

APPROVED

Minutes of the General Meeting of the Ocean Beach Surf Club – Unit One September 22, 2001

The general membership meeting was called to order by President, Maryellen Lavin at the Union Church Hall in Lavallette at 7:25 p.m. A moment of silence was observed for the deceased members of the association, followed by the Pledge of Allegiance. Particular note was made that we lost one member, Julie Zipper, in the World Trade Center attack on September 11, 2001. President, Maryellen Lavin, introduced the members of the Board of Trustees.

Trustees Present: Maryellen Lavin, President

Robert Blair, Vice President

James Pendergast, Treasurer

Deborah Acker, Recording Secretary

Lois Castronuova, Corresponding Secretary

Walter Poludin, Sergeant at Arms

Nick Stevens, Badges

Greg Gere, Lagoon

Joe Zipp, Ocean Beach

Lance Schley, Bay Beach

Trustees Absent: Frank Warner, Building and Grounds

President

Maryellen Lavin showed two items, a necklace and a men's wedding ring, which were found on the beach. No one claimed these items.

Maryellen acknowledged Bonnie Browne for her hard work at die Labor Day weekend picnic this year and Gary Horvath's help with carrying in the sodas and other things that he did to help. Maryellen remarked on the success of this event.

Maryellen stated that, given recent concerns over die lengthy reading of the minutes at each meeting and members wanting further information about the club, a website has been established at www.obscl.com. Volunteers are being asked to help to work on a portion of the website. She informed the members that we do have someone who is willing to teach others how to post items on the website.

Vice President

Bob Blair welcomed the new members of the club. There are twelve new members this year. Steve and Peggy Zumera, 16 E. Bay Way, were in attendance and were introduced.

Recording Secretary

Deborah Acker, recording secretary, read the minutes from the May 19, 2001 meeting. Upon motion from Bonnie Browne, seconded by Linda Higgins, the minutes were approved by the majority with one person, Wendt Einfinger, opposed.

Treasurer's Report

The treasurer's report was given by Jim Pendergast (copy attached). Jim reviewed the amounts and the total cash as of August 31, 2001:

\$72,104.82 Checking Account
\$25,305.71 Money Market
\$5,723.69 Certificate of Deposit
\$10,000.00 Certificate of Deposit Bond
\$113,134.22 Total Cash

Upon motion to approve from Charlie Remishofski, second by Cathy Scotti, to accept treasurer's report as read, it was voted on. The members unanimously approved.

Maryellen informed the members that we are under budget this year and, as a result, we will be replacing both of the bulkheads at the Bay Beach north and south. This action will be done without any type of special assessment being necessary due to the amount that we were under budget this year.

Lagoon

Greg Gere reported that all 43 slips were rented this year and there were no mishaps reported. All other projects were also completed (i.e., walkways, new stones spread). We should be ready for next year with no problems.

Ocean Beach

Joe Zipp reported that all guards were hired this year and that they were paid more to conform to the other units. He stated that he received a number of compliments about the guards and only one negative report.

Joe stated that he had been disappointed in the turnout after members were provided with written notification that he needed help in putting up the storm fences. However, Joe thanked the members who did come out to help with this work. There were six people who helped from the beginning: Dan Mercuri, Steve Makoski, Lance Schley, Doug (Spears?), Al Cruse, and Joe Zipp. Joe also thanked those who came to help after the project had begun: Ed Green, Gari Horvath, and Pete and Betty Schreur.

Additionally, Joe expressed thanks to Charlie Remishofski and Pete Schreur for building the new walkways for the beach.

Maryellen reported that there are new benches for next year. The members agreed to put a plaque on one bench in honor of a member of our community, Julie Zipper, who perished in the World Trade Center disaster.

Bay Beach

Lance Schley reported that all went well on the Bay Beach this year. We restored it in the springtime to bring the sand back up and widen it out appropriately. We had some problems this year with Henderson labs not being timely in the testing of the water and providing us with the results. This problem will be rectified in the upcoming season.

Buildings and Grounds

Frank Warner was absent. Therefore, Jim Pendergast read Frank's report. The report stated, "I must apologize for not being able to attend this meeting. Today my niece is being married in North Jersey. I want to thank all the people who have responded positively to the letters I sent out throughout the season".

As to the speed bumps, we put them in a very limited area on a trial basis. Our feeling is that it is just a matter of time before a child is hit by one of the many speeders who frequent our community. I feel that the inconvenience of the bumps is a small price to pay to save a child's life. These speed bumps are removable and will be removed before the snow falls. Additionally,

there are no ordinances against the use of speed bumps in Dover Township and we plan to add speed bump warning signs at the entrances to the community.

On another subject, we have people spending weekends here who leave their garbage at the curb in black or white plastic bags. These bags are broken open by the seagulls and the bathroom and kitchen garbage is strewn all over the street. It is not a pleasant task to clean up this mess and there is no task force assigned to do this. We would appreciate it if you would either take your garbage home or leave it in a garbage can for collection.

Last, but not least, I would like to remind you that a construction application is required for most improvements on your property.

Badges

Nick Stevens reported that we were over budget this year in revenue and slightly under budget in expenses. All walkways were kept open as promised. Beach cleanliness was stressed this year. We are starting a greater effort next year to sell OBSC t-shirts, as the small effort this year was so successful.

Sergeant at Arms

Walter Poludin reported that he did ride with the security company for the first two weeks, as he had reported that he planned to do. Unfortunately, we were not pleased by the security company this year and they were released during the season. We will be looking for a new company next year. We also plan to contact Dover Township and try to get a crossing guard for Highway 35 south and possibly for the north side also.

Correspondence

Lois Castronuovo reviewed several letters. The letter contents were as follows (see file for copies of these letters):

Linda and Gary Ulrich of 24 E. Bay Way were not at the meeting and, therefore, the letter was not read.

Ellen Tomecko, 18 E. Shore Way, sent a letter complaining about the Speed bumps. She stated that several people have tripped and fallen, making them a hazard, and that people tend to go around them. She also expressed concerns regarding problems with the security company this year.

Marilyn Deckert, 215 Bay Beach Way, sent a letter in support of the speed bumps due to speeders' risk of hitting the children on her street.

A letter from the Gener, Lanigan, and Scotti families (all of Bay Beach Way) was read. They had several suggestions: Speed bumps (they approve of them), requesting crossing guards, Bay Beach playground equipment (exposed concrete on the equipment), the basketball goal remaining on club property (even though it is not in use), and where the ice cream truck stops.

Barbara Inciitti, 20 E. Shore Way, sent a letter complaining about the speed bumps.

Mr. & Mrs. Emil Nardachone, 23 E. Surf Way and Mr. & Mrs. Gari Horvath, 17 E. Surf Way, sent a letter complaining about the speed bumps and problems that they feel that the humps are causing.

Rick Klein, 109 W. Bay Way sent a letter of thanks to the board for placing the speed bumps on the street. He also asked that we research having the crosswalk drawn on the highway and hiring a crossing guard for next year. The letter also addressed the underutilization of the bay beach, suggesting the use for the launching of small sailboats.

Wendt & Eleanor Einfinger, 11 E. Beach Way, sent a letter thanking Fran Ajjan for the great job that she did on her work for the beach this year.

Linda Higgins, 106 W. Beach Way sent a letter suggesting crossing guards for next year. Lois stated that she has written to them for tile past two years and will try to get tile request in earlier this year in order to ensure that this will happen.

Discussion of issues that were raised in the correspondence followed this reading of the letters. Maryellen explained the reasons why the board had elected to place speed bumps in the unit. The main reason was the safety of the community from people who are speeding on the streets. Maryellen proposed that neighbors get together on each street to decide where they would like the speed bumps to be placed that would be bright enough to see. The board is also looking at reflective tape or paint in order to make them more visible. Also we will double them up to prevent people from going around them. She reminded everyone that these will be used primarily during the season and will be taken up for the winter.

Ellen Tomecko, 18 E. Shore Way, stated her concerns that the reflective tape would not be seen. Maryellen stated that residents from each of the blocks need to get together to decide where they would be most visible.

Cathy Scotti, 222 Bay Beach Way, suggested 3 speed bumps be placed on each street, not just two.

Lauren Gener, 224 Bay Beach Way, asked whether there would any problems with emergency vehicles being able to get into the community with the speed bumps. Maryellen stated that this is not a problem.

Lewis Smith, 33 E. Spray Way, asked about problems with water disbursement with the rain around the speed bumps near his home. Jim Pendergast stated that this problem was caused due to a high spot in the road, not as a result of the speed bumps.

Walter Endler, 13 E. Surf Way, asked about whether the board had checked with traffic safety with the local police prior to using the speed bumps. He stated that they need to be longer and we need signs stating that we have them. Law enforcement, he believes, would say that we would open ourselves up to more lawsuits. He expressed concerns about the emergency vehicles going over the speed bumps and problems that they may cause. Mr. Endler suggested the use of the half saw horses with the speed limit signs posted on them and painting the speed limit on the road.

Eric Simone, 25 E. Surf Way, stated that a bump was installed adjacent to his property. He is concerned about potential litigation that may follow. He expressed concerns about people getting too close to the houses, even if they are doubled, in order to avoid hitting the speed bumps with both tires. He expressed concerns about children using them as ramps to jump over with their bikes and skateboards.

Ken Hoffman, 3036 Ocean Road, stated his concerns that bicycle riders would not be able to ride around the speed bumps if they are completely across the road. He stated that he would like for space to be left so that riders could get around. He agreed with the idea of using the half sawhorses as an alternative.

Nora Veca, 28 E. Barnegat Way, suggested possibly using strips of road grading similar to what is used on the sides of highways to get people's attention if they run off the road.

Diane Lanigan, 222 Bay Beach Way, is in favor of the speed bumps due to extreme concerns for children getting hit by speeders.

Judy ??, 110 W. Bay Way, stated that she is in favor of the speed bumps and she feels that they have helped slow down the speeders who put the young children on her street at risk.

Diane Szczepanik, 104 W. Spray Way, expressed concerns about trying to bike over the bumps. She is concerned about hitting someone if she is forced to try to go around the bumps and too near others property.

Richard Perrone, 110 W. Barnegat Way, stated that he is in favor of the speed bumps, but also feels that it is ultimately the responsibility of the parents to watch out for their children and keep them out of the street.

Bonnie Browne, 102 W. Barnegat, suggested that the board assign block leaders with a date assigned to provide the board with a decision for each block. As a result, Maryellen designated November 15, 2001 as the deadline. It was decided that each volunteer would get a majority vote from the east and the west side of the street. If the east side wants the speed bumps and the west side does not (or vice versa), the board will follow this majority on each side of the highway. The following people volunteered to obtain a consensus on their streets:

Barnegat Way Lorraine Blair
Channel Way Pat Wright
Bay Way Ronnie Pendergast
Spray Way Jane Mosenthine
Beach Way Kathy Congers
Surf Way Gari Horvath
Shore Way Ellen Tomecko
Ocean Road Ken Hoffman
Bay Beach Way Marilyn Deckert

These people will talk with people on their streets, decide whether the speed bumps are wanted, and discuss placement if they decide that they want to have speed bumps. Additionally, the volunteer should ask how many speed bumps each street needs.

Eric Simone, 25 E. Surf Way, asked that we check with our attorney to ensure that we are covered in the event that these speed bumps cause injury to someone. Maryellen agreed to ensure that the club is covered, regarding liability, from a legal standpoint and an insurance standpoint.

Claudia Serecsko, 18 E. Surf Way, stated that she works for the Dover Township Police Department and asked whether we notified them that we were putting the speed bumps in. Maryellen stated that she thought that Frank had done so and that she will ask Frank to follow up on this question. Ms. Serecsko stated that the Dover Township Police Department requires written notification. Maryellen stated that she believes that, since we have private streets, we do not have to have permission. However, she will ask Frank to follow-up to ensure that we are complying with regulations on this issue. Ms. Serecsko stated that Thomas Leach is the person who should be spoken with about the crossing guard. If the request does not work, a member suggested that we circulate a petition to present to the township.

Eddie Green, 23 E. Shore Way, asked whether it would be possible to put up some type of memorial on Bay Beach Way to honor those members of the community who have died, as the benches will deteriorate and the bench plaques will then not carry on. Maryellen stated that she is in favor of this idea and that Mr. Green should propose an actual monument or plan to the board for follow-up.

Jack Carpenter, 264 Bay Beach Way, asked why the letter that his mother sent was not read. Maryellen explained that his mother sent a letter about the lawsuit and that, since we are

currently in mediation, it would not be appropriate to read the letter in its entirety, as it is too detailed in nature and could potentially damage the current mediation. She stated that we have been advised not to read the letter and that the trustees unanimously agreed that the letter should not be read. Mr. Carpenter took issue with the statement that he had filed a lawsuit. Maryellen moved on to new business.

NEW BUSINESS

1. Amendment to the by-laws regarding building past the club deadline was discussed. Maryellen stated that the builder on Route 35 refused to stop working on his properties after the deadline. The results of the board's efforts to stop this building was a determination from our attorney, Michelle Donato, that our by-laws are weak which leaves us vulnerable if people choose to ignore our regulations. Maryellen suggested that we take our by-laws to the attorney to review them and revise them in order to make them stronger and more enforceable, This specific amendment, which was addressed in the August 2001 letter to the members, resulted from the judge's refusal to place a stop work order on the builder since the judge was uncertain as to whether the persons who purchased the lots were members of the club. The proposed amendment would help us to strengthen our by-laws in order to avoid this problem in the future.

The proposed amendment would read as follows:

" Any potential member must apply to Ocean Beach Unit 1. Once accepted, these members will receive a copy of the By-Laws and Rules and Regulations. As a condition of membership, they will be required to acknowledge, in writing, that they are members and as such will abide by the provisions of the Certificate of Incorporation of the Club, the By-Laws and any subsequent Rules and Regulations imposed by this Club in addition to the deed restrictions on his lot."

This amendment will help to protect the club and ensure that we can enforce this portion of our by-laws. There is further clarification that is needed with our attorney to ensure that we are following up on this amendment in a legal way.

Kathy Conger, 107 W. Beach Way, asked whose responsibility would it be to ensure that people do this at closing. Maryellen stated that the plans would have to be figured out with the attorney.

Mary Lameiras, 103 W. Surf Way, asked about why some people are getting away with continuing beyond the time period allotted. Ms. Lameiras was concerned that her husband sent a letter that was not read. Lois Castronuovo stated that she did not have a letter from Mr. Lameiras. Ms. Lameiras stated that the letter expressed concerns about people who went over the building deadline. The question was raised about whether we should change the rule. Maryellen stated that we are fining people who have gone beyond the time and we are collecting the fines. The rule does not need to be changed, as we are enforcing it as best we are able.

After this discussion, a vote was taken to determine whether people were in favor of the proposed amendment. 72 voted in favor of the amendment, with no one opposed. The amendment was passed as written.

2. The proposed budget for the year 2002, which members received on the way into the meeting and as a part of the August letter, was reviewed.

Eric Simone, 25 E. Surf Way, suggested that when the board sends out the proposed budget, that the budget for last year should also be sent out so that people can make the comparison.

After a review of the budget, Walter Endler made a motion to approve the budget; seconded by Claudia Seresco. The members voted unanimously to approve file proposed budget.

3. Election of new trustees. Maryellen reviewed the members of the board that have one more year to serve on the board, as well as those members who are leaving, and who is up for election.

The following individuals were nominated:

Bob Blair, Nick Stevens, Lois Castronuovo, Dave Finter, Joe Zipp, Greg, Gere, Walter Endler, and Pat Wright was nominated, but declined.

It was announced that there are six positions open on the board for the next two-year term. The members were asked to use their index cards to vote. When they were collected, Lou and Nancy Dziubinski and Myron and Debbie Dziubinski counted the votes. The following individuals were voted onto the board: Bob Blair, Lois Castronuovo, Dave Finter, Joe Zipp, Greg Gere and Walter Endler.

Vice President, Bob Blair, expressed thanks to Maryellen for her hard work and service as president.

Adjournment

There being no further business, on motion of Richard Perrone and second by Joe Zipp, the meeting was adjourned at 9:35 p.m. Refreshments were served.

Respectfully submitted,

Deborah K. Acker, Recording Secretary

Date minutes given to Trustees: October 2, 2001