

TAVISTOCK CONDOMINIUM ASSOCIATION
BOARD OF DIRECTORS MEETING
August 20, 2024

A meeting of the Board of Directors was held on Tuesday, August 20, 2024, at the Cherry Hill Public Library. This meeting was held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 and duly published on the Associations website, newsletter, and bulletin board. The meeting was called to order by Vice President Dennis Boyle at 6:30 p.m.

Roll Call

Board of Directors:

Dennis Boyle	Present
Calvin Hyde	Present
Dan Lobascio	Present
Charene Scheeper	Present

Barbara Gordon Not present

Management

Don Merlino	Present
Karen Merlino	Present

Minutes of May 22, 2024

Minutes of the May 22, 2024, meeting were accepted as written.

Financial Reports

Current Financial reports were delivered and reviewed by the Board.

A Certificate of Deposit held at Republic Bank will mature on 8.16.24. Republic Bank was recently bought by and has become Fulton Bank. The Board voted unanimously to renew the CD with Fulton. Management will meet with a banking representative to see what is required to renew.

Audit State of New Jersey Department of Labor

The United States Department of Labor requires New Jersey to implement a comprehensive field audit program as an efficient means of ensuring compliance with the New Jersey Unemployment Compensation law and the timely collection of taxes on an equitable basis. Tavistock was randomly chosen for an audit.

The audit reviews:

- *payroll records*
- *cash disbursements records*
- *check books and canceled checks*
- *federal and state tax reports*
- *financial statements*
- *general ledger*
- *corporate minutes book*
- *Form W-3 Transmittal with Forms W-2*
- *Form 1096 Transmittal with Forms 1099*

As Tavistock retains workers to perform jobs for their business the audit will need to establish if those workers are employees or independent contractors. Although all of our vendors are legitimate businesses (independent contractors, LLC's, etc.) registered in Camden County, the State has a different test.

Per New Jersey Unemployment Compensation Law, a worker should be considered an employee unless all the following circumstances apply:

- *The individual has been and will continue to be free from control or direction over the performance of work performed, both under contract of service and in fact; and*
- *The work is either outside the usual course of the business for which such service is performed, or the work is performed outside of all the places of business of the enterprise for which such service is performed; and*
- *The individual is customarily engaged in an independently established trade, occupation, profession or business.*

Per this test MPM and several contractors may not be considered to be independent contractors by the state.

This is wholly unfair as these businesses are registered in the County, file quarterly federal taxes, and are not considered employees by standard federal tax rules. Furthermore, if Tavistock were to pay unemployment for any of these contractors, those contractors would not be able to collect that benefit because they are then considered "independent contractors" by the State.

It should also be noted that at no time was management advised by Tavistock's accountants of this rule, and that there is absolutely no way to file unemployment taxes for independent contractors in the State of new Jersey.

As Jon Soulliard is an employee, all unemployment taxes have been filed according to law and are current and correct.

On July 30, 2024, the auditor from the Department of Labor met with Karen Merlino at the Tavistock office to begin the audit. All records available were provided at the meeting. Management will keep the Board apprised of the results of this audit which could result in a large payout to the state. Counsel for the Association has been alerted and will appeal any decision that is considered unfair or unjust per this rule.

Reserve Account Analysis

Kipcon will be engaged to perform the necessary updated reserve account analysis. Management will contact Kipcon.

Maintenance and Capital Improvements

1. The replacement of the stairs is ongoing. Four more installations will be addressed before the end of the year. Again as the Townships has required the contractors and architect to make several changes, the cost of the stairs has increased dramatically. This will have budget implications and will definitely affect the timing of the project.
2. Chimney caps are being fabricated for Bldg. 24. Davis Brothers has been very good with pricing and adhering to proposed install dates.
3. We are still looking at more affordable possibilities for changing out the unit numbers. A motion was made to include changing the numbers as part of the painting of the buildings. All were in favor.

Resident Concerns

1. Management reported an incident where the owner of a unit became extremely abusive with the manager due to an inter-unit leak. This is being reported only due to the severity of the verbal attack.
2. There were two requests to extend the pool hours beyond the normal contract period. As the weather does not look promising and funds are tight, management suggests not extending hours this year.

New Business

The Board and management began discussions about replacing the gym equipment. Due to the amount of spending the Association is seeing in conjunction with stairs, chimney caps, ongoing roofs and decks, and landscaping extras; and since the gym was used only by approximately 5 residents per day, a motion was made to put this project on hold until the Kipcon study and new budget are complete. All were in favor.

As there was no further business the meeting was adjourned at 7:45.