

BOARD OF MANAGERS • EDGEWATER CONDOMINIUM

Resolution Authorizing Electronic Voting and Participation by Unit Owners

A resolution governing owner elections, annual and special meetings, secure ballots, quorum, and election records

RECITALS

WHEREAS, Section 339-v(1)(b) of the New York Real Property Law permits the Board of Managers, in its discretion, to determine that a meeting of Unit Owners be held solely or partially by means of electronic communication; and

WHEREAS, the Declaration and By-Laws of Edgewater Condominium govern the nomination and election of the Board of Managers, the calling and conduct of Unit Owner meetings, voting rights, quorum requirements, proxies, and the percentage of votes required for action; and

WHEREAS, the Board desires to provide Unit Owners with a modern, convenient, secure, and accessible method of participating in Condominium governance, while preserving traditional voting methods for owners who do not elect to participate electronically; and

WHEREAS, the Board finds that a properly administered electronic voting system may improve participation, assist in establishing quorum, produce a reliable audit trail, and reduce administrative expense;

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. Authorization and Scope.** The Board hereby authorizes the use of a secure electronic voting system for elections of members of the Board of Managers and for matters properly submitted to Unit Owners at annual or special meetings. The system may be used for a meeting conducted solely by electronic communication or as part of a hybrid meeting, subject at all times to the Declaration, the By-Laws, and applicable law.
- 2. Voluntary Electronic Participation and Owner Consent.** Electronic participation shall be voluntary. A Unit Owner may affirmatively consent in writing, including by electronic transmission, to receive electronic voting materials and cast ballots electronically. A Unit Owner who does not consent to electronic participation shall retain the right to use the paper-ballot, proxy, or other non-electronic method permitted by the governing documents and the rules established for the particular vote.
- 3. Eligible Voter List and Authentication.** Before voting opens, the Association Manager or other person designated by the Board shall prepare an official list of eligible voting interests. The electronic platform shall use unique credentials or another secure authentication method to verify each voter, apply the voting percentage or weight assigned by the governing documents, and prevent duplicate voting.
- 4. Ballot Integrity, Confidentiality, and Security.** The electronic voting platform shall protect ballots against unauthorized access, alteration, or deletion; preserve the integrity of each ballot in transit and in storage; and maintain ballot secrecy whenever the vote is required or designated to be confidential. For a secret ballot, the system should separate the record that an owner participated from the owner's ballot selections.
- 5. Quorum and Vote Tabulation.** A properly authenticated electronic ballot cast within the authorized voting period may be counted toward quorum and included in the final tabulation to the fullest extent permitted by the Declaration, the By-Laws, and applicable law. The electronic system shall not change the quorum, voting percentage, voting weight, or approval requirement otherwise applicable to the election or question presented.

- 6. Confirmation of Receipt.** The electronic system shall provide the voter with a confirmation that the ballot was successfully received. For a confidential or secret ballot, the confirmation shall not disclose the voter's selections.
- 7. Notice, Credentials, and Voting Instructions.** The Association Manager and officers of the Condominium are authorized to select a compliant electronic voting vendor and prepare the operational rules, notices, and instructions for each vote. Authentication credentials and voting instructions shall be distributed within the notice period required by the governing documents and, unless a longer period is required, at least fourteen days before the scheduled meeting or voting deadline.
- 8. Reconciliation of Electronic and Non-Electronic Votes.** Before the results are certified, the election administrator, in coordination with the Inspectors of Election when required by the By-Laws, shall reconcile electronic ballots with paper ballots, proxies, and any other authorized voting method so that no voting interest is counted more than once. Any replacement, corrected, or revoked ballot shall be handled under written procedures established before voting begins.
- 9. Inspectors of Election.** Before balloting for an officer, the President of the Condominium shall appoint three Inspectors of Election, none of whom may be a candidate. The Inspectors of Election shall collect, receive, canvass, and report the votes cast at the election. When electronic voting is used, the Inspectors shall perform these duties by reviewing and reconciling the electronic voting records and reports with any paper ballots, proxies, or other authorized voting methods, and shall report the final results. The electronic voting platform and any election administrator shall assist, but shall not replace, the duties of the Inspectors of Election required by the By-Laws.
- 10. Records, Audit, and Certification.** The Secretary, the Association Manager acting on behalf of the Secretary, or an independent election administrator shall preserve the voter list, notices, participation records, audit reports, tabulation reports, and other election materials for the period required by the governing documents or applicable law. The Inspectors of Election shall be provided access to the records and reports reasonably necessary to perform their duties under the By-Laws. The final results shall be certified and entered in, or attached to, the official minutes. Confidential ballot selections shall remain confidential except as required for a lawful inspection, recount, or review.
- 11. Governing Documents; Severability.** This Resolution is intended to establish administrative procedures and does not amend the Declaration or the By-Laws. If any provision conflicts with the governing documents or applicable law, the governing documents and law shall control, and the remaining provisions of this Resolution shall continue in effect to the extent permitted.
- 12. Effective Date.** This Resolution shall take effect immediately upon its adoption by the Board of Managers.

ADOPTION AND CERTIFICATION

PASSED AND ADOPTED by the Board of Managers of Edgewater Condominium at a duly called meeting held on the _____ day of _____, 2026, by the vote required under the governing documents.

President, Board of Managers

Date: _____

Printed Name: _____

Secretary, Board of Managers

Date: _____

Printed Name: _____