

**APPROVED**

**Minutes of the General Meeting of the  
Ocean Beach Surf Club – Unit One  
September 11, 2004**

Walter Poludin, Sgt. of Arms, at the Union Church in Lavallette, called the meeting to order at 7:03 PM

Present: President Robert Blair, Vice President Walter Endler, Treasurer, James Pendergast, James Calvano, Phil DiVuolo, Ellen Downes, Greg Gere, Shawn Leonard, Walter Poludin, Debbie Valenti, Richard Yerich.

Absent: All Board of Trustees were present.

President Robert Blair opened the meeting with the Pledge of Allegiance and a moment of silence in memory of the victims of 9/11 and deceased members of Ocean Beach Unit One. President Blair then introduced the following individuals: The Board of Trustees; Jay Turnbach, Esq.; and Mike Fiore and Marie Maruca - local politicians.

Shawn Leonard, Correspondent Secretary asked if everyone had received a ballot and if everyone had received a copy of the Minutes from the Membership meeting held on May 22, 2004 and to please make a motion whether or not the minutes are accurate.

On a motion made by Diane Lanigan second by Roxanne DiVuolo the minutes from the May 22nd, 2004 membership meeting were approved.

Jay Turnbach began by explaining that the main purpose for the September 11, 2004 meeting was to approve the budget for 2005 and to elect 5 Board of Trustees that would serve from the time period of January 1, 2005 to December 31, 2007.

Jay also discussed the current situation of proposed plans for the dunes and the fine for \$10,000. Jay explained that though Ocean Beach Unit One settled on the amount of the fine for \$10,000 - the association is currently still in negotiation as to exactly how the dune system will be set up.

Treasurer's Report: (Reported by James Pendergast)

Jim Pendergast gave the Treasurers Report as of August 31, 2004. The ending cash balance in the checking account was \$87,650.26. Jim stated that the association also had money invested in two Certificates of Deposit and a Money Market Fund, totaling \$52,318.34. August 31, 2004 Total Cash balance is \$139,968.60.

Jim explained to the members that the reason for the one time special assessment of \$85.00 per household was to balance the books. Jim also explained that with increasing cost of everything including maintaining the new dune system, it was necessary for the board to increase the annual dues \$20.00 per household in preparation for future cost.

Grace Remishofski made a motion to accept the Treasurers Report as of August 31, 2004 and Elsbeth Rapolla seconds that motion.

All members present and accounted for voted unanimously, in favor of a one time assessment of \$85.00 and a \$20.00 increase of annual dues. The current amount of \$280.00 will increase to \$300.00 per household starting in 2005. The total amount due per household for 2005 including the one time assessment is \$385.00.

Vice President's Report: (Reported by Walter Endler)

Walter Endler stated that once again it was a great summer and thanked everyone for coming to the semi-annual Membership Meeting.

Walter stated that total sales for badges were \$29,562.00 and that the club also sold T-Shirts with a net profit of approximately \$4,800.00 for summer season 2004.

Bay Beach: (Reported by Jim Calvano)

Jim Calvano reported that the Bay Beach was ready for the winter; all winter fencing installed and swimming ropes were removed from the bay beach swim area. Jim then thanked all those members that helped him with the winterizing of the bay beach.

Lagoon: (Reported by Greg Gere)

Greg Gere reported that all went well with the lagoon for the summer season of 2004. All slips were rented out for the summer season of 2004. Greg reported that the water at the lagoon will be left on thru October 31, 2004.

Correspondent Secretary: (Reported by Shawn Leonard)

Shawn reported that the Web-site had over 1700 hits Year-to-Date September 11, 2004.

Shawn also encouraged members to submit their e-mail addresses in order to receive information concerning the association in a timely manner.

Ocean Beach: (Reported by Richard Yerich)

The summer season at the Ocean went well; Ocean Beach Unit One hired 6 new lifeguards. Ocean Beach Unit One only had to make one rescue during the summer season of 2004 and that was at the bay beach. Richie reported otherwise everything went well.

Richie announced that the association installed new garbage containers next to the badge booth. Richie requested that in the future all members continue to clean up after themselves and remember that this beach belongs to all of us.

Richie thanked everyone for a good summer and asked members to see him after the meeting if they were interested in volunteering to help put up winter fencing on the ocean beach.

Sergeant of Arms: (Reported by Walter Poludin)

Walter announced that it was Ocean Beach's third season hiring Seneca Security and stated that all-in-all things went well and that we expect to hire Seneca for summer season 2005.

Building & Grounds: (Reported by Phil DiVuolo)

Phil announced that if you are going to be building, please remember that the board has voted to put new fines in affect for 2005. The new fines are as follows: Any homeowner that continues to build after June 15th 2005 will be fined \$500.00 per day for the first 5 days and \$1000.00 per day thereafter.

Phil also requested that if you are planning to build in the future please get your plans to the board of trustees for approval in a timely manner.

Phil discussed the stray cat problem in Ocean Beach Unit One and that the Board of Trustees is well aware of this problem and in the process of rectifying it.

New Business:

Annual Election:

Walter Endler made a motion that all Board Members up for re-election automatically be voted in due to no opposition. Maureen Russell seconds that motion.

On a show of hands of all members present at the Membership Meeting of September 11, 2004, it was voted unanimously to re-elect all Board of Trustees, whose names appeared on the current Ballot, to serve for the time period of January 1, 2005 to December 31, 2007. Those individuals elected at this time are: Ellen Downes, James Pendergast, Walter Poludin, Debra Valenti, and Richard Yerich.

Discussion of Amending Deed Restrictions and By-Laws:

Diane Lanigan of 223 Bay Beach Way stood up and discussed the reasons why the Deed Restrictions should be changed to allow homes West of Rt. 35 South to be two stories /one family dwelling with a 28 ft. height restriction, the same as homes East of Rt. 35 South. Jay Turnbach, the attorney for the association, explained to Ms. Lanigan that the board of trustees has hired him to see what steps it would take to change the Deed Restrictions to allow homes West of Rt. 35 South to be two story/one family dwellings. Jay announced that it was his belief that in order to change the Deed Restrictions the association would need at least 51% of all households to vote yes for the change. Jay explained that it is not that easy to change the deed restrictions because since you need a 51% vote yes, you will need to get at least 75% of the members to attend the meeting. Jay made it very clear that Voting for changes in Deed-

Restriction and By-laws can not be done by Proxy. Jay also explained that the height restriction was not a Deed Restriction but a By-Law and that in order to change a By-Law you only needed a quorum of 25 members of the association to attend. Of that quorum 75% of the members in attendance have to vote yes to agree to change of the By-Law.

Candice Hoffman first asked Jay how he was under the assumption of the 51% vote to amend the Deed Restrictions and that it was her understanding that it was nearly impossible to change the Deed Restrictions. Ms. Hoffman also explained that the reason for the original Deed Restrictions to specify one story/ single family building restriction was to place some sort of control over homeowners and renters and limit the amount of space a single home had for occupancy.

Bob Blair announced that Jay Turnbach was hired by the board of trustees to do a title search and to find out exactly what it would take to change the Deed Restrictions and By-Laws. Bob stated that if it is determined that the Deed Restrictions can be amended and that the By-Laws should be changed, a vote on these changes will take place at the May 2005 Membership meeting. Let it be noted that all members will be notified via mail of any proposal to change any part of either the Deed Restrictions or By-Laws at least 30 Days in advance of the May 2005 membership meeting.

Old Business:

Bob Blair gave special thanks to Bonnie Brown for doing such a terrific job coordinating The Labor Day Picnic and thanked everyone who helped to make the day a great success. Bob announced that this year's picnic had 335 adults in attendance and 44 children.

Bob Blair also gave special thanks to Dan Mercury for all of the help that he has giving to the association with the work on the Dune System for Ocean Beach Unit One.

Bob discussed that the board of trustees are still in negotiation over the number of public access ways that the association will have and the size of those access ways. Bob also stated that the board was still in discussion with the state as to where the dunes should begin in reference to the Ocean Front Property lines.

Swing Set located on Bay Beach:

Carolyn Wilson stated that she wanted to know exactly what was going on with the maintenance of the jungle gym set at the end of Bay Beach Way and if there were any plans to replace the jungle gym set with something that is more handicap friendly? Such as swing sets.

Bob Blair stated that a swing set committee looked into various different options and decided that for the time being the jungle gym will remain as is. Bob stated that at a future date the jungle gym set will have to be replaced in order to become handicap compliant and at that time the swing set committee will reconvene to discuss the association's options.

On a motion made by Walter Endler at 8:15 PM, second by Phil DiVuolo this meeting was adjourned.

Respectfully submitted,

Transcribed by  
Debra S. Valenti  
Recording Secretary

Maureen Russell, Candice Hoffman, Lee Andrews, Jill Valenti, Diane Lanigone, Shawn Leonard & Tannette Butterly volunteered to work on the committee.

Ken Hoffman asked about the current status of the website and do we archive newsletters & e-mails on it?

Shawn Leonard discussed the current website and newsletter stating that the current board is doing everything in its power to keep the members of the association up-to-date. Mr. Leonard then told the members that he and the board always welcome suggestions on how to improve both the newsletter and the web site. Ocean Beach Unit One's website that list Newsletters, e-mails, legal documents, and minutes from Membership meeting can be found at [www.obsc1.com](http://www.obsc1.com).

Frank Michenfelder suggested that in the future the board on trustees keep the members informed on what is happening with the sand dunes via website.

Dominic DeRosa asked if a chat line between members could be set up on the website.

The board urged that the members send correspondents via e-mail, but explained that at this meeting and at future meetings the board would no longer be reading everyone's letters publicly. Anyone who wanted to see correspondents can obtain the letters on Ocean Beach Unit One's website. The board also informed the members that unlike past meetings, members would no longer be required to send a letter to the board prior to the membership meeting in order to have a subject discussed at the meeting. In the future all that is required for a member with a question or problem to do is to attend the meeting and raise their hands and ask their questions.

Ken Hoffman and Bob Ellsworth requested that the board read their letters concerning the sand dunes and the location of them on the ocean beach?

Richard Kadash made a motion that we take a vote on whether or not to read the letters at this meeting and Robert Ellsworth second that motion.

On a vote of 30 members for reading the letters vs. 26 members for not reading the letters, the board decided to accept the vote and read the three letters sent by members concerning the dunes.

Copies of these letters will be on the website.

Bob Misselli complained about the construction-taking place across the street from his house and asked the board if they would address the problems that homeowners have with the mess constantly left in the streets by the construction workers during the winter months. President Blair stated that the board will have the building & grounds look into the problem.

Shawn Leonard stated that he had a 30 page environmental report that he could put on the website concerning the Sand Dunes.

Ronnie Pendergast for the past 10 years has set up before every board meeting. Mrs. Pendergast announced her resignation at this meeting and asked for a volunteer for the fall membership meeting. Kathy Sokol volunteered to set up for fall membership meeting.

President Blair than thanked Mrs. Pendergast for her many years of service.

Carol Wilson asked if we have set a date for the end of summer picnic. The board announced that no definite date has been determined.

Some members discussed there concern for the rain or shine policy with the End of Summer Picnic? Jim Pendergast explained the reason for the picnic being set up that way is due to the hiring of caterers and they will not guarantee us a rain date.

President Blair then asked the members if there was any more business old or new on a motion made by Joe Zipp at 8:31 PM on May 22, 2004, seconded by Walter Endler the meeting was adjourned.

Respectfully submitted,

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Debra S. Valenti  
Recording Secretary