

VAIL'S GROVE COOPERATIVE, INC.

BOARD OF DIRECTOR'S MEETING

December 16, 2010

CALL TO ORDER:

Chairperson Victoria Desidero called the meeting to order at 8:11 pm and asked all to rise for the Pledge of Allegiance. Ms. Desidero presented Kevin Tompkins with a gift card as a Holiday Thank You for all the work he has donated to Vail's Grove over the past year, as the Board appreciates everything he has done for the Grove.

ATTENDANCE:

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

ACCEPTANCE OF MINUTES:

Mr. McGuinness made a motion to accept the minutes of the November 2010 Board meeting, pursuant to some minor editing changes. Ms. Waltzer seconded. All in favor. Motion passed.

COMMENTS & CONCERNS OF STOCKHOLDERS:

Mr. Chris Dress thanked Ms. Enos, Ms. Mytych and Mr. Davies for meeting with him regarding his survey issue with the shed. Mr. Dress doesn't necessarily agree with the new survey but, it is too close to call so, he will accept the results. He knows there is no permit for the shed and knows that it will need to come down.

COMMUNICATIONS AND CONCERNS NOT INCLUDED IN REPORTS BELOW:

Ms. Desidero discussed the situation between the Dress house and the Costello house regarding the dye tests. Ms. Desidero read the letter from Tyndall which stated that there is no problem evident from the dye tests.

Ms. Desidero reported that the water could be coming from another source and coming up through the septic, but it is not coming due to a septic problem. The water might be coming up through the ground from a spring. Mr. Dress stated that when the dye test was done at 105, you could see the water flowing from that septic right through the rocks and there was flooding between the houses and the smell was worse after the test. Ms. Desidero stated that this does not mean it is coming from 105 septic. Mr. Ryan said it

might be coming from a spring rising up from septic. Mr. Costello stated that 105 leeching fields are leaking onto his property. Ms. Desidero said if it were an underground spring, you would not see the water flowing down a hill. Mr. Dress wants to put a pipe into his curtain drain leading the water into the lake. Mr. Duffy said that he should put in a curtain drain with stone by the water and that Mr. Dress does not need Board approval for this. Ms. Desidero suggested that if anyone has any ideas about what Mr. Dress could do, they should discuss them with him. A letter will go to both Mr. Dress and Mr. Costello, along with a copy of the letter from Tyndall. Mr. Costello will also be reminded that he needs to pay his fines. It was also stated that his septic will need to be tested again and the fines will need to be paid as well, in order for the rental renewal to be approved.

Ms. Desidero then read a letter from Melissa Sarno regarding her concern about the speed that people are driving on Orchard Road and Polye. She is asking for additional speed bumps to be installed when the bumps are reinstalled in the spring. This issue will be placed on the follow-up list for Buildings and Grounds to address in the spring when speed bumps are re-installed.

COMMITTEE REPORTS

CHAIRPERSON:

Ms. Desidero thanked everyone for a terrific 2010 and looks forward to working with all again in 2011.

VICE-CHAIRPERSON:

No Report

VICE-PRESIDENT:

Mr. Duffy thanked Jay Moore and Cindy Battreall for all the additional work regarding the Waste Water Treatment Plant construction and Cindy Battreall for her help with the Survey project. In the Executive session, the Board discussed bonuses, budget for 2011 and questions regarding Butler Excavating invoices.

TREASURER:

Ms. Mytych made a motion to approve the 2011 budget with a 2% increase. Mr. Witte seconded. All in favor. Motion approved. Ms. Desidero thanked Ms. Mytych for the great job on the entire budget process.

SECRETARY:

Ms. Enos reported that there would be some corrections in the 2011 directory, as the printer made some mistakes. These corrections will go out with the January quarterly

report. Ms. Desidero suggested that we have the printer re-print the entire directory. Ms. Desidero also suggested that perhaps they re-print the pages. Ms. Battreall and Ms. Enos will discuss and make the decision. Ms. Enos reminded all Board members that they received a list of the 2011 Board meetings in their packets. Ms. Enos reported that the office is closed on Dec. 24 and Dec. 31, and that Ms Battreall will only be working half days for Dec. 27, 28, 29 and 30.

Ms. Desidero requested some changes on the follow-up list. Jack Waltzer has resigned as Chairperson of Buildings and Grounds and now the follow-up list needs to have Jay Moore's name on it. Ms. Rubini needs to try to get some answers regarding the retention basin issue. Ms. Desidero is not getting any answers from the Supervisors. Ms. Desidero stated that the DEP said it can be moved and Mr. Duffy suggested that Ms. Rubini write a letter asking them to move it. Ms. Desidero suggests sending them a bill for rental of the land or tell them they need to buy it. Mr. Duffy suggests that our surveyor come in to see how large the area is and come up with a price for them to purchase. The two towns are trying to get Stearns & Wheler to pay to move the area or pay to purchase it. Mr. Duffy wants to give them a price and that the surveyors could probably figure this out for about \$500. Mr. Duffy said that if our attorney sends them a letter, they need to respond to it. Ms. Desidero will check with Ms. Rubini on this. Mr. Duffy reported that the 8-foot piece near the boat storage area needs to be removed at the expense of Stearns & Wheler. This is still an issue that needs to be worked out and Ms. Desidero asked to get something in writing.

Ms. Battreall reported that Mr. and Mrs. Goodman still have not covered the unregistered vehicle or removed the vehicle. Another invoice from December 2nd will be sent to the Goodmans.

Items 4 and items 2 will also be removed from follow up list.

SUNSHINE:

Ms. Enos reported that Phyllis Allen and Ellen Ward have had medical procedures done recently and she will send something. Ms. Enos read a thank you note from Pat McShea and also a note from the Cassidys.

REAL ESTATE:

No report

MEMBERSHIP:

Mr. Ryan made a motion to approve the rental application for 8 Terrace. Ms. Waltzer seconded. All in favor. Motion approved.

Mr. Ryan made a motion to approve the re-finance application from Adeline Natiello; pursuant to receiving the appraisal showing the amount to be totally financed will not be more than 80%. Ms. Waltzer seconded. All in favor. Motion approved.

BOAT RAMP/STORAGE:

Mr. Ryan is still investigating possible lock issues for the Boat Ramp and the North End storage area.

LONG RANGE PLANNING:

Ms. Desidero reported that the Long Range Planning Committee has created a survey to go out to the Stockholders regarding wish lists. Ms. Enos asked how much we have from Dr. Brandon's Yoga classes and that amount is approximately \$1000. A big "thank you" to Dr. Brandon. This money will be used towards a handicap boat ramp. Ms. Desidero discussed the cabana at the beach and the fact that we could not have water for a shower in the cabana, so perhaps this should come off the survey. Ms. Battreall will ask Ms. Scott to re-do the survey without the cabana on it as a choice. Mr. McGuinness asked if Lake Remediation should be on this survey. Ms. Desidero said that she understands that Lake Remediation is something we will be seeking funds for, as this would be for the entire lake and not just Vail's Grove.

OMBUDSMAN:

No Report

LEGAL:

Ms. Battreall reported on a letter received by both herself and Ms. Rubini from the attorney assigned to the slip/fall case against Vail's Grove/Ken Sullivan requesting someone to appear for a deposition on January 11, 2011. Ms. Rubini will be attending that deposition.

RECREATION:

The Vail's Grove Christmas Party will be held on Saturday, December 18th at 4 pm in the Pavilion. The cookie exchange was cancelled due to lack of interest.

SOCIAL:

No report

SURVEY:

Ms. Waltzer reported that all the letters responding to survey concerns have been completed and sent out to Stockholders. Ms. Waltzer thanked the Survey Review

Committee for taking care of any problematic areas. Ms. Battreall reported that we have gotten back almost half of the letters from stockholders confirming receipt of their surveys. Ms. Waltzer stated that the Board will need to vote on the ratification issue and that it will need to go to the shareholders to be finalized. Ms. Desidero asked why it has to be a special meeting and why it cannot be done at the annual meeting? Ms. Enos asked if we would be sending letters out to those who have not responded? Mr. Duffy stated that we would probably not be doing that. He also said that we would let people know that there will be a final date when all the surveys will be stamped as the definitive survey to be used in future. Ms. Desidero would like a separate meeting for the Board to discuss this survey issue, as there will be a lot of questions.

TREES:

No report

AESTHETICS:

No report

WWTP:

Mr. Duffy reported that the roads are done and they look great. If we have any additional issues, they will be taken care of in the spring.

PUMPHOUSE:

Mr. Moore reported that a heater went down in the pump house and that has been repaired.

BUILDINGS & GROUNDS:

Mr. Moore reported that the temporary mailboxes have been taken down. The sign at Ramp 5 is damaged and the post needs to be replaced when the weather is warmer. We had a safety audit for our truck, per DOT requirements, and we passed all regulations. The Fire Inspector from the Town of North Salem came in and our new Fire Alarm System has passed and will be inspected every year.

Mr. Moore discussed the water leak issue at 91 Vail's Lake Shore Drive. The water is presently not testing for chlorine. The water is filtrating through the ground. Landscape Unlimited has put 2 holes in the road to alleviate the pressure and to let the water seep through. Mr. Moore thinks it is ground water. We will probably need to dig the road and put a trench in or put some gravel and/or rock. The water is probably coming off the stonewall and going under the road and coming up. Mr. Moore thinks this was a ground water issue and now that the road is new, the water is having an easier time coming through. Ms. Desidero reported that Jack Waltzer is no longer Chair of Buildings and

Grounds and she thanks him from the bottom of her heart and on behalf of every body for the many years of his Chairmanship and his commitments to making the Grove so wonderful. She appreciates all the hard work and efforts and thanks Jack for being very helpful in looking for a replacement.

SURVEY REVIEW:

Ms. Mytych reported and thanked Ms. Enos and Mr. Davies (Real Estate) for meeting with Chris Dress regarding his survey concerns. Mr. Dress is satisfied with the decision regarding his survey. This issue will now be removed from the follow up list and Ms. Mytych will send a letter for the files and a letter to Mr. Dress regarding the closure of this issue.

COMMUNITY LIAISON:

No report

BEACH:

Mr. Cassidy reported that the Beach Committee thanks Mr. Gregory but we will not be accepting the donation of his shed for the beach.

PUBLIC SAFETY;

No Report

LEND-A-HAND:

No Report

WELCOME:

No Report

INSURANCE:

Mr. McGuinness reported that Ms. Battreall spoke to Pat Clair, our insurance broker. Ms. Battreall stated that Mr. Clair would be sending us an e-mail reporting any changes on prices for 2011.

PAVILION:

Mr. Witte reported that one of the furnaces in the large room needs to be replaced. We are presently trying to get bids but contractors do not get back to us. We have received one price from Bell Heating, who does the maintenance on our units. Mr. Witte said that if we do no get prices from other contractors by next week, we should have Bell replace

the unit. Mr. Moore called other contractors regarding additional bids. One has come to look and not gotten back to us and another contractor has not even come to look. Ms. Desidero stated that if we knew that we had a large amount of money we had to spend on the Pavilion, we would have put this into the Pavilion budget. Presently, a lot of these items come out of Buildings and Grounds. The Fire Alarm system will come out of Capital Expenditures. This issue will be discussed in January. Now that the Fire Alarm System has passed inspection, Mr. Witte stated we now have an Operating Permit from the Town of North Salem.

Mr. Witte stated that the Pavilion doors still have a problem. He said that the doors are not tight enough and they do not lock the way that they should. Ms. Battreall reported that the locksmith will be coming back to fix the hardware. Mr. Witte said that Vail's Grove purchased the doors, a contractor installed them and a different contractor installed the locks.

Mr. Witte reported that there would be a Blood Drive in the Pavilion on January 28th, organized by Jacob Battreall.

Meeting adjourned at 9:30 pm.