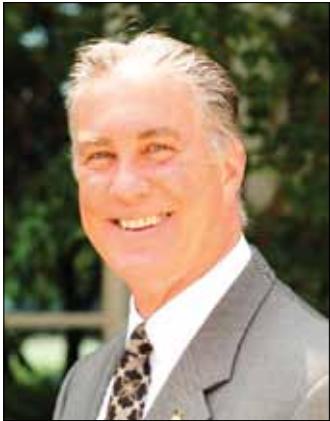
Jamie McMahon

## Herrick Feinstein LLP Hires Two New Associates

*Princeton, NJ* — Herrick's Community Association Group recently hired two new associates, **Breanne DeRaps** and **Jamie McMahon**, to join its expanding Community Association Practice group in New Jersey and Pennsylvania.

Ms. DeRaps graduated Rutgers University School of Law in 2008 and thereafter practiced Community Association Law, as well as Business and Estate Litigation, with the law firm of Parker McCay P.A., in Mount Laurel, New Jersey. Ms. DeRaps is licensed in New Jersey and Washington State.

Ms. McMahon graduated Temple University Law School in 2010 and thereafter practiced Civil Defense Litigation focusing on Premises Liability, Product Liability, Medical Malpractice and Mass Tort Litigation with the law firm of Reilly, Janiczek and McDevitt, P.C., in Philadelphia, Pennsylvania. Ms. McMahon is licensed in New Jersey and Pennsylvania. ■



**Lawrence N. Sauer, CPM, CMCA, PCAM** joins the team at Association Advisors, Freehold. Association Advisors proudly welcomes Larry Sauer as a Managing Partner to their organization.

Sauer has over 20 years of specialized experience in the formation, consulting and managing of Community Associations. He chose to work with Association Advisors based on the company's reputation of having a dedicated staff of professionals to whom integrity is a key element of their success.

Sauer holds the designations of Certified Community Manager of Associations (CMCA), Professional Community Association Manager (PCAM) from the Community Association Institute (CAI). He currently serves on the New Jersey Chapter CAI Board of Directors. In addition, he holds the Certified Property Manager (CPM) from the Institute of Real Estate Management and serves as the 2013 President of Chapter # 1.

"We have full confidence in Larry's potential for success, commitment and value he brings to Association Advisors". "We welcome him to our dedicated team of professionals," said Bonnie Bertan, President of Association Advisors.

Association Advisors is a full-service independent real estate management company started by Bonnie Bertan and Lorene Zalick in 2003. Association Advisors is located at 28 East Main Street in Freehold. For additional information on Larry Sauer or Association Advisors contact him at [larry@askaa.com](mailto:larry@askaa.com) or 732-294-8882 Extension 125.

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## Will the **CFPB ABILITY TO REPAY RULE** affect the availability of mortgage loans AND **“QUALIFIED MORTGAGE” STANDARD?**

By Audrey D. Wisotsky, Esq.,  
*Pepper Hamilton LLP*

and

Ronald L. Perl, Esq.,  
*Hill Wallack LLP*

**O**n January 10, 2013, the Bureau of Consumer Financial Protection (the “CFPB”) issued a final rule, as mandated by provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the “DFA”), which requires mortgage lenders to consider a consumer’s ability to repay residential mortgages before extending credit (the “QM Rule”). The QM Rule was amended by the CFPB on May 29, 2013, as discussed below. The QM Rule also established the standards for a loan to be considered a “Qualified Mortgage,” and, generally, will take effect on January 10, 2014, which gave lenders a year to establish compliance procedures.

**Ability to Repay:** In making ability-to-repay determinations, the QM Rule requires that lenders meet certain minimum requirements, including consideration of various underwriting factors as well as the use of reasonably reliable third-party records to verify the information used to evaluate those factors. The QM Rule does not require lenders to use any particular underwriting model, but lenders must, at a minimum, consider underwriting factors such as a consumer’s current or reasonably expected income or assets, current employment status, credit history, and monthly payment of the transaction, among other factors. The QM Rule also has provisions to



encourage lenders to refinance “non-standard mortgages” into “standard mortgages.”

**Qualified Mortgages:** Generally, if a lender originates a Qualified Mortgage as defined by the QM Rule, it is presumed that the

lender has “made a good faith and reasonable determination of the consumer’s ability to repay,” and is therefore compliant with the QM Rule. Below is a summary of the definition of a Qualified Mortgage with some

*CONTINUES ON PAGE 10.*



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additional caveats for higher-priced loans and certain loans in rural areas.

• **Qualified Mortgage** — A Qualified Mortgage must have the following attributes: (1) no negative amortization; (2) no interest-only payments; (3) no balloon payments; (4) terms cannot exceed 30 years; (5) cannot be a “no documentation” loan; (6) points and fees cannot exceed three (3) percent of the total loan amount; and (7) the consumer’s debt-to-income ratio must be less than or equal to 43 percent.

• **Safe Harbor for “Prime” Loans or Rebuttable Presumption for “Higher Priced” Loans** — One of the questions that the mortgage industry has been grappling with is whether originating a Qualified Mortgage would provide lenders with either a safe harbor or a less-protective rebuttable presumption of compliance with the QM Rule. The QM Rule in fact provides both. As lenders had hoped, the QM Rule provides lenders with a safe harbor for origination of a Qualified Mortgage. However, origination of a “higher priced” mortgage (as defined by existing regulations adopted by the Federal Reserve Board in 2008) that otherwise has the attributes of a Qualified Mortgage creates a rebuttable presumption of compliance with the QM Rule. Consumers may rebut this presumption by showing that, at the time the loan was originated, the consumer’s income and debt obligations left insufficient residual income or assets to meet living expenses.

• **Non-Qualified Mortgage that Meets GSE Underwriting Requirements** — On a temporary basis, a mortgage loan made to a consumer whose debt-to-income ratio is greater than 43 percent will be deemed a Qualified Mortgage so long as the mortgage satisfies the other safe harbor requirements of the QM Rule (as described above) provided it is eligible to be purchased, guaranteed, or insured by (1) the Government Sponsored Enterprises (i.e., Fannie Mae and Freddie Mac) or (2) other Federal agencies (i.e., the Department of Housing and Urban Development, etc.). Unless the Federal agencies issue their own qualified mortgage rules, this temporary provision will remain in effect for seven (7) years.

• **Balloon Payment Qualified Mortgage in Rural Areas** — Certain balloon-payment

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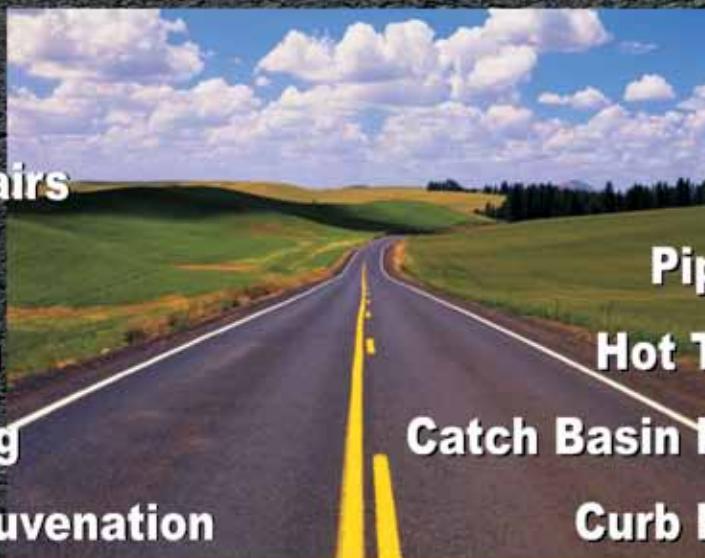
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*WILL THE CFPB... from page 10.*

loans will be Qualified Mortgages if they are originated and held in portfolio by small creditors operating predominately in rural or underserved areas.

The CFPB, at the time it issued the QM Rule, issued a proposed rule as it recognized that the QM Rule would limit certain borrowers' access to credit. On May 29, 2013, the CFPB published a Final Rule enacting the proposed amendments. Clearly, the CFPB realized the QM Rule will limit certain borrowers' access to credit. The amendment provides certain exemptions and modifications to the QM Rule's ability to repay requirements. Among other things, it exempts from the ability to repay requirement extensions of credit made pursuant to programs administered by a housing finance agency and by certain types of non-profit creditors to preserve access to credit

*"The amendment provides certain exemptions and modifications to the QM Rule's ability to repay requirements."*

for low and moderate income borrowers. The amendment also provides an exemption for refinances of FHA, VA, and mortgage loans made pursuant to Department of Agriculture programs and, under certain conditions, mortgage loans owned by Fannie Mae and Freddie Mac.

The CFPB's issuance of the QM Rule gives lenders some much-needed clarity with regard to mortgage lending compliance under the DFA. However, even as amended, the QM Rule is sure to limit the availability of credit to many borrowers. The QM Rule moreover will create further disincentives for lenders to make loans that fall outside of the Qualified Mortgage definition, and borrowers' access to mortgage credit will most assuredly be limited in the mortgage market going forward.

In addition to the QM Rule, a proposed Qualified Residential Mortgage Rule ("QRM Rule") was published. The QRM Rule is the responsibility of six (6) Federal agencies: the Treasury Department; the Federal Reserve System; the Federal Deposit Insurance Corporation; the U.S. Securities and Exchange Commission; the Federal Housing Finance Agency; and the Department of Housing and Urban Development (the "Agencies"). The QRM Rule was mandated by the DFA to require

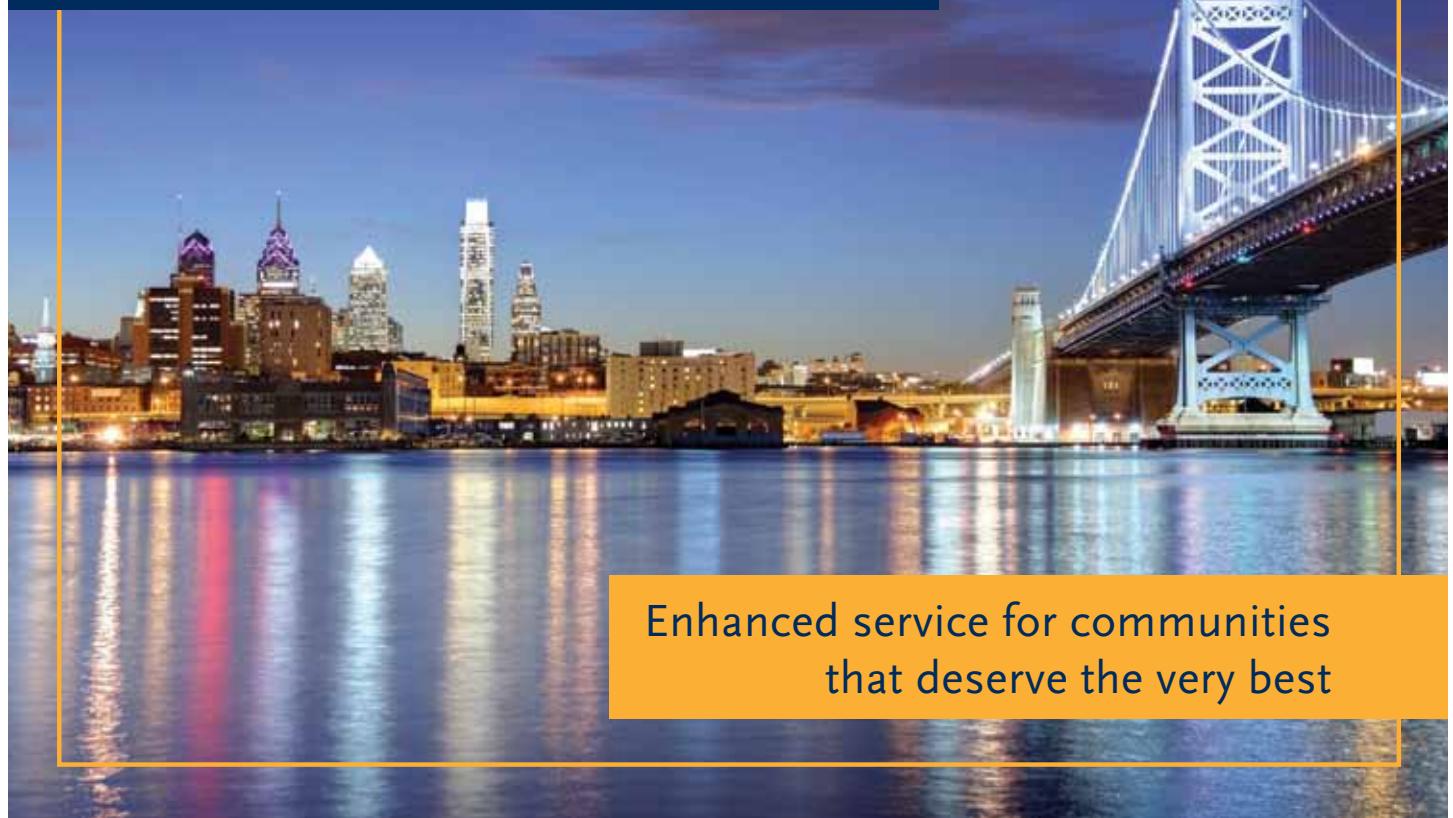
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*CONTINUES ON PAGE 14.*

December 2013

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*WILL THE CFPB... from page 12.*

lenders to retain some of the credit risk for loans that are securitized (e.g., loans sold to Fannie Mae and Freddie Mac). This was a reaction to the collapse of the mortgage market, which was caused in part by the ability of lenders to approve mortgages for unqualified borrowers and then selling those loans in the secondary market with no residual risk to the originators. The DFA requires that the lender retain a five (5) percent interest in each securitized loan. Qualified Residential Mortgages are intended to be higher quality loans, which will be exempt from the five (5) percent risk retention requirements. This is significant to lenders, who have complained that risk retention will cause a shortage of capital.

The DFA did not specify the requirements for the QRM Rule, but left it to the Agencies to do so by regulation. The original proposed QRM Rule was met with significant opposition from the mortgage industry. It included a 20 percent down payment requirement, which was criticized as exclusionary to low income, minority and first-time homebuyers. It contained other requirements that differed from the QM rule. The Agencies regrouped and released a 500 page document in August 2013, containing a review of the comments on the original QRM Rule, a proposed new QRM Rule and specific questions for public comment and response. The final proposed rule would align the QRM Rule's major requirements with those of the QM Rule (verification of ability to repay, term not to exceed 30 years, debt-to-income ratio of 43 percent or lower, cap of points and fees at three (3) percent and prohibition of negative amortization loans). The comment period ended on October 30th and it is not known when the final QRM Rule will be issued. ■

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These certificates are distributed at the end of each CAI-NJ seminar. This is proof that you attended and completed the seminar. You may need to reference the certificate in the future and CAI-NJ does not keep track of each member's attendance record. Community managers will definitely need the certificates to obtain credit for continuing education towards their designations.



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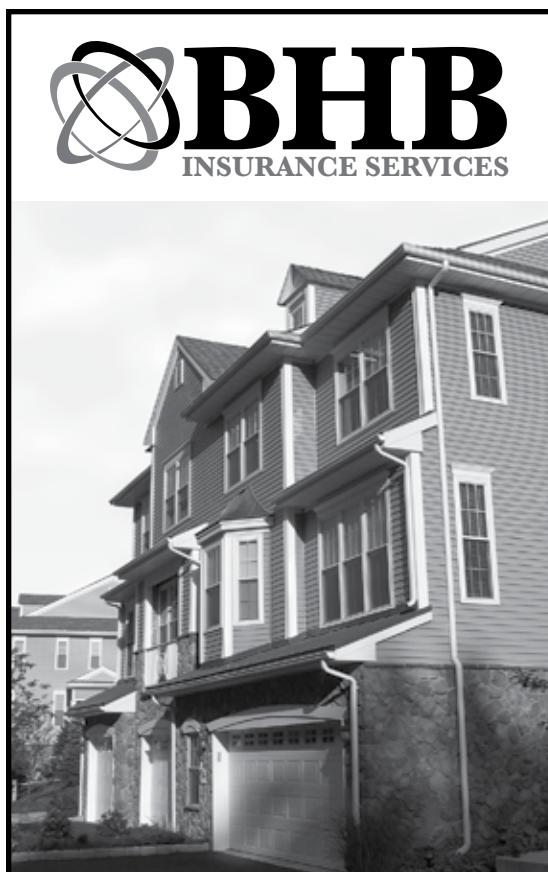
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## Business Partner Education Program...

The Inaugural Business Partner Education Program was held at 77 Hudson in Jersey City on November 7, 2013. This was the first educational event specifically intended for CAI-NJ Business Partner and Management Company members. Ryan Fleming, JGS Insurance spoke to the attendees about the proper insurance that business owners need to have in place to protect their companies. He also spoke about current trends in the insurance marketplace as well as how premiums and pricing formulas are determined. Graceanne Welsh, AMS, from Kipcon, Inc. was the moderator for the program. "Ryan Fleming of JGS Insurance did an outstanding job discussing aspects of insurance as they relate to New Jersey business. The committee hopes to gain momentum from this event and prepare future seminars that will add value not only to the Business Partner members but our managers and CAVLs," commented Jim Rademacher, Rezkom Enterprises, Inc., Chair of the 2013 Business Partner Committee.

CAI-NJ would like to thank Ryan Fleming, Graceanne Welsh, AMS, the CAI-NJ Business Partner Committee as well as the staff of 77 Hudson for their gracious hospitality in hosting this important event. ■



(above) Attendees were able to have their specific questions answered due to the intimate nature of the meeting space at 77 Hudson.



(above) Ryan Fleming, JGS Insurance talks about the importance of the relationship between the client, the broker and the broker's support system.



(above) Chris Tensen, KPI 2 Contractors, Inc., has his question answered during the lunch break. Also pictured are Graceanne Welsh, AMS, Kipcon, Inc. and Elizabeth Davis, KPI 2 Contractors, Inc.

(left) Mark Stapleton, Manager of 77 Hudson, and Mohammed Salyani, CPA, Wilkin & Guttenplan, P.C., speak about some of the unique challenges of managing a luxury high-rise.

(below) Ryan Fleming, JGS Insurance, takes a quick audience poll to gather information about the attendees.

(below) Dave Scaturro, Alpine Painting, asks a question during the Q&A at the conclusion of the program.



## 2013 Managers Education Program...



(above) Denise Lindsey-Becker, CMCA, AMS, PCAM, Signature Property Group, AAMC, Dave Scaturro, Alpine Painting and Eileen Gambino, McGovern Legal Services, LLC converse during the lunch break.



(above) Graceanne Welsh, AMS, Kipcon, Inc., introduced the program and the speaker to the attendees.



(above) Ryan Fleming, JGS Insurance, fields a question from Chris Tensen, KPI 2 Contractors, Inc.

CAI-NJ hosted a second session of the 2013 Managers Education Program: Surviving a Disaster of Community Managers. It was held on Thursday, November 21, 2013 at The Falcon Group – Engineering, Architecture and Energy Consultants in Bridgewater, New Jersey. The speakers for the program were Andrew Batshaw, CMCA, AMS, FirstService Residential, AAMC, James Milito, AIA, LEED AP, BSA, The Falcon Group – Engineering, Architecture & Energy Consultants and Debbie Pasquariello, CIC, CIRMS, BHB Insurance Services. The moderator for the program was Alfred Ojejinmi, CPM, FRICS, AMS, PCAM, Presbeuo Group, Inc.

The program focused specifically on how community managers can properly prepare for disasters and the plans that should be in place such as advance notification plans, emergency evacuation and life safety plans and off-site data and record storage. The speakers also discussed routine emergency generator inspections, strategies to ensure the continuation of business when on-site management offices may be rendered unusable, emergency repairs and the different types of insurance coverage available.

CAI-NJ would like to extend its sincere appreciation to The Falcon Group – Engineering, Architecture and Energy Consultants for hosting this important program. If you were unable to attend, CAI-NJ will be hosting another program for managers in early 2014. Check your mailbox and inbox for the topic, date, location and registration information. ■



(above) Andrew Batshaw, CMCA, AMS, FirstService Residential, AAMC, spoke about disaster planning from the manager's perspective.

(below) Debbie Pasquariello, CIC, CIRMS, BHB Insurance Services, spoke about the different insurance coverages available to community associations as well as the claims process after disaster strikes.



(above) James Milito, AIA, LEED AP, BSA, The Falcon Group – Engineering, Architecture & Energy Consultants, discussed inspections and emergency repairs before and after disasters strike.

(below) Alfred Ojejinmi, CPM, FRICS, AMS, PCAM, Presbeuo Group, Inc., moderated the program.





# PET WASTE PICKUP:

## *A year-round responsibility*

By Kevin Mahoney  
DoodyCalls Northern NJ

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**I**n today's world, time is a precious commodity, and with all of the things on the average pet owner's to-do list, chances are picking up after the pooch is down there towards the bottom, especially during the fall and winter months when it is so easily overlooked. But as unpleasant and time-consuming as it may be, keeping pet waste off the grounds is an important neighborly responsibility held by all residents with pets, all year round.

Community managers take note: the waste that resident pooches leave behind is more than just a gross and unsightly nuisance; it is an environmental pollutant and a human health hazard. When left unattended, the waste is a detriment to local soil and water quality, and also presents a number of potential health dangers to families and their pets.

But fear not, implementing a comprehensive pet waste management plan can put community pet waste problems to rest in no time.

When it comes to pet waste management plans, the most effective strategies are multifaceted, involving regular common area cleanings, the introduction of pet waste stations into the community and resident education.

Many times, unattended pet waste is the result of circumstances rather than bad inten-

tions. Forgetting to bring a bag for the waste or running out of bags during the walk are the most common reasons why dog walkers leave waste on the ground.

By installing and maintaining pet waste stations in your community, you get a simple, affordable and effective solution that is greatly appreciated by residents. When determining the number and location of stations, consider the density of homes, areas where dog owners tend to congregate and the natural foot traffic patterns throughout the grounds. The goal is to make it easy for dog walkers to pick up a bag at the beginning of their walk and easy for them to find a place to dispose of it at the end.

Keep in mind that even with pet waste stations installed in the community, occasional full-fledged common area cleanings are still recommended as well. Depending on the type of community and scope of the problem, cleaning common areas may require walking the entire grounds to scoop up waste and other litter. In other cases, the issue will centralize itself in a few locations, commonly referred to as "hot spots." These locations are where waste tends to accumulate more frequently than others. Identifying hot spots and keeping them clean can work to curb the

*"Community managers take note: the waste that resident pooches leave behind is more than just a gross and unsightly nuisance..."*

problem immediately and also help prevent it from spreading.

The final piece of the pet waste management puzzle is community education and awareness. When residents understand the importance of picking up after their pets and they see the community supporting pet waste pickup, they become far more likely to participate and support the cause.

Educational initiatives can be as simple as periodically publishing a community map outlining the location of pet waste stations so that residents are reminded of their presence and can plan their walks accordingly.

If you have a pet waste issue in your community, consider installing pet waste stations, performing common area cleanings and providing residents with information on the importance of pet waste pickup. For communities with lots of dog owners, it is always a good idea to consult a specialist to put together a comprehensive pet waste management plan. ■

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The Managers Committee held two (2) extremely successful Managers-Only Seminars: "Surviving a Disaster for Community Managers" in Toms River (Greenbriar Woodlands) and Bridgewater (The Falcon Group). The Managers' Committee also suggested and implemented its Best Practices Roundtables, as well as its seminars at the Conference & Expo.

The Business Partner Committee also proposed and held an exceedingly successful "Business Insurance: What You Need to Know" seminar last month at 77 Hudson in Jersey City, as well as its seminars at the Conference & Expo, and made recommendations to the board of directors to enhance the Platinum Sponsorship Program for 2014.

It is incredible to believe that besides the above educational sessions this past year we had our remarkable 3rd joint seminar with IREM NJ Chapter No.1 "The 2013 State of the New Jersey Economy," and a staggering amount of participants that completed our Mediation Training Program. I would be remiss if I failed to mention that we hosted the M-100 and M-201, prior to our Conference & Expo.

This year CAI-NJ held it's first "New

Member Breakfast" which was a wonderful introduction of the benefits of membership, the board of directors and who we are individually and as a chapter. What about the rest of our wildly popular events??? It seems like it was only yesterday that we gathered for the Awards Dinner, Spring Break Party, Dennis Casale Memorial Golf Outing, Beach Party and Conference & Expo. I want to thank all of our volunteers, speakers and sponsors for making all these seminars and events the foundation of who we are. There are many fond memories that will stay within my heart.

This is my final opportunity, as president, to publicly thank every member who has touched my life, from whom I have learned so much, and who has earned a fond spot in my heart over the last six (6) years of serving on the board of directors. Each month I have included a notable quote in this column, therefore, I want to share in my last article some of my favorites that weren't included previously:

- "If at first you don't succeed, skydiving is not for you." — Francis Roberts
- "Never be afraid to try something new. Remember, amateurs built the ark, professionals built the Titanic." — Anonymous

- "Whoever gossips to you will gossip of you." — *Spanish Proverb*
- "If you're looking for friends when you need them...it's too late." — *Mark Twain*
- "Opinions are like armpits: Everybody has two of them and they stink most of the time." — *Anonymous*
- "The easiest thing to find is fault." — *Anonymous*
- "Smooth seas do not make for a skillful sailor." — *African Proverb*
- "Be kind, for everyone you meet is fighting a hard battle." — *Plato*
- "Too many people miss the silver lining because they're expecting gold." — *Maurice Setter*
- "Always do right. This will gratify some people and astonish the rest." — *Mark Twain*
- "What we do in life, echoes in eternity." — *Maximus Decimus Meridius, Gladiator*
- "You can observe a lot by just watching." — *Yogi Berra's Law*
- "Time may be a great healer, but it's a lousy beautician." — *Anonymous* ■



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### DECEMBER 11, 2013

Annual Meeting and Chapter Retreat  
Clearbrook Community Association  
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1 Clearbrook Drive  
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### JANUARY 10, 2014

4th Annual CAI-NJ/IREM  
Economic Forecast  
Crowne Plaza, Monroe

### FEBRUARY 27, 2014

CAI-NJ Annual Awards Dinner  
Ariana's Grand  
800 Rahway Avenue  
Woodbridge, NJ 07095  
Registration: 5:30 p.m.  
Cocktail Hour: 6:00 p.m. - 7:00 p.m.  
Dinner: 7:00 p.m. - 9:00 p.m.

## CAI-NJ EDUCATION SCHEDULE

All course dates and locations are tentative. Please check [www.caionline.org](http://www.caionline.org) or [www.cainj.org](http://www.cainj.org) for updated information.

### MARCH 20-21, 2014

M-204: Community Governance  
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### APRIL 10-11, 2014

M-310: Management Company  
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Sheraton Edison Hotel Raritan Center  
125 Raritan Center Parkway  
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### OCTOBER 21-23, 2014

M-100: The Essentials of Community  
Association Management  
(Location TBD)

### OCTOBER 21-22, 2014

M-202: Association Communications  
(Location TBD)



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# community governance

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## What Will They Think of Next?

By Chip Hoever, CMCA, AMS, PCAM  
Somerset Management Group, LLC

*"Of course, we also have those folks who are never happy with the service provided by the property manager..."*

**W**hen I started as a naive manager in this business over ten years ago, things were not so hard. People seemed a lot more reasonable, vendors seemed a lot more responsible and responsive, and when people broke a rule all that was required was a simple letter "reminding" them that they broke a rule. These days it is not so easy.

Recently in an upscale single family home community, I received complaints about the "stuff" stored in a homeowner's back yard. When I saw the pictures of the backyard, I could not believe my eyes. There was a pile of assorted lumber next to the back staircase, which itself was falling apart, along with a broken trampoline and the assorted cinder blocks used to hold it down. But the piece de resistance was the large truck tire leaning against the back of the house. Now these are the sort of things that are obvious, egregious violations, especially for an upscale community. I contacted the homeowner and very politely and gently "suggested" that he remove the items. His response was immediate and not as nice as my initial letter. His basic attitude was "it's my back yard and it's too bad if you don't like it – or you can have those complaining call me directly." What will people think of next?

What happened to those responsible unit owners who used to pay their association fees dutifully and consistently on or about the first of every month? Fortunately, most still do. However, each day more and more shirk their responsibility to pay their fair share of the common expenses to the association for services from which they continue to derive a benefit (i.e., insurance, landscaping, snow removal, garbage removal, etc.). Property managers realize that some people have financial issues these days, but when will they learn that if they contact the manager to work out a payment plan they will save hundreds, if not thousands of dollars in late fees and legal expenses? What will they think of next?

What about the boards who get angry at management because of the collection situation. It is not for a lack of trying on our part, and it is not for a lack of trying by legal counsel, it is because people will not or cannot pay, and the attorneys have to follow the rules of the court – and as much as we all hate that – it takes time.

What happened to the days that a property manager assigned a job to a contractor and the contractor would get the job done when promised, in a proper manner, the first time, at a reasonable and fair price? Do not get

me wrong, there are a lot of fine vendors who do great work at reasonable prices, and get the job done when they promise. However, more and more vendors will tell us that the job will be complete by Tuesday. The problem is that they did not tell us which Tuesday. Then we find out they replaced the perfectly good downspout on the right side when they were instructed to replace the left downspout that was smashed by the landscaper. The contractor did not bother to read the work order or look at the job.

Then we have those who are "entitled" and are better than the rules, or the rules do not apply to them. "Did you really mean that we have to pick up after ALL dogs?" Of course parking is always a hot topic, especially with those who like to park in fire lanes or in front of their garage. Their laziness and desire for convenience proves more important than the safety of their neighbors because they are parking in a restricted area that inhibits the movement and set up of fire apparatus in the event of an emergency.

Of course, we also have those folks who are never happy with the service provided by the property manager, so they decide on a little "self-help." That would be great only if they had a clue as to what was going on and what is really needed. I recently had a home-

CONTINUES ON PAGE 24.

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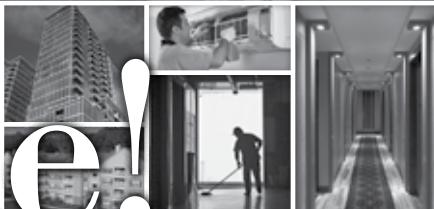
owner get involved with Verizon on a service call for a common intercom system. Because the homeowner did not have complete information, Verizon misinformed her and told her that there was no problem when, in fact, the technician had not arrived yet and was on his way to investigate the matter.

Recently, I read an article in an industry trade magazine about an association that is starting to do DNA tests on all dogs so if a doggie fouls the common ground, the association will have a database of DNA to check in order to fine the appropriate owner. When I got into this business there was no mention of poop testing in the M-100 course! What will they think of next?

So what will they think of next, and how far is too far? ■

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## *The 2013 Shoot the Cover Winner is...*

*The winning photo is Morning Star Villa, Cape May, New Jersey, by Kathee M. Stauffer, CMCA, AMS, Twin Rivers Community Trust.*



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### **The other 2013 Shoot the Cover Contest entries were...**



**Spring Lake Beach one year post Superstorm Sandy, Timothy Lurie, DW Smith Associates, LLC**



**Route 35 Bridge from Point Pleasant to Brielle, Timothy Lurie, DW Smith Associates, LLC**



**Fox Hills at Rockaway Clubhouse, Cheryl-Anne Cipriano, Taylor Management Company, AAMC, AMO**



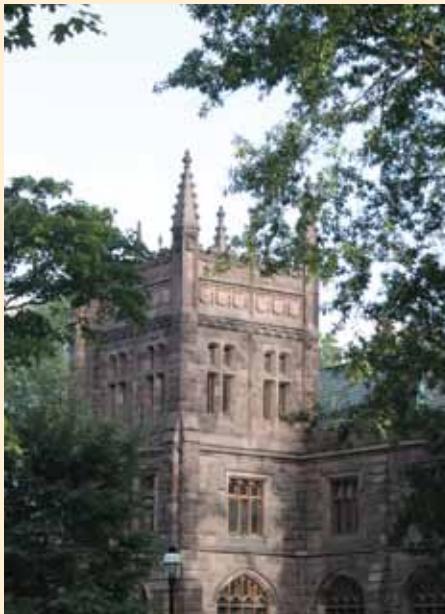
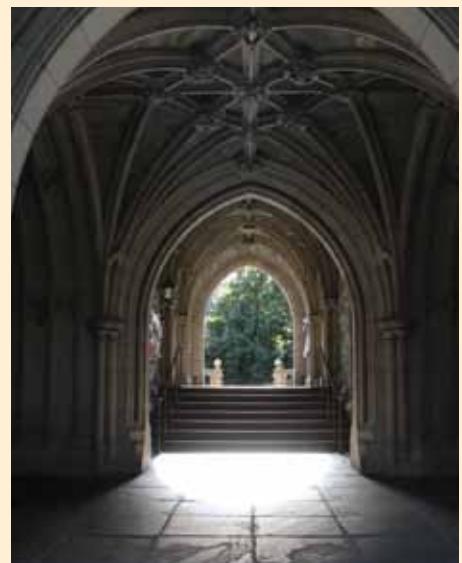
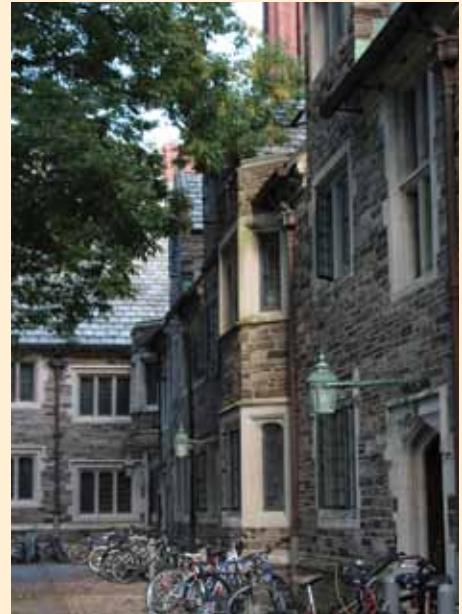
Claridge House I Pool, Verona, New Jersey,  
Robert Cumins, Claridge House I



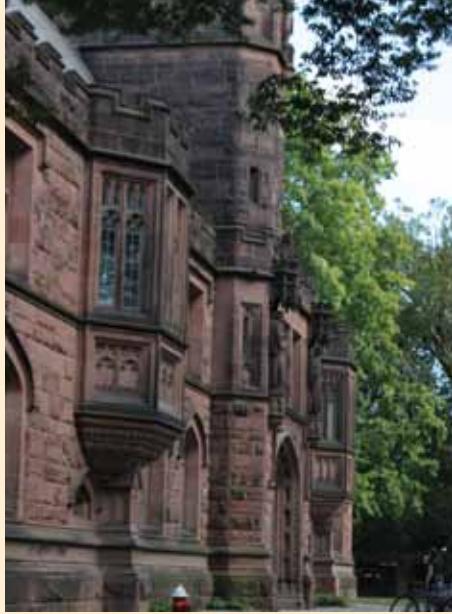
Katyn Massacre Memorial, Jersey City, NJ,  
Esmerelda Lopez, Taylor Management Company,  
AAMC, AMO



Society Hill at Somerset VI, Elizabeth Melhorn,  
Society Hill at Somerset VI



(Four photos, below and right) Princeton University Campus, Emily Andreas



# Displaced New Jerseyans Rate Government, Insurers On Sandy Recovery

Monmouth University Poll, West Long Branch, NJ 07764 • [www.monmouth.edu/polling](http://www.monmouth.edu/polling)

The second installment of results from Monmouth University's initial wave of a tracking panel of New Jersey residents who were displaced by Sandy finds that local municipalities are seen as the most responsive level of government during the recovery. These hardest-hit residents have found it fairly easy to register for state and federal recovery assistance, but are divided on how helpful these agencies have been.

A majority of respondents who were displaced by Sandy say that their local town government has been at least somewhat helpful (55%), compared to 42% who say it has not been helpful. Impacted residents are split on the federal government's helpfulness – 51% say it has been helpful and 47% say not helpful. New Jersey state government is seen as less supportive – 43% helpful compared to 53% not helpful. County governments are seen as least helpful – 25% helpful to 62% not helpful.

There are few differences in county government helpfulness by region of the state – 39% of Middlesex residents, 26% of Monmouth residents, 25% of Ocean residents, and 21% of residents from other parts of the state say that their county governments have been helpful in the recovery. There are wider regional disparities for reports of municipal government help. Fully 86% of respondents from Middlesex County

say their town governments have been helpful in the recovery, followed by 69% of Monmouth County coastal town respondents, 55% of Monmouth County bay-shore respondents, 47% of Ocean County respondents, and 37% of respondents from other parts of the state. Among Ocean County respondents, those back in their homes (58%) are more likely than those who are still displaced (36%) to say their local government has been helpful. [Note: readers should keep in mind that towns are not proportionately represented in this panel sample.]

"Local governments have generally been seen as responsive in the year after Sandy hit. But there are some regional differences in local government ratings that suggest not all towns have been equally effective in working with their impacted residents," said Patrick Murray, director of the Monmouth University Polling Institute, which is conducting the ongoing study under a grant from the New Jersey Recovery Fund.

Insurance providers get more negative than positive marks – 42% of impacted respondents say

their insurance company has been helpful to 51% not helpful. Community organizations, such as the Red Cross and local



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churches get more positive marks (51% helpful) than negative (35% not helpful). Not surprisingly, the vast majority of impacted residents say that their family and friends (90%) and neighbors (74%) have been helpful in their Sandy recovery.

The first point of recovery for most impacted residents is through their insurance carriers. The vast majority of respondents in the impacted resident survey carried primary home coverage (92%) as well as federal flood insurance (80%). Among homeowners, 96% had primary coverage and 86% had flood coverage. Renters were significantly less likely to have carried any coverage prior to the storm; only 40% had a renters policy and just 18% carried flood protection.

Among those with primary home coverage, 87% filed a claim with their insurer. Among this group, 69% report that their claim was approved in whole or in part. Nearly all (99%) residents with flood coverage filed a claim and practically all of them had their claims approved (97%).

Despite the difference in claims experience, the overall levels of satisfaction with insurer responsiveness are similar for basic providers and flood providers. Specifically, 45% of residents who filed a primary home claim are satisfied with their carrier's responsiveness. Slightly more of those who filed a flood claim (49%) are satisfied with that insurer's responsiveness. There are some significant differences for primary coverage satisfaction depending on the claim's outcome. Among those who had a primary claim approved, 56% were satisfied with their primary home insurer's responsiveness. Only 22% of those whose claim was denied feel the same.

Insurance Provider Experience		
	Primary home insurance	Flood insurance
Had pre-Sandy coverage	92%	80%
Among owners	96%	86%
Among renters	40%	18%
Filed a claim (among those with coverage)	87%	99%
Claim approved (in whole or part)	69%	97%
Insurer Responsiveness		
Very satisfied	17%	16%
Somewhat satisfied	28%	33%
Somewhat dissatisfied	18%	18%
Very dissatisfied	37%	32%

CONTINUES ON PAGE 30.

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"Insurance providers get generally satisfactory, although not stellar, grades from New Jersey residents who were hardest hit by Sandy. It's worth noting, though, that twice as many give insurers the most negative rating of very dissatisfied than the most positive rating of very satisfied," said Murray. The main government provider of recovery support is the federal government, particularly FEMA and the SBA. Overall, just 32% of impacted residents say it has been easy to get recovery information from federal agencies, compared to 54% who say it has been difficult. Survey respondents are more aware of some FEMA programs than others. Most know that FEMA provides rental assistance (75%) and transitional shelter assistance (68%). A majority are also aware of FEMA/SBA programs to provide home repair assistance not covered by insurance (57%), home repair loans up to \$200,000 (56%), and temporary housing (55%). Fewer are aware of personal property replacement loans (41%) and assistance with "other than housing" needs (32%). About 1-in-10 (9%) respondents cannot identify any of the specific services provided by FEMA or the SBA. Nearly all (98%) impacted residents surveyed say they registered with FEMA.

Most report that the process was either very easy (28%) or somewhat easy (46%). Another 26% say the process was difficult. A majority of respondents (57%) report that FEMA denied them services or assistance they felt they needed. Applicants at both the lowest and highest income levels are most likely to report being denied FEMA services. Specifically, 67% of those earning

*"County governments  
are not seen as  
positively as municipal  
governments  
when it comes to  
communications."*

less than \$50,000 and 64% of those earning more than \$150,000 report being denied by FEMA. This compares to 54% of those earning between \$50,000 and \$100,000 and 43% of those earning between \$100,000 and \$150,000 who report being denied FEMA assistance.

Another avenue of support is the state's ReNew Jersey Stronger program administered through the Department of Community Affairs. Overall, just 32% of impacted residents say it has been easy to get recovery information from the state, compared to 52% who say it has been difficult. Still, at least 3-in-4 respondents say they have heard of state programs to provide \$10,000 in-county resettlement grants (86%), up to \$150,000 for rehabilitation or RREM (80%), and up to \$30,000 for flood hazard mitigation (74%). Fewer have heard about forgivable loans for homebuyers (39%) and special Sandy Section 8 vouchers (17%). About 1-in-10 (9%) respondents cannot identify any of the specific services provided by ReNew Jersey Stronger.

Three-in-four (76%) impacted residents surveyed registered for ReNew Jersey Stronger assistance. Most report that the process was either very easy (32%) or somewhat easy (46%). Another 23% say the process was difficult. There are some income differences in ease of registering with the state that were not found with the FEMA process. One-third – about 34% – of residents earning less than \$75,000 a year say they had difficulties registering with ReNew Jersey

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Stronger, compared to about 14% of those who earn more than \$75,000 a year.

Less than half (45%) of those who registered with the state report that they were denied services or assistance they felt they needed. Applicants in the highest tier of income earners (56% of those earning more than \$150,000) are the most likely to report being denied state services. This compares to between 41% and 46% of those earning between \$50,000 and \$150,000 and 35% of those earning less than \$50,000 who also report being denied ReNew Jersey Stronger assistance.

"It appears that New Jersey families at the lower end of the income scale have had more difficulties obtaining FEMA or SBA services than assistance from the state, although they may have had a harder time registering for the state program," said Murray.

While most local agencies do not provide financial support, they can be an important conduit of information about the recovery process. About one-third of respondents (35%) say that they are in contact or receive communications from municipal officials at least a few times a month, while 15% say they hear from their town at least once a month. Another 26% are in contact with town officials less often and 24% say they never have contact with their local government about the recovery effort. These results are nearly identical for respondents who are displaced and those who have been able to return home. Respondents from Monmouth County (44%) and Middlesex County (43%) are more likely than those from Ocean County (24%) or elsewhere in the state (10%) to report being in frequent contact with local municipal officials.

Half (50%) of the survey respondents say that it has been easy to get information about recovery and rebuilding from their local municipal government, compared to 41% who say it has been difficult. Respondents from Monmouth County shore towns (67%) and Middlesex County (62%) are most likely to say that communication with their local government has been easy, followed by respondents from Monmouth County bay-shore towns (49%), Ocean County (41%) and elsewhere in the state (41%). However, Ocean County respondents who are back in their homes (50%) are more likely than those who are displaced (31%) to say that it is easy to get information from their local government. There is no such difference among

CONTINUES ON PAGE 32.

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County governments are not seen as positively as municipal governments when it comes to communications. Just 19% of survey respondents say it is easy to get recovery information from their county government, compared to 43% who say it is difficult. There are few substantial differences on this question across different parts of the state. For example, residents of Monmouth County's bayshore (19% easy to 45% difficult), Monmouth County's coast (25% to 35%), Ocean County (26% to 46%), Middlesex County (21% to 42%), and other parts of the state (17% to 38%) give fairly similar responses.

Survey respondents are split on the ease of communicating with other entities about the recovery effort. Thirty percent say it has been easy to get information from their gas utility provider while 25% say it has been difficult. A similar 29% percent say it has been easy to get information from their electric utility provider while 26% say it has been difficult. Also, 38% say it has been easy to get information from charitable and community organizations while 27% say it has been difficult.

Respondents were also asked about the best methods to provide recovery information. Most (63%) say that they rely on Internet websites and more than 4-in-10 (43%) also use social media. Just under half (45%) say that newspapers are also a preferred source. One-third (36%) would like to get emails from government agencies or recovery organizations and 28% would like automated reverse-911 calls. Another 28% say they look for TV and radio news reports. Twenty percent say that mailed notices would be effective and 12% say the same about flyers or doorhangers.

Future reports from this project will track ongoing recovery progress and concerns of the impacted New Jersey residents participating in this panel.

### Methodological Note:

The Monmouth University Polling Institute conducted this Sandy Recovery Survey online and by telephone with 683 New Jersey residents who were displaced from their homes for a month or more due to Superstorm Sandy. The results presented in this report were based on interviews completed between September 18 and October 21, 2013. This survey is part of a larger panel study designed to track the experiences

of New Jersey residents who continue to be impacted by the storm. Because survey respondents were recruited using a variety of non-probability methods, the survey results cannot be statistically projected to the larger population of all Sandy victims in the state. The value of these survey findings rests in the internal poll comparisons (e.g. variations between those who remain displaced and those who are now back in their homes, variations by income levels, etc.) as well as to future waves of interviews that will track recovery progress for these individuals.

This project was designed to complement Monmouth University's statewide and regional poll tracking of Sandy issues and specifically to highlight continuing issues in New Jersey's Sandy recovery and provide recommendations for improving communication channels between hardest-hit residents and public/private authorities. This project was made possible by a New Jersey Recovery Fund grant from the Community Foundation of New Jersey and the Geraldine R. Dodge Foundation. ■

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## *The Essentials of Community Association Volunteer Leadership...*

The New Jersey chapter of Community Associations Institute (CAI-NJ) was pleased to host the second 2013 session of the informative workshop, "The Essentials of Community Association Volunteer Leadership" on Saturday, November 16, 2013, at Greenbriar Woodlands in Toms River, New Jersey.

The course included such topics as legal foundation, problem solving, maintenance, rules creation and enforcement, insurance, finances, board meetings and hiring a professional team.

Participants asked questions and received detailed explanations and feedback from facilitators and peers. The facilitators for the course were Jules Frankel, CPA, Wilkin & Guttenplan, P.C., Nancy Hastings, CMCA, AMS, PCAM, MAMCO Property Management, AAMC, and Fran McGovern, Esq., McGovern Legal Services, LLC.

If you were unable to attend the program, CAI-NJ will be hosting the Essentials Program twice in 2014. Check your mailbox and inbox for future dates and locations.

CAI-NJ would like to thank the Greenbriar Woodlands for graciously hosting this important program as well as the facilitators for sharing their knowledge, time and expertise with the participants. ■



(above) Jules Frankel, CPA, Wilkin & Guttenplan, P.C., spoke about association finances including the preparation, operation and evaluation of the annual budget.



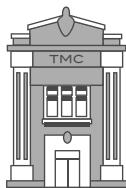
(above) Fran McGovern, Esq., McGovern Legal Services, LLC, speaks to the participants about the various legal issues including creating and enforcing rules within your community.



(above) 20 CAI-NJ members joined the facilitators for the Essentials of Volunteer Leadership at Greenbriar Woodlands.



(left) Nancy Hastings, CMCA, AMS, PCAM, MAMCO Property Management, AAMC spoke about the many roles and responsibilities within the community, from the developer to the board to the homeowners.



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Email: [membership@cainj.org](mailto:membership@cainj.org)

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Title: \_\_\_\_\_

Association/  
Company: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (W) \_\_\_\_\_ (H) \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Select your Chapter: NEW JERSEY

Recruiter Name/Co. Name: \_\_\_\_\_

## CATEGORY OF MEMBERSHIP: (Select one)

<input type="checkbox"/> Community Association Volunteer Leader (CAVL)	Dues vary*
<input type="checkbox"/> Manager	\$124
<input type="checkbox"/> Management Company	\$400
<input type="checkbox"/> Business Partner	\$555
<input type="checkbox"/> Business Partner Affiliate (CAI-NJ only)	\$100

## PAYMENT METHOD:

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Name on Card: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Complete only the portion of the remainder of the application  
that applies to your category of membership.**

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## COMMUNITY ASSOCIATION VOLUNTEER LEADER (CAVL):

Billing Contact: (if different than Association Address on left):

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City/State/Zip: \_\_\_\_\_

Phone: (W) \_\_\_\_\_ (H) \_\_\_\_\_

Fax: \_\_\_\_\_ (Cell) \_\_\_\_\_

E-Mail: \_\_\_\_\_

## \*TOTAL MEMBERSHIP DUES

<input type="checkbox"/> Individual Board Member or Homeowner	\$114
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<input type="checkbox"/> 3rd Board Member	\$275
<input type="checkbox"/> 4th Board Member	\$345
<input type="checkbox"/> 5th Board Member	\$395
<input type="checkbox"/> 6th Board Member	\$445
<input type="checkbox"/> 7th Board Member	\$500

For 2-3 Member Board applications, please indicate below who should receive membership renewal information. Please contact CAI National Customer Service at (888) 224-4321 for Board memberships exceeding 7 individuals.

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Fax: \_\_\_\_\_ (Cell) \_\_\_\_\_

E-Mail: \_\_\_\_\_

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_  
\_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: (W) \_\_\_\_\_ (H) \_\_\_\_\_

Fax: \_\_\_\_\_ (Cell) \_\_\_\_\_

E-Mail: \_\_\_\_\_

\*\*Total Membership Dues above include \$15 Advocacy Support Fee.

## BUSINESS PARTNER:

<input type="checkbox"/> Accountant	<input type="checkbox"/> Attorney
<input type="checkbox"/> Builder/Developer	<input type="checkbox"/> Insurance Provider
<input type="checkbox"/> Lender	<input type="checkbox"/> Real Estate Agent
<input type="checkbox"/> Supplier (landscaping, power washing, snow removal, etc)	

Please specify: \_\_\_\_\_

<input type="checkbox"/> Technology Partner
Please specify: _____

Please specify: \_\_\_\_\_

<input type="checkbox"/> Other
Please specify: _____

Please specify: \_\_\_\_\_

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Name of Primary Company Contact: \_\_\_\_\_

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Ms. Ruby Fisher  
Pace Supply, Inc.  
Mr. Alex Husarenko  
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Mr. Robert Joseph Puterman  
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### Community Association Volunteer Leaders

Mr. Richard Dopf  
Country Walk of Lake Ridge Homeowners Association  
Mr. Fred Hecht  
Eleven Eleven River Plaza  
Mrs. Lorraine Hilton  
Country Walk of Lake Ridge Homeowners Association  
Ms. BT Kelly  
Cedar Brook at Branchburg Condominium Association  
Mrs. Maureen Lee  
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Mrs. Sandra Morley  
Country Walk of Lake Ridge Homeowners Association  
Mr. David Pittenger  
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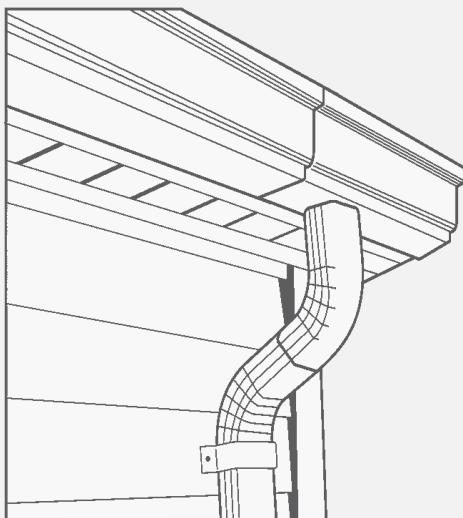
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David J. Byrne, Esq. - 1  
Dean Catanzarite - 1  
Joseph Chorba, CPA - 5  
Liz Comando, CMCA, PCAM - 1  
Ramon Cuevas - 1  
Louis J. Curtis, CMCA, AMS, PCAM - 3  
Scott T. Dalley, CMCA, AMS, PCAM - 2  
Gail Davis - 2  
Jon Denley - 1  
Barbara Drummond, CMCA, PCAM - 4  
Donna Fiore - 1  
Michael Flippin, CMCA, AMS, PCAM - 4  
Mitchell Frumkin, RS - 1  
John J Garito, III, CMCA - 1  
Chip Hoever, CMCA, AMS, PCAM - 1  
Lee Allison Klimansky - 1  
Martin Laderman - 1  
Denise Lindsey-Becker, CMCA, AMS, PCAM - 8  
Jeff Logan - 11  
Michael Pesce, PCAM - 1  
Kate Post - 7  
James W. Ritter, CMCA, LSM, PCAM - 1  
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Lawrence N. Sauer, CMCA, PCAM - 3  
Barry J. Scarr, CIRMS - 1  
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# Community Spotlight: The Smoke Rise Club, Inc.

Submitted by James P. Magid, CMCA, PCAM, LSM  
*Executive Director, The Smoke Rise Club, Inc.*

**T**he Smoke Rise Club, Inc. is located in Kinnelon, Morris County, New Jersey. Despite being only an hour drive from New York City, this gated, lakeside community features a unique array of 910 distinctive homes nestled throughout 2500 acres of rolling hills and heavily wooded terrain.

The Smoke Rise community offers a variety of clubs and activities for year round enjoyment. Smoke Rise features a 125 acre spring-fed lake that is stocked for fishing, as well as sailing and areas for swimming. A landmark of the community is the one half acre island in the lake featuring a small chapel and clock tower.

The Smoke Rise Riding Club offers fully equipped stables for horse boarding along with riding completion rings, and it is the host of eight horse shows each year, licensed by the U.S. Equestrian Federation and U.S. Hunter Jumper Association. Riding lessons are available for adults and children.

The Smoke Rise Tennis Club features six "har-tur" courts at its main facility and four hard courts on Sleepy Hollow Road that offer activities for adults and children. Included among the activities, are competitive clinics, tennis socials and camps for children.

The Smoke Rise Village Inn, located on the community property, is the proud recipient of the Five Star Diamond Award and is an elegant restaurant and catering facility suitable for a la carte dining, weddings and other private or corporate special events. ■

*...this gated, lakeside community features a unique array of 910 distinctive homes nestled throughout 2500 acres of rolling hills and heavily wooded terrain."*



## CAI – Getting Educated

By Jacquie Rogers, CMCA, AMS  
Access Property Management, LLC, AAMC

**“Knowledge is power.”** I am not sure who first said that, but it is a true statement. It is difficult to write this article without it sounding like a sales pitch for the Community Associations Institute (CAI), but truth be told, I think the message is worth getting out. I have been privileged to take all of the M-200 PMPD courses within CAI over the years and the information that has been provided to me has proved invaluable in my profession. While nothing can compare to “on the job training,” each course has provided some type of foundation to build upon. This is particularly important for all of the new members and non-members out there. For a new manager, particularly with the likelihood of manager

licensing around the corner, continuing education should be a top priority.

We are all so busy that it may seem like extra work to take time off to attend a class. And it is extra work, but the time, for me, was well spent. These courses provided me with knowledge of everything from finance to risk management. In addition, the leadership course was probably the most important of all the courses that I have taken. To this day, I still refer to my course guides when something comes up that I need further information or understanding. While I am certainly no facilities expert, I am much more comfortable in identifying certain aspects of facilities management, which helps me take the next appropriate steps.



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Utilizing your resources is one of the best gifts you can give to yourself. CAI educational courses are one of a manager’s best resources.

By the way, I looked it up. It was Sir Francis Bacon who said it. ■

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*We have gone international!* — This shot of Ray Barnes, CMCA, AMS from RCP Management Company, AAMC, AMO, was taken at the County Kerry in Ireland last month.



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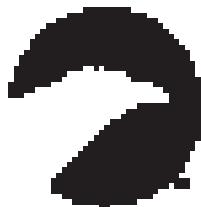
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# national Trends

## Members, Regulators Applaud CAI Legislative Summit

11/5/2013 — Falls Church, VA

CAI members from around the country met in Washington, D.C., Oct. 29 to address critical community association issues with officials at the Federal Housing Administration (FHA), the Federal Housing Finance Agency (FHFA), the Federal Emergency Management Agency (FEMA) and key Congressional leaders.

The intensive advocacy effort, part of a first-ever, federal Legislative Summit organized by CAI, focused on the current inability of community associations to access FEMA disaster relief directly and housing reform—specifically priority liens and uniform rules for determining the financial stability of condominiums.

The summit was a “great success,” said Ronald L. Perl, chair of CAI’s federal Legislative Action Committee, a member of CAI’s College of Community Association Lawyers and a CAI past president. “We had a unique opportunity to discuss federal legislative issues at a high level. I’m confident the lines of communication . . . that were opened by these meetings will continue to grow and enable us to better represent the interests of our members throughout the country.”

Federal regulators were equally positive about the initiative. “Your timing for this meeting was spot on,” said Ivery Himes, director of the Office of Single Family Asset Management at the U.S. Department of Housing and Urban Development. Eileen Zaenger, senior policy analyst for FHFA’s Office for Housing and Regulatory Policy, called the meeting “. . . a huge first step.”

CAI representatives included homeowners, community managers, attorneys, management company executives and state lobbyists.

Organized by CAI’s government and public affairs team, the summit was designed to strengthen the dialog between CAI and federal policy makers.

“This was another step toward fostering greater communication and cooperation between CAI members and U.S. regulatory agencies,” said Dawn Bauman, CAE, CAI’s senior vice president of government and public affairs. “These relationships are essential so CAI can remain the recognized national advocate for common-interest communities.”

CAI members also shared their perspectives on community manager licensing, professional certification for managers and flood insurance.

With more than 32,000 members dedicated to building better communities, CAI works in partnership with 60 chapters, including a chapter in South Africa. CAI provides information, education and resources to community associations and the professionals who support them. CAI’s mission is to inspire professionalism, effective leadership and responsible citizenship—ideals reflected in communities that are preferred places to call home. Visit [www.caionline.org](http://www.caionline.org) or call (888) 224-4321.

## CAI Applauds Proposed Mortgage Financing Rules

11/7/2013 — Falls Church, VA

Community Associations Institute (CAI) is expressing support for proposed federal rules that accomplish two important CAI goals: helping more homebuyers obtain safe mortgage financing and stimulating a housing market that has struggled since home prices began falling in late 2006. Both will provide more stability to community associations across the country.

CAI filed public comments Oct. 30 urging regulators to adopt practical mortgage standards that will protect homeowners, potential homebuyers and common-interest communities. The 32,000-member organization expressed support for key aspects of the revised federal regulation known as Qualified Residential Mortgage (QRM).

In addition to protecting consumers from unscrupulous lending practices, the newly proposed rules are expected to accelerate the housing recovery by generating a greater flow of private capital to the mortgage market.

Importantly, the proposed rule gives common-interest communities limited lien priority on foreclosed homes. That means associations would be able to collect all or at least a portion of the money that is owed to them after a foreclosure.

“This is welcome news for tens of thousands of community associations and the tens of millions of Americans who call them home,” said CAI Chief Executive Officer Thomas M. Skiba, CAE. “We appreciate regulators considering various perspectives and applaud them for developing these impor-

tant consumer protections. This is how the process should work, with regulators being open and responsive to the views of critical stakeholders.”

CAI and other groups raised serious concerns about the first QRM rule proposed in April 2011.

The Dodd Frank Act of 2010 charged federal financial regulators with developing standards to establish lower-risk mortgage loans, known as “qualified residential mortgages.” Consumers are protected from fraudulent lending schemes since only loans that meet strict lending standards are eligible for the QRM designation. They also benefit lenders that originate QRM-compliant mortgages because these loans are eligible for preferential regulatory treatment and are more likely to be sold in the secondary mortgage market.

All QRM-compliant loans must meet stringent lending standards recently adopted by the Consumer Financial Protection Bureau, meaning lenders must verify that borrowers have the ability to pay all monthly mortgage-related costs—including community association assessments. This will mean lower homeowner delinquency rates, fewer foreclosures and more financially stable community associations.

As part of the Coalition for Sensible Housing Policy, CAI worked with a broad coalition of consumer advocates, real estate interests and lenders to develop consensus-based rules that would protect borrowers and support a still-nascent housing recovery.

“We’re pleased we could be a part of a process that is so important to millions of homeowners and would-be homebuyers,” said CAI’s Dawn Bauman, CAE, senior vice president of government and public affairs. “We and our members have worked diligently to play a positive and constructive role in mortgage financing. These proposed rules rewards those efforts.” ■



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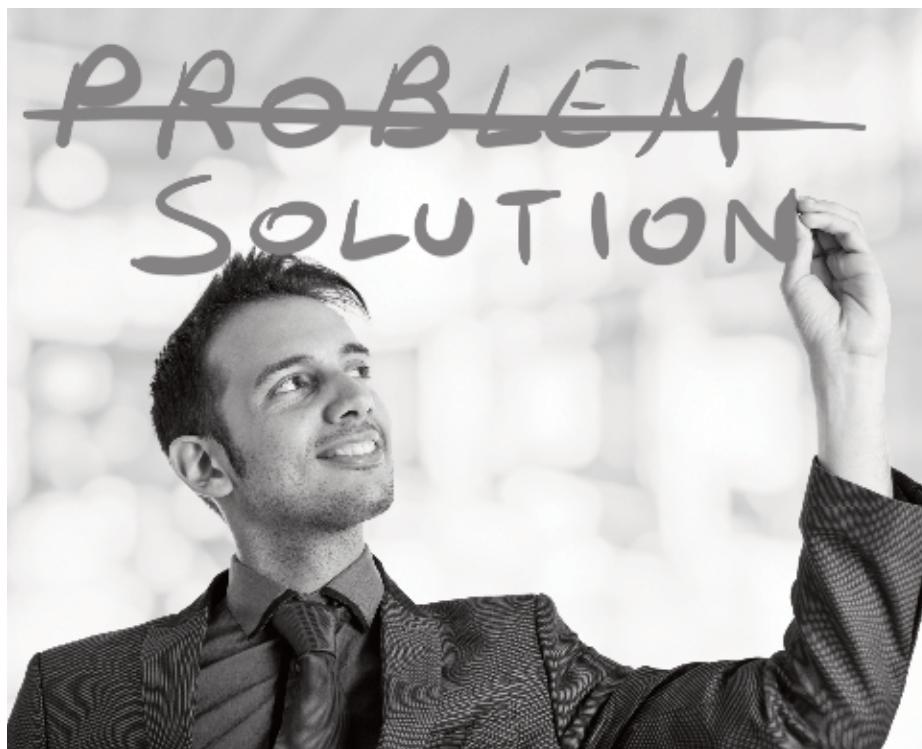
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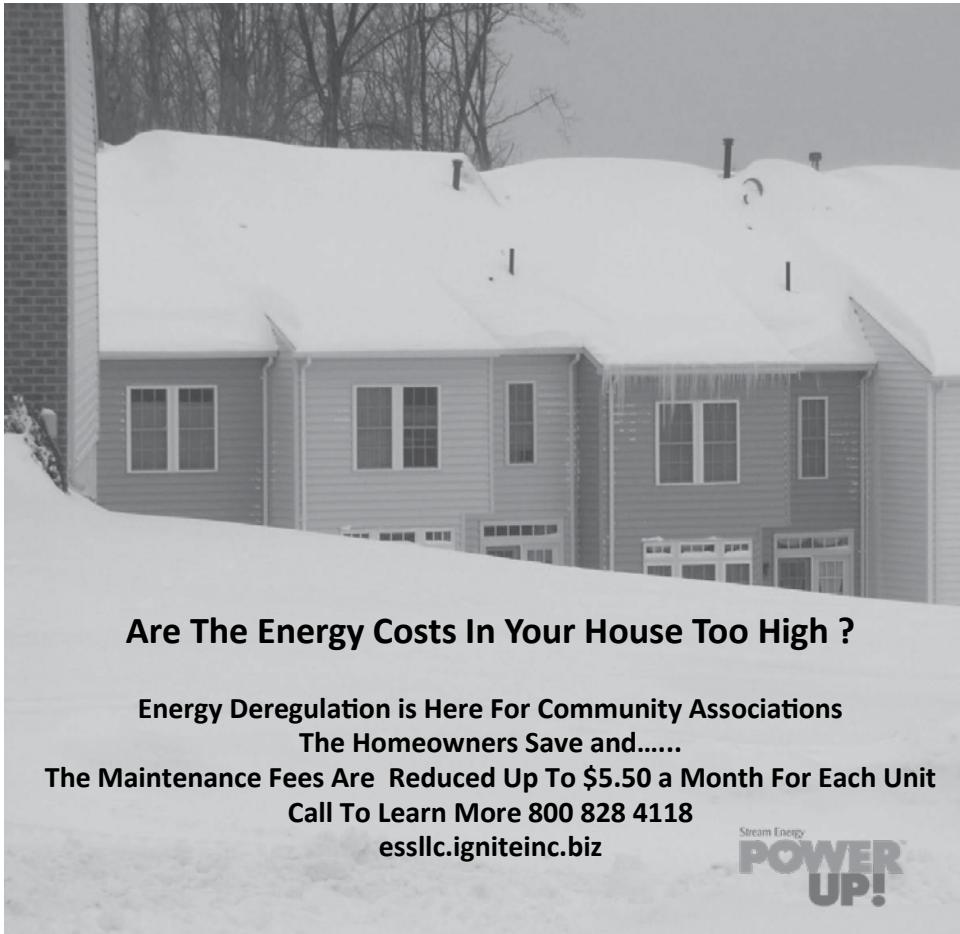
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**LEGISLATIVE UPDATE... from page 4.**

- *Affordability Study* — a study required by Biggert-Waters (BW) to assess the impact of increased premiums and affordability of flood insurance
- *Covered Structure* — a residential structure that:
  - meets existing regulatory requirements defining exceptions for floodproofed residential basements, and
  - was constructed in compliance with applicable flood plain management standards
- *Draft Affordability Framework* — a programmatic and regulatory framework to be developed by FEMA to address issues related to the affordability of NFIP policies and other affordability barriers identified in the Affordability Study

**Section 3. Delayed Implementation of Flood Insurance Rate Increases; Draft Affordability Framework**

Delays BW premium increases for—

- Properties previously grandfathered under section 1308(h) of the National Flood Insurance Act (residential and business structures built to code but later remapped into a higher risk area)
- Properties constructed prior to the existence of an applicable Flood Insurance Rate Map (Pre-FIRM) or where a policy on such properties was allowed to lapse due to such property not being required to obtain flood insurance coverage
- Properties sold after the effective date of BW

Sunset the delay in premium increases 6 months after the following dates, whichever is later—

- The date on which FEMA proposes a draft Affordability Framework
- The effective date of regulations issued pursuant to an Affordability Authority Bill, or
- The date on which FEMA certifies to Congress the agency has implemented a flood insurance mapping methodology that utilizes sound scientific and engineering principles to determine flood risk in all areas participating in the NFIP

Restores risk premium subsidies for Pre-FIRM properties, non-primary residential properties, and severe repetitive loss properties

*CONTINUES ON PAGE 53.*



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Requires that FEMA propose an Affordability Framework to resolve affordability and other issues identified in the BW Affordability Study. In completing the Affordability Framework, FEMA shall consider—

- Accurate communication of flood risk to consumers
- Targeting financial assistance to NFIP policyholders based on financial ability to participate in the program
- Individual and community flood risk mitigation activities that lower flood risk or the cost of flood insurance
- Impacts of premium increases on NFIP participation rates
- Impact of flood insurance rate map updates on flood insurance affordability

Establishes an 18 month deadline for submission of the Affordability Framework to Congress and delineates expedited procedures for congressional consideration of legislation to authorize implementation of

#### FEMA's Affordability Framework

Requires that FEMA communicate information documenting the full flood risk of properties to individual owners participating in the NFIP

#### Section 4. Affordability Study and Report

Requires that the BW Affordability Study be completed within 2 years of the date of enactment of HFIA

#### Section 5. Affordability Study Funding

Removes the \$750,000 funding cap for production of the BW Affordability Study

#### Section 6. Funds to Reimburse Homeowners for Successful Map Appeals

Authorizes FEMA to use NFIP premium income to reimburse homeowners for expenses related to successful appeals of FEMA Flood Insurance Rate Maps

#### Section 7. Flood Protection Systems

Establishes procedures for FEMA to determine progress in constructing or repairing non-federal flood protection systems

#### Section 8. Treatment of Floodproofed Residential Basements

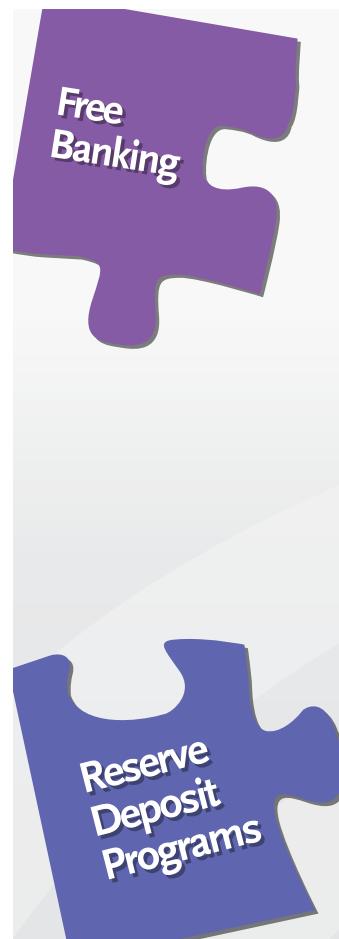
Restores the flood insurance exception for floodproofed residential basements meeting prior FEMA regulations in specially designated areas where residential basements are necessary to protect homeowners from extreme weather

#### Section 9. Designation of Flood Insurance Advocate

Requires FEMA establish the position of Flood Insurance Advocate, whose primary responsibilities would involve—

- Educating policyholders on flood risk, flood mitigation, and the rate map review and amendment process
- Assist policyholders in understanding the appeals process for preliminary flood maps and implementing flood mitigation measures
- Assist in developing FEMA capacity, on a regional basis, to respond to individual policyholder concerns about flood rate

CONTINUES ON PAGE 54.



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NATIONAL TRENDS... from page 53.

map amendments and to coordinate outreach and education of local officials in areas impacted by updated flood rate maps

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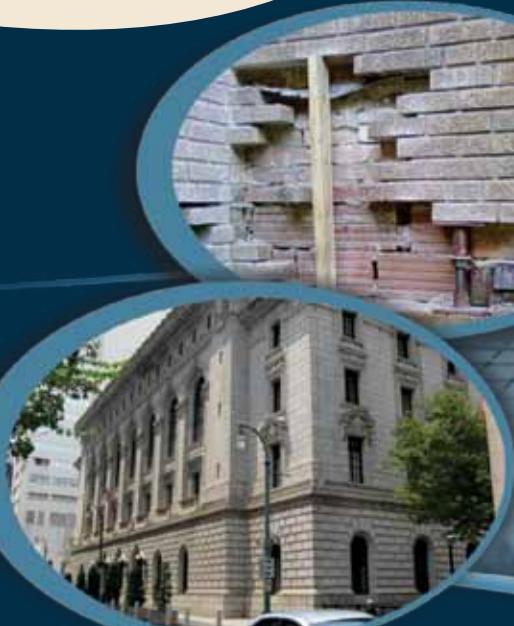
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*“I am not very fond of that man, I need to get to know him better.”*

— Abraham Lincoln

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*“Don’t spend time beating on a wall, hoping to transform it into a door.”*

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*“Work harder and do more than what you are paid for and someday you will get paid more!”*

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## What is your favorite motivational quote?

*“What we need is more people who specialize in the impossible”*

— Theodore Roethke

Clare Ramirez  
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*“Our deepest fear is not that we are inadequate. Our deepest fear is that we are powerful beyond measure. It is our light, not our darkness that most frightens us.”*

— Marianne Williamson

Liz Comando, CMCA, PCAM  
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*“Be the change you want to see in the world”*

— Gandhi

Carola Alvarez  
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*“All the adversity I’ve had in my life, all my troubles and obstacles have strengthened me... You may not realize it when it happens, but a kick in the teeth may be the best thing in the world for you.”*

— Walt Disney

Andrew Batshaw, CMCA, AMS,  
FirstService Residential, AAMC

*“There are no problems, only solutions”*

— John Lennon

Debra Robertson, CMCA, AMS  
Taylor Management Company, AAMC, AMO

*“You miss 100% of the shots you don’t take”*

— Wayne Gretzky

Kyle Hammerschmidt,  
Associate Director,  
Communications & Marketing,  
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*“Invention, my dear friends, is 93% perspiration, 6% electricity, 4% evaporation, and 2% butterscotch ripple.”*

— Willy Wonka

Jonathan H. Katz, Esq.  
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*“Be who you are and say what you feel, because those who mind don’t matter and those who matter don’t mind.”*

— Dr. Seuss

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— Walt Disney

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*“Live fast. Die pretty”*

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*“Hope for the best prepare for the worst”*

Gus M. Meitzner, CMCA, AMS  
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*“Once in a while you get shown the light, in the strangest of places if you look at it right.”*

— Jerry Garcia

Denise Lindsey-Becker, CMCA, AMS, PCAM  
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*“To be truly happy is not to have everything, but to appreciate everything that you have... family and friends.”*

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Association Advisors .....	7
Becht Engineering BT, Inc. ....	58
Bell General Contractors .....	54
Berry, Sahradnik, Kotzas & Benson .....	14
BHB Insurance Services .....	15
Brown & Brown Insurance .....	43
ChuteMaster .....	10
Community Association Banking & CondoCerts .....	51
Cowley's Termite & Pest Services .....	33
Diversified Property Management, Inc .....	32
Doody Calls .....	14
Energy Supply Solutions, LLC .....	50
Environmental Landscape Design, LLC .....	24
Executive Property Management, AAMC .....	15
The Falcon Group - Engineering, Architecture & Energy Consultants .....	45
Felsen Insurance Services, Inc. ....	35
FWH Associates, P.A. ....	29
Garden State Gutter Cleaning .....	38
Grand Sanitation Service .....	33
Growing Concern, Inc. ....	52
Gutter Master .....	42
High Tech Landscapes, Inc. ....	39
Hillcrest Paving & Excavating, Inc. ....	52
Hillsborough Irrigation & Landscape Services .....	46
Homestead Management Services, Inc., AAMC .....	38
Hueston McNulty, Attorneys at Law .....	10
Integra Management Corp., AAMC .....	39
JGS Insurance .....	12
Kipcon, Inc. ....	Back Cover
Lomurro Davison Eastman & Munoz, PA .....	31
mem property management .....	30
M. Miller & Son .....	40
National Cooperative Bank .....	53
O & S Associates Consulting Engineers .....	55
Onorati Construction, Inc. ....	11
Popular Association Banking .....	32
Prime Management, Inc. ....	47
Project Support Services .....	47
RA Landscaping & Design, LLC .....	47
Rapid Pump and Meter Service Co., Inc. ....	54
The Regency Management Group, LLC, AAMC .....	25
Servpro of Freehold, Middletown, So. Jersey City/Bayonne .....	46
Signature Property Group, AAMC .....	19
Specialty Building Systems .....	31
Star Building Services .....	24
Taylor Management Company, AAMC, AMO .....	35
Tri-County Construction Services / Total Plumbing, Heating & Air Conditioning .....	23
Union Bank Homeowners Association Services .....	24
Wastewater Management, Inc. ....	50
Wilkin & Guttenplan, P.C. ....	49
Young & Associates .....	51

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