

**VAIL'S GROVE COOPERATIVE, INC.**  
**BOARD OF DIRECTORS MEETING**

**DECEMBER 17, 2008**

**CALL TO ORDER:**

Chairperson Waltzer called the meeting to order at 8:07 pm and asked all to rise for the Pledge of Allegiance.

**ATTENDANCE:**

Secretary Victoria Desidero took attendance. Present: Ronnie Waltzer, Tom Duffy, Victoria Desidero, Ellen Mytych, Sue Enos, Frank Cassidy, Fred Witte, Sharon Scott, Jim Andes, Joan Myers. Absent: Mary Rubini, Rob Norcross.

**ACCEPTANCE OF MINUTES:**

Victoria Desidero made a motion to accept the minutes of the November 19, 2008 meeting. Joan Myers seconded. All in favor. Minutes approved as presented.

**COMMENTS & CONCERNS OF STOCKHOLDERS:**

1. Margaret Flannery reported the Lend a Hand committee needs more volunteers to sign up. In addition, Ryan Bierce, Claire Bierce's son was in a bad car accident. At this time, the family has requested that get-well cards be sent to the Bierce home for them to bring to Ryan.
2. Margaret also reported that the Southeast Town Council is trying to organize an oil plan for price reductions for residents. Margaret will inform when this plan is in action.
3. Margaret spoke about the Rule regarding the signs at Vail's Grove. She read a statement that informs the Board about her feelings regarding the Board asking that all For Sale and For Rent signs to be removed. Margaret feels that this is discriminatory and that in these difficult economic times, we need to allow all shareholders to display their signs For Sale and For Rent.
4. Mr. Sckolnick of 26 Locust Road, complained about receiving a letter asking him to take down his For Sale signs. He had a petition signed by neighbors in the Grove and stated that it is unfair to be asked to take his sign down.
5. Mrs. Sckolnick of 26 Locust Road feels that there is a personal vendetta issue about making people take their signs down. She said her property is pristine and that she has spent a lot of money and time to make her home look good. She does not think it is fair and does not deserve this.
6. Mr. Gregory of 18 Vail's Lake Shore Drive requested that Board members use the microphones when speaking. Ronnie Waltzer said that the microphones would be used. Mr. Gregory also stated that he has never seen the Grove looking better and Jack Waltzer and his team should be commended for this. He would like his comments in the minutes. He would like to wish everyone a Happy Holiday.

7. Kay Petroff stated that she has lived in Vail's Grove for 20 years and feels that if you are not on the Board, there is discrimination against you. She stated that Mr. Andes had a For Sale sign up for over a year and just recently removed it. Ms. Petroff stated that she feels if you want something done, you need to get on the Board. Ms. Petroff complained that Mr. Andes wants a fence and that the letters she and others have written should be read and taken into consideration. Ms. Petroff stated that everyone on Maple Lane does not want a fence put up on the Andes property. They are afraid of property values going down. Ms. Petroff stated that her son plays basketball and Frisbee and sometimes his belongings go into Mr. Andes yard and that Mr. and Mrs. Andes refuse to give these items back and that they yell at the children. She feels that this fence will cause more friction on the street and will be unsightly. Ronnie stated that there should not be personal attacks at these meetings. Ms. Waltzer stated that from this point on, there would be no input from the audience. This is a Board meeting and all discussions after the portion where shareholders have signed up to speak will be amongst the Board members only.

## **COMMITTEE REPORTS:**

### **REAL ESTATE:**

Chairperson Waltzer moved the Real Estate report to the top of the agenda to address the issues discussed above. Joan Myers, Real Estate Chairman stated the Mr. and Mrs. Andes had submitted an application to install a fence around their property. In previous discussions, the Board told Mr. and Mrs. Andes that they would need to make adjustments to what they originally requested. Mr. and Mrs. Andes changed their request to a picket fence. The Board did receive some letters from neighbors on Maple Lane in opposition to the request for a fence at 6 Maple Lane and Ms. Myers read these letters. They do not want a wire fence. Ms. Myers made a motion to approve the 3 foot white picket fence requested by Mr. and Mrs. Andes. Sharon Scott seconded. The fence will be 3 feet high on all four sides of the property. Board member Ellen Mytych said that the Board did review all the letters from homeowners and addressed those issues. The fence will be meeting all property line clearances. Tom Duffy, Vice-Chairperson, explained that stockholders do not need to explain why they want to install a fence. Jim Andes and Fred Witte abstained. All others voted in favor. Motion approved. Mr. Andes asked how long the approval is good for. The approval is good for a one-year period at which time an extension needs to be requested.

Joan Myers requested that perhaps Ellen Mytych, Ombudsman, could intervene with the neighbors on Maple Lane regarding their personal issues. Ms. Waltzer stated that the Board would take Ms. Myers suggestion under advisement.

### **CHAIRPERSON:**

Chairperson Walter addressed the issue regarding the Rule about the signs at Vail's Grove. We are a private community and do not encourage people to drive through looking for houses. Everyone had read the Rules and Regulations prior to purchasing here. The Board has a Rules and Regulations Committee that will be reviewing all rules. These rules will all be looked at

again in January. In the meantime, there will be a motion to temporarily suspend the rule due to hardships in this economy. There are rules that will make people unhappy when enforced, but need to be enforced anyway. A motion will be made about suspending the rule about signs for a temporary time period. Victoria Desidero made a motion that until such time as the committee meets and re-writes this rule, about signage on properties, we will suspend enforcement of the rule. Sue Enos seconded. This is for the "FOR SALE" signs, not "FOR RENT" signs. Those signs should be kept on the houses, not on the property. Mr. Duffy asked about OPEN HOUSE signs. Ms. Desidero stated that one-day Open House signs are fine to be displayed. All in favor. Motion approved.

### **VICE-CHAIRPERSON:**

Tom Duffy reported that in the Executive session, the following items were discussed: the WWTP survey sent to the Board by Stearns & Wheler, the issue about the signs, Grinder Pump responses, and Real Estate issues.

### **SECRETARY:**

Victoria Desidero reported that beginning in January, Peggy Quinn would be the new editor of the Vail's Voice. Ms. Desidero thanked Claudia McGuinness for doing a great job on the Vail's Voice for the past few years. The office will be closed on the holidays and the day after each holiday. Ronnie Waltzer also thanked Claudia McGuinness for resurrecting the Vail's Voice and being the editor for the past few years.

### **TREASURER:**

Ellen Mytych reported that of the two stockholders from last month, who were two quarters in arrears, one is now paid and the other has been sent to the bank from Legal for collection.

### **COMMUNITY LIAISON:**

Mr. Gregory reported that he would continue to be available to the Towns and will bring information back to the Grove from the Town meetings. Mr. Gregory stated that if you have a particular issue with one of the Towns, perhaps the committee can help you with the answer prior to going to the Town and that the Grove cannot usurp rules of the Towns.

### **MEMBERSHIP:**

Sue Enos made a motion to approve the application from Catherine Morris to purchase 28 Orchard Road. Joan Myers seconded. All in favor. Motion passed.

### **FLIP TAX:**

Frank Cassidy stated that he would like to have a meeting on Tuesday, January 13, as an open meeting to start investigating the possibility of a Flip Tax.

### **BUILDINGS & GROUNDS:**

Jack Waltzer stated that, for the record, in his many years on the Board, and as Chairperson of the Board, that Board members have never used their position for special privileges, in fact they have been very careful about any conflicts of interest. The Pavilion is decorated for the

Holidays. Sticks for the snow plows (markers) have been installed. If anyone needs more, please let Buildings & Grounds know.

Victoria Desidero made a motion to pave the portion of the fire road between 57 and 59 Vail's Lake Shore Drive. Sue Enos seconded. All in favor. Motion passed.

### **PUMPHOUSE:**

Water usage is constant. We did work on one water leak and were unsuccessful in finding a leak at 55 Vail's Lake Shore Drive. The stockholder will have his plumber take a look inside the house, to see if the leak is coming from there.

Tom Duffy questioned how many times we have had to fix a water leak on Terrace. Jack said that it is probably due to the heavy rains. Jack said it was not a water main issue; it is a major run-off problem.

### **SUNSHINE:**

Sue Enos read a thank you note from Mary Becker and a thank you note from Claire Navin. Sue also announced that Jim Kiernan's daughter, Meghan, had a baby boy, Jackson, and that we should all send cards to Ryan Bierce.

### **AESTHETICS:**

No Report

### **BOAT RAMP/NORTH END STORAGE:**

Victoria Desidero reported that the minutes of the Boat Ramp Committee September meeting have gone out to the members. Victoria will put forth the Committees recommendations regarding the number of Boat Ramp keys at the January meeting. A re-cap of this issue will be included in the Board of Directors package issued prior to that meeting and committee members will be notified that this is on the January agenda.

### **BEACH:**

No report

### **WWTP:**

Tom Duffy reported that we have received over 60% of the Grinder Pump maps back from Stockholders. Tom discussed that the project will go out to bid in Spring 2009, with bids awarded in summer of 2009, and construction of the plant beginning in the Fall of 2009, collection system construction beginning in Spring of 2010, and completion of all in Fall of 2011. Then begins connection to the individual homes. Tom had a meeting last night with the representatives from the other communities about tightening up this schedule. He will organize another meeting for the second week of January and will get more updates about this. Mary Rubini will be completing an amendment to the original purchase for the additional land – bringing the total to 2.5 acres needed for the Sewer Treatment Plant, including any covenants

and the additional price. This contract will go to both the Town Boards of Southeast and North Salem and will need to be signed by both Supervisors.

**PUBLIC SAFETY:**

No Report

**RECREATION/SOCIAL:**

Fred Witte reported that the Vail's Grove Christmas Party would be on Saturday, December 20<sup>th</sup>. It will be catered and Santa Claus will be there. As of today, there are 55 adults and 30 children attending but Mary will be allowing for last minute attendees.

There will be a New Year's Eve Party at the Pavilion at 7:30 pm, organized by Ed Keith, Chris Dress and Joan Ford. The fee will be \$20 per person and there will be a band and dinner catered. BYOB.

**PAVILION:**

No report

**LEGAL:**

Mary Rubini is working on Real Estate matters. The Board has approved the hiring of any additional legal representation that Mary Vail thinks she might need as time goes by.

**INSURANCE:**

All renewals are coming into the office. Claire Navin has been reviewing all of the renewals and they are being signed and returned.

**OMBUDSMAN:**

Ellen Mytych would like all complaints that she needs to address, to be in writing. Ellen will call both parties. Every time the Board acts on a complaint, Ellen feels that the complaint should first be in writing. Ronnie said that if an improper use fee is not involved, Ellen should be able to deal with it. Ellen stated that if she were going to deal with an issue, she would like it to be in writing so that she knows it is serious enough for someone to state in writing. All complaints stay anonymous.

Fred Witte made a motion, with Joan Myers seconding and the meeting was adjourned at 9:21 pm.