

MEMORANDUM

TO: All Members, Del Webb at Florham Park Homeowners Association, Inc.
FROM: Board of Trustees
DATE: June 20, 2024
RE: Rejection Vote for Amendment to By-Laws Eliminating Runoff Requirements

The Board of Trustees of Del Webb at Florham Park Homeowners Association, Inc. (the "Association") has adopted an amendment to the By-Laws, and it will be deemed to be approved unless more than ten percent (10%) of Owners vote to reject the amendment. This memorandum will explain the amendment process.

Under our current By-Laws, at any meeting at which a Board election will be held, if there are more than twice the number of nominees than candidates to be elected, the Association is required to hold two votes—the first vote is held to reduce the field of nominees so that there are twice as many candidates as there are positions to be filled, and a second vote is held where the candidates receiving the plurality of votes will be deemed to be elected in order to fill the vacant positions. The Board has determined that it is in the best interest of the Association to amend the By-Laws to eliminate the runoff requirement, since it is time-consuming and not cost-effective.

Accordingly, this amendment to the By-Laws was approved by the Board at an open Board meeting held on June 19, 2024. Attached to this memorandum is the exact language of the amendment.

Pursuant to the amendment provisions of the By-Laws, the amendment will become effective unless within thirty (30) days of the mailing of this Memorandum, at least ten (10%) percent of the Association's Owners vote to reject the amendment.

If you wish to vote to reject the amendment, please cast your rejection vote(s) by using the enclosed ballot and mailing it, so that it is received by no later than July 23, 2023, to: Del Webb at Florham Park Homeowners Association, Inc., c/o Management Office, 1 Applegate Drive, Florham Park, NJ 07932, Attn: Jacqueline Rogers, Property Manager.

If you do not wish to reject the amendment, there is nothing for you to do -- you can simply discard the ballot.

If you have any questions, please telephone the Management Office at _____, or email the Property Manager at Jacqueline.Rogers@fsresidential.com.

Very truly yours,

Board of Trustees

**Amendment to the By-Laws of
Del Webb at Florham Park Homeowners Association**

Proposed Amendment to the By-Laws: Elimination of Runoff Requirement

Section 3.09 of the By-Laws provides, in part, that if there are more than twice the number of candidates nominated to be elected, then there shall be two “ballots cast” – one to reduce the field of nominees so that there are twice as many candidates as there are positions to be filled, and a second “ballot” to determine which candidates receive a plurality of votes to be elected to fill vacant positions. The amendment, set forth below, eliminates the need for two “ballots” (language to be eliminated is stricken, and language to be added is underlined).

3.09. Voting in Elections of Trustees.

Only Owners who are Members in Good Standing shall be entitled to vote in elections of Trustees. The election of Trustees shall be conducted by written ballot, and the Owner(s) of each Home present in person or by proxy shall be entitled to one vote for each Home to which he holds title. The ballot must contain the names of all the nominated candidates for the Board. ~~If, at any meeting at which an election is held, more than twice the number of candidates to be elected are nominated, there shall be two ballots cast. At the end of the tabulation of the first ballot, the field of nominees shall be reduced so that there are twice as many candidates as there are positions to be filled, with the remaining candidates receiving the fewest votes being eliminated from the ensuing ballot. A second ballot shall be held, and on the second ballot, the persons receiving the plurality of votes will be deemed to be elected in order to fill the vacant positions. If there are not more than twice the number of nominees for the number of positions to be filled, there shall be one ballot, with~~ and the persons receiving the highest numbers of votes ~~being~~ will be elected in order to fill the vacancies on the Board. If ever applicable, candidates polling the highest numbers of votes will be considered elected for the longest period of years. Election of Trustees at all meetings shall be in accordance with this Section 3.09.

DEL WEBB AT FLORHAM PARK HOMEOWNERS ASSOCIATION, INC.

BALLOT FOR BY-LAW AMENDMENT

Instructions: The Association's Board of Trustees has adopted an amendment of Article III, Section 3.09 of the By-Laws (Voting in Elections of Trustees)

The text of the amendment is set forth in the accompanying memorandum that was sent to you with this ballot.

If at least ten (10%) percent of the Association's Owners reject the amendment by voting against the amendment and returning this ballot by July 23, 2024, the amendment will not be enacted.

If you wish to vote against the amendment, please place a check-mark or X in the space(s) provided below, fill in your name, address, and date, sign in the space below, and mail this ballot so that it is received by no later than July 23, 2024, to: Del Webb at Florham Park Homeowners Association, Inc., c/o Management Office, 1 Applegate Drive, Florham Park, NJ 07932, Attn:, Jacqueline Rogers, Property Manager .

_____ I vote against the amendment to Article II, Section 2.07 of the By-Laws.

Owner Signature

Owner Name

Address

Date