

VAIL'S GROVE COOPERATIVE, INC.

BOARD OF DIRECTOR'S MEETING

December 18, 2012

CALL TO ORDER:

Mr. Ryan called the meeting to order at 8:00 pm and asked all to rise for the Pledge of Allegiance.

ATTENDANCE:

Mr. Cassidy took attendance: Present: Mr. Andrews, Mr. Cassidy, Mr. Duffy, Ms. Enos, Mr. McGuinness, Ms. McHale, Ms. Natiello, Mr. Ryan and Ms. Waltzer. Absent: Ms. Myers, Ms. Mytych, Mr. Norcross and Ms. Rubini.

ACCEPTANCE OF MINUTES:

Ms. Enos made a motion to accept the minutes of the November 2012 meeting. Mr. Cassidy seconded. Ms. Waltzer stated that she has some typo corrections for the minutes. Mr. Duffy, Mr. McGuinness and Ms. McHale abstained. All others in favor pursuant to the changes from Ms. Waltzer being made.

COMMENTS & CONCERNS OF STOCKHOLDERS:

1. Mr. Weinstock of 103 Vail's Lake Shore Drive stated that the pole replaced by NYSEG across from his house after Hurricane Sandy, has a very bad odor. He stated that the color of the pole is darker than the other poles which have been replaced. He contacted NYSEG. A technician came out to inspect the pole and the soil. It has now been a few weeks and the pole still smells and Mr. Weinstock stated that he thinks the pole is toxic. Mr. Weinstock stated that Ms. Battreall told him that she has been calling NYSEG every day and that the representative at NYSEG said that the pole is within the legal boundaries of what these poles are supposed to be. Mr. Weinstock stated again that the pole is darker and not the same pole. Mr. Ryan stated that we have an e-mail from NYSEG, dated December 14th, stating that they are trying to get permission to replace the pole. Mr. Ryan stated that this is from Kathleen Abels, a supervisor from NYSEG. Mr. Ryan thinks that NYSEG is responsive to his concern. Mr. Weinstock said that the pole is still there. He said the pole is on Coop land and that it is the Board's responsibility to do something about this. He would suggest that the pole is toxic and he is concerned about the soil. Mr. Weinstock said the entire Board should e-mail NYSEG, and also suggests that we contact legal counsel and have them contact legal counsel at NYSEG with a very firm e-mail that states that this pole is toxic. He said that NYSEG is a large corporation and if they are not pushed, they will not do anything. Mr. Duffy said that NYSEG doesn't make these changes quickly. This is a process they need to go through. He told Mr. Weinstock that we need to give this time
2. Mr. Ryan then discussed the issue about needing to make a change to the proprietary lease regarding the wording "No accurate surveys". This issue will be referred to Legal for review.

COMMUNICATIONS NOT INCLUDED IN REPORTS BELOW: None

COMMITTEE REPORTS

CHAIRPERSON:

Mr. Ryan reported the following:

This is the second straight year with no increase in the quarterly charges. Over the past five (5) years, quarterly charges have risen by an average of only 0.4%. This average is far below the cost of living index for New York State. During the same time period, we have been able to maintain all essential services, as well as social activities.

During 2013, we will be facing some difficult challenges in controlling costs. Our insurance costs are expected to rise substantially for 2013 along with the replacement of our water tanks at the pump house.

We are all set with our snow plow contract for the inevitable snowfall.

We are going to put out to bid the landscape contract during the winter months of January – February.

One of our major goals for the upcoming year will be to make significant progress in replacing our water storage tanks and pumphouse.

VICE-CHAIRPERSON:

Ms. Waltzer reported the following:

Pump House/New Tank Update

On Thursday, December 6 2012, Jack, Jay Moore, and I met with Mike Budzinski from the DOH and Paul Lynch from Putnam Engineering at the PCHD. The meeting was at Jack's request for clarification about the DOH requirements regarding a 4 hour "turn around" time for switching over to new water tanks, and other required modifications including new vertical booster pumps.

The meeting was both enlightening and disheartening. Our committee spent a great deal of time discussing the benefits of steel versus fiberglass tanks. Apparently this is not our primary concern. Modifying the old pump house (which the committee believed was doable) is much more complicated than we anticipated.

In fact, approvals for the modifications we would require for the old pump house, including new booster pumps, an electrical overhaul of the old system, a new control panel or perhaps two (one to control the old booster pumps while a changeover takes place, and the expense of having tankers of water on hand for the changeover will add a considerable expense and delay the approval process while the technicalities are worked out. In addition, there are potential complications with filling the old water tanks with sand after they are emptied.

Both Putnam Engineering and the Department of Health recommend/prefer that Vail's Grove build a new pump house. It will be smaller than the present one. All the electrical and plumbing hook-ups to the new tanks would be done in advance of the changeover, which could then be accomplished in the 4 hour time frame demanded by the state health code. Obtaining

approvals from the ARB and site plan review board for these plans will take months and probably not occur until early summer. Then we must put the plans out to bid.

The good news is that the Board voted on a new pump house at the beginning of 2012 when we received Putnam Engineering's plans. The Committee felt that we could save money by using the present pump house, but this appears not to be the case. I believe that Putnam Engineering should be given the OK to continue with the plans for a new pump house (which were started previously). They can then apply to the appropriate boards for approvals. It is not in our best interest to delay further.

Ms. Waltzer said a rough estimate for this work would be \$375,000. The Finance Committee and Treasurer will meet to discuss how this project will be financed. Mr. Duffy suggests possibly an assessment or a partial assessment,

VICE-PRESIDENT:

No Report

TREASURER:

No Report

SECRETARY:

Mr. Cassidy reported the following dates for the 2013 Board meetings: January 15, February 19, March 19, April 16, May 21, June 18, July 16, August 20, Annual Meeting – September 15, September 17, October 15, November 19 and December 17.

The office will be closed from Monday, December 24 until Wednesday, January 2. Cindy can be reached for any emergencies. The mailing is being prepared for the start of January to include the 2013 Directory (which is ready), first quarterly bill, Chairman Letter and 2013 budget, tax deduction letter from Treasurer, and Sewer System Information Sheet. The website has been fixed and all information is up to date, including the Grinder Pump Owner's Manual. The Office continues to assist Insurance Brokers with obtaining the information they need to get us a new Policy for January 1, 2013.

ETHICS:

No Report

FINANCE:

No Report

BUILDINGS & GROUNDS:

Ms. Waltzer stated that she and Jay Moore are looking to improve the Pavilion with money still in Pavilion/B&G budget. Work has been done in bathrooms and more changes will be done. Ms. Waltzer

wants to make changes to by adding window moldings which would be more decorative and stained. Mr. Ryan asked about having the Pavilion deck railings power washed and stained in the spring.

Mr. Moore reported the following:

Truck was in for state inspection, oil change and a few minor repairs to the doors.

Snow markers for speed bumps, curbs and other sensitive areas are in place.

Leaf pick up of all common areas are finished

In progress, cleaning of all drains and gutters of leaves and debris.

Still working to finish fall cleaning of coop gardens

Some Christmas decorations were put up in and outside of Pavilion

Working on the lawn contracts to go out before January meeting. Considering the benefits of including the fall leaf clean up in the lawn contract.

Generator

Met with 4 contractors and we got 3 bids as of 12/12.

Lake Katonah – 27kw generator powering all but AC, not including gas work \$18,150

Add \$9000 for a 48kw generator powering the entire building

Crescenzo Electric

27kw generator powering all but AC not including gas work \$25,354

Add \$34400 for a 48kw generator powering the entire building

Basciano Electric

27kw generator powering all but AC not including gas work \$18,700

Add \$6285 for a 48kw generator powering the entire building

A bid template was made so all contractors were bidding on the same work and same generators

Ms. McHale made a motion to have the generator include AC capabilities. Ms. Waltzer. Discussion was had. Board members like the idea of having the AC as well as heat in the case of a power outage. Vote taken. All in favor.

Ms. McHale made a motion to have Basciano Electric install the generator. Ms. Natiello seconded. All in favor. Motion approved.

The office will check to see how much a Generator Maintenance Agreement would be once the generator is installed.

REAL ESTATE:

Mr. Duffy reported that we have two shareholders who submitted applications for the installation of generators. We are not charging application fees, as these are for utilities.

Mr. Duffy made a motion to approve application to install a generator, from Mr. and Mrs. Harting at 45 Vail's Lake Shore Drive. Neighbor letters have been sent. Ms. Enos seconded. All in favor. Motion approved.

Mr. Duffy made a motion to approve application to install a generator, from Mr. and Mrs. Lee at 55 Vail's Lake Shore Drive. Neighbors have no objection. Ms. Enos seconded. All in favor. Motion approved.

Mr. Duffy made a motion to approve an application from Penny Feder at 93 Vail's Lake Shore Drive for renovation of the house, which includes the addition of a second floor. Neighbor letters were sent. Mr. Duffy stated that after long and extensive review and committee guidance to homeowner and architect, all setbacks and height restrictions have been met and satisfied by the committee. This is the third set of plans and this project has gone through a lot of review with changes. The motion is to approve the plans submitted on 12/12/12 and dated 12/5/12. Ms. Natiello seconded. All in favor. Motion approved.

INSURANCE:

Ms. McHale reported the following:

As was reported last month we have been continuing to work on getting competitive bids for the Grove insurance coverage. We have been also made aware of a car accident that took place on December 3 from a resident of Pietsch Gardens. Apparently the resident passed out behind the wheel of her car and subsequently ran into the swing set on our playground. Our Board member Ronnie Waltzer and Jay Moore checked the swing set for damage and it did not appear to have any safety issues that pose a problem for the children using it. However, we are having the insurance adjuster of the residents company check the swing set to make sure that there are no problems.

Jay Moore will remove the swings on that set so they are not able to be used. The office will ask Ms. Rubini to send a letter to the insurance company asking them to either send someone to fix it or give us enough money to replace it, as they are responsible for the integrity of the swing set.

TREES:

In Mr. Norcross' absence, the following report was read:

"The two dead trees on Hilltop that were brought to our attention by Mr. Ford have been taken down and removed, along with two others that I believed to be unhealthy and potential dangers. The total of four trees were taken down and removed at the cost of \$1600 by Tompkins Lawn and Landscape. The trees on Mr. Visbals property which were discussed last month have been taken down and trimmed. This issue should be resolved."

Ms. Waltzer stated that there should be a new rule about trees in bad shape. If the office is informed and then informs the neighbor on whose property the dangerous trees are on, and the tree owner refuses to do anything about it, and the tree comes down onto neighbor's property, the owner of the tree should be financially responsible for the portion of the damage that is not covered by insurance

Mr. Cassidy stated that the Board should not get involved if the tree is not on Coop property.

The office will send note to Mr. Norcross about discussing this possible new rule and to inform him that there is an issue with a tree next to Hugh Andrews's house that is in question.

The tree on Orchard road that had root damage done when the sewers were being installed was discussed. GHD does have money being held in escrow. A letter from Ms. Rubini should go to GHD to have them remove the tree within 21 days.

SUNSHINE:

No Report

MEMBERSHIP:

Ms. Natiello made a motion to approve a re-finance application from Mr. and Mrs. O'Loughlin pursuant to receiving property appraisal. Mr. Cassidy seconded. All in favor. Motion approved.

Ms. Natiello made a motion to approve an application to re-finance from Angela Terilli pursuant to receiving property appraisal. Ms. Waltzer seconded. All in favor. Motion approved.

BOAT RAMP:

No report

WWTP:

Everyone is reminded to please flush toilets often as the system is not 100% connected and there needs to be constant movement going through the pipes.

PAVILION RENTAL:

Ms. McHale made a motion to approve a Pavilion rental application from Claire Navin. Ms. Natiello seconded. All in favor. Motion approved.

LONG RANGE PLANNING:

No Report

OMBUDSMAN:

No report

LEGAL:

Ms. Rubini sent the following report:

The release for the detention basin payment has been signed and returned to Sarah Cwikla for circulation of additional signatures. We expect payment shortly. Two out of the three of the collections have now been paid in full. The third is with a private lender and therefore is taking a bit longer.

RECREATION:

Ms. Rubini sent the following report:

Reminder that Saturday, December 22 is the annual Vail's Grove Christmas Party from 5:00 – 9:30. Tickets are on sale in the office, \$12 per adult, \$8 per child, kids three and under are free,. There will be gingerbread houses, dinner, dancing and a visit from Santa. Please bring a wrapped, labeled gift for your child for Santa to distribute.

Also, there will be a New Year's Eve Party on 12/31/12. Doors open at 7:00 – Tickets are \$35 each.

Mr. Ryan then announced that Ms. Rubini is stepping down as Co-Chair of the Recreation Committee. Meghan Cassidy is now the Chairperson. Mr. Ryan thanked Ms. Rubini for her years of service in this position.

AESTHETICS:

No report

PUMPHOUSE/PUBLIC HEALTH:

Mr. Waltzer sent the following:

Pump house operating normally, usage as expected. Planning for the new pump house is proceeding.

BEACH:

Beach is closed

PUBLIC SAFETY:

No report

LEND A HAND:

No Report

WELCOME:

No Report

Meeting adjourned at 9:30 pm.

