

High Bar Harbor Yacht Club
Owner's Meeting Minutes
Sunday, January 10, 2010

**HBHYC Board Meeting
January 10, 2010**

Board Members

Mark Finelli - Present
Jim Frank – Present
Dave Hall – Present
Meaghan Cannon-Keough – Present
Bruce Shulan – Present

Employees

Mark Hazley – Present
Stacy Bernstein – Present

The meeting was called to order at 11:12 am at the HBHYC Clubhouse

Planned Agenda

Marina Manager Update: Mark Hazley

- Dock resurfacing is on hold due to weather. Ice eaters are installed. Had to order three (3) additional ice eaters for D and E-docks. (\$1500). There are a total of 34 ice eaters throughout the marina.
- Inside bathroom – all four (4) inside bathrooms were completed with new tile floor and painted (\$500). Work continues on replacing flooring in the two (2) outside bathrooms.
- Non-operational boats letters were sent out to three (3) owner/tenants. We have received two (2) acknowledgements. We have sent a return receipt/certified letter to the one tenant who has not responded to the letter.
- Electrical issues – repairs were required at the east side of the bridge due to a short in conduit housing all power cables for D and E-docks. Electrician to complete repairs @ \$3500.00. There is short at the corner of I-dock near the pump-out that will be repaired.
- Winter Projects
 1. Pool area fence replacement – contract signed and work should start in the next 3-4 weeks. (\$16,400).
 2. Kitchen cabinet replacement – cabinets ordered 1/5/10 and scheduled for shipment on 1/21/10. We expect delivery at HBHYC between 1/25/10 to 1/29/10. (\$4,200).

Office Manager Update: Stacy Bernstein

- Sales for 2010.
 1. We currently have 20 active boat slips for sale
 2. No sales since October 2009
 3. Some owners have lowered their asking price and are motivated to sell.
- Rentals for 2010
 1. 24 boat slips rented for the Summer season
 2. Five (5) boat slips are reserved – waiting for deposit
 3. 20 boat slips are available

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- There are five (5) owners who are late paying the 4Q2009 Condo Fee. Reminders were sent with the Late Fee Invoices. Account must be paid and brought up current with the 1Q2010 Condo Fees or they will be receiving written Late Notices Letters.
- Late Fees Invoices and Open Balance Statement were sent the week of January 4th
- One (1) owner's account is being reviewed with Stacy and Mark Finelli.
- Bank of America branch in Barnegat Light went through employee changes prior to Christmas. If Stacy has any problems with the accounts Mark Finelli and Jim Frank have authorization for HBHYC.

Dredging Project: Jim Frank

- No change since December 2009 meeting. Permits and Application have been sent to the State of NJ to be approved. Will have final answer in March 2010 based on the reported 90 day review period.
- Due to this expected approval date the dredging activity would likely impinge on the boating season. Thus we will likely defer dredging until October 2010. The plan is to dredge the entire marina. Assuming a March start, Mark Hazely will confirm the schedule and availability with Kevin at T & K Marine. Jim will report on the options from TK Marine (dredging contractor) about the ramifications of pushing the project back to October 2010.
- Dave Hall mentioned as in previous meeting that T & K Marine may be able to discard the debris to Shoreline Grading and/or a landfill in Atlantic County that is more cost effective. We will explore these options with TK Marine during the project planning.
- Ed Meline asked who is responsible for the Dredging Project. Jim Frank is the overall lead with support from Mark Hazely, Dave Hall and the Docks and Bulkhead committee. Ed suggested that, perhaps, Mark Hazely should be put in charge of the project at this time. Jim agreed that upon completion of the permit application Mark will function as project manager due to his presence on site and ability to coordinate vendors with on site work.

Committee Reports

Update on Action Item List

- **Dredging (Jim Frank)**
 1. See Comments above
- **Capital/Budget (Mark Finelli)**
 1. Mark Finelli distributed the Capital Budget for review which will be put out formally.
 2. No new capital projects are on the planning horizon.
 3. The dredging project will begin either late March 2010 (4-weeks only) or October 2010.
 4. In the process of re-evaluating our investments (long fix term CD's) which are due in March/April 2010. Will explore offerings from various financial institutions with the understanding that our investment profile is very conservative.
 5. Mark agreed to review the status of our account with Smith Barney.

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- **Social (Meaghan Cannon-Keough)**
 1. We will be sending an e-mail to owners asking for help with Social Committee Events
- **Administration (Meaghan Cannon-Keough)**
 2. Meg and Stacy will be going through all HBHYC documents and paperwork in an effort to reorganize and bring up to date the club files.
- **Marketing/Advertising (Dave Hall)**
 1. The Board would like to increase the quantity of transient rentals. To that end Dave contacted Waterway Guide, Embassy Guide, Skipper Bob and Boat US, all of which offer free advertising. The results of those inquiries were:
 - We missed the 2010 deadline for the Waterway and Embassy Guides, HBHYC will be listed in the 2011 editions.
 - We will be in the Skipper Bob guide out in Fall 2010.
 - Boat US will include us in the printed guide this year only if we offer a 25% discount.
 2. To maintain the existing compensation to slip owners, Bruce Shulan proposed that we increase all rental rates by 25% and offer a 25% discount to all Boat US members and any transient that pays by credit card. Dave Hall made a **MOTION** to increase our rates 25% and offer the suggested discounts. The motion was **SECONDED** and **PASSED** (5 to 0).
 3. It was agreed that the website will be updated to include a calendar of events, rental rates, nautical directions and photos of HBHYC and marina.
 4. It was agreed that Dave will work with Stacey to create marketing material to distribute to prospective buyers and tenants.
- **Pat English report from legal council**
 1. Pat was not present. Emails indicated the attorney Christine Li had not provided the written response. Will give findings at April 2010 Meeting.
 2. Dave Hall made a motion to table this discussion until we have written information from Pat English regarding this matter from Condo Attorney Christine Li. The motion was **SECONDED** and **PASSED** (5 to 0)
- **Personnel Committee**
 1. The Board gave annual performance reviews to Stacey and Mark. Mark Hazley will give Raul Del Toro his evaluation.

New Business

- Ed Meline and Mark Miller asked what the Board's plans were with respect to the Master Deed amendment concerning the spanning of slips. The Board stated the proposal was defeated, so the issue was closed.
- Ed and Mark questioned the decision of the Board to have Pat English contact Attorney Christine Li to further discuss the parameters for Master Deed changes to common area. Board stated that they were following through with the question already raised and request at the last Owner's meeting to have independent contact with the current lawyer. Given the vagaries of the Deed and the concerns raised by Mark in earlier meetings, the Board feels this discussion requires legal resolution.
- Ed Meline stated that we had a proposal that was voted down and since there is no outstanding request from an owner to combine slips/span, there is no need for the Board to spend HBHYC monies at \$365 per hour for any further legal opinions at this time. Ed said that if and when an Owner submits a request for a Variance to the Deed, the Owner

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should be responsible for all legal fees to obtain a decision regarding the Owners individual request.

- Bruce Shulan abstained from this discussion because he has a boat spanning two (2) slips and his boat is the only issue at the present time. If Sydney Sussman brings his 70 ft Bertram back for the summer 2010, this will be an issue regarding two (2) owners. Jim Frank said the Board will follow through with the requests already started to have questions answered from a legal standpoint. It was agreed that the Board, in adherence to the Master Deed, will formally notify any owner currently in violation of the multiple slip restriction. Dave Hall commented to Bruce Shulan verbally that he is currently in violation. Bruce Shulan indicated that he would be making a written request to the Board to occupy both slips on I dock and that there was, therefore, an active issue. Stacy is to follow-up with Sydney Sussman to find out his intentions regarding the 70 ft Bertram.
- Ed Meline distributed a draft process to be used when either By-Law or Master Deed changes are proposed. The Board agreed to review the material and include the topic on the agenda for the April 11th Board meeting.
 1. Ed's Draft outlines the following process for a proposed change to either the Master Deed or By-Laws:
 - a. Proposal
 - b. Discussion
 - c. Finalization
 - d. Voting
 - e. Filing
 2. Jim Frank stated that the Board is generally in agreement with Ed's draft and hopes the new process will increase the participation of owner's at meetings and that this process will avoid past confusion. Ed requested that the process outlined in this "draft" be considered a Proposed amendment to the current By-Laws. Bruce Shulan agreed to review the "draft process" in context with the Master Deed and By-Laws and provide a brief to the owner's at the next meeting.

Jim Frank made a **MOTION** to adjourn the meeting at 12:41pm. The motion was **SECONDED** and **PASSED** (5 to 0).

Next Meeting is Sunday, April 11, 2010

Meeting Schedule for 2010

Sunday, January 10th -- Held
Sunday, April 11th – Next Meeting
Sunday, June 13th
Sunday, July 11th – Meet the Candidates
Sunday, August 1st – Owner's Meeting/Election
Sunday, August 8th – New Board Reorganization
Dates and times are subject to change.