

## **UNAPPROVED**

### **Minutes of the General Meeting of the Ocean Beach Surf Club – Unit One June 4, 2005**

Walter Poludin, Sgt. of Arms, at the Union Church in Lavallette called the meeting to order at 7:08 PM.

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

Absent: All Board of Trustees where present.

President Robert Blair opened the meeting with the Pledge of Allegiance and a moment of silence for U.S. Soldiers and deceased member of the association.

Shawn Leonard, Correspondent Secretary first took a count and announced that there were enough members in attendance in order to have quorum and continue the meeting. Mr. Leonard then confirmed that all members had been notified 30 days in advance of the meeting and of the vote to amend the Deed Restrictions and By-Laws.

Mr. Leonard asked if everyone had received a copy of the September 11, 2004 minutes and if any changes needed to be made. With no objections, Shawn Leonard made a motion to accept the minutes of September 11, 2004 and Jill Valenti second that motion. The minutes of September 11, 2004 by motion and unanimous vote where accepted on June 4, 2005.

Bob Blair made special thanks to Ronnie Pendergast, Kathy Sokel and Barbara Eckartz for setting up the church for this evenings meeting.

Bob also made special thanks to Dave Finter, Ken Hoffman and all other members who helped with the ocean beach fencing.

Vice Presidents Report: (Reported by Walter Endler)

Walter Endler welcomed all the members to the meeting and announced that we where looking forward to another great summer in Ocean Beach Unit One.

Walter reported that through out the winter he had attended several meetings of “The Federation of Beaches”. Walter explained that the Federation consists of 7 neighboring beaches that are trying to conform to one another to become more unified. The Federations major concerns are the dune systems, employee wages and the badge program.

Treasurers Report: (Reported by Jim Pendergast)

Jim Pendergast reported that Ocean Beach Surf Club had \$55,221.69 in our checking account. Jim then reported that we had purchased two new CDs for a total of \$126,805.98 yielding 3.8 %. The yield on the current CDs is nearly 2 % percent higher than what we were receiving in the past.

Jim also reported as of today's date, June 4, 2005, 23 households have not paid their dues and will not receive their badges until they do so. Jim announced that the final date to pay dues was May 1, 2005.

Buildings & Grounds: (Reported by Phil DiVuolo)

Phil announced that the last day to complete construction will be Friday, June 24, 2005. Phil reminded members that anyone who continues to build after June 24 to September 15 2005 will be fined \$500 per day for the first 5 days and \$1000 per day thereafter. Phil also asked members who are planning to build in the fall to submit their building plans as soon as possible so that the board of trustees can review for approval. No home owner can tear down or begin building without the proper approval.

Phil also explained to the members the proper protocol to get authorization and approval of building plans it to first submit plans to the board, then to the developer and then to Dover Township. Ocean Beach Unit One Board of Trustee must be the first to approve any building plans, before the developer or Dover Township.

Sgt. of Arms: (Reported by Walter Poludin)

Walter Poludin announced that Ocean Beach Unit One hired First Response as security for the summer season 2005.

Walter Poludin stated that Ocean Beach Unit One has decided to extend security hours this season. First Response will go on duty one week earlier this year beginning on Saturday, June 25, 2005. Walter said that anyone parking on Bay Beach Way and/or the Ocean Beach Marina after 9:00 PM will be ticketed. If you need Security please contact a Trustee to call Security for you. Do not contact Security directly. In case of an emergency please call Dover Township Police Department directly.

Ocean Beach (Reported by Dave Finter)

Bob Blair introduced Dave Finter as the newly appointed trustee in charge of the Ocean Beach.

Dave Finter reported that he has met with the DEP to make sure that we are in compliance with the law at the Ocean Beach.

Dave also asked for volunteers to clean the beach on Sunday, June 5, 2005. Dave reported that Dover Township has agreed to rake the beach weekly this summer season.

Dave announced that members are to keep off the dunes and stay away from the permanent fencing. Anyone who trespasses on the dunes will be in violation of the DEP and subject to a fine.

Dave asked all members to remember to clean up after themselves and to have a great summer.

Corresponding Secretary: (Reported by Shawn Leonard)

Shawn announced that the Web-site has been doing great and that we have had over 2100 hits in the month of May alone and average about 2000 hits per month. Shawn reminded everyone that our web address is [www.obsc1.com](http://www.obsc1.com). Shawn ended by saying that the web page is completely up to date and that he believed that the information sent to members via e-mail has been very successful.

Badge Booth: (Reported by Walter Endler on behalf of Ellen Downes)

Walter began by announcing that badges were being distributed in the back of the church auditorium. Walter notified members that as long as you are current with dues and fines you may receive you 2005 season badges.

Walter also announced that all members are able to receive 6 additional guest badges per day. If a member request more than the allotted 6 guest badges on any given day that member must receive permission from a trustee.

Walter stated that the club will be selling T-Shirts at the badge booth this season and that the club would be installing a rubber maid type of structure next to the badge booth in order to store the T-Shirt inventory.

Lagoon: (Reported by Greg Gere)

Greg announced that the water at the marina is turned on. Greg said that he is currently working on fixing the two lights that are out at the marina. Greg wished everyone a safe boating season and an enjoyable summer.

Bay Beach: (Reported by Jim Calvano)

Jim reported that the winter fencing at the Bay has been taking down. The swimming ropes will be put up in the Bay swim area on Sunday, June 5, 2005. Jim said that volunteers are welcome to help clean up the bay beach on Sunday, June 5th at 10:00 AM.

New Business / Old Business:

Lorraine Blair, 30 East Barnegat Way: Asked Dave Finter if he would consider having the boogie boarders and surfers have a designated area separate from that of the swimming area?

Dave stated that he would implement a designated swimming area and surfing/boogie boarding area at the ocean beach for summer season 2005.

Carolyn Wilson, 211 Bay Beach Way: Asked if the Board of Trustees would consider issuing parking stickers for Bay Beach Way to members of Ocean Beach Unit One only?

Walter Endler, Vice President answered Ms. Wilson's question by stating that the board is well aware of the parking situation, especially since the state has stopped allowing parking on Rt. 35. Walter then continued to say the board has been trying to find a solution for the parking situation and will continue to investigate the situation until we can find some sort of resolution.

Several of the members inquired about the parking situation on Rt. 35 and asked if it was possible to write letters to the state or get a petition signed by the members stating how important it is to re-instate parking on Rt. 35.

Laura Leonard, 19 East Shore Way: Laura asked if members would donate their empty coffee cans so that the club could use them to dispose of cigarette butts and distribute to smokers on the beach. Members can drop off the donated coffee cans with the badge booth attendant.

Barbara Eckartz, 31 East Bay Way: How do members get in touch with Trustees in case they need additional badges?

The main phone number to contact trustees is 732-830-8100.

Louis Hasbrook, 11 East Bay Way: Asked if it was possible to extend lifeguard house to 6:00 PM?

Dave Finter stated that if we extend our lifeguard hours to 6:00 PM, the association not only becomes responsible for swimmers at Ocean Beach Unit One for an additional hour each day, but will be the only beach on the barrier island whose lifeguards are still on duty past 5:00 PM. It is the board's objective to make the dunes, wages, and beach hours conform to the neighboring towns and associations.

Ms. Nardachone, 23 East Surf: When are the slow signs going to be painted on the streets?

Bob Blair said that he had painted most of the streets "SLOW" signs along with Jim Pendergast over the past month. Bob said he would look into re-painting the "SLOW" sign on East Surf as soon as he gets a chance.

Mr. Gerelli, 25 East Surf Way: Complained about a terrible stray cat problem. Mr. Gerelli stated that a neighbor of his was deliberately putting out food on his property to get cats off of theirs. Walter Endler told Mr. Gerelli that the board has already gone to animal control about this problem and will continue to work on it until it has been eliminated.

Vote to amend the Deed Restrictions and By-laws:

The June 4, 2005 Ocean Beach Unit One Surf Club's membership meeting held a vote to amend the Deed Restrictions and By-Laws.

The proposed Deed Restriction Change (under Building Restrictions – Lots West of State Highway # 35 Southbound:

Current Language: "No more than one, ONE story one family dwelling shall be allowed on any lot.

Proposed Language: "No more than one, TWO story one family dwelling shall be allowed on any lot.

In order to amend the Deed Restrictions it is necessary to have a majority of the members of the Ocean Beach Club to vote for the proposed change of the Deed Restrictions. The Deed Restrictions can not be changed via Proxy. Ocean Beach Unit One Surf club has a total of 320 membership properties. It is necessary for at least 161 membership properties to attend a meeting held to vote on a proposed Deed Restriction change before counting the vote.

Since only 79 member households attended the June 4, 2005 membership meeting the Deed Restriction proposed vote did not take place.

The proposed By-Laws Change (Under Article XII, Section 6 (a) :

Current Language: "The maximum height for the single story building in the Ocean Beach Surf Club, Unit 1 West of Route 35 South will be Twenty Feet 6 Inches (20' 6")

Proposed Language: "The maximum height for the single story building in the Ocean Beach Surf Club, Unit 1 West of Route 35 South will be Twenty-Two Feet 0 Inches (22' 0).

In order to amend the By-Laws it is necessary to have a quorum of at least 25 membership households present at a meeting to vote on a By-Law change. Of those membership households in attendance, 75% of the membership households must vote yes for the proposed change.

Since 79 membership households attended the June 4, 2005 membership meeting the By-Law proposed vote was counted.

The result of the vote for the proposed height increase from 20.6 feet to 22.0 feet: 64 votes yes for height increase to 22 feet and 15 votes no against the height increase. 81% of the member households voted yes, therefore effective immediately the By-Laws have been amended to the new height of Twenty Two feet 0 Inches West of Route 35 South.

After the vote was counted for the By-Law change several members had questions about what they can do to change the Deed Restrictions and also if it would be possible to increase the height to 24 Ft. Those comments and questions are as follows:

Dianne Lanigan, 223 Bay Beach Way: Mrs. Lanigan was concerned about why the board chose 22 ft and not 24 ft and also wanted to know how the members could get a bigger turn out in order to get the Deed Restriction vote to count.

The Board answered the first part of Mrs. Lanigan's question about the 22 ft. by explaining the board had based their decision on the belief that a home owner could build a one story home with a sufficient pitch in the roof with a 22 ft height restriction. As for the second part of how to get members to the meetings to vote. The board stated it is the job of the board to notify members at least 30 days in advance of any membership meeting and vote that may take place. It is up to the individual members whether they decide to attend the meetings or not.

The following members questioned "Why the Deed Restrictions can not be amended by a proxy vote and what would it take to change the rules and regulations to allow members to vote via proxy?"

Dennis Lynch, 209 Bay Beach Way  
Lee Andrews, 263 Bay Beach Way  
Dianne Lanigan, 223 Bay Beach Way  
James Smith, 243 Bay Beach Way  
Thomas Newman, 229 Bay Beach Way

Jay Turnbach, Attorney answered by explaining the Deed Restrictions were set up to make it extremely difficult to change, hence it was his belief that the Deed Restrictions were set up not to allow voting by Proxy. Jay said that he would look into voting by proxy further to confirm this and inform members of his findings at the Fall Membership meeting.

Jill Valenti, 263 Bay Beach Way: Suggested that if members could not vote via proxy that maybe the board could have the vote at the annual end of summer picnic. Ms. Valenti said that the picnic by far has the largest number of members attend than any other event through out the year and that this might be the only way to get the number of members needed to be able to substantiate a vote on any Deed Restriction amendment.

Dianne Lanigan, 223 Bay Beach Way: Asked how do they get the members to vote for a height increase from 22 feet to 24 feet for homes West of Route 35 South?

Shawn Leonard, Correspondent Secretary stated that the board would need a letter signed by at least 25 members, 30 days in advance of a membership meeting requesting the members to vote on a By-Law change. Shawn stated that since we just took a vote to increase the height that the board would not hold a special meeting specifically for this purpose but if the board receives a letter with 25 signatures requesting to amend the By-laws from 22 feet to 24 feet the board will have the members take a vote at the annual Fall meeting.

Bob Blair asked all new members to stand up and introduce themselves.

There being no further business, on a motion made by Bonnie Brown, second by Joe Zipp this meeting was adjourned at 8:35 PM on June 4th 2005.

Respectfully submitted,

Transcribed by,  
Debra S. Valenti  
Recording Secretary