

APPROVED

Minutes of the General Meeting of the Ocean Beach Surf Club – Unit One September 24, 2005

At 7:01 pm Bob Blair called the meeting to order at the Union Church, Lavallette, NJ

Present: Bob Blair, Walter Endler, Jim Pendergast, Shawn Leonard, Walter Poludin, Ellen Downes, Greg Gere, Phil DiVuolo, Dave Finter, James Calvano.

Absent: Debbie Valenti (illness)

Notice of Meeting: Shawn Leonard informed the membership that a notice of this general meeting as well as a notice of the proposed by-law & deed restrictions was mailed to all members on August 19, 2005, more than 30 days in advance of the meeting in accordance with OBSC by-laws.

Quorum: Shawn Leonard informed the membership that the necessary quorum of 25 members were present at the meeting.

Minutes: Shawn Leonard informed the membership that they had received the minutes for the spring membership meeting via mail, e-mail and the OBSC website (www.obsc1.com). He then asked if there were any corrections to the minutes. Hearing none, the meeting minutes were approved via general consent

VP Report (reported by Walter Endler):

Walter said it was a good summer. He mentioned that he was interested in upgrading and improving the electric box at the beach. He will work with the Beach chair, Dave Finter on this.

Lagoon (Reported by Greg Gere):

Greg reported that the season went well. He expected to turn off the water by approximately November 1st.

Finally, he reported that the fixtures and lights in the lagoon area were repaired and working properly.

Bay Beach (Reported by Jim Calvano):

Jim reported that all went well this season. He will replace pilings, take in the ropes and buoys, and put up the snow fence within the next couple of weeks.

Ocean Beach (Reported by Dave Finter):

Dave reported that we had a good year at the beach and the beach was very clean (we had weekly beach cleaning from Dover Township). He also reported that we are in compliance with all DEP rules and regulations.

Dave also thanked all who helped in June (Father's Day) with setting up the beach for the summer.

Finally, Dave reported that the beach winter fencing will be put up tomorrow at 9 am. He asked for volunteers to assist.

Sergeant at Arms (Reported by Walter Poludin):

Walter said that he outstanding bills from First Response which have not been paid due to time reports not being returned and days where the firm did not provide coverage as contracted. Once this is resolved they will be paid.

He also reported that his has been in contact with a new agency (Colt Detective Agency, Freehold, NJ) as a possible replacement for 2006. They have submitted a proposal which he is reviewing. He told Colt that he would follow-up with them in March 2006.

Building and Grounds (Reported by Phil DiVuolo):

Phil reported that he received seven new applications for tear-downs and new one-family constructions. He asked the membership to please remember to submit applications in a timely basis.

Treasurer (Reported by Jim Pendergast):

Jim reviewed the proposed 2006 budget as well as the treasurers' report. There were no questions, additions or corrections.

On a motion by Dan Lanigan, 223 Bay Beach Way and second by Bob Sobieski, 104 W. Bay Way the 2006 budget was put to a membership vote. The vote was unanimous to accept the budget.

Finally, Jim told the membership that he was doing a review of our insurance policy and agent to see if we could do better.

Badge (Reported by Walter Endler for Ellen Downes):

Walter reported that badge revenue was \$1,800 over projected revenue. In addition, he reported that the t-shirt sales program was successful.

Finally, he said that next year there will be a new beach check procedure in which they will periodically walk the beach to check badges.

There was a question from Don Gibson, 105 W. Spray Way asking how many guest badges an owner was allowed per day. Walter said the number was six.

Old Business:

None

New Business:

Bob Blair thanked Bonnie Browne and all of those who helped with organizing, setting up and cleaning up for the Labor Day picnic.

Bob Blair also relayed information from a letter from Claudia Serecsko regarding another member, Frank Galloway, who is very ill. Bob mentioned that fellow members had taken up a collection to help Frank with expenses, and if anyone was interested in helping to see him after the meeting.

Bob Sobieski, 104 W. Bay Way addressed the membership regarding his finding on why parking was eliminated on Route 35 North. He spoke with multiple government offices including the NJDOT and Dover Township. In the end, Dover Township said that they didn't request this: it was dictated to them by the state. He would like us to address this with Dover Township to rescind. Walter Endler will work with Bob to contact Dover Township and work this item.

Jean Dzrillay, 110 W. Bay Way questioned whether we should eliminate the discriminatory language in the deed restrictions, paragraph 3. Our attorney, Jay Turnback, said that if we could get enough people to a meeting we should eliminate. Still, he said that there was no need to worry about this as this statement is void by "operation of law."

Lois Castronuova, 107 W Shore Way asked who wrote the original deed restriction. Jay Turnback said that is was the original developer.

Diane Lanigan, 223 Bay Beach Way and others (Ted Skiadas, 227 Bay Beach Way, Dick Davis, 221 Bay Beach Way, Sam Petronella, 249 Bay Beach Way & Carol Newman, 229 Bay Beach Way) asked how we could change the deed restriction if we can't get the necessary number of members to a meeting and why we couldn't do "proxy voting". Jay Turnback told the group that the by-laws could be changed to allow proxy voting, but there was great risk in doing so. It would be possible that members without an interest in maintaining the look and feel of the community (investors) could band together to make changes that are the wishes of the community. In addition, by allowing proxy voting, members would make decisions without the benefit of hearing the pro's and con's of any proposal at a membership meeting. In the end, even if we change the by-laws to allow proxy voting and the deed restriction is changed, Jay felt that this may not possible and could be litigated. Ultimately, it may be possible that the only way this could be addressed is through litigation.

Ellen Tomecko, 18 E. Shore Way asked whether we were allowed to put up snow fencing as she thought this was prohibited by the NJ DEP. Dave Finter answered the question by saying that we are allowed by our beach management permit to do so each winter.

Joe Zipp, 22 East Shore Way, asked about the dead vegetation on the dune. Bob Blair answered that the DEP will review in the spring and give direction on what to do.

Deed Restriction Proposed Amendment: No vote as the necessary number of members were not present at the meeting.

By-law Proposed Amendment: A proposal was put before the membership to amend Article XII, Section 6(a) to read, "The maximum height for the single story buildings in the Ocean Beach Surf Club, Unit 1 West of Route 35 South will be Twenty-Four Feet 0 Inches (24' 0").

A vote was taken with 38 YES & 17 NO votes. Thus, the amendment was approved pursuant to our by-laws (Article XIII, Section 1), which requires an affirmative vote of two-thirds (2/3) of the ballots cast by members present at our meeting.

Trustee Election: As the trustees up for election were unopposed, they were re-elected via general consent.

There being no further business at 7:58 pm, Walter Poludin made a motion to adjourn the meeting and Walter Endler second that motion.

Respectfully Submitted,

Shawn Leonard

Corresponding Secretary