



Ocean Beach & Yacht Club

PO Box 92, Lavallette, NJ 08735 • P: 732-793-3516 • clubhouse@obyc.net

MEETING OF THE GENERAL MEMBERSHIP OF OBII

September 1, 2017

09:00AM

1. The meeting was called to order by President Eileen Barron president at 9:05, when a quorum of 50 eligible residents were logged in.
 2. **Pledge of Allegiance: Led by Eileen Barron, president**
 3. **Roll Call:** 2017 Board & Managers: President & Club Administrator - Eileen Barron, Vice President – Kirk Miick, Secretary - Charlotte Flohl, Treasurer- Jean Johnson, Members, Terry Buziotis, Bill Linder, Steve Mangeri, Evan Murray, Dana Reinhold
 4. **Review of the Minutes:** June 3, 2017 - Charlotte Flohl, Secretary. There were no additions or corrections. A motion to accept the minutes as written was made by Glenn Beyerl, E. Shell, seconded by Roger Burns of 222 S. Lagoon, followed by a positive voice vote
 5. **Communications:** Charlotte explained the continued absence of the book of communications and minutes, usually on table for view. The book for review today is only from March 2017, as the books are not in our possession, they are with our attorney as requested for information for a legal case that recently has been settled, except for court costs.
- 6. **Presidents Report-** Eileen Barron:
 - Eileen introduced the newest Board Member appointed to fill the vacancy caused by Port's retirement, Bill Linder. Bill is a long-time community member, a former 10 Year Life Guard. He will bring to the Board, an area of expertise is his Environmental Studies background and add some more young blood to the Board.
 - The CAFRA permit has been renewed, as we don't have any idea when the beach replenishment will begin and to rake the sand or put the Life Guard boxes on the beach we need this permit. The town has been providing us with fencing, pushing the sand into dune barriers, all this we used to pay for. They are trying to work with us and the employees are very cooperative. The northern beaches are scheduled to start in January, Seaside Heights is to begin 2 days after Labor Day.
 - Our roads are to be milled and paved this fall.
 - Our website will be redesigned and more user friendly. We may be able to purchase tickets on line. You will be kept posted.
 - Work day is September 9th, there will be a dumpster here, members may use it, but not for garbage.
 - No one responded to Eileen's question, "if any new members are present.
 - I'm sure we can all agree that our lifeguards are second to none. They are led by example, by Michael Barrett and Marc DeLorenzo.

- Pat has over 30 children some weeks participating in the beach races on Thursday mornings.
- The junior life guards meet every Saturday, under the supervision of Chris Bogdan and Jeff Stolzenberger. They did well in a junior guard competition and had fun. This is our future.
- Al Matson came all the way from the West Coast to run the Volley Ball Tournament which was well attended.
- The Life Guard spaghetti dinner was a huge success. Thank you to all that participated.
- The Senior Lifeguard Tournament (over 35) had 17 competitors – a fun event.
- We have starting the chores of closing, which can be depressing, but we have to do it when we have the young man power.
- Life Guard Tournament results were 4 1st, 1 2nd and 1 3rd.

Mail was sent out with an absentee ballot if you could not be here, to have another member vote in your stead. If people do not pay their dues, the deficit falls on all of us. The administrative cost to cover all the postage, time, paper & ink has been .70 cents for years. The proposal is to raise this to a \$2.00 minimum. The wording will also provide for a means to place a lien on the property, so the club can at least collect when the property is sold. Glenn Beyerl 16 E. Shell, asked if the indebtedness continues to grow, as in a Standard Lien additional expenses are accrued. Jean replied that the Lien form states: “Any subsequent fees are included”. Michael Adams 223 Harbor, asked if process is adopted, will they be notified on April 1, and every month after that of the increase? Jean said: “most people that haven’t paid by April 1st pay up just before the issuance of badges”. On August 1, another letter is sent, inviting them to a meeting to present their case as to why they are not paying. Then the collection process begins. There was discussion as to using a collection attorney or our Treasurer was to do this. It was explained that a collection attorney does not do this for nothing, there is a percentage fee on what they collect and can get as much as half the monies due on their 3rd contact. Jimmy Dallengra of 102 W Shell said “the first obligation of an estate is to pay the bills; a lien gives the club protection to be able to collect. Anthony Loomis of 12 E. Chadwick made a motion to vote on this By Law change as proposed, seconded by Bob Nacamu of 208 Harbor Drive. Roger Burns, Joe Kobylarz of W. Shell and Glenn Beyerl of 16 E. Shell to count the votes. In the interim Pat Daley made the motion to have the secretary cast one unanimous vote for the slate as presented. This was seconded by Bob Nacamu. Charlotte cast the vote and the slate of Flohl, Miick & Murray, Bousztis and Linder were voted in. It was the subsequently announced that the previous ballot was counted and the majority approved the change in By Laws. (see proposed By Law change attached). There were 77 eligible voting members registered and 11 proxies’ signed and the ballot given to the designated proxy for a total of 88 votes cast.

6. Treasurer’s Report – Jean Johnson: Jean passed out the Treasurer’s report as of August 20 2017 , (copy attached), highlights are:

CASH Assets: \$90,827.88
 Reserves: 217,102.766
 Special Events: Don't have a report on this
 Life Guard Fund: - **601.84**

- An ongoing loan was made to the Life Guard Account to maintain their minimum balance, lest a \$12.00 monthly fee would be charged. They had 2 fraud charges to their account billed in London, so the account was frozen. This is being investigated.
- We collected fees for 13 building permits.
- \$2,500.00 in Ice Cream beach sales.
- Guest badges are under budget at this point, but there is one more payment to come.
- We have 19 new members, some 2nd properties, and some flipping. In this case we are not always notified, Jean follows Zillow. Glenn Beyerl questioned the transfer money from Reserves. Jean explained, a lot of money was put into the clubhouse, look up new ceiling and SAFER Lights and INSULATION, which will all reduce costs in the long run. Jim Dallangengra of 102 W. Shell, asked if we use a debit card, wouldn't it be more cost effective to use a credit card. Jean said, "a credit card would have to be put into her name and she does not want anymore cards in her name as it affects her credit rating. Jack O'Leary 14 E. Dune stated: "Some Legal fees came from Reserves". He said there were Attorney fees also in 2016, did insurance pay any fees? Kirk responded: "Yes, but there is a deductible. It was a case we had to defend, and is a BIG win for the club. Fees are not settled on this yet, so not too much can be said. We are days away from a settlement. Dean Hansen asked if the membership could have an overview. Kirk answered: "Contrary to the club's Rules and Regulations, the home owner built over the height allowed. A Cease & Desist order was instituted. The owner brought suit against the club. Mediation was ordered and got nowhere, there were denials, we had to defend. In the Spring of 2016 it started, it was a long year with discovery. Judges do not want to see tenants vs. Boards". Jean continued there is \$217,102.76 in reserves, which is close to the pre- Sandy balance. The club had many expenses since that time. Everything has been replaced, most improvements are done. We are in good shape and NO ASSESSMENT.
- The Life Guard Dinner earned \$3,845.00.
 A motion was made by Anthony Loomis, seconded by Glenn Bowers 230 Harbor Drive to accept the Treasurers Report as given, followed by a positive voice vote.

7: Committee Reports:

A. Special Events – Dana Reinhold:

- We had an awesome season. So busy! We had a barn dance, a paint party, golf outing that brought in \$4300.00, a psychic, kids fitness, River Cruise, Sr. Life Guard Tournament (won by the team of Dana, Dion, Shane & Anthony), A volley ball tournament, and Yoga on the beach. We sold mugs, hats, & totes.

The calendar is now open, nothing is set in stone, any suggestions let me know.

- B. **Badges**- Eileen Barron: Final count for guest badges is not in yet. Everyone liked the more definitive Guest Badges.
- C. **Beach**- Charlotte Flohl: Dean said, "Eating on the beach is a problem". Mike Barrett, stated checking into coolers, presents a problem. Charlotte said, "we try and be good neighbors and obey the rules, but there's always a few that think rules are made for everybody else, or claim ignorance. It is posted everywhere. Glenn Beyerl asked, if we do allow coolers on the beach? "We don't encourage it and ask that coolers be left at the top of the beach by the benches, where food can be eaten. We really can't prohibit them. We allow drinks in plastic, and baby bottles". Someone brought up the number of badges allocated to each house, she heard some people get 10. Eileen explained that a 4-bedroom house does. Anna Fiore stated, "she doesn't get 10". Eileen will recheck this. Jim Mosco of 223 Harbor Drive said, "there are rafts in the water everywhere, isn't there an area that is marked for rafts? Mike Barrett explained, "this year they tried to do away with it as surfers were plentiful in the areas where rafts were allowed". Mr. Mosco" said, it's dangerous and annoying, rafters don't look out for swimmers and the swimmers are diving out of the way. Mike said, "it will be reconsidered". There were comments re: sand, one consideration is to save our white sand as a topping. Eric Nagler stated, "this is important, as the sand piped in doesn't appear to be of good quality, "can we store sand somewhere"? His point is well taken and will be taken into consideration when we learn when we can meet with someone of authority to discuss what can be on the beach. Eileen is keeping on top with contacts from all agencies. Glenn Beyerl said, "Thank you for running for the Board". They are supposed to be doing 1000 feet in one day. Eileen said, "she was told that 3 days – 1 week, give or take for each beach. CAFRA, previously would not allow this, once sand is taken from the beach, it could not be put back".
- D. **Clubhouse** –Eileen: We have 3 rentals for this fall and 1 for the spring of 2018. We are getting the required insurance coverage certificate from the member renter. Frank Vodraska, asked if we had gotten Flood Insurance yet? It was explained that we have insurance on the contents. Eileen explained, coverage for the entire club house would be \$26,000.00 a year, with a deductible of \$20,000.00 on the payout. It cost \$75,000.00 to put this clubhouse back into shape after Sandy. Is this cost effective? The present Board did not think so.
- E. **Grounds & Maintenance**: Evan & Terri – a very aggressive team, sent many weed letters. It is important to keep your properties looking good. We are considering replacement benches. Dean asked about replacing the measuring stick for crabs, once mounted on the dock posts. Anna Fiore said there are any properties with weeds. Owners come down and weed in the spring get their badges, rent, and don't come back all summer. What recourse does the club have after they get their badges? Kirk said, the club tries to keep on top of it. Rosemary Bowers said some rental agencies will withhold badges if the

property is not kept up, depends on the agency. “Get your next door neighbor to spray”. Eileen added, vinegar is good.

F. Improvements – Kirk Miick: Working with Terry and Evan and Bill. This is the first summer since Sandy that we stopped work. There were several problems. Several people were fined. The Board does not look forward to rendering a fine. It’s a lot of work for us. By Laws need to be up-graded, to \$1,000.00 fine. Some people would rather pay the fine and continue to work. Rules state, suspend the membership, but not working during the summer is after the badges are distributed. We are looking for a way to change, that has more teeth. When a Cease and Desist order is given it takes some time to get to court, in the meantime they are working and it looks like we have done nothing. We must have backup proof that this violation is occurring and that it is a neighborhood disturbance. Once it is in court, and we lose we may as well throw our Rules and Regs in the garbage.

Glenn said, the By-Laws are a community involvement.

- Jeff Kinnier 115 W. Cove , added a Thank You to the Board for enforcing these rules. How does this take place? Kirk walked him through the procedure when the plans are submitted.
- Dean stated that in 2012, the space under the roof was held at 5 ft. Now it is changed “Willy Nally”. Kirk said, this is not the case, with the rising of houses, mechanical space is needed in the attic, we conformed to Toms River’ ruling and anything under 6 ft. is NOT LEGAL living over living.
- Dean stated, “History was ignored when the Board voted”. None of the recent changes have been entered the log. It needs to be updated. Anna Fiore said, “She was not allowed to rebuild as she wanted after Sandy. This is a disservice”.
- Dean made a motion to keep the changes from 2014 to 2016 in the log, this is important. Kirk said, ‘this will be taken care of.
- Resident of 27 E. Dune, stated, a neighbor continued to build all summer. Kirk explained that this was followed up on. The noise factor safety, issues, the size of the streets makes it unacceptable to perform summer work, unless it is an emergency. We certainly are flexible, if there is little to finish, windows, doors, roofs should be closed from the weather and the cutoff date just passed. A short extension may be granted, but not a complete construction or a new start. No on street parking allowed. There have been incidents and OBI, tried to fight this. The court allowed the building.
- Tom Phair of 209 Mallard asked about the replacement of water pipes, “some streets have not been done”. Eileen said, “some streets have not been done since 1972”. She will check to see what streets are to be done?
- MaryAnn Chiti of 252 Harbor Drive said, “why don’t we change the

Rule & increase the fine. Mike Sanforti, 3209 Dory Lane, “why not “NO Construction at all”. Michelle said, “a strong position needs to be taken for 2018”.

Mrs. Chiti continued, “the Harbor Drive speed limit and parking remains an issue. Can we get more Stop Signs and have police enforcement? Eileen said, she will put in a request, but we cannot put up our own signs. Michelle said, “the township wants to hear to be pro-active before a child is hit”. The dialogue continued, basically what our members are looking for is: enforcement of the current speed restrictions.

- The old post office property owner is seeking a 200-ft. variance. neighbors have been getting letters to that effect.
- Anthony Loomis said, 35 South at the playground needs something more substantial than a crossing guard.

H. **Insurance** – Kirk Miick: Paid up to date. No claims made this year.

I. **Marina** – Steve Mangeri: No slips available. Roger Burns asked, if slips are being rented to non-members. Steve explained we do only if we have vacancies and then it is a higher fee.

J. **Membership** – See under Treasurers Report

K. **Nominating** – Charlotte Flohl: 2018 Board Members whose terms are up are, Barron, Johnson, and Linder.

L. **Security**- Steve Mangeri:

There are problems with adults drinking on the beach after hours, leaving glass bottles and cans. On weekends, you can reach security after 5:30.

- Young teens making noise between 11:00 & 12:00.
- Sparklers are now once again legal in NJ. Persons on the beach are putting them in the sand. They don’t cool down immediately and are sharp, posing a hazard. We must address this problem from a liability issue.
- Group rentals are not permitted, - they have no regard for time & noise. If there is a problem, speak to your neighbor/landlords, or is it their children?

8. **OLD BUSINESS:** Anna Fiore expressed appreciation for Michelle’s presence. We learn from previous experiences and without getting into details that’s why we’re here Michelle said that “Membership Organizations” contrary to Condo Associations, who have a lot of different rules that go out of the framework of this organization. Sometimes topics would entail a lot of research. Dean Hansen, said, things can be questioned, but we have an attorney to ensure that it is legal. Glenn Beyerl asked, “What is the definition of a member”? Michelle answered, “Usually the property owner/s, but there are Estate Planning mechanisms in place now honoring, parents, and children with resident rights.

9. **NEW BUSINESS:** None
10. A Motion to adjourn was made by Anthony Loomis, seconded by Glenn Bowers, approved unanimously. The Meeting was adjourned.

Respectfully submitted by:

Charlotte Flohl

A Motion to Approve:
Seconded: