

Ocean Beach and Bay Club
Annual Fall General Membership Meeting
Saturday, September 25, 2010
Dover-Brick First Aid Building

MINUTES

Board of Trustees in attendance:

James Martino, President; Donald Maurer, Vice-President & Roads; James Feehan, Treasurer; Peter Cullen, Secretary & Grounds; Chuck Mielke, Construction; Sharon Andelora, Social & Youth Activities; John Sorrentino, Clubhouse; Kenneth Levine, Lifeguards and Beach Patrol. Absent: Gibson Nelson, Maintenance; Frank Radosti, Security.

Meeting Called to Order:

Jim Martino, Club President, opened the 2010 Fall Meeting at 10:07 am and welcomed all the members. Jim introduced all the Trustees present and summarized their current assignments on the Board. A motion to approve the Spring Meeting Minutes was made by **Jerry Bowen**, 116 W Dolphin Way, and seconded by **John Soehl**, 30 Dolphin Way.

Correspondence:

A letter from Joseph Bruno, 3376 Sea View Road, was read at the meeting expressing his concern about the voting process used at the 2010 Spring meeting, and referenced the By-Laws regarding the use of paper ballots.

Committee Reports:

Administration - Jim Feehan reported the 2009 Financial Review was completed and available for review at the Club Office. Regarding the Club's insurance policy, R. K. Hughes, a member, has been used in the past, and after receipt of bids, R. K. Hughes again won the Club's business. A new accounting firm had been hired 2009.

Clubhouse – John Sorrentino reported the new employees worked out well this year. The Club has also been informed a fire suppression system will be required for cooking in the Clubhouse; as a result, the Club is seeking assistance from any member who has knowledge on selecting such a system. The sale of Club shirts went well this season.

Events and Crafts – Sharon Andelora reported all events went well, and thanked those who participated. Some events had to be changed from original Spring draft schedule. Sharon wished to thank Kim Downs and Joan Savoye for their guidance and Stan Savoye and the maintenance staff for all the event set-ups. The Board is open to suggestions for new events for the 2011 season; contact Sharon through the website or by email.

Roads & Boat Basin - Don Maurer reported since there was not much rain this summer, the dirt roads were in good condition. However, recent rain washed out pieces of Bay View Drive by the lagoons. Drains will be cleaned out. Playground equipment has been removed. Clubhouse fence will be replaced. New speaker system on the ocean beach worked well. Don thanked Tom Zich, 35 Marlin Way, for his assistance on installation which saved the Club money. At the marina, all boats, and Jet Ski equipment is to be removed from the boat basin by November 15th to allow for more upgrading work. The Club will send letters for next year's slips, including new mooring specifications.

Maintenance – Don Maurer(reported for Gibson Nelson), offering some reminders for the off season-the speed limit of 10 MPH is for safety, and reduces splashing of houses and pothole creation. Don't leave your weekend garbage in plastic bags as the seagulls will rip them open in minutes and leave a mess, please use a garbage can! Make sure your house has the street number mounted. The permit for the proposed bulkhead project is underway, and is a 60 day process.

New Construction - Chuck Mielke reported 77 Club building permits had been issued so far this year, including 14 proposed tear downs, 3 of which are for this off-season. A new building permit form is being finalized. New item for tear-downs only requires a \$1,000 security deposit to cover the cost for the Club to clean up any debris left behind. A Construction Rules Summary to be available shortly to help interpret application of the Club's By Laws. All construction must be completed by June 15th. **Jim Martino** requested members observing new work being done without a Club permit displayed, to contact the office.

Grounds – Pete Cullen reported the grounds committee's Spring inspections resulted in about 500 letters being sent out, and thanked all who responded and corrected their issues. The top violations continued to be weeds, garbage can placement, and of course, storage box related issues. Complaints received and subsequent inspections during the season resulted in a few more letters sent. During the off season, grounds will continue to be monitored, and if any damage is reported or observed, you would be contacted. Secure outdoor furniture from winter winds and water. For security, you might want to consider installation of solar or photo sensor controlled outdoor lights. A reminder to get a Building Permit for any outside work(\$20), improvements or repairs; you can file for up to three different projects!

Beach Safety – Ken Levine reported the Club had a great beach season, and most importantly, there were no injuries. The badge checkers showed increased effectiveness and improvement over prior years.

Security – Ken Levine (reported for Frank Radosti), and acknowledged the patrol needs improvement, and will review the entire process.

Old Business:

Jim Martino began with the topic of the Bulkhead Project, and offered to take any questions from the membership.

Bob Kerekes, 109 Bay View Drive, questioned the need for all members to pay for 51 houses on the road. **Jim Martino** continued that the Club is responsible for the upkeep and maintenance of all OBIII property including the bulkhead which is in desperate need of repair.

Ken Levine responded that the bulkhead is on common area and the Board would be negligent and the Club liable if anyone was injured as a result of its current condition.

Cliff Bickel, 3375 Sea View Road, doesn't oppose the bulkhead, but questions funding, and doubts the need for a special assessment. The Club has surplus greater than \$75,000 in violation of By-Laws and there is a need to review the budget now that the spending levels are much less than in the past.

Jim Martino replied that the current Board has cut wasteful spending, formerly included in past budgets, and thereby created a surplus fund for necessary capital improvements and reserves. He stressed the importance of how these reserve funds will be needed in the event that serious storm damage occurs to our beach or any other Club property and will be used for long overdue improvements to our clubhouse, the office, roads, drains, playground, perimeter and playground fencing or to cover the cost of any other large but necessary expenditure formerly unpredicted. If our newly created reserve funds are completely depleted, a special meeting will be required for every future emergency expenditure, improvement or upgrade to any of our Club assets or property. Jim indicated that our guest badge revenue in 2010 was down by \$10,000 from 2009 and that if the economy didn't improve soon it could go possibly go down further for the 2011 season. **Cliff** commented that the special assessments are in the budget and only \$75,000 can be carried over because membership has already paid.

Joe Chikowski 25 Pelican Way, challenged Jim Martino to change the outdated By-Law and increase the cap on our reserves which is considerably too low in relation to the operating budget. He stated that \$75,000 in reserves is inadequate and not nearly enough to cover the costs of our current needs relative to the Club's annual budget which is approaching \$600K in operating expenses.

Bobbie Mues, 23 Marlin Way, stated all would like some cushion, but many members are seniors and the Board is double dipping, Section 3 states \$75,000 reserves.

John Driscoll, 22 Kingfisher Way, asked have we searched Toms River or County seeking any grant money for the project. Could the Club apply as individual organization?

Dot Schulz, 34 Bonita Way, questioned the legal fee, why it wasn't spent. Tax appeal and increases, and an increase to \$370 per lot is a lot of money. She recommended sticking at current dues. **Jim Martino** responded that the use of an outside attorney is necessary for our delinquent member collection efforts and for any other Club legal issues which need to be addressed.

Ed Shalvey, 3365 Heron Lane, were we paid for work done by Club to other beaches, as agreed with current Board. No law states that over \$75,000 is illegal for non-profits. Questioned past practices of not reporting miscellaneous income.

Gabriel Marotto, 100 Swordfish Way, asked what's the justification for an increase, even small, if there is a surplus.

Gerard Ford, 25 Flamingo Way, asked about rental income source, and what it was. **Jim Martino** replied it was guest badge fees we receive from the Ocean Beach Rental Office.

George Linke, 107 Plover Way, thanked the Board for all their work, and was concerned about potential liability if the bulkhead project was not done. By Laws comment would support increase in any change.

Sharon Andelora responded reserve accounts are obligations, and can only be used for the intended purpose, \$83,000 not to be included in the surplus.

Jim Feehan added prior to 2002 adjustments to the By Laws, the limit was \$10,000. Regarding rental badge fees, new owners are more likely to use the cottages themselves.

Jim Driscoll, 22 Kingfisher Way, asked if the Club is paying an administration fee to the OB Rental Agency for handling guest badges. **Jim Martino** replied there was no fee and this service is mutually beneficial for the Rental Agency and the Club. The cost of the badges is included in the rental agreement and must be paid in full before anyone can pick-up the keys to their cottage. This insures us that everyone renting in OBIII has purchased their guest badges. Our arrangement with the Rental Office also keeps everyone a little bit safer by eliminating the need for vacationers with children from having to take the additional step of crossing the busy highway to pick up their badges in the Club office.

Dorothea Mollo, 20 Flamingo Way, commented if the dues went up, is the boat basin rental also going up another \$45?

Jim Martino responded the Club has spent a considerable amount of money improving the boat basin and our slip rental fee including the increase is still by far the lowest on the entire Barrier Island.

John Baron, 111 Penguin Way, as a former board member, the Board is acting fiscally responsible in setting reserves. New buyers could evaluate such reserves in evaluating their purchase. Plus visual impacts of degraded property. Third, any impact on insurance policy? Finally, could you maintain your house?

Allen Sutton, 119 Crane Way, will the members have access for fishing and crabbing from the new bulkhead? Also, basin pricing comment, anywhere else costs \$800 and up, and he bought size to fit tunnel. **Jim Martino** replied that the 790 feet of bulkhead located adjacent to Bay View Dr. is owned by the Club and is available for all of our members to enjoy either by sitting on a bench to admire a sunset or to simply drop a crabbing line into the lagoon and have some fun. **Karen O'Neill**, 116 Osprey Way, asked if we can recoup some money if slips were to be leased along the new bulkhead. **Jim Martino** responded some of the resident on Moonrise might object to the obstruction of their view by the boats but that the Board will consider all of its options.

Hank Mues, 23 Marlin Way, asked if basin work was done; basin needs a larger ramp. Rent versus costs (\$18,000 vs. \$5,000), why \$250 raised to \$295? **Jim Martino** replied that all of the boat basin improvements have not been completed. **Hank Mues** questioned why only 60 members can utilize a common area maintained by the entire Club membership. **Jim Martino** invited **Hank** to speak with him after the meeting to continue the discussion and told **Hank** that the boat ramp deficiency will be corrected.

Tom Zich, 35 Marlin Way, about basin discussion subjects. Grant has \$430,000 deadline is October, to be submitted by township not the Club. Also income limits may be used. Bulkhead should be secured by fencing.

Paul Dressler, 117 Bay View Drive, asked what rental beach badge was pricing for last two years. **Jim Martino** said he the price has remained the same at \$75 for the last two years and is still the lowest among all of our neighboring beach clubs.

Jack Behan, 3313 Moonrise Lane, is across from the bulkhead project. It is a Club liability. Property on other side of road was sold to member to beautify; member put up trees. The Board will review past sale/leases of OBIII property previously approved. **Ken Levine** added the old tax map shows as property of the two adjacent property owners.

Joan Carroll, 106 Cormorant Way, asked about former President, **Cliff Bickel's** lease of two OBIII parcels for a 30 year lease/purchase.

Ed Shalvey, 3365 Heron Lane, stated he would like the Board to take action and report to the membership. If not legal, to rescind leases if action was an illegal vote. **Cliff Bickel**, 3375 Sea View Road, explained the parcels involved are small, non buildable or useable pieces of land at the end of Moonrise Lane. Land was appraised, the land was only valued to the adjacent houses (including the former Board Member, Gerard Collins) annex to useable dead-end, and was a 30 year lease. New lessees installed new bulk heading. **Jim Feehan** will check with **Mike Lunga** to determine if any of the land lease arrangements approved by previous Boards was voted upon by the general membership or is included in any of the prior minutes.

Richard Pinkham, 28 Pompano Way, asked if there was anything on real estate on these leases. Does title insurance cover? Then they are expenses to defend, be careful of adverse possession. The Board will look into this and report back before any legal motion.

Joe Behan, 3317 Moonrise Lane, please schedule meeting outside of winter period for convenience of membership.

Thomas Sleiger, 106 Bay View Drive, is a paved street, needs 'No Dog Walking' signs and the wooden horses.

Don Maurer responded the west side horses keeps moving.

Ralph Colletta, 23 Cormorant Way, on maintenance, commented an owner moves the road horse back every day.

Paul Dressler, 117 Bay View Drive, asked for speed bumps, and why Ocean Beach Unit 2 has bumps. **Don Maurer** clarified that the roads in OB Unit 2 are owned by Toms River: our Club roads are private. Proper road 'humps' are \$1,000 each.

Bill Haight, 3352 Teal Lane, stated the topic is the bulkhead project

Jim Martino asked for any other questions on any topic.

Dot Schulz, 34 Bonita Way, asked about the building permit for new houses, and if needed for large floodlights.

Chuck Mielke responded there are no rules for lights, just use common sense for neighbors.

John Baron, 111 Penguin Way, added fixtures should be shielded, and shields are available.

Frances Mundock, 100 Pelican Way, commented about accidents, knockdowns, dogs and 10 MPH signs missing. Dog walking is rampant, even by someone who works in the office.

Charlie Olson, 323 Bay View Drive, on the flood light issue, can be a touchy topic. **Chuck Mielke** responded the Grounds Committee will develop guidelines.

Agnes Carroll, 3416 Sea View Road, asked why there were no "Keep Off the Dunes" signs. **Jim Martino** responded that all dune signs must be NJDEP approved in advance of their installation and that we will get the exact specifications necessary for our compliance with them.

Marie Driscoll, 22 Kingfisher Way, asked if Board modified the Ball Playing rule, please don't change! **Ken Levine** replied it was modified to keep playing as far west as possible and added volley ball is ball played now. Rule Committee will bring new suggestions to the spring meeting for a vote.

Margaret Simpson, 108 Bonita Way, wants rule changes voted on rule by rule.

Allen Sutton, 119 Crane Way, Bay Beach is not used, sea nettles issue, any developments? **Jim Martino** will look at other options since our attempt to contain the sea nettles with a net was unsuccessful. Some of our neighboring beach clubs have eliminated their bay beach bathing entirely. **Ron Bertuch**, 121 Pelican Way, on patrol issues, rarely saw the truck. How often do they pass? **Jim Martino** stated that there was a patrol vehicle on duty during the day from 9am-5pm, and at night a second truck was added. There was occasionally a vacancy on the 9pm-2am shift due to a shortage of manpower.

John Holahan, 115 Kingfisher Way, asked if Tuesday patrols were cut. **Jim Martino** advised the short staff prevented some patrols but that no cuts were intentionally made to the security staff.

Robert Davidson, 30 Plover Way, inquired if there was a Club policy on chimneys or open pit fires. **Pete Cullen Jr.** responded the Board may develop a new rule covering open fires as a health and safety issue and that he will be checking with Toms River regulations and the Fire Department.

John Driscoll, 22 Kingfisher Way, commented about Chadwick Beach dogs walking on to the beach. Many violations by members themselves, plus the overflow from Chadwick Beach. **Don Maurer** stated a Toms River ordinance prevents dogs on the beach at all times.

Frances Mundock, 100 Pelican Way, would like to have the Board consider having more than two meetings each year.

The next item on the agenda was the election of the five Board Members up for re-election, and running unopposed. The Board Members up for re-election were: Chuck Mielke, Sharon Andelora, John Sorrentino, Ken Levine, and Gibson Nelson

A motion to approve the election of the Board Members currently up for re-election was made by **Jerry Bowen**, 116 Dolphin Way, and seconded by **Dot Schulze**, 34 Bonita Way. All members present were in favor of the motion to re-elect the five current Board Members. None were opposed. The individuals re-elected will serve a 2-year term commencing on January 1, 2011. Board Member **John Sorrentino** commented that he was proud of the current Board's efforts.

The 2011 Budget was discussed. A motion to revise the budget to reflect a dues reduction of \$15 to \$355 was made by **Dot Schulze**, 34 Bonita Way, and seconded by **Brian Coady**, 3333 Moonrise Lane. A vote was taken, resulting in 130 votes for the budget revision and 4 votes against. Motion carried.

The vote on the Special Assessment for the bulkhead project was tallied. Of the 134 member votes signed in, 86 votes were for, and 48 against the assessment. As the By Laws require a 2/3 vote necessary to carry, the bulkhead project was defeated by 3 votes.

Tom Zich, 35 Marlin Way, suggested a higher dollar amount be used to fund bulkhead.

Ed Shalvey, 3365 Heron Lane, suggested making an initial allocation of \$100,000 and use \$98,000 to drive the reserves to \$89,000. Another special meeting would be required for any special assessment.

Joe Bruno, 3376 Sea View Road, stated that members can be asked for permission to expand dollars for bulkhead. The \$135,000 surplus from the prior year 2009 was not shown in the budget. **Jim Martino** stated that the annual budget only indicates the Club's anticipated income and expenses for the upcoming year.

With no further business to conduct, a motion was made to adjourn at 1:10 pm by **Jerry Bowen**, 116 Dolphin Way, and seconded by **Jean Marotto**, 100 Swordfish Way.

Submitted to the Board by,

Peter Cullen Jr.
Secretary

