

VAIL'S GROVE COOPERATIVE, INC.

BOARD OF DIRECTOR'S MEETING

August 2, 2010

CALL TO ORDER:

Chairperson Victoria Desidero called the meeting to order at 8:06 pm and asked all to rise for the Pledge of Allegiance. This meeting took place on August 2, as the meeting scheduled for July 22 was adjourned due to lack of a quorum. Ten-day required notice was given for this meeting.

ATTENDANCE:

Ms. Scott took attendance. Present: Mr. Cassidy, Ms. Desidero, Mr. Duffy, Ms. Enos, Ms. Myers, Ms. Mytych, Ms. Waltzer, Mr. Witte, Ms. Scott. Absent: Mr. Norcross, Ms. Rubini.

ACCEPTANCE OF MINUTES:

Ms. Enos made a motion to accept the minutes of the June 16, 2010 meeting. Mr. Cassidy seconded. Ms. Mytych and Mr. Duffy abstained. All others in favor. Motion approved.

COMMENTS & CONCERNS OF SHAREHOLDERS:

Chris Dress addressed the Board. Mr. Dress is still concerned about the water on his property. He feels this is wastewater, since a water sample that he brought to the office was identified as wastewater. He is also concerned that the shed owned by 105 Vail's Lake Shore Drive is on his leased land. Ms. Desidero turned the shed issue over to Ms. Waltzer. Ms. Waltzer stated that surveys are being sent out in groups and that his survey will be sent out shortly. The survey will show exactly where the shed is located. Mr. Dress stated that he has his own survey, done by the same surveyors the Grove is using and that they should show the same thing that the shed is on his property. He stated that he was told months ago that he would have his answer in about two weeks. Mr. Duffy stated that we will continue with the process established by the committee and Mr. Dress stated that he is willing to accept the process as it is. Mr. Duffy told him that if he is not in agreement of the survey, he needs to put it in writing to the office.

Ms. Desidero then returned to the first question, which was about about the water on Mr. Dress' property. Ms. Battreal reported that after many phone calls, we have been informed that soil tests would not tell us where the water is coming from. She reported that Pat Tyndall of Tyndall Septic said that the way to go is with a dye test, one house at a time, and will call to schedule an appointment. Ms. Battreal will follow up with Mr.

Tyndall. Ms. Battreall said we would go the way of the Dye Test, starting with Mr. Dress' house. If the Stockholders of 105 do not let us do a dye test, we can call the Department of Health, which we are trying to avoid. It will be explained to the other Shareholder that we are trying to come to a resolution on this issue. Ms. Scott stated that we are committed to coming to a resolution. Ms. Desidero stated that there would be resolution to this issue. Mr. Dress asked Ms. Battreall to give Mr. Tyndall his cell phone number.

James Collins addressed the Board and thanks the committee and stockholders, especially Jack Waltzer and Bob Gregory, for coming to the July 4th parade. He will do it again next year.

Mrs. Sheridan asked if the Grove was planning to do another Tag Sale this year. Ms. Battreall will pass along the request to Ms. Rubini.

COMMITTEE REPORTS

CHAIRPERSON:

No report

VICE-CHAIRPERSON:

Ms. Waltzer reported in the Executive Session, some Executive Votes that were confirmed due to the missed meeting last week:

- Need approval for rental of Pavilion for Saturday, July 31 by Patricia Leo from 4 - 10 pm - VOTE: 5-0
- Diana Stevens re-finance needs to be approved - actually she does not have a mortgage and is taking one out - it does not exceed 80% - Sue Enos is recommending approval pursuant to receiving the appraisal - VOTE: 5-0
- Mark at Landscape Unlimited would like to start working on Saturdays on Lake Shore Drive - there was a memo regarding this request in your Board packet - VOTE: 5 - 0
- Proposal to revise the Myers/Bauer surveyed property lines and revision of proprietary leases per attached documentation submitted by Tom Duffy and Ronnie Waltzer of the Survey Committee - VOTE: Victoria, yes; Ronnie, yes; Ellen, yes; Sharon, yes; Tom, abstained

The Board also reviewed information about the last Executive Vote issue regarding new information about a stockholders' survey issue.

VICE-PRESIDENT:

Mr. Duffy reported that in the Executive Session, three stockholders in arrears were discussed and they will be referred to Legal for collections. The Survey Review process was discussed.

WWTP:

Mr. Duffy stated that he had spoken to Warren Lucas regarding the Water Basin issue and that Mr. Lucas assured Mr. Duffy that he would get to the bottom of this issue. He will be asking James Hahn to write an engineering report in the next few weeks to try to see if Stearns & Wheler overstepped their bounds. If this is indeed so, Vail's Grove will be compensated. Ms. Desidero stated that Tom Fenton, Engineer from the Planning Board in the Town of Southeast, is planning to write a report. He is also trying to figure out how this happened. Mr. Duffy makes a recommendation that Ms. Rubini writes a letter if we do not get this resolved shortly. Ms. Desidero stated that she would ask Ms. Rubini in the next few weeks to write this letter. Ms. Scott asked if Arben is on time, if we have a time line and where we are on that time line. She is concerned if we are on schedule. She also understands that Sarah Cwikla is not returning calls from many people. Ms. Scott wants to know if anyone is talking to the District, is the Coalition still involved and what kind of information are the shareholders receiving? Mr. Duffy said he does not know that information. Ms. Desidero also stated that she has tried to contact Sarah Cwikla on numerous issues and she is not getting any response. Ms. Desidero stated that the engineer from the Town of Southeast stated that this is the kind of information that Stearns & Wheler should be aware of and that Arben would most likely not give that information to the Grove Board. Mr. Fenton is also looking into possibly another place for this Catch Basin to be moved to.

SURVEY:

Bergendorff-Collins is finishing up with Terrace, Locust, and Orchard; then will work on the properties along Route 121. Bergendorff-Collins presently has all the information from our files. They will then need to work on Hickory and some of the even number houses on Vail's Lake Shore. The office has sent out letters and surveys to 1-33 Vail's Lake Shore Drive and 2-28 Vail's Lake Shore Drive. The office has been instructed to now send out letters and surveys from 35 – 81 Vail's Lake Shore Drive. Ms. Mytych stated that she would be trying to recruit more committee members for the Review Committee. Mr. Duffy reported that Ronnie Waltzer is doing a great job on this project as well as Cindy Battreall. Mr. Duffy hopes that we can have from 83 Vail's Lake Shore Drive to the end of Vail's Lake Shore Drive by the end of August.

TREASURER:

Ms. Mytych made a motion to send three Stockholders to legal for collection proceedings since they are two quarters in arrears. Ms. Enos seconded. All in favor. Motion passed.

OMBUDSMAN:

Ms. Mytych reported that we had a complaint regarding a dog barking a lot. Ms. Mytych stated that the owner named by the complainant stated that it is not their dog. Ms. Mytych then asked the complainant to confirm which dog it is and she has not heard back from them yet.

SECRETARY:

Ms. Scott stated that the office is getting ready for the Annual Meeting and asked for everyone to get his or her reports to the office for the Annual report. Ms. Battreall stated that interested parties could still hand in petitions if they want to run for a spot on the Board.

LONG RANGE PLANNING:

Ms. Scott reported that Landscape Unlimited has been chosen as the contractor for the replacement of the water main from Ramp 2 to the Pavilion. There appears to be more pipes past Ramp 2 that need to be replaced and Landscape Unlimited will be looking to see the extent of this. Landscape Unlimited would like to begin working on the water main replacement on Saturdays. It was stipulated that if they do, they couldn't start prior to 8 am, we will advise them of any scheduled events at the Pavilion and they will not leave any roads closed over to Monday.

Ms. Scott also reported that we hired Putnam Engineering to do the engineering work for the replacement of the two water tanks at the Pump House. We will then go through the same Bid process for those Tank replacements. Ms. Scott announced that Landscape Unlimited was hired for the water main replacement for \$182,500 and Putnam Engineering was hired for \$14,600 to do the engineering for the water tanks. These items were voted on by Executive vote as discussed at the July Board of Directors meeting.

Ms. Scott stated that a survey would be going out to the Stockholders about "nice to have" projects stockholders could suggest for the Grove. Ms. Battreall reported that Dr. Anne Brandon's Yoga class for the summer has been taking donations from those attending and that almost \$1,000 has been raised which is being earmarked for a handicapped ramp at one of the docks

TREES:

Ms. Waltzer reported that certified arborist, Sav-a-Tree, looked at all common areas of the Grove for trees that need to be trimmed or removed and RFP's have been sent out for

this work. Two bids were received back and Tompkins Lawn & Landscape was chosen for this project at the price of \$8800 with \$800 a day for stump grinding, if we choose to do so. Tompkins came in a little higher than the other bid but Tompkins has been very generous to the Grove through the year with donations of topsoil and helping tremendously at the Beach, etc. Ms. Waltzer made a motion to hire Tompkins to do this tree work. Ms. Myers seconded. All in favor. Motion approved.

This will be a Capital Expenditure. A letter will be sent to Tompkins awarding him the job and a letter will go to Sav-a-Tree informing him that they did not get the job. Ms. Desidero suggests that perhaps in the future, we try a different arborist to investigate some of our tree issues. Also, from the follow-up list, Ms. Scott reported that a letter still needs to go to Stockholders who have had questions about tree issues. Ms. Waltzer confirmed that a letter has gone to the concerned stockholder from Pietsch Gardens who had a concern about one of the Grove trees.

MEMBERSHIP:

Ms. Enos made a motion to approve the application for membership from Maureen McHale for the purchase of 61 Vail's Lake Shore Drive. Ms. Myers seconded. All in favor. Motion approved.

Ms. Enos made a motion to approve the rental application from Daniel Collins to rent 10 White Oak Lane for one-year, pursuant to successful septic inspection. Ms. Waltzer seconded. All in favor. Motion approved.

SUNSHINE:

Ms. Enos reported the following: We are saddened to report the passing of Mary Mulkern in Maine. Maria Goff, Teddy Farrell, and Jim Sheridan all underwent procedures recently and we hope they are all feeling better. We want to welcome a new son born to Lisa Varnberg and Angel Sierra.

BUILDINGS & GROUNDS:

Mr. Waltzer reported that Jay Moore has caught up on removing brush items from the road after his vacation. Temporary mailboxes have been constructed on Ramp One while construction work is going on with the new Sewer Plant.

PUMPHOUSE:

Mr. Waltzer reported heavy water usage last week from the work on the Temporary Water lines and flushing on the lines and some leaking of couplings.

REAL ESATE:

Ms. Myers made a motion to approve the application for alteration from Henry Myers at 71 Vail's Lake Shore Drive pursuant to receiving the \$350 application fee. Ms. Enos seconded. All in favor. Motion approved.

COMMUNITY LIASION:

No Report

RECREATION/SOCIAL:

Mr. Witte reported that the July 4th Parade was very well attended and that the Beach events have been very successful.

LEGAL:

No Report

AESTHETICS:

Ms. Desidero reported that dirt was delivered at Norton Circle and now planting can begin. Ms. Enos made a motion to name this area "Tompkins Garden at Norton Circle" as Kevin Tompkins donated all of the top soil and other goods and services here at the Grove at no charge. Ms. Scott seconded. All in favor. Motion approved.

BEACH:

All events at the Beach are very well attended and all gave compliments to Rob Norcross. Ms. Waltzer asked about the possibility of installing motion detector lights at the Beach. This will be added to follow-up list.

PUBLIC SAFETY:

Mr. Matachierri sent a report stating that everything at the Grove has been quiet on the weekend evenings.

LEND A HAND:

Ms. Heuschkel is reaching out to see if anyone needs any help.

WELCOME:

No report.

BOAT RAMP/NORTH END:

Mr. Myers reported that the ramp has been left open and he will try to see why this is happening. He will see about getting rid of things at the North End that have been stored there for some time before we have winter storage again. We will also need to remind Arben in the fall about not blocking the area where people need to move their boats/trailers into storage.

INSURANCE:

Ms. Battreall reported that she is in the process of changing the Health Insurance coverage for her and her family to save both the Grove money and herself.

PAVILION:

Ms. Enos made a motion to approve an application from Mr. and Mrs. Keiley to rent the Pavilion on August 15, 2010. Ms. Myers seconded. All in favor. Motion approved.

Ms. Myers made a motion to approve application for rental of Pavilion by Mr. and Mrs. Devitt for September 18, 2010. Ms. Enos seconded. All in favor. Motion approved.

NEW BUSINESS:

Mr. Waltzer made a motion to hire Guardian Alarm Systems to install and update the Fire Alarm System in the Pavilion as required by the Town of North Salem. Guardian was the low bid at \$2,595.00. Ms. Myers seconded. All in favor. Motion approved. This will most likely be a Capital Expense.

Mr. Witte asked about the possibility of a new or extended dock at 43/45 Vail's Lake Shore Fire Road/ Public Dock. Mr. Witte said there is only a part of a dock there at this time. Mr. Waltzer said he would look into it. Ms. Scott said that she has seen a sign at our bulletin board for a rolling dock for sale and perhaps we could purchase it for a dock at 43/45 Vail's Lake Shore Drive.

Ms. Scott made motion to adjourn. Mr. Witte seconded. Meeting adjourned.

Meeting adjourned at 10:10 PM.