

# Ocean Beach and Bay Club

P.O. Box 245 – Lavallette, NJ 08735

Phone (732)-793-3798

Fax (732)793-6195

May 18, 2019

Spring Membership Meeting

Location: Kittiwake Firehouse

Trustees Present: Monica Anton, John Sorrentino, Ashley Swartz, Lorraine Polakowski, Mike Hanney, Pat O'Shea, Brian Quinn, Frank Augustine, Mike McPadden

Absent: Sharon Andelora

Meeting was called to order by Monica Anton at 10:10 a.m.

**Reading of Minutes:** Monica Anton made a motion to waive reading of the minutes and Mike Hanney seconded the motion. The motion was approved by unanimous consent.

New member welcome and introduction of Board members.

## COMMUNICATIONS

None

## Financial Report

Ashley Swartz thanked members for paying their dues & special assessments on time (due date: April 1) and reported on members who were past due in their dues and assessments. Past due members will be suspended as of June 1. Breakdown: 106 members are past due a total of \$92,775; 31 members owe \$48.17 from the road assessment, 64 members have not paid dues/assessment; 14 members owe more than \$1,000; 12 members owe over 2,000; 5 owe over \$5000, and 2 members owe over \$10,000.

Ms. Swartz will reduce audit costs due from >\$13,000 in 2018 to \$7,500 in 2019 as a result of implementing QuickBooks Online. The Club also implemented an online payroll system.

Year to date operational expenses are \$210,000, much attributable to maintenance season preparation that included new showers and drinking fountains on the beach. Road maintenance funds have been shifted from a capital expense to an operational expense.

Ms. Swartz recognized Judy Baliman for her work in technology on behalf of the Club. Kudos to Judy!

## COMMITTEE REPORTS

### Security Committee (John Sorrentino)

1. Thanks to Rob and his team for work throughout the year.
2. Looking for another employee to work security part time.
3. Pleased to report that there were no break-ins during the winter.
4. Members are encouraged to call Toms River police if you witness anyone vandalizing the dunes.

### Social/Fundraising Committee (Lorraine Polakowski, Pat O'Shea)

1. Thanks to our talented volunteers: Keith Krecicki our graphic artist who designed our new 2019 apparel; Nick Barber who designed our survey instrument with report; Donna Drummond who planned our first pig roast; Desi who planned our Atlantic City trip for July 18; Lauren Casquarelli for donating bingo supplies and always there to help, Kevin Birdsall, who is our sales guru; Marie Wurtemberg who donates her time and talent and hosts our paint and sips; Steve Polakowski who always offers his muscle; and Janice Palmeri who eagerly sells our products in the office.
2. Pig Roast will take place Sunday, May 26, 2019. We will have games and a bounce house (weather permitting). We encourage members to take advantage of this opportunity to gather in the name of friendship and fun.
3. Our new playground will be installed on June 8 and 9. We are looking for at least 12 volunteers.
4. One Atlantic City trip has been planned for July 18. \$30 fee with a \$25 play slot back.
5. The Clubhouse will be open from 10 a.m. to 10 p.m. Staffing times will be on our events calendar on the website June 1.
6. Our ladies staffing the Clubhouse have many activities planned for our children and young adults.
7. We encourage our members to get involved. Participate in the many activities that fundraising is offering. Volunteer your special talent. Please contact us if you can help.

**Beautification (Pat O'Shea)**

1. Plants are for sale to raise money for beautification.

**Beach Committee (Mike Hanney)**

1. We do not own the dunes and cannot clean them, so please do not throw trash on the dunes.
2. Sand is meant to be embedded in the Mobi mats. Toms River will take care of them; however, if the mats need to be swept, the badge checkers will do this task.
3. Lifeguards are off duty at 5:30 p.m.
4. CAD system will be in effect to provide more specific location information to First Responders.
5. Installing showers was a huge project. There will be no showers or drinking fountains on Walkway 1. Private property would have to be disturbed and it would be too large an undertaking and expense.
6. After the storm (Sandy), water meters were never tied to our meters.
7. Beach is fully staffed with lifeguards. This year we will have two new female lifeguards. 98% are returning employees.
8. Remember to bring/wear your badge in order to enter the beach.
9. If there is a beach emergency, the guard will ride on the Mobi mat.
10. Because Josh has medical issue, Marney will be supervising this summer.
11. Toms River will rake the beach once weekly. OB maintenance team will maintain as well.
12. Because we are a private Club, bump outs were not in our plan. However, we can add them but the cost will be approximately \$1000 per walkway.
13. Walkways 2 through 8 will have lifeguard stands. Walkways 1 and 9 will be for fishing and surfing.
14. When the beach is closed, the lifeguard stands will show numbers so the CAD system can identify where there is an emergency, if necessary.
15. Beach raking – done weekly by Toms River. Maintenance will rake at other times.

**Maintenance Committee (Brian Quinn)**

1. Brian Quinn thanked OB maintenance personnel and said they are ahead of schedule and have saved us a lot of money.
2. Recent rainfall delayed work on roads.
3. Due to a mild winter, there will be more capital for improvements.

#### **Building (Frank Augustine)**

1. There are 43 open building permits.
2. 156 letters were sent out to members for grounds violations. If you received a letter, please correct the problem and notify the Office when resolved so that reinspection can be scheduled.
3. A reminder to cease all outside construction on June 15.
4. A reminder to keep garbage in closed containers. Do not leave out bags of garbage for the seagulls to attack and spread garbage.

#### **Old Business**

1. All concerts will take place on the Bay beach.
2. Craig Keaveney, 22 Amberjack: Can the Club get a garbage dumpster for the winter months?  
Answer: This was done in the past and it became a problem with people dumping construction materials, furnishings, etc.
3. Jodi Frank, 228 Sailfish, questions about garbage pick-up. Toms River picks up garbage and the fee is part of your property taxes.

#### **New Business**

1. There is still one shift that needs to be filled for security patrol from June 28 through Labor Day. This position is approximately 30 hours per week. We are requesting help.
2. Monica Anton made a motion: While it is recognized organizational policy that Board members should not also hold paid positions that report to the Board, we waive this policy narrowly for Frank Augustine, who will take a seasonal position in security in 2019 to help fill one of the two open security positions. Brian Quinn seconded the motion. The motion passed by unanimous consent. It was clarified that Frank Augustine is not receiving payment for serving on the Board.
3. Brian Quinn explained that when the Club requested a permit to build the new playground, they learned that the Clubhouse was deemed “substantially damaged” and therefore needs to be demolished or raised by October 2021. He explained that it is not reasonable or practical to raise the existing structure based on its age (almost 70 years old) and condition. Possible ways to finance the new building (which would cost approximately \$800,000): sell Bay View parking lot and sell the current Club office and lot which would generate approximately \$500,000, need \$75,000 from fundraising, possibly \$300 per member extra assessment. New Clubhouse has a proposed occupancy of 200 people. New Clubhouse size is 4000 sq. ft.
4. Tom Zich – 35 East Marlin – it has to be brought up to code, not necessarily elevated.
5. Kurt Framhein, 113 Plover, asked who owns the clubhouse property. The Clubhouse is on leased land, but any improvement we make belongs to the Club. Asked if it makes sense to keep all Club assets in a flood area? Store club assets in another area and store maintenance equipment there.
6. Kurt Framhein, 113 Plover – if we are planning for a capacity of 200 people, where is the parking lot?
7. Our Certificate of Incorporation includes the following as one of the 6 purposes for which the Club was formed: “To purchase, build or erect club house or other building or buildings for the use and enjoyment of all members of the association subject to the bylaws of the association

and for the benefit of the members to purchase, lease, hold, sell, mortgage, convey or otherwise acquire, dispose of or encumber real and personal property of every description.”

8. Paul Dressler, asked whether we could sell more parking lots. He asked about the lots beyond the Clubhouse, which are not buildable lots. Do we need a CAFRA permit? Answer: No.
9. Joseph Hegarty, 23 Tarpon, asked about taking out a loan. The Club does not have the credit to take out a loan given the legal structure, as a not for profit.
10. Robert Casey, 115 Dolphin Way, questioned how to build a 4000 sq. Ft. Building for \$800,000?
11. Brian, 104 West Dolphin Way, asked what will be in the Clubhouse? I.e. office, maintenance. His second question: requested that January 1 billing for dues/assessments.
12. Lucinda Nysten, 21 Swordfish, asked if we should appoint a lawyer to look into the substantially damaged issue involving the clubhouse.
13. Kurt Framhein, 113 Plover, questioned maintenance vehicles being stored in a flood zone.
14. Joseph Hegarty, 23 Tarpon, questioned tax status. We do not pay taxes on this property.
15. Maura Kayal, 3251 Goa Way, has a low-priced demo company.
16. Will this clubhouse have a kitchen, an elevator, room for all the equipment?

### **Bylaw Proposals and Discussion:**

**Bylaw #1** Monica Anton proposed to change Bylaw Article 9 by adding a section 9 as follows:

#### Section 9: Interest and Counsel Fees and Costs.

The Board, at its option, shall have the right in connection with the collection of any type of assessment, common expenses, or other charge due from a member (collectively, “Assessments”), to impose a late charge of any reasonable amount and/or interest at the legal maximum rate permitted by law for the payment of delinquent real estate taxes, if such payment is after a date certain stated in such notice. In the event that the Board shall effectuate collection of said Assessments or charges by resort to counsel, and/or the filing of a lien, the Board may add to the Assessments and charges, reasonable counsel fees and costs of collection, including, but not limited to, the legal fees and costs incurred in connection with the preparation and filing of any liens, legal proceedings, post judgement collection efforts, etc., in addition to such other costs as may be allowable by law.

Brian, 104 West Dolphin Way, questioned “what is reasonable?” He is asking for criteria.

Thomas Spaun, 114 Cormorant, questioned lien and sheriff sales for delinquent members. We must pass as a by-law to put a lien on the property.

Pat and George Riegger, 33 Marlin, questioned lien information and can we impact the offenders credit rating? A collection agency is used for small amounts

**Bylaw #2** Monica Anton proposed to change By-law Article 1 to amend Section 5 as follows:

#### Section 5. Member Notifications.

All members of the Ocean Beach and Bay Club expressly consent to the Superior Court of New Jersey, Ocean County as the appropriate venue and jurisdiction of any disputes in connection with their membership, including but not limited to, collection of amounts due Ocean Beach and Bay Club from a member.

In addition, all members of the Ocean Beach and Bay Club expressly consent to notifications for all formal and informal communications by e-mail delivery from and/or on behalf of Ocean Beach and Bay Club, unless the member opts out of receiving e-mail in writing. If the member opts out, then

notifications will be sent by regular mail to the address of the units of the member located within Ocean Beach and Bay Club and such other address designated by the member.

(For clarification, remove this sentence from Section 5: Allow the Club to use email notification unless the member specifically elects not to. If a member elects not to, they will be notified by regular mail.)

**Bylaw #3** Bruce Lipkin proposed to change Article 11, Section 3, Paragraph F to Ball playing on the beach in the following designated areas: Walkways 1, 2, 4, 8, 9.

Paul Dressler questioned whether volleyball would be set up on the beach.

Paula Irving, 113 Swordfish, commented about all the rules that prohibit ball playing, eating, etc.

Joyce Mollo, 20 Tarpon, is not in favor of ball playing on the beach during bathing hours. Who will control ball playing on the beach?

Pat O'Shea and Monica Anton attended a meeting of Federation of Associations of North Beaches. Beaches are becoming more and more public and we may have to provide a bathroom. Ken Levine, 3337 Sunset, suggested that our Clubhouse should accommodate that requirement.

### **Nominations for the OBBC Board of Trustees**

John Sorrentino nominated the current board members for reelection: Frank Augustine, Brian Quinn, Lorraine Polakowski, Mike Hanney, Mike McPadden.

Tom Zich, 35 Marlin, nominated Janice Palmeri, 307 Bayview. Mrs. Palmeri will decide whether to accept the nomination or resign from her position as office manager due to a conflict of interest.

Janice Palmeri, 307 Bayview, nominated Tom Zich, 35 Marlin.

Monica Anton nominated Richard Giordano, 346 Bayview, and Karen O'Neil, 129 Osprey.

Ashley Swartz nominated Ken Levine, 3337 Sunset.

### **General Welfare**

There will be 7 concerts at the Clubhouse Bay Beach and an Atlantic City bus trip on 07/18.

### **Bylaw Voting Results**

**Proposal #1 PASSED 67.1%**

**Proposal #2 PASSED 73.6%**

**Proposal #3 FAILED 56%**

Ashley Swartz made a motion to adjourn this meeting. Mike Hanney seconded the motion. By unanimous consent the meeting was adjourned at 12:22 p.m.

Respectfully submitted,

Lorraine Polakowski  
Secretary