Publication copy

Letter of Ronald W. Yarbrough and a co-author to the members, July 11, 2005, with the brief plan "A Better Centerton Lake Park - Organization Vision and Plan", June 14, 2005

Source: Ronald W. Yarbrough, own file: letter of July 11, 2005, pages 1-2 of the letter (digitally signed July 14, 2005), followed by the 3-page brief plan dated June 14, 2005. The longer plan enclosed with the letter (7 pages) is not reproduced here. The co-author is a non-party and his name is covered.

Published by Ronald W. Yarbrough, plaintiff, as part of the public record of Yarbrough v. Lake Centerton Park Homeowners Association, Inc., et al., Superior Court of New Jersey, Chancery Division, Salem County, Docket No. SLM-C-000017-26.

This copy is the filed or produced document with these changes only: black boxes cover (1) names, addresses, telephone numbers and e-mail addresses of persons who are not parties, (2) personal identifiers and financial account numbers (R. 1:38-7), (3) telephone and e-mail contact details, and (4) plaintiff's personal financial information, marked "Redacted: plaintiff's personal financial information". Withheld pages, if any, are replaced by a notice page. The complete document is available from the Court.

A BETTER CENTERTON LAKE PARK
11 LAKE CENTERTON DRIVE
PITTSGROVE NJ 08318

TELEPHONE: [redacted]

Ron Yarbrough
[redacted]

July 11, 2005

Dear Friends and Neighbors,

Presently there exists no leadership or vision by those who have assumed the Principle roles in our Association. No repairs or maintenance to the dam have been made for over three years and as an Association we are paralyzed in our ability to conduct business due to misinformation, politics, and self interest. [redacted] and I intend to do everything we can to bring about awareness in hopes that this will be the catalyst for positive change.

The first step is to educate and create an awareness amongst the members, and our local political and business leaders, as well as the general public and anyone else who may be concerned and interested in the safety of the dam and well being of our fish and wildlife environment.

We are blessed with the gift of a natural setting and as custodians of the lake and surrounding lands we have a moral obligation to our neighbors, the community, and the environment to protect the health and safety of the resources as well as maintain the safety of our dam.

From an economic standpoint, the members of the Centerton Lake Homeowners Association are virtually assured that the values of their homes will plummet should we fail to take immediate and decisive action now. We can no longer stand by and continue the status quo with our heads buried in the sand.

As a resident of the Centerton Lake Homeowners Association, a concerned citizen of Pittsgrove Township who believes strongly in respect for the environment, it is my goal to bring about change within the Centerton Lake Homeowners Association.

[redacted] and I have the vision, and business experience necessary to bring about change. We will be communicating more of our ideas to you in the future and will appreciate hearing your constructive views and ideas that will help us all bring about change for the better.

Enclosed you will our Organization and Vision Plan for A Better Lake Centerton Park

Homeowners Association.

If you would like to join and help us, I ask that you call or email either [redacted] or I and we will meet with you and discuss how you can help us make our vision a reality.

This communication and “The Plan” has been sent to all Association Members in writing by regular mail and will also be communicated to other interested concerns.

Sincerely,

Ronald W. Yarbrough

Digitally signed by Ronald W. Yarbrough
DN: CN = [redacted]
= US, O = [redacted]
Date: 200

Ronald W. Yarbrough

Enclosure

A BETTER CENTERTON LAKE PARK HOMEOWNERS ASSOCIATION
11 LAKE CENTERTON DRIVE
PITTSGROVE NJ 08318

RON YARBROUGH TELEPHONE: [redacted]
[redacted] TELEPHONE: [redacted]

June 14, 2005

A Better Centerton Lake Park

Organization Vision and Plan

Plan of Action for the Repairs, Maintenance and the Safe Operation of the Dam and Spillway

At present there is no real prospect of implementing any of the ideas that have been floated by various individuals at association meetings. The ideas that have been floated offer no detailed plan that addresses scheduling, costs, and the technical and managerial skills that the Association must assume. Without a turnkey plan with a high probability of success, the financial commitment by any member is unlikely.

- Borrowing an estimated $1,200,000 over 20 years and constructing a new dam at the cost to each homeowner of $5,579.20 per year ($557.00 monthly). This does not include regular Engineering and Maintenance Costs over and above the Capital Project and it also assumes that the Association has the competency to fully implement such a plan. The duration of these type of projects are years from the initial concept to final completion and the initial and continuing liability of potential sellers and buyers also makes this option unattractive.
- Work with Green Acres to attempt to donate the lake with stipulations that the state would maintain the dam. This assumes that every member desires to live on a public lake and accept such a proposal. Unless the proponents of this plan can produce a letter of intent from every owner to surrender their rights under the plan, this plan should be removed from any further consideration as it lacks any credible chance of implementation.
- Other proposals such as “Drain the Lake”, or donate the Lake to Rowan University, or seek Township help to Maintain the dam for the future are not a viable alternative and appear bizarre, and an idea out of desperation.

The ideas outlined above must be rejected or dismissed unless and until a formal detailed “Plan” is presented in writing by the Board of Directors of the Lake Centerton Park Homeowners Association. Lastly, the idea that this Association can impose any plan by litigating against its shareholders is simply preposterous.

The <u>Only</u> Viable Option: A Long Term Plan for the Restoration of the Centerton Lake Dam and Spillway.

This plan is a two part plan. It offers the only viable solution to the problems outlined in the introduction.

Part One: Necessary Reforms for Lake Centerton Homeowners Association

The issue is before the Association is that of a denial of democratic governance by the homeowners association. A Rescission of all improperly enacted amendments to the Covenants and Restrictions is necessary.

The first part of the plan addresses reforms that are necessary for the Associations in order for it to conduct the business of it members. The Centerton Lake Homeowners Association is a Business. It exists as a non profit Corporation and its very purpose is to conduct the business and meet it's obligations on behalf of the members, the "shareholders" of the corporation.

Reforms that are necessary are:

1. Dispute Resolution Process
2. Public Meetings
3. Private Ballot Elections of Board Members
    a. Formal Nominations to include Resume and Candidates Plan of Action
    b. Results in Elections of Most Qualified Individual and Plan
4. Board of Directors to Consist of Elected Members
5. Resolution of the CLPHA to Commit to Strict Compliance with NJ DEP Dam Safety, and the NJ DEP Fish & Wildlife Regulations
6. Immediate budget $3000.00 per year for three years per Dam and Spillway Repairs and Long Term Maintenance Plan

Part Two: Dam and Spillway Repairs and Long Term Maintenance

The second part of the plan addresses the Repairs and Long Term Maintenance and Restoration of the Dam and Spillway.

The dam is “Safe” and is not in imminent danger of failure. It does not require immediate total replacement at this time.

To successfully oversee and manage the planning, immediate repairs, maintenance, and long term management of the Dam and Spillway a program must be designed, and managed by a competent individual in the role of a Project Manager. The title “Project manager” is more that just a title. The Project Manager is a highly qualified individual with diverse and specialized knowledge and is committed to the success of the project.

To fully restore the Dam and Spillway the yearly cost to each homeowner will be $3,000 for the first three years. This will require a commitment. This cost includes 100% of the Engineering, Constructions, Project Management, Building Permits, Studies and Reports and Inspections that are required to bring the Lake Centerton Park Homeowners Association into full compliance with NJ DEP Dam Safety by November 30, 2005.

Every member of the Association, who has purchased a home, desires to sell their home, and prospective new residences and members of the association are owed a legal entitlement to a Safe Dam that is in full compliance with the NJDEP Dam Safety Act. That legal entitlement was and remains a provision of the Covenants and Restrictions of their deed.