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MEETING OF THE GENERAL MEMBERSHIP OF OBYC

September 5, 2015

09:00AM

1. **Pledge of Allegiance, Led By Jeff Eckhard, president**
2. **Roll Call:** 2015 Board & Managers: President –Jeff Eckhard, Vice President-Port Porter, Secretary- Charlotte Flohl, Treasurer- Jean Johnson, Members; Eileen Baron Club Administrator & Board Member, Kirk Miick, Port Porter, Tony Procia, John Sorber, Alan May Improvements Coordinator.
3. **Review of the Minutes:** June 13, 2015 - Charlotte Flohl, Secretary. A motion to approve the minutes was made by Glenn Beyerl of 216 E. Shell Way, seconded by Glenn Bowers of 230 Harbor Drive.
4. **Communications:** Books on table for view
5. A motion to suspend the order of business to elect the slate of officers. Charlotte announced that there were no profiles submitted for people seeking to run. Anna Fiore said there was no notification made to members. It was stated that the announcement is on the Website with a copy of the profile application to be downloaded. Jack Impomeni of Rt. 35 N said it was also announced in the Spring Newsletter. Charlotte as, secretary cast one unanimous vote for the slate as presented. Elected were Barron, Johnson and Porter. Terms up in 2016 will be Skwarek, Sorber and Procia.
6. **Presidents Report:** Jeff Eckhard – Thank you everyone for your support by attending this General Membership Meeting. The summer was brutally warm and little rain, but a lot of good things happening. We have had a full safe summer with record attendance at some events and Ice Cream nights. We do not have a date yet on beach replenishment. Word has it that eminent domain action will begin on the beach front property owners that are holding out. We are going forward with our plans as we have done in previous years. 10 members have not paid dues, all are in collections. One just paid last week. Some are deceased, some in litigation, some in foreclosure and some for sale. We will be back to checking on unkempt properties. Dogs have been a problem with renters. We will be refining our By-Laws as to what defines “a Tenant”. Life Guards, continue to do a great job. Jeff’s home community in Denville lost a 17 year old to drowning and there was a drowning at a shore community of a little girl from Denville. Michael and Marc and all the guards do work hard and we try to give them anything they need. Badge Checkers are an entry level position for age 14 and up. Just think of a 14 year old being intimidated when they ask to see a badge. They should be shown and they should not have to ask. We should not lend badges to someone who does not have their badge; you don’t necessarily know why they don’t have badges. We have members who have not paid their membership fees using other people’s badges. We are alive and well, but we have to tidy up our operations.
Glenn Beyerl suggested that we list the names of delinquent dues. We can not disclose anything when we are in litigation. You have to be 100% sure of this as foreclosure does protect this. Bob Nacamu of 208 Harbor Drive questioned if a lien against the property is passed onto the buyer. In the state of NJ a lien cannot be put on property for unpaid dues.

Harry Drude of 119 W. Cove, said he spoke to a Board member about his neighbors property and was told to complain to Toms River, That is like talking to the wall. Eileen Barron is our liaison to the Officers Association and they want a side note added to the agreement that no toilets and parking areas or dressing rooms will ever be erected on the beaches. We do not sign as we lease the beach, we are not the owners. January is the earliest it will be going out to bid. Our CAFRA permit allowing for winter fencing and replacing of sand for the winter months is up for renewal. Toms River did our grooming this past season at no cost to the club. Street and sewer lanes will be repaved and we have no idea as to the start or stop dates. Lavallette was a temporary stop for the summer. Complete paving should not be completed until all the other work is completed. Harry Drude asked why W. Cove was not done. We do not have an answer to that, how certain streets were selected first.

7. Treasurer's Report: Jean Johnson - Jean handed out several sheets which are attached. Included is the balance at end of year. She said, "Up front up we are doing well. All expenses are in line. Our Income was better than anticipated.

An Income and Expense Sheets is on the First Sheet 1st page.

As of August 28, 2015

- Permit fees 5 more coming in @\$125.00 each
- Guest badges was \$9,000.00
- Membership fees up 45% have 6 new members
- Most budgeted items are in line. The clubhouse had one item not Budgeted for, the repair of the back deck. The rest of the deck will be in 2016 budget.
- The Marina had to replace pilings damaged with the ice last winter
- Pat asked the difference between dues and Membership Fees. Jean explained that Membership fees are the one time Imitation fee.
- Jeff said that "Prior to Sandy we had \$220,000.00 in Reserves, we are presently back up to \$183,000.00". We held back spending in many areas to build this fund back up.
- Four Special Events were held, balance in that fund \$15,000
- The Life Guard Fund is donations and pays for non-funded events balance \$1,992.69.

Glenn Beyerl said, "He will be looking to update the Golf Event".

Cash: \$206,338.02

Reserves: 195,765.85

Special Events: 9,422.27

Life Guard Fund: 3,218.30

A motion to accept the Treasurer's Report was made by Glenn Beyerl, seconded by Tom Johanson, of 25 E. Bayberry Way, followed by a positive show of hands.

Michael Barrett Beach Supervisor was called upon to say a few words. 'We had a successful season, the weather was great. Mike said, "He went through the log and we had only 2 days of rain. We had a nice mix of youth and experienced members to our team. Many have gone back to school, but this weekend will have a full complement of guards on duty, with many of them returning for the holiday and stepping up to the plate.

Before the storm, we had not been using the Bay Beach too much, but with all the uncertainty of replenishment dates, we prepared the bay beach for use.

Bruce Anderson of 23 E. Shell said, "Thank you to the crew for the Bay Beach

Improvements, it has been great. Jeff said, Eileen worked hard in organizing the Work and supplies. The new Nettles Barrier Fence has been successful. Normandy Beach has been using one for several years. Michael Barrett went over to see how it was secured in place and actually helped in installing theirs, so he was able to instruct and supervise our installation. Life Guards on early school terms ending, installed it.

Jack O'Leary asked what the issue with lack of badge checkers is. Eileen explained, "We had the budget, but not the applications for jobs and then we had to let 2 employees go, for not showing up or being late". Pat Nogueira of 14 East Chadwick said, "Her son rented a house and there were no Life Guards on duty". Eileen explained we were short handed for only 2 days this past week, because of the extended season and guards having to return to school. Arrangements were made with Seacrest for our members to swim there. One of our Junior Guards worked on Seacrest for that time and Marc and Michael were here when their teaching job let out and our beach was then opened. At no time were there many people here.

Someone pulled a tire out of the water and stuffed it into a garbage can. It took several people to take it out.

Jeff said, "Labor Day is late this year, some beaches were closed entirely. We fortunately have good neighbors and were able to share resources.

Lynn O'Leary of 14 E. Dune Way complained of all the Sea Gulls on the beach by reading a poem she composed as seen from the view of a sea gull. Copy attached. Anna Fiore of 16 E. Dune Way asked what happened with stopping the eating on the beach. Michael said he is off the bench every 30 minutes and if anyone is seen eating they are approached, not using the bull horn. Anna Fiore asked why the Rental Office is allowing dogs to come with renters, why are they not told when they check in?, Eileen said, her neighbor told her that the office doesn't know, They said if they knew they would enforce.

Adele Merkle of 220 Canal Lane said, "That in Monterey they are allowed to bring food from home".

Connie Cerrachio of 16 E. Chadwick praised the president and the Board. "You guys are awesome".

8. COMMITTEE REPORTS:

A. Special Events: Donna Skwarek –

The calendar comes out in January and called "TENTATIVE". Sometime there are conflicts and dates have to be changed or response doesn't warrant running an event. Please check for posted updates. We also need people with hands on help, to run events.

The Memorial Day Picnic was back to normal this year and well attended. Thank you to Jim O'Reilly, Joe Golebiski, Shane Skwarek, Michael Barrett for doing a fine job. My committee sold mugs, and picnic shirts. All funds raised, any dollars earned go into Special Events Fund which purchases items needed for the club. Planned for next year is another Tricky Tray. We will need members to solicit

donations. This past season we had 2 new events, a painting party and a Pig Roast. Both were well attended, but we need to have paid reservations in order to have a sufficient amount of supplies on hand. The painting party was very resourceful but only attended by woman. Men can paint too. We plan on doing 2 next year. The Pig Roast was a last minute plan by the committee, when the person who last year volunteered to run a program in 2015, did not come up with something. We had a local Picnic supplier do the pig and we purchased salads at BJ's. It was a BYOB of wine or beer. Everyone ate well. We continue with our weekly events, Field Day on the beach on Thursday mornings, Ice Cream Night on Thursday Nights had record turnouts and we were running out of flavors and had to restock when it was thought that we had purchased ahead for the following week. Thank you to all the Ice Cream scoopers. We are starting ½ hour later and that seems to work well as people have more time to feed the family before coming. Arts & Crafts- A lot of new families with children attending. Thank you to Gene Neglia and Marge Hansen. We hope to be able to have the clubhouse open extended times as we previously did. Glenn Beyerl, thank you for Running the golf outing again this year. A lot of dollars are brought in with this event. Several pancake breakfasts were successfully held. We have several 10 pound boxes of sausage available for sale at \$30.00 each, as well as OBII shirts for \$8.00. Work Day is next Saturday, we need help. We plan to put up the Dune Fences.

B. Badges: Donna Skwarek – there was a new design this year. We might reverse the colors next year. It was a little confusing. The guest badges will be white with a Different color stripe for each week. The placards need to be placed in the vehicle so that the number can be read. We were running out of guest badges most weeks and we purchased the same amount as before. We have saved unused ones from previous years, so we were able to provide badges changed with permanent markers to fill in.

If you are renting privately DO NOT LEAVE BADGES FOR YOU'RE PAYING TENANTS". If you notice your neighbor's tenants are using the owner's badges, let us know. They are stealing from the club and making our dues higher than they might be. A question was asked if you are a private rental will the office still collect the badge fee. No, they are getting a commission from the people they are renting for and do this as a courtesy to the club. If you are keeping the profit to yourselves, you do the work by telling them to come to the clubhouse to buy badges.

Events have had an outstanding attendance, but members should wear badges here too. For the IRS we have to identify attendance as member – non member attendance.

Pat said that she saw one family who were here for 8 weeks and only the mother had a badge.

C. By-Laws: Port Porter - Thank You for attending. .

Changes in By Laws are the responsibility of each chair person to come up with the necessary wording for the changes and then present it to the board. The changes in Improvements will be published after the anticipated changes come through from FEMA.

D. Clubhouse: Port Porter- It is in great shape. We are doing rentals now at \$225. \$1,000,000.00. This can be retained as a rider on your home owner's policy if your insurance company allows this, or a separate policy purchased.

MaryAnn Chiti of 252 Harbor Drive, said ‘fences are now being built at 4ft. Is this being allowed? It was explained that the height of the fence is now governed by Toms River and a survey is required. This is all contained in code 360 Fence & Rails

E. Grounds & Maintenance: John Sorber – A great deal of work and dollars is

Being put into the play ground. There was a problem with the Jungle Gym slide, which we tried to repair, unsuccessfully, then we tried to eliminate the slide and it was found that the substructure was deteriorating, and has to be removed. Affordable Builders will pull it out next week as it now is a Safety Issue. We will be checking prices for a replacement. Tom Johnson, a carpenter by trade, said, “We should look into a maintenance plan, as condensation will cause problems again in the future”.

Adele Merle wanted to discuss a problem with cars and trucks and was advised this would be addressed under new business, after Committee Reports.

F. Improvements: Kirk Miik – As I sit here I see the same faces, we have to relate to our neighbors that building information is available on the website or directives on how to obtain it, or call me before 9:00PM. The time to address Alan or myself is not when we are on the beach. This is our time with our families. We both are available M – F 8:00AM – 4:00PM. If we don’t answer at this time we will call back. This year we have received 240 rebuild or replacement applications, to date. Upon review only 3 had to be referred to the planner. This indicates that most people are following the rules and are compliant with their plans. Anyone who suffered substantial damage and is planning to rebuild and is dealing with government, payments has to have their work completed by the 3rd Anniversary of Sandy, or face daily penalties. Alan and I will be holding a workshop here in the fall to assist our members with the routine of getting their paperwork submitted. Some people have been retaining lawyers, this is not necessary if you can prove you suffered 50% damage. Once this is confirmed it should be an easy release of funds. This date will be announced on the Website. Some people waiting for loans are getting beaten as they have attempted to do some things on their own.

Skinnier of 115 Cove Way asked how can the club enforce as volunteers. Kirk answered, ‘that we have checked with an attorney as what the club can legally enforce’. We are going to be less kind, then in the last few years in allowing lapses in property maintenance, it was questioned as to whether building will be allowed next summer? Jeff replied, “We are taking one step at a time. We have to bring this leniency to a closure and get back to normal. This is a seasonal respite neighborhood. We will re-evaluate in March. RRHEM has a time frame too. This applies to full time residents also, Unit 3 has not allowed summer construction at all. Unit 1 does not allow construction on weekends. At our first meeting in November of 2013, this Board knew we had to work as a community to make us whole again. Delay in planning and submitting plans may keep you from meeting the deadline if there is a reason that the plans have to be corrected and resubmitted. Vacant houses and lots have to be maintained as well.

G. Insurance: Jeff- Jeff recently had to give a deposition on an insurance issue. The insurance company does not believe there is much of a case, but the person continues to pursue the case. Donna asked if there was a fracture involved and it was disclosed, hat a toe was broken. Jeff assured the members we are on top of it.

Our Workmen’s Compensation Insurance refunded \$8,000.00 this year. We had gone with

a different company and had no claims. All policies are being updated. The Errors and Omissions Policy (Board Insurance) should be coming up for renewal.

H. Marina: Tony Proscia – Several pilings were replaced this year because of the heavy frosty last winter. We rented 15 out of the 24 slips. We will be expanding to jet skis, but at the same rental fee. Tony has had many inquiries for larger boats. This can be accomplished by removing some cables and adding more pilings and they will be rentable as long as the water remains deep enough. Tom Johnson said, “An increase in size, the bigger the liability and the water beam size has to be considered. Jeff said, “He believes a 23 ft boat would be the largest we would be able to accommodate and stay within the Riparian Rights. Tony was able to get the piling installer to repair the Mariner and Bay fencing...

I. Security: Tony- We have 4 people doing patrol, Joe Kobylarz, Glenn Bauer, Gene Neglia and Justin Skwarek, thank you for a good season. They handle incidents such as noise, and double parking. More complicated issues, the police are called in, which is not a pleasant matter. Our security has no legal power, only to try and talk and smooth things over, if incidents have progressed to be more than the previous mentioned, call 911. We have been asking people with dogs to leave the beach. Over the winter we will be coming up with a directive on enforcing rules which will be presented to everyone.

Jeff Skinner of 115 W. Cove said, “Cars come flying around here, what can a member do before a fatality occurs. Tony said, “He was speaking with Officer Schwartz who is the Traffic Control Officer for Toms River, about having radar set up here. It would have to be hand held back 2 – 3 ft. Intent is to get this done early in the season, penalties enforced by Toms River and word will get out. Tony found out that 10MPH is actually on the books for this community. Officer Schwartz, was surprised and does not know how we ever got it passed as code. This makes it enforceable by the PD. Tony researched; on how to get speed bumps installed and found that the majority of the residents of a street have to request it. The few that we had were removed for the construction. It will be at least 2 years before all road construction is complete. Pete Patner asked if we could get 2 on a single block.

MaryAnn Chiti said, “They were removed from her town because they were more trouble and created noise also. Ginny of Harbor Drive, said, “the biggest offenders are the police, if they don’t respect the posted speed limit, how can we expect private citizens to do so, please mention this to them. A young child was riding a bicycle here and a contractor’s truck came around the corner doing about 20MPH and had to slam on the brakes, Tony said, “it would be impossible to have speed bumps installed on every street, he will put in the request to Toms River, but residents have to do so also.

J. Membership: Jean Johnson - 9 new members, 4 are here. Anyone moving please notify Jean at least 2 weeks in advance. If possible if they can provide information on the buyer, Name, address and e-mail. .

K. Nominating: Charlotte -There are profiles available on the website. Candidates or interested persons need to submit one to Charlotte, before the next to the last Friday in August, on line or at the office. Incumbents whose terms are up in 2015 are Tony Procia, Donna Skwarek and John Sorber.

8. OLD BUSINESS:

Harry Drude requested "Please get the sound system repaired. Jeff said, "The hoppers are in and need to be installed.

Jeff continued, information on the dips at the end of the side roads leading into Rt 35. It is believed to exist in this manner for at least another year. We will let you know when we know.

9. NEW BUSINESS:

Thank you was expressed for controlling the Sea Nettles at the Bay Beach. It has been a blessing.

It was questioned about the possibility of getting slides installed? Jeff said, we will look into it, but I believe the insurance cost will be prohibitive. For this reason his Lake Community got rid of them.

It was suggested that the monkey bars be removed from the playground.

Eileen thanked everyone for a great season. There are a lot of volunteers behind the scenes.

She reminded us of Workday next Saturday.

She received a \$200.00 check toward the playground improvement.

Father Rento is doing Mass at 5:30 tonight.

We are looking into getting movies on the beach again for next year.

Please assist with putting your chair away at the end of the meeting.

We believed we had an exclusive contract with the Ice Cream Concession. The owner died and his son did not honor this.

The building going on at the water company site where the Miniature Golf used to be, Maintenance and Machinery Buildings are being constructed to look like houses.

Next on the calendar is the Tree Lighting, the Saturday after Thanksgiving.

A motion to adjourn was made by Pat @ 11:30AM, seconded by Glenn Beyerl, with a supporting showing of hands.

Respectfully submitted:

Charlotte Flohl
Secretary

Motion to Approve:

Seconded:

Date;

