

**GOVERNOR'S COURT CONDOMINIUM ASSOCIATION, INC.
HOT WATER HEATERS**

RESOLUTION NO. 19-1

WHEREAS, Governor's Court Condominium Association, Inc., (the "Association") is a non-profit corporation of the State of New Jersey pursuant to Title 15 the New Jersey statutes and the membership consists of each of the unit owners of Governor's Court Condominium complex;

WHEREAS, the Association was formed to administer, manage and operate the common affairs of the Governor's Court Condominium complex and to maintain, repair and replace the Common Elements of the Property of the Governor's Court Condominium, all in accordance with the definition of "Association" as set forth in the Master Deed and By-Laws of Governor's Court Condominium Association, Inc. (hereinafter the "Master Deed" and "By-Laws");

WHEREAS, Article IV, Section 2, Subsection E. of the By-Laws provides that the Association's Board of Trustees (hereinafter "Board") has the authority to adopt and amend rules and regulations covering the operation and use of the "Condominium Property," which is defined by Paragraph 2 of the Master Deed to include the common element, limited common elements and units;

WHEREAS, Paragraphs 16 and 18 of the Master Deed and Article IV, Section 2, Subsection E. of the By-Laws, provide that unit owners or occupants of units located within the Association must comply with Rules and Regulations promulgated and/or amended by the Association's Board and that failure to comply with any such Rules and Regulations shall be grounds for an action to recover sums due, damages, injunction relief by the Association and/or for the Board to assess fines against defaulting unit owners and unit owners for default by tenants and other residents;

WHEREAS, the Association is cognizant of fact that the average life expectancy for hot water heaters is ten (10) years and of the fact that some unit owners within the Association's community in the past have not replaced their hot water heaters until they have leaked and often caused damage to the owner's unit, neighbors' units and/or the common elements;

WHEREAS, the Association believes that the risk of not having hot water heaters replaced every ten (10) years is not a risk that can be taken by the Association or anyone else in the Governor's Court Condominium community given the fact that all unit owners are vulnerable to inaction by others who refuse to replace old hot water heaters until it is too late; and

WHEREAS, at a duly noticed meeting of the Association's Board of Trustees held on February 2, 2019, the Board of Trustees voted to (A) require unit owners to have their hot water heaters replaced every ten (10) years; and (B) that each unit owner must provide to the Association, through its managing agent, proof that their existing hot water heater is not more than (10) years old or that they have recently replaced their old hot water heater with a new one (ie. invoice, receipt, manufacturer's information, for example).

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Pursuant to the New Jersey Condominium Act, specifically N.J.S.A. 46:8B-16, N.J.S.A. 46:8B-14(a) through (f) and Article IV, Section 2, Subsection E. of the By-Laws and other provisions referenced herein, the Board hereby adopts the following requirements pertaining to the installation and replacement of hot water heaters individual units:

1. All unit owners must present written proof to the Association, through its managing agent, of the age of the hot water heaters currently installed in their units within thirty (30) days from the date this Resolution is adopted. Age of the existing heater will be determined by the installation date, or if not know, then by the manufacturing date on the hot water heater.
2. Once this proof is provided, the Association's managing agent, shall keep a list of the age

of the hot water heaters located within each unit and when they need to be replaced. It will ultimately be the responsibility of unit owners to keep track of the date that their hot water heater must be replaced and to ensure that it is done timely. Unit owners should not expect to rely on the Association's managing agent to provide this information. Although this responsibility remains that of the unit owners, it does not preclude the Association, through its managing agent, to keep track of the dates when hot water heaters must be replaced and to demand unit owners to replace them when required.

3. In the event that Unit owners' existing hot water heater is more than ten (10) years old, Unit owners have sixty (60) days from the date that this Resolution is sent to all Unit owners, to purchase and properly install a new hot water heater and proof of same must be provided to the Association through its managing agent;
4. When a unit is sold, the Association must advise the new owner of the date when the existing hot water heater for that unit must be replaced and thereafter, the new owners must provide proof of replacement when the hot water heater is ten (10) years old and provide proof of replacement to the Association' managing agent.
5. In the event that any unit owner refuses to provide proof that their hot water heater is less than ten (10) years old , the Association has the right to hire a contractor to install a new hot water heater for the refusing owners unit. All costs associated with such action, including reasonable legal fees and costs, if incurred, and contractor fees shall be borne by the unit owner and posted on his maintenance account as an assessment.

BE IT FURTHER RESOLVED that this Resolution shall be read in conjunction with and by way of complement to all existing rules and regulations. This resolution shall be effective on February 2, 2019.


Adopted: February 2, 2019, on a roll call vote as follows:


GOVERNOR'S COURT CONDOMINIUM ASSOCIATION, INC.

	For	Against	Abstain	Absent
1. Mark Klemow, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Wayne Carezza, Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Jean Collins, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Eileen Mountford, Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Nick Pukas, Trustee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I hereby certify this to be a true copy of a Resolution adopted by Governor's Court Condominium Association, Inc. on February 2, 2019.

Governor's Court
Condominium Association, Inc.

By: 
Mark Klemow, President


Date