



PRESIDENT'S CORNER

Steven Mlenak, Esq.

2025 CAI-NJ PRESIDENT

GREENBAUM, ROWE, SMITH & DAVIS, LLP

Community Associations Institute New Jersey Chapter (CAI-NJ) by-laws provide that the elected Vice President of the Board automatically ascends in lockstep to the positions of President-Elect, and then President, over a three-year period. For the last three years, therefore, I have been dreadfully counting down the minutes to when I had to begin writing these articles each month. Well, as Bruce Buffer would say, "IT'S TIME!"¹

These articles notwithstanding, I could not be more grateful for the trust that the members of CAI-NJ and its Board of Directors have placed in me. As I mentioned to our over 200 volunteers (more on this later) at CAI's recent Annual Retreat, CAI-NJ has given me so much more than I could possibly ever give to it. It is an organization that reminds us that you can have business competition without business ruthlessness. Our members are encouraged to share ideas and thoughts without fear of ridicule or ostracization. CAI-NJ has proven the hypothesis that "a rising tide lifts all ships."

While I will try to tailor my future articles to a specific theme addressing the common interest community (CIC) industry, I must ask for your indulgence in allowing the theme of this article to simply be *gratitude*.

I must start with a thank you and congratulations to my friend Chris Nicosia, CMCA, AMS, PCAM for his tireless efforts as CAI-NJ's 2024 President. During Chris's leadership, CAI-NJ made significant advances in terms of its legislative initiatives; membership, retention and sponsorship growth; increased attendance at its marquee educational and networking events; and the modernization of its annual awards voting. I want to draw significant attention, however, to the great work that both Chris and incoming President-Elect Ryan Fleming, CIRMS, EBP undertook over the course of many months to procure and partner with a well-known and respected marketing company. This initiative is intended to help make CAI-NJ a household name in our industry and to expand our geographical reach to all parts of New Jersey, beginning with Northern New Jersey. In doing so, the goal is not simply for the marketing company to assist in search engine optimization or advertising campaigns, but to work directly with the board and our amazing staff to develop long-term marketing strategies. I look forward to working with Ryan and the board to begin implementation of these strategies in 2025.

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CAI-NJ TEAM

ANGELA KAVANAUGH

CHAPTER EXECUTIVE DIRECTOR
ANGELA@CAINJ.ORG

JACLYN OLSZEWSKI

DIRECTOR, CONFERENCE & EVENTS
JACLYN@CAINJ.ORG

ROBIN SURGENT

DIRECTOR, MEMBERSHIP DEVELOPMENT
ROBIN@CAINJ.ORG

BROOKE STOPPIELLO-NEVINS

EDITORIAL & WEBSITE MANAGER
BROOKE@CAINJ.ORG

JOCELYN GARLOCK

PROGRAMS & EVENTS COORDINATOR
JOCELYN@CAINJ.ORG

HELEN KIECHLIN

MARKETING & MEMBER RELATIONS
COORDINATOR
HELEN@CAINJ.ORG

Contact CAI-NJ

ADDRESS

CAI-NJ
500 HARDING ROAD
FREEHOLD, NJ 07728

PHONE

609-588-0030

FAX

609-588-0040

WEB

WWW.CAINJ.ORG

EMAIL

INFO@CAINJ.ORG

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Second, to our amazing team led by the incomparable Angela Kavanaugh, thank you! Angela, Robin, Jackie, Brooke, Helen, and Jocelyn, are all committed to CAI-NJ in more ways than most of us know. Our staff members are truly the reason for our nationally recognized success. While the most dangerous phrase in business may be, "we've always done it this way," I propose that the safest phrase in business may be, "don't fix what isn't broken." With Angela and her team at the helm, my biggest challenge this year will be to not get in their way!

Finally, a thank you must go out to our over 200 committee volunteers! At CAI's National Conference that is held each spring, entire seminars are dedicated to brainstorming ideas for how Chapters can get its members to volunteer on committees. They look at us as if we are crazy when we tell them that not only do we have over 200 committed members volunteering each year, but we actually have to enforce strict limitations on how many members of an organization can volunteer! So, we thank each and every one of you that step up to the plate for our industry.

At the CAI Retreat, I was also excited to announce that the Board of Directors' task force to develop the New Jersey Online HOA Board Essentials is in the homestretch of developing the content to what will become a first-of-its-kind educational resource among CAI Chapters. What began as an initiative aimed at responding to proposed legislation that would require all elected and appointed board members to undertake at least three hours of board leadership development training, quickly evolved into something that the board recognized would be a meaningful value-add to our existing members regardless of whether such legislation was adopted. The board has committed the resources necessary and has identified the right online educational platform provider to partner with to provide the program by mid-2025. Stay tuned for more information.

So, in closing, over the course of the next year, please do not be shy. Come up to me at events and say hello. Let me know what you believe are issues that CAI-NJ should be addressing. Share your ideas and goals. Let's work together to "rise the tide." I greatly look forward to this year and all it has to bring. Just not these articles. ■

END NOTE:

1 Outgoing CAI-NJ President Chris Nicosia would prefer I use a Disney® quotation instead whenever possible, so we can instead quote Rafiki: "It is time!"

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Steven Mlenak, Esq.

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GREENBAUM, ROWE, SMITH & DAVIS, LLP

This month, we look at high-rise communities and the unique issues that a-“rise” in those communities. Yeah...sorry about that.

While the laws and regulations are no different in high-rise communities than in any other condominium association, with a few exceptions, there are a host of issues that are either unique to high-rise communities or at least more prevalent within them. This month's issue will examine many of these issues including Casey Sky Noon's article on *Embracing Central Plant CO2 Heat Pumps: A Sustainable Solution for Community Association Buildings*, Marian Miawad, Esq. & Glenford W. Warmington, Esq.'s article on *High-Rise, High-Delinquencies? – Collection Strategies for New Jersey High-Rise Condominiums*, Michael Mezzo, CPA, MBA's article on *Don't Miss Out! Hidden Savings on Energy Efficiency Upgrades*, Damon Kress, Esq. & Andrew Newman, CMCA, AMS, PCAM's article on *Maintenance Resolutions in Aging Communities*, and Vincent Rapolla, AMS, PCAM's article on the upcoming *High-Rise Site Tour*.

As a common-interest-community (CIC) attorney, I come across situations that while applicable to all communities, are usually implicated more often in high-rise communities. Take for example the Service Worker Retention Law ("SWRL"). The SWRL applies to a "multi-family residential building with more than 50 units", which is likely only applicable to high-rise communities as non-high-rise communities with more than 50 units are typically spread out among multiple buildings.

The purpose of SWRL is to grant protections to certain service employees when there is (1) a change in the contract service provider; or (2) a change in

"As a common-interest-community (CIC) attorney, I come across situations that... are usually implicated more often in high-rise communities."

ownership at an enumerated covered location. The service employees covered under SWRL include any individual who (1) is employed for at least 60 days; (2) works at least 16 hours a week at the covered location, whether it is on a part-time or full-time basis; (3) is not a managerial or professional employee; and (4) performs work such as care or maintenance of a building or property, among other things. This kind of work can include landscaping, security services or snow removal services among other work that can be performed at the community.

Because of SWRL, high-rise communities have an extra layer of compliance when deciding to terminate a vendor or service contractor that falls under SWRL

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CAI-NJ TEAM

ANGELA KAVANAUGH

CHAPTER EXECUTIVE DIRECTOR
ANGELA@CAINJ.ORG

JACLYN OLSZEWSKI

DIRECTOR, CONFERENCE & EVENTS
JACLYN@CAINJ.ORG

ROBIN SURGENT

DIRECTOR, MEMBERSHIP DEVELOPMENT
ROBIN@CAINJ.ORG

BROOKE STOPPIELLO-NEVINS

EDITORIAL & WEBSITE MANAGER
BROOKE@CAINJ.ORG

JOCELYN GARLOCK

PROGRAMS & EVENTS COORDINATOR
JOCELYN@CAINJ.ORG

HELEN KIECHLIN

MARKETING & MEMBER RELATIONS
COORDINATOR
HELEN@CAINJ.ORG

Contact CAI-NJ

ADDRESS

CAI-NJ
500 HARDING ROAD
FREEHOLD, NJ 07728

PHONE

609-588-0030

FAX

609-588-0040

WEB

WWW.CAINJ.ORG

EMAIL

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Harding Road, Freehold, NJ 07728

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protections. Under the law, at least 15 days prior to the termination date of the contract, an association must (1) request a list of the names, dates of hire and job classification for each employee from the terminated contractor; (2) provide this list to the new vendor; and (3) post a written notice for all of the effected employees alerting them of the termination of the current contract, contact information of the new vendor and their rights under SWRL. If there is a union involved with the terminated contractor, boards must also ensure that the union is sent notice in writing of the termination and provided with the contact information for the new vendor.

In this edition, you'll learn about similar type issues and situations most likely to be associated with high-rise communities.

In closing, I hope to see everyone at this year's CAI-NJ Awards Celebration on Wednesday, February 19th at the Hyatt Regency New Brunswick. This year's theme is "Tides of Celebration – An Underwater Oasis." Last year, the CAI-NJ Board of Directors instituted new voting procedures for the Awards with the goal of increasing the prestige of the Awards and establishing a fair, competitive process providing each member having an opportunity to participate in the winner selection. I greatly look forward to the event this year and hope to see you there. ■

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As we age, the "years get shorter, but the days get longer." Parents know this all too well. Just yesterday I remember bringing our daughter Mia home from the hospital. Now it seems that I'm being asked to chauffeur her around to Sephora, Ulta, and Bath and Body Works weekly! (And yes, I did have to look up how to spell "chauffeur"). Well, just as it feels that Mia was born yesterday, so too does it feel that I just wrote last month's article yesterday and now this one is due! Fear not, loyal readers. I'm here for you.

This month, I want to take a minute to expand upon the importance of board member education, the current resources available to board members that are members of CAI, and the steps that CAI-NJ is currently taking to bring board member education to a whole new level this summer.

Volunteer board members play a pivotal role in overseeing the management and operation of a community association. While these individuals are often residents with a shared interest in their community's well-being, their responsibilities extend far beyond casual involvement. It is essential that volunteer board members be trained on a range of important topics to ensure the effective, legal, and ethical governance of the community. Training in areas such as applicable laws, proper meeting protocols, the fiduciary duty, ethics and conflicts, and the relationship between the board and property management, not only protects the association but also upholds the interests of the residents they serve.

One of the most critical reasons for board member education is to ensure they are knowledgeable about the laws governing common interest communities. Associations are subject to a complex web of local, state, and federal regulations that can significantly impact how associations operate. These laws cover a wide variety of topics, including:

- New Jersey-Specific Laws: Including the Condominium Act, the Radburn Act, and the Non-Profit Corporations Act.
- Contract and Procurement Laws: Board members must understand how to properly negotiate contracts, including those with service providers, and ensure the association follows best practices in terms of procurement of vendors and project oversight.

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CAI-NJ TEAM

ANGELA KAVANAUGH

CHAPTER EXECUTIVE DIRECTOR
ANGELA@CAINJ.ORG

JACLYN OLSZEWSKI

DIRECTOR, CONFERENCE & EVENTS
JACLYN@CAINJ.ORG

ROBIN SURGENT

DIRECTOR, MEMBERSHIP DEVELOPMENT
ROBIN@CAINJ.ORG

BROOKE STOPPIELLO-NEVINS

EDITORIAL & WEBSITE MANAGER
BROOKE@CAINJ.ORG

JOCELYN GARLOCK

PROGRAMS & EVENTS COORDINATOR
JOCELYN@CAINJ.ORG

HELEN KIECHLIN

MARKETING & MEMBER RELATIONS
COORDINATOR
HELEN@CAINJ.ORG

Contact CAI-NJ

ADDRESS

CAI-NJ
500 HARDING ROAD
FREEHOLD, NJ 07728

PHONE

609-588-0030

FAX

609-588-0040

WEB

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EMAIL

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- Insurance Requirements: Ensuring that the association has the correct types and amounts of insurance to protect against potential liabilities, and most importantly for board members, that they understand what their Directors and Officers Insurance covers, and what it does not.
- Fair Housing Laws: Ensuring the association is compliant with federal and state fair housing regulations to prevent discrimination against residents.

The role of a volunteer board member in a community association is far more complex than many realize. Board members are responsible for making critical decisions that affect the financial, legal, and social aspects of the community. Without proper training, board members risk making decisions that could expose the community to legal liability, financial loss, or conflict. By providing training in these areas, associations can ensure that their boards are well-equipped to govern effectively, ethically, and in compliance with the law – ultimately promoting the success and well-being of the entire community.

Right now, there is no legal requirement in New Jersey that board members undertake a specific level of training to hold their position. There is however legislation pending in the General Assembly that, if adopted, would require every volunteer board member to undertake at least three hours of board member training provided by an organization such as CAI. This training would be required to be completed

within 180 days of each board member's first term following enactment of this legislation.

Regardless of whether this bill passes, CAI's core mission of education is one that our Chapter in New Jersey takes seriously. On March 19th and 20th, CAI-NJ will host its very popular Board Leadership Development Workshop, a two-day workshop that is geared towards new and experienced board members alike. And best of all, it is FREE for all CAI Members. In addition to this workshop, CAI-NJ hosts educational seminars, workshops, and webinars throughout the year, nearly always for free. I encourage you to check out the list of upcoming events on page ____ of this issue.

Despite the success of our two-day workshop, the CAI-NJ Board of Directors and the members of our New Jersey Legislative Action Committee (NJ-LAC) understand that a requirement that all board members undertake two full days of in-person training would not be practical and would seriously threaten many associations' ability to recruit committed candidates to serve on a board. Therefore, CAI-NJ is currently far along in the preparation of a free online-based educational program for board members to take. The program would include baseline training on all the relevant laws and regulations a board member should know, as well as best practices to ensure the sound governance of an association. We are excited for this program and expect it will be something that other chapters around the country will want to emulate. The program is expected to launch in Summer 2025.

With that, I am off to Sephora. ■

NAVIGATING UNCERTAINTY...

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ties facing the industry due to factors out of our control, it's important to make sure that your contracts include clear language that will help both parties be protected in the event of unforeseen cost increases.

4. KNOW YOUR MATERIALS

Understanding where your materials are sourced and manufactured can help you gain more insight into potential price fluctuations. Talk to your contractors to learn more about what raw materials are used to make

the building products they purchase and how those materials and finished products get from Point A to Point B around the world. Knowing more about these supply chains can help you stay updated on market trends so you can anticipate and be prepared to manage potential disruptions.

As we look ahead to a potentially turbulent 2025, the projections and strategies shared in this article hopefully can help you stay educated about where costs may be headed and how community associations can work with your partners in the construction industry to successfully navigate these uncertain times. ■



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Who can believe we are in April already? I still have people wishing me 'Happy New Year!' With Spring arriving, now is the time that many community associations are beginning to tackle the necessary upkeep and commencing capital projects—large and small. It's also the best time for associations to begin formulating a vision for how they can help improve the property values of the community and the morale of its residents. This month's issue centers around the, "Glow Up!"—a phrase way overused by my wife to describe Chris Pratt post-Parks and Recreation.

In the world of real estate, first impressions are everything. Imagine driving through a neighborhood that's bursting with curb appeal—freshly painted fences, tidy lawns, and flowers that practically wave hello. You'd think to yourself, "Now this is the kind of place I want to live." Just like how a person's outfit can make them look polished and put-together, a community association's investment in the aesthetic appeal of its exteriors and landscaping does the same thing for a neighborhood.

Think about it: When you walk into a room and someone's dressed to impress—sharp suit, stylish shoes, the whole nine yards—there's an immediate sense of confidence. You think, "This person has their life together." Or you can walk into the room and see someone dressed like Adam Sandler at the Oscars. Well, the same applies to a community association. When a neighborhood invests in landscaping and attractive upkeep, it gives off the same vibe.

No one wants to live in a place where the grass is as long as the neighbor's Wi-Fi password. Investing in clean, manicured lawns, fresh paint, and vibrant flowers isn't just about looking pretty; it's about sending the message, "We care about our community, and we're ready to take on the world." That's the kind of confidence we're talking about.

I invite you to take advantage of the advice provided this month by these informative articles about beautifying your community, "Let's Get Glowing! How Revitalizing Your Common Spaces Can Enhance Property Value and Build a Strong Community," Carrie Fusella, Design Alternatives Group, LLC, "Creating Value with Curb Appeal," Chris Merkler, Down to Earth Landscaping,



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CAI-NJ TEAM

ANGELA KAVANAUGH

CHAPTER EXECUTIVE DIRECTOR
ANGELA@CAINJ.ORG

JACLYN OLSZEWSKI

DIRECTOR, CONFERENCE & EVENTS
JACLYN@CAINJ.ORG

ROBIN SURGENT

DIRECTOR, MEMBERSHIP DEVELOPMENT
ROBIN@CAINJ.ORG

BROOKE STOPPIELLO-NEVINS

EDITORIAL & WEBSITE MANAGER
BROOKE@CAINJ.ORG

JOCELYN GARLOCK

PROGRAMS & EVENTS COORDINATOR
JOCELYN@CAINJ.ORG

HELEN KIECHLIN

MARKETING & MEMBER RELATIONS
COORDINATOR
HELEN@CAINJ.ORG

Contact CAI-NJ

ADDRESS

CAI-NJ
500 HARDING ROAD
FREEHOLD, NJ 07728

PHONE

609-588-0030

FAX

609-588-0040

WEB

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Inc., "How Paint Maintenance Impacts Your Community's Appearance and Longevity," Lindsey Champagne, CertaPro Painters, and "Beautify on a Budget," Erin Spiliotopoulos, CMCA, AMS, Matrix Property Management Group, LLC.

Finally, it is important to acknowledge the passing of a dear friend to CAI, Charles "Charlie" Lavine. Charlie was a founding member of the Board of Directors for Traditions at Federal Point Condominium Association over twenty years ago. He served multiple terms on that board, fulfilling roles as both Vice President and President. Charlie was also an active participant in our CAI chapter for over ten years, regularly attending educational programs and networking events. Additionally, he joined the first CAVL Committee of CAI-NJ, where he served as Vice Chair and completed two terms as Chair. For the past five years, I had the privilege of serving alongside Charlie as a member of CAI-NJ's Board of Directors. Charlie was a passionate advocate for fairness and represented homeowner leaders on the Board with a strong voice. He was a cherished friend to many within our chapter, and his absence will be deeply felt. ■

“...it is important to acknowledge the passing of a dear friend to CAI, Charles ‘Charlie’ Lavine.”

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Spring is finally in the air. The long winter has come to an end. The smell of fresh mulch permeates – albeit 18 inches away from any combustible building material this year.

The theme for this month's *Community Trends*® is "The Art of Community Associations." While I don't believe anyone truly knows what that means — trust me, I asked — it is this ambiguity that separates art from science. As Supreme Court Justice Potter Stewart famously wrote in a concurring opinion in 1964 when trying to answer the question of what constitutes art as compared to obscenity, "I know it when I see it."

At first glance, serving on a board or managing a community association might seem like a matter of numbers and rules — budgets, bylaws, maintenance schedules. But anyone who has ever done so successfully knows the truth: the real business of a community association is more of an art than a science.

Yes, there are financial reports to review, legal requirements to follow, and policies to enforce. Yet none of these elements exist in a vacuum. Behind every decision are people — residents with different needs, expectations, and personalities. Balancing these human elements requires diplomacy, intuition, and creativity.

No formula can tell you how to handle a disagreement between neighbors or how to inspire community engagement. There's no equation that explains how to build trust after a controversial decision or how to turn a routine annual meeting into a meaningful gathering. These situations call for emotional intelligence, active listening, and sometimes a bit of improvisation.

Effective board members understand that while structure is important, flexibility is key. The art lies in reading the room, adapting to change, and creating a sense of belonging. It's about knowing when to hold firm and when to compromise, when to follow precedent and when to try something new.

Strong community associations are built not just on policy, but on connection. They thrive when board members approach their roles as caretakers of both infrastructure and relationships. In the end, the business of a community association is about more than maintaining property — it's about fostering harmony. And that, without question, is an art. ■

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CHAPTER EXECUTIVE DIRECTOR

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JACLYN OLSZEWSKI

DIRECTOR, CONFERENCE & EVENTS

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DIRECTOR, MEMBERSHIP DEVELOPMENT

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MARKETING & MEMBER RELATIONS

COORDINATOR

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Contact CAI-NJ

ADDRESS

CAI-NJ

500 HARDING ROAD

FREEHOLD, NJ 07728

PHONE

609-588-0030

FAX

609-588-0040

WEB

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EMAIL

INFO@CAINJ.ORG

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This past November, I had the honor of joining CAI-NJ and our esteemed F.A.S.T. Committee at the Samuel & Josephine Plumeri Wishing Place in Monroe, New Jersey, also known as the "Make-A-Wish Castle", to present CAI-NJ's latest charitable donation to Make-A-Wish New Jersey. This most recent contribution brought CAI-NJ's total donations to the organization to over \$100,000 since 2015. During our visit, the dedicated staff at Make-A-Wish organized a special event where we were able to witness the granting of a wish to a young boy named Avory using CAI-NJ's donation. This moment, together with the tour of the "Castle" and its various "Wishing Rooms," meant for a profoundly moving day.

For those unfamiliar, Make-A-Wish is a nonprofit organization that grants transformative wishes to children with critical illnesses, aiming to bring hope, strength, and joy during their challenging times. Founded in 1980, the organization collaborates with volunteers, donors, and medical professionals to create personalized experiences—ranging from meeting celebrities to traveling to dream destinations—that uplift both the child and their family. These wishes enhance emotional well-being and can contribute to the healing process.

CAI-NJ's capacity to support this cause is a direct result of the significant efforts of CAI-NJ's F.A.S.T. Committee. While the name stands for the "Future All Star Team," the committee members are already recognized as All Stars within CAI-NJ. Historically regarded as unsung heroes of our Chapter, it is gratifying that F.A.S.T. is now receiving national recognition for its contributions.

In the past month, at CAI's Annual Conference, CAI-NJ was awarded an Achievement Award in Public Affairs for our partnership with Make-A-Wish New Jersey. This award serves as a reminder that while CAI-NJ's primary focus is on education and advocacy, service remains the cornerstone of all our activities. Congratulations to our F.A.S.T. Committee, all its members, past and present, and to CAI-NJ's outstanding staff, whose support made these achievements possible.

On July 9 F.A.S.T.'s premier fundraising event, the CAI-NJ Olympics, will be held at Thompson Park in Monroe Township. The event is a unique and entertaining activity that, to me, is the most fun event on the CAI-NJ calendar each year. What other event provides the opportunity to "slime" the CAI-NJ Board Members! The goal is to continue setting records annually to maintain our partnership with Make-A-Wish New Jersey. We hope to see you out there this year. ■

"...F.A.S.T. is now receiving national recognition for its contributions."



CAI-NJ TEAM

ANGELA KAVANAUGH

CHAPTER EXECUTIVE DIRECTOR
ANGELA@CAINJ.ORG

JACLYN OLSZEWSKI

DIRECTOR, CONFERENCE & EVENTS
JACLYN@CAINJ.ORG

ROBIN SURGENT

DIRECTOR, MEMBERSHIP DEVELOPMENT
ROBIN@CAINJ.ORG

BROOKE STOPPIELLO-NEVINS

EDITORIAL & WEBSITE MANAGER
BROOKE@CAINJ.ORG

JOCELYN GARLOCK

PROGRAMS & EVENTS COORDINATOR
JOCELYN@CAINJ.ORG

HELEN KIECHLIN

MARKETING & MEMBER RELATIONS COORDINATOR
HELEN@CAINJ.ORG

Contact CAI-NJ

ADDRESS

CAI-NJ
500 HARDING ROAD
FREEHOLD, NJ 07728

PHONE

609-588-0030

FAX

609-588-0040

WEB

WWW.CAINJ.ORG

EMAIL

INFO@CAINJ.ORG

CAI-NJ on Social Media



www.facebook.com/CAINJCHAPTER



Community Associations Institute - New Jersey Chapter



@cainewjersey



CAI-NJ



PRESIDENT'S CORNER

Steven Mlenak, Esq.

2025 CAI-NJ PRESIDENT

GREENBAUM, ROWE, SMITH & DAVIS, LLP

As anyone who has ever served on a community association board can attest—this is not a spectator sport.

Board members are expected to navigate a maze of legal requirements, budgetary responsibilities, resident concerns, and long-term planning. And while most board members volunteer with the best of intentions, good intentions alone don't balance a budget, interpret state law, or resolve an architectural dispute. That's why education is not just a "nice-to-have" – it's essential.

That's also why I'm thrilled to share that CAI-NJ is launching our brand-new Board Leadership Development program this summer – created for New Jersey board members, by New Jersey professionals – and best of all, it's available at no cost to our members.

This web-based course is designed to provide board members with a clear, practical foundation in everything they need to know to serve effectively. Clocking in at about three hours total, the program is broken up into short, manageable chapters that users can complete at their own pace. Whether you're fitting it in over coffee or knocking it out in one sitting with a fresh legal pad and a determined mindset, the structure is flexible and entirely user-friendly.

Each chapter wraps up with a quick "Knowledge Check" to reinforce learning and make sure users are absorbing the most important takeaways. Upon completing the program, participants will receive a Certificate of Completion – a small but meaningful badge of honor that shows their commitment to responsible governance.

We strongly encourage all associations to incentivize their board members to participate in this program. An informed board makes better decisions, runs more efficient meetings, and avoids costly missteps. And that benefits everyone.

To be clear, this program isn't a replacement for the national CAI Board Leadership Development Workshop, which remains a fantastic, in-depth two-day course. Rather, this new initiative is a complement to it – offering a New Jersey-specific focus, tailored to the laws, challenges, and best practices of our Garden State communities. Think of it as the CliffsNotes for everything uniquely NJ, designed with accessibility and relevance in mind.

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Contact CAI-NJ

ADDRESS

CAI-NJ
500 HARDING ROAD
FREEHOLD, NJ 07728

PHONE

609-588-0030

FAX

609-588-0040

WEB

WWW.CAINJ.ORG

EMAIL

INFO@CAINJ.ORG

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@cainewjersey



CAI-NJ

PRESIDENT'S CORNER...

from page 5.

At CAI-NJ, we believe education is the foundation of successful, thriving communities. By making this resource freely available to our members, we're investing in the long-term health of associations throughout the state.

So, whether your board is full of seasoned trustees or newly elected volunteers wondering what they just signed up for, this program is for you. Let's equip our leaders with the tools they need to succeed – and show them that knowledge truly is power (and in this case, certificate-worthy).

This program has been over a year in the making and could not have happened without the tireless efforts of our amazing staff, led by Angela Kavanaugh, and so many CAI-NJ volunteers including, but not limited to, my fellow BLD Task Force Members (Michael Flippin, CMCA, AMS, PCAM, Bob Travis, CIRMS, Mary Barrett, Esq. and Kristina Munson, CMCA, AMS, PCAM), and the members of our amazing New Jersey Legislative Action Committee (NJ-LAC) and Homeowner Leader Committee. Also, a big thanks to our two voiceover wizards, Helen Kiechlin and Bob Travis, CIRMS, whose vocal acrobatics turned material that could have been snooze-inducing into an engaging program. Audible should be contacting you both soon.

Stay tuned for the official launch soon – we can't wait to see our members take advantage of this exciting new opportunity.

Here's to smarter boards and stronger communities! ■

BASKETBALL...

from page 32.

heartbeat of the community. Their passion and engagement are what drive interest and progress. Even though criticism can sometimes be tough to hear, it often comes from a place of wanting the best for the community. One thing I have learned is that, just like in sports, success and positive outcomes tend to ease much of that criticism over time.

The interesting part of community management is that the residents are just as important as fans are to sports. Residents are elected board members, and management teams are hired to serve. While management teams often spend a lot of their time managing unrealistic expectations from a small portion of the community, they are still part of the community. I have also learned that, just as in sports, winning in community management quiets a lot of complaints. Winning in community management can mean solving a problem for a resident in need, helping a homeowner with an issue in their home, or simply making a community member's day by opening the door to the clubhouse. Anyway, we do it, and we win together! ■

Make This YOUR Year To Stand Out!

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