

**VOTING GUIDELINES FOR
MONTCLAIR PROPERTY OWNERS ASSOCIATION
ANNUAL AND SPECIAL MEETINGS**

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FOREWARD

The Election Committee, appointed by the Board of Directors, has developed and formalized election procedures. These guidelines have been adopted by the Montclair Property Owners Association (MPOA) Board of Directors for use at Annual and Special Meetings. The guidelines will be reviewed each year and revised as needed. Suggestions for improvement should be directed to the Election Committee in care of the Montclair Property Owners Association. These guidelines were developed to ensure that every valid vote is accurately counted.

ELIGIBILITY

The Articles of Incorporation state that members shall have one vote for each lot owned. When more than one person owns a lot, all owners may participate and vote by unanimous consent. However, only one vote per owned lot may be cast on any one issue properly coming before the meeting.

For a member to be eligible to vote, he or she must not be delinquent as to any financial obligation to the MPOA as of the Record Date (close of books). Only an Owner of Record will be eligible to vote. It is the responsibility of new property owners to notify MPOA of ownership changes. Any member may assign their voting rights to a lessee of the lot owned, providing that the initial period of the lease is not less than one year, by providing a written certificate signed and dated by the Member and witnessed by a person, other than the member and the assignee, who signs their name and address. Such certificate shall be filed with the company contracted to collect election ballots by 5:00 p.m. ET the day prior to the meeting.

Any person filing a signed Power of Attorney with the Secretary of MPOA must also exhibit a valid picture identification card as identification and will be allowed to vote if the person to be represented is a property owner in good standing. The MPOA will notify the company contracted to collect the election ballots to issue the correct ballots.

VOTING OPTIONS

Votes may be cast by four methods:

1. **By Mail** Official Paper Referendum ballot mailed to Owners of Record is used for the election of the Board of Directors and all issues for which prior official notification has been given and any possible Advisory question(s) to the Board. All ballots received shall be recorded. Referendum ballots must be mailed to the company contracted to collect the ballots to be received by the 5:00 p.m. ET deadline the day prior to the Meeting.
2. **By Internet** Online go to the provided web site or to the link from the MPOA web site and using your pin number (located on the ballot sent to you) vote no later than the 5:00 p.m. ET deadline the day prior to the meeting.
3. **By Fax** Only if you have missed the suggested mailing date. (The fax number is located in the instructions on the back of the ballot sent to you.) Faxed ballots must be received by the company contracted to collect the ballots by the 5:00 p.m. ET deadline the day prior to the Meeting.
4. **In Person at the Annual Meeting** "Day of Meeting Referendum Ballots" may be cast at the Annual Meeting in lieu of the mailed, internet or faxed Referendum Ballot.

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INSTRUCTIONS FOR CASTING BALLOTS PRIOR TO THE ANNUAL MEETING

- The mailed Referendum Ballot must be placed in the return envelope addressed to the company contracted to collect the ballots. Faxed Referendum Ballots must include your signature, date, name, Montclair address and a contact telephone number.
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- Internet Voting - Go online to the web site provided in the instructions on the back of the ballot (or go to the link at the MPOA web site). Using the pin number provided on the front of your ballot, follow the voting instructions.
- All ballots must reach the company contracted to collect them by 5:00 p.m. ET the day prior to the Meeting. Any ballot received after that time shall be considered invalid, except for Day of Meeting Referendum Ballots cast in person at the Meeting.

REGISTRATION AND VOTING THE DAY OF THE MEETING

Individual members attending the meeting intending to exercise their privilege to vote at the Meeting must register at the tables provided at the meeting site. A member registering at the Meeting may receive voting materials and vote from 9:00 a.m. until after the Budget Presentation (approx. 11:30 a.m.). Nominations for Write-In candidates can only be made "from the floor" if a quorum is present. The nominees must be present, consent to the nomination, or have indicated in writing the willingness to serve. Members may not revoke previously submitted ballots.

VALIDATION, REGISTRATION AND VOTE TALLY PROCEDURES

1. The Election Committee will formulate and oversee the validation registration and vote tally procedures. Candidates for Board of Directors and their immediate family members may not participate in the validation, registration or vote tally processes.
2. A candidate shall be elected as a Director by a simple majority of the Referendum Ballots timely submitted when two candidates have been nominated for a single seat on the Board of Directors. In the case of election of more than two At-Large Directors, which is submitted to a referendum of the members, Directors shall be elected by a plurality of the ballots actually cast.
3. In the event that both regular terms and vacancies are to be filled by an election, candidates receiving the greatest number of votes, if a plurality of the votes cast is attained, are elected for the longest term of office available; the candidate receiving the second highest number of votes, if a plurality of the votes cast is attained, fills the second longest term of office, and so on until all of the vacant positions on the Board of Directors are filled.
4. In the event of a tie plurality vote for a position on the Board of Directors, a new referendum ballot will be issued and a vote will be taken at a future date to fill the remaining seat. Provided, however, that the candidates receiving a plurality of the votes cast and a greater number of votes than the candidates who tie, shall stand elected. The candidate receiving a lower number of votes than the candidates who tie are eliminated from the next referendum ballot. The referendum will continue until the tie is broken and all vacancies are filled.
5. Nothing in these Guidelines shall be deemed to modify the residency requirement for precinct seats contained in the Bylaws.

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Validation, Registration and Vote Tally Procedures (continued)

6. Procedural Voting
 - **Procedural Floor Voting Cards:** Cards issued to property owners indicating the number of votes entitled to be cast on floor votes for procedural matters.
 - **Procedural Paper Floor Ballots:** Used only when a paper ballot vote is requested by a duly registered member or assignee regarding a procedural floor vote.
7. Four types of ballots will be tallied.
 - Referendum Ballots, Internet Ballots, faxed Ballots to be tallied by the company contracted to collect and tally all the ballots received prior to the Meeting.
 - Day of Meeting Referendum ballots cast between 9:00 a.m. and at the end of the budget presentation (approx. 11:30 a.m.). These totals will be added to the other totals and announced when available.
8. **Recounts:** Any duly registered member or assignee at the Meeting may request and receive a voter recount as follows:
 - **Procedural Votes:** the request must be made immediately after the vote tally is announced. Only one recount by show of voting cards will be permitted. Should a second recount of a floor vote be requested and the majority consents, the recount must be by paper procedural ballot. Only one paper procedural ballot will be allowed.
 - **Referendum Ballot Votes:** the request must be made verbally at the meeting or in writing to the MPOA office no more than three days after the adjournment of the meeting.
9. Unless otherwise directed by the Board of Directors, the Election Committee will dispose of ballots, envelopes, tally sheets, and registration lists 30 days after the adjournment of the meeting.