

VAIL'S GROVE COOPERATIVE, INC

BOARD OF DIRECTOR'S MEETING

August 20, 2015

CALL TO ORDER:

Mr. Ryan called the meeting to order at 8:10 pm and asked all to rise for the Pledge of Allegiance.

ATTENDANCE:

Mr. Cassidy took attendance:

Present: Mr. Cassidy, Mr. Janecek, Mr. McGuinness, Ms. Natiello, Mr. Norcross, Mr. O'Toole, Mr. Ryan, Ms. Waltzer. Absent: Mr. Andrews, Mr. Duffy, Ms. McHale, Ms. Myers and Ms. Rubini.

ACCEPTANCE OF MINUTES:

Ms. Waltzer made a motion to approve the minutes of the July 2015 meeting. Mr. McGuinness seconded. Mr. O'Toole and Mr. Cassidy abstained. All others in favor. Motion approved.

COMMENTS & CONCERNS OF STOCKHOLDERS:

1. Mr. Dress requested that we have speed humps put in rather than speed bumps. In addition he has requested that we install more speed limit signs as residents and guests are driving too fast in the Grove. We will ask Mr. Moore to install more speed limit signs.
2. Mr. Dress requested that the emergency road at the North End be plowed in case of an emergency. Mr. Norcross said that is a valid point and B&G will take this into the consideration.
3. Ms. O'Loughlin wants to sure that the Board received her response to our letter to her regarding July 4th fireworks at the beach. Mr. Ryan stated that we did discuss at the last meeting in the executive session to protect the privacy of the O'Loughlins. Mr. Ryan stated that he will be responding to Ms. O'Loughlins letter point by point. Mr. Ryan said he needed to clarify some points in the Executive session of this meeting. Mr. Ryan said he would respond to Ms. O'Loughlin by e-mail. Ms. O'Loughlin wants to clarify if hard copies go out on Vails Grove letterhead. Mr. Ryan stated that each correspondence goes out depending on who is responding Ms. O'Loughlin was concerned that the letter is not in her file and Ms. Battreall stated that all correspondence is in her file. The issue at hand and the correspondence is attached to these minutes as being part of the minutes.

COMMUNICATIONS NOT INCLUDED IN REPORTS BELOW:

A letter was received from a shareholder regarding the North End storage. This letter will be placed in stockholders file. The issue of possibly charging for storage is a "work in progress" and nothing has been decided.

Mr. Ryan stated that all correspondence to and from the O'Loughlins will be placed in the August minutes.

COMMITTEE REPORTS

CHAIRPERSON:

No report

VICE-CHAIRPERSON:

No Report

VICE-PRESIDENT:

No report

SECRETARY:

Mr. Cassidy reported the following:

The office will be closed from August 21 until re-open on September 1st. Robo call will go out informing residents of this and that Mr. Moore will be out on vacation as well. We will tell them to contact a Board member in an emergency issue only.

Annual meeting packets were mailed today, August 20th to all residents. We received four petitions by noon on August 3rd, as required. The petitions have been examined by committee of stockholders. The Annual meeting will start promptly at 11 am on Sunday, September 13th so please arrive early for talking and light brunch. A short Board meeting will be held directly after the Annual to decide on Officers for the coming year 2015/2016.

TREASURER/FINANCE:

Mr. O'Toole made a motion to send 5 stockholders to legal as they are two quarters in arrears. Mr. Cassidy seconded. All in favor. Motion approved.

ETHICS:

No report

BUILDINGS & GROUNDS:

Mr. Norcross read the following:

Water leak repair at 89 VLSD. We replaced 10 feet of the service line coming off the water main that was leaking. Excavated by Butler Excavation and pipe repair by All Star Plumbing. Water leak at 21 Orchard Road. The water main was leaking. We replaced 15 feet of the 2 inch main. Excavated by Butler and pipe repair by All Star. Window in the office replaced due to a crack created by a stone hitting window. Garden maintenance is on-going. Weeding, pruning and watering. Speed bump painting is underway. B&G seeking blacktop proposals. We are seeking proposals to patch multiple areas and one curb to help water run-off from Bass Lane. Kect: \$6000 Roadmaster \$7200. Mr. Norcross asked if we need to get more bids or if we could make a decision tonight. We had to cut 2 large areas on Orchard

Road; we could try to patch but the seams might not match up so Mr. Norcross stated that we should do the entire area. Mr. Cassidy asked if we could wait and include the work that needs to be done on Locust Road. We do not know how large the work will be on Locust as the leak has not been fixed yet. Mr. Janecek suggested that we approve \$7000 for all the work to account for Locust. Mr. Janecek made a motion to approve \$6000 for Orchard and an additional \$1000 for Locust with KECT Construction. Ms. Waltzer seconded. All in favor. Motion approved.

B&G has looked into security cameras. Waiting for proposals. Also looked into purchasing cameras ourselves. More next month.

The letter from Tony Hay, Town of Supervisor, Town of Southeast, was in the package regarding the sand/salt cut off. Letters will be placed in file.

Mr. Norcross stated that our new snow contractor will be supplying the sand during snowstorms.

AD HOC TAX COMMITTEE:

No Report

REAL ESTATE:

No report

OMBUDSMAN:

No report

INSURANCE:

Mr. Ryan was concerned if there will be any renewal issues for the year 2016. Ms. Battreal stated that everything should be status quo and that renewals always come in very close to the end of the year. The only thing that increased was the auto due to the new truck.

For the October meeting, we will present a 3rd quarter financial report.

SUNSHINE:

Best wishes go out to Mary Ann Loehmann and Angela Terilli Sr. Hope you are both feeling much better now.

MEMBERSHIP:

Ms. Natiello made a motion to approve the membership application from Brandon Hvrish to purchase 49 Vails Lake Shore Drive, subject to receiving signed contracts and the mortgage commitment. Mr. Cassidy seconded. All in favor. Motion approved.

BOATS RAMP/NORTH END:

No report

PUBLIC HEALTH/PUMPHOUSE:

Ms. Waltzer stated that we will need someone new to run the Pump house soon, as Kathleen Heuschkel is trying to sell her house. If we need to pay someone to come in and do this, it would cost lots of money. We do need more people to be certified. If anyone is interested in taking classes and getting the proper certification, they should please inform the office. This info will be placed in the Vails Voice. In addition, Dennis Stone from Foleys needs to be contacted to arrange for an "in-service" for the new tanks. Mr. McGuinness asked if we could get something in writing so that he has more information about the workings of the new equipment.

PAVILION RENTAL:

Mr. Cassidy made a motion to accept the rental application from Marianne Collins for August 29th. Mr. McGuinness seconded. All in favor. Motion approved.

LONG RANGE PLANNING:

No Report

PLEC:

No report

RULES AND REGULATIONS:

No Report

LEGAL:

Mr. Cassidy made a motion to accept the request by Angela Terilli Sr. to transfer her Stock and Lease to an Irrevocable Trust entitled "Terilli Family Trust", for estate planning purposes for her residence at 54 Vail's Lake Shore Drive. Ms. Waltzer seconded. All in favor. Motion approved.

Ms. Waltzer then discussed Charlie Voekl efforts to try to build up Snake Island. He is requesting for Shareholders to donate a bag of top soil, or gravel, or a small check donation. Mr. Voekl will put all the items on the island. Ms. O'Loughlin stated that she brought some material to his house and that Mr. Voekl is trying to gather people to help with the work.

AESTHETICS:

No Report

RECREATION:

No report

BEACH:

Mr. Cassidy reported the following:

We have had 2 great parties: Tacos and Tequila and Brunch. Thank you to Agave and Ledley Food Service for the delicious food. Both were well attended. Look for possibly one more party before the end of the summer. Please remember that there are no glass bottles at the beach. Also, the lifeguards are not babysitters. The beach will be open until Labor Day.

LEND A HAND:

No report

WELCOME:

No report

NEW BUSINESS:

Ms. Sheridan stated that she knows the Rules and Regulations are being worked on. She said that some rules are blatantly ignored. She is concerned about people having FOR SALE signs on their property. We informed that all for sale signs are on people's homes, not the property. The next issue is that there is a giant storage van parked at a house on Vails Lake Shore Drive. She was informed that the trailer will be gone very shortly. Ms. Sheridan stated that there is a small dog that runs lose all the time and poops in the field behind her house. A letter will go to the Stockholder about the dog and possible fines.

Ms. O'Loughlin asked what the Rules include about Polaris and Quad vehicles. Mr. Janecek stated that this is in discussion as we need to be sure how to enforce certain rules.

Meeting adjourned at 9:00.p.m.

Sent from my iPad

On Jul 20, 2015, at 12:04 PM, Dennis J. Ryan <dryan5@gmail.com> wrote:

Dear Mr. and Mrs. O'Loughlin,

On Saturday, July 4th, your son Zachary, and several of his friends were at the Vails Grove Cooperative beach setting off fireworks from the Vail's Grove docks, and from the float. They were approached by Rob Norcross, the Buildings and Grounds Co-chair, cautioning them about using the docks for setting off fireworks. The concern being about the safety of your son and his guests, as well as the potential for damage to cooperative property, and the "melting" of the docks, and float by the unexploded fireworks. Rob also pointed out the amount of rubbish that was scattered about, and asked the group to clean up the considerable amount of debris that was accumulating from their fireworks when they were finished that night.

When the Vails Grove lifeguards arrived the next morning, they found the debris from the fireworks still strewn about the docks from the night before. It took two (2) lifeguards two (2) hours to clean up the debris that was left. They put the debris into five (5) large black trash bags. I have attached photos of the garbage collected by our lifeguards, and the damage to our docks as a result of the fireworks.

We are not certain if you are aware of this situation and as such, we would like to bring it to your attention with the hope that you will address this situation. I am sure that you would agree that it is not appropriate nor the responsibility of the lifeguards to clean up after your son and his guests.

This issue has been discussed at a recent board meeting and the board has decided to assess you \$50.00 which is the cost of two (2) lifeguards two (2) hours to clean up the debris left by the fireworks. The board has directed Cindy, our office manager to bill you separately for that cost.

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Thank you for your anticipated cooperation in this matter.

<image004.png> Chairperson Vails Grove Cooperative

From: Janet O'Loughlin [mailto:janet.oloughlin@gmail.com]
Sent: Monday, July 20, 2015 4:23 PM
To: Vailsgrovecoop; dryan5@gmail.com
Cc: <janet.oloughlin@gmail.com>; John O'Loughlin
Subject: Re: Fourth of July

Dear Dennis Ryan and the Vail's Grove Board of Directors,

We are in receipt of your email dated July 20, 2015.

Yes, we are fully aware that our son, Zach, set off fireworks on July 4th at the beach and we, as others, thoroughly enjoyed the display. Compliments and photos were even posted on the Vail's Grove Facebook page.

What we are *also* fully aware of is that he used a wooden plywood board from our cellar - the same one he uses every year - to protect the surface of the dock because he grew up in Vail's Grove and has the appropriate respect for the community's property. Subsequently, when the night ended, Zach and his wife spent an hour collecting all trash and admittedly stacked the overflow next to the already full can. Zach swam out to the float and wiped it down with a towel to be certain he left the area as he found it. We even know an adult who assisted them and assured us that they did a complete job.

What you and the board are *NOT* aware of is that there was another group of young adults visiting their family in Vail's Grove who continued to set off fireworks as Zach was leaving and continued well after he was gone. These individuals were **not** taking any responsibility for protecting the docks or keeping track of their trash and because they are relatively new neighbors, they were probably not known by anyone at the beach

When Zach returned to our house, he told me who they were and was concerned because he hoped that he and his friends would be mistakenly blamed.

That is, now, exactly what has happened.

As responsible stockholders in good standing, who have lived in Vail's Grove for more than 30 years, we are sorry that the presumption of the current board was that anyone in our family would disrespect the cooperative property.

In addition, if you had this presumed accusation on the agenda to be discussed publicly at a board meeting, we should have received a courtesy contact giving us the opportunity to attend. Had you done so, you would have had all the facts before determining consequences and saved us from unnecessary embarrassment.

Please send us the minutes of the July board meeting. After review, we will pay the fine imposed for the time you state it took the lifeguards to bag the overflow trash at the beach. They, too, are our neighbors and we will be sure to personally apologize to them for that inconvenience and assure them that we never expect them to "clean up after our son or his guests". We will also let them know of our response to the board.

As for the damage to the dock or the "debris from the fireworks strewn about the docks", we will not take the blame for that. We will inform the family of the young adults responsible for those two things as to this email and the actions of the board. They did not grow up here and perhaps don't understand the true meaning of a "cooperative".

We will also expect that this letter of response will be read into the minutes for the record at the August meeting of the board of directors.

~John and Janet O'Loughlin

From: Janet O'Loughlin <janet.oloughlin@gmail.com>
Sent: Friday, August 07, 2015 9:55 AM
To: Vailsgrovecoop
Cc: John O'Loughlin
Subject: Re: Fourth of July

Good morning, Cindy,

Thanks for your response and for your acknowledgement of my email.

Please add the following questions and points to the notes for discussion at the August 20th meeting.

I, again, request that my original response plus this addendum and the answers to my questions, be included in the minutes for the record.

Thanks and have a good weekend.

Janet

QUESTIONS:

- * Rob Norcross never spoke to Zach on July 4th as stated in your letter. Who claimed that they had a conversation?
- * In as much as the lifeguards deny knowledge of the incident, who lodged the complaint against Zach?
- * Who took the photos that were sent by Dennis Ryan?
- * Were the two hours charged to us for two hours worked in addition to the *usual* work day for the lifeguards?
- * Will the lifeguards be made aware of the additional compensation?
- * Is a morning clean up of the beach on the list of daily guard duties?
- * Is extra trash and cleanup expected and usual after a community event or holiday?
- * Did it take two (2) hours for two (2) guards to clean up the beach after 40 or 50 people? ..or only after Zach and his five (5) guests? How was this calculated?
- * Were all 5 bags in the photo sent filled with only trash assumed to be Zach's?

POINTS:

- * We have a strong objection to official communication from the VG Chairperson being sent on a personal email account with no paper copy on Vail's Grove letterhead.
- * Stockholders who are on the BOD agenda to be discussed at an open board meeting should be informed of such so they can have the option to attend.
- * Dock is not damaged as the original letter implies.

John and Janet O'Loughlin

On Jul 30, 2015, at 11:19 AM, <vailsgrovecoop@gmail.com> <vailsgrovecoop@gmail.com> wrote:

Janet – Received your e-mail about July 4th – The Board will discuss at the meeting on August 20th and then I will let you know what they say – Thanks and have a great day - Cindy

From: Janet O'Loughlin [<mailto:janet.oloughlin@gmail.com>]
Sent: Monday, July 20, 2015 4:23 PM
To: Vailsgrovecoop; dryan5@gmail.com
Cc: <janet.oloughlin@gmail.com>; John O'Loughlin
Subject: Re: Fourth of July

Dear Janet

It has been over two weeks to respond to you because I was on vacation and also busy at work.

As I indicated to you at the last board meeting, I would respond to each of your concerns:

The versions of what happened on July 4th differ from your perspective and from the board's perspective. One of our board members was present at the beach on the Fourth of July and did observe your son Zach set off fireworks. The versions of what happened after the firework display differ greatly from what you have articulated in your letter and the concerns from our board member. We fully support our board member in their depiction of the events.

"What you and the board are NOT aware of is that there was another group of young adults visiting their family in Vail's Grove who continued to set off fireworks as Zach was leaving and continued well after he was gone. These individuals were not taking any responsibility for protecting the docks or keeping track of their trash and because they are relatively new neighbors, they were probably not known by anyone at the beach"

ANSWER: The board was aware that there were other young adults at the beach but our board member only observed your son Zach involved in the fireworks display.

That is, now, exactly what has happened.

ANSWER: This is your son's version of what happened and again this differs from our board member's version.

"In addition, if you had this presumed accusation on the agenda to be discussed publicly at a board meeting, we should have received a courtesy contact giving us the opportunity to attend. Had you done so, you would have had all the facts before determining consequences and saved us from unnecessary embarrassment"

ANSWER: As I indicated to you at the open meeting, this is a misstatement. The entire incident was discussed in the Executive Session which is private and not open to the public. The intent in discussing it in Executive Session is exactly as you have stated "saved us from unnecessary embarrassment". Now the incident has been discussed at the open meeting and become part of the minutes of the meeting for all the shareholders to see.

"Please send us the minutes of the July board meeting"

ANSWER: The minutes of the July meeting are available online or I am sure Cindy would be glad to send you a copy. The minutes of the meeting will not contain any mention of this incident because as I have indicated, any discussion of the incident was discussed in the Executive Session so that we could respect your privacy as we sorted out the incident.

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As for the damage to the dock or the "debris from the fireworks strewn about the docks", we will not take the blame for that. We will inform the family of the young adults responsible for those two things as to this email and the actions of the board. They did not grow up here and perhaps don't understand the true meaning of a "cooperative".

ANSWER: It is your prerogative as to whom you approach regarding damage to the dock etc...

In conclusion, it was our intent and has always been our intent, to discuss potentially sensitive matters in the closed door Executive Session and to spare any "unnecessary embarrassment"

Thank you for your concerns and hopefully we can put this issue behind us.

Dennis Ryan