

**VAIL'S GROVE COOPERATIVE, INC.**

**BOARD OF DIRECTOR'S MEETING**

**June 16, 2010**

**CALL TO ORDER:**

Chairperson Victoria Desidero called the meeting to order at 8:01 pm and asked all to rise for the Pledge of Allegiance.

**ATTENDANCE:**

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

**ACCEPTANCE OF MINUTES:**

Ms. Witte made a motion to accept the minutes of the May 19, 2010 meeting. Ms. Myers seconded. Ms. Enos referred to page 5, under TREES, in the second paragraph; the word should say, "look". Vote was taken. Ms. Enos abstains. All others in favor. Motion passed.

**COMMENTS & CONCERNS OF SHAREHOLDERS:**

1. James Collins reported that he participated in a Williams Syndrome Association walk-a-thon and raised over \$800. Mr. Collins also reported that he would be the Grand Marshall in the July 4<sup>th</sup> parade here at the Grove.

**COMMUNICATIONS NOT INCLUDED IN REPORTS BELOW:**

None

**COMMITTEE REPORTS**

**CHAIRPERSON:**

Ms. Desidero gave an update on a follow-up list item. She had said that she would follow up to try to have the temporary construction road turned into a permanent road after construction of the WWTP is completed. Ms. Desidero has been in touch with Mr. Guldan, a resident her at the Grove, who knows a lot of people involved in local government and is trying to help with this process. Ms. Desidero also reported that she is now working for the Town of Southeast and she is trying to make contact with people who might know if this is an option. Ms. Desidero stated that this is a sight distance

problem and the Highway Dept. says this would not be viable. Ms. Desidero will start to do some research on this to try to convince the Highway Department that we would like the road to remain.

**VICE-CHAIRPERSON:**

No Report

**VICE-PRESIDENT:**

Ms. Waltzer reported that no financial issues were discussed in the Executive Session.

**SURVEY:**

Ms. Waltzer reported for the Survey Committee. Bergendorff-Collins outdoor survey team continues their work around the Grove. Orchard Road is complete as well as part of Terrace Road. The Survey Committee held a meeting and developed a process for Stockholders to review their surveys and to formulate questions about them. Ms. Waltzer read the process into the minutes:

Each stockholder will receive in the mail a copy of survey with a cover letter. The cover letter simply states that this confirms the stockholder received the survey. There will be a signature line for the stockholder and a return envelope to the office. The signature does not validate the survey; it doesn't mean the stockholder agrees with the survey. It just means they got it.

The letter will also explain how the stockholder can express concerns or questions about their survey. The stockholder must submit their concern or questions in writing to the office. Cindy will pass along to the Survey Committee.

The Survey Committee will review the concerns and questions and respond directly to the Stockholder with their findings.

If the stockholder is still not satisfied, they may submit their concerns and questions to the Survey Review Committee.

The Survey Review Committee will be chaired by Ellen Mytych, and Frank Cassidy, Joan Myers, Sue Enos are joining and Ellen plans to reach out to John Lee and ask him if he will join as well.

The Survey Review Committee reviews all findings of the Survey Committee and all findings of the Stockholder. It then presents the Board with its findings and makes a recommendation to the Board. The recommendation would be that the Board leaves the survey in question as is.

Ms. Myers had thought that Stockholders would be able to formally grieve surveys. This grievance committee would consist of people not on the Real Estate committee, not on the Survey Committee and that there would be different eyes looking at it. Ms. Waltzer said that once the Board makes a decision, that it would be final. If a stockholder wants, they could hire a lawyer. Ms. Myers said they could go through the normal grievance process, and not an attorney. Ms. Scott stated that in the meeting it was discussed that we have a grievance process in the Grove for anything and everything. Ms. Battreall stated that the Grievance Committee is for stockholders to fight against an improper use fee that has been imposed on them. The Rules and Regulations were checked and that indeed is what the Grievance process is for. Ms. Rubini agrees with this interpretation. Ms. Myers thought if there were an independent committee, it would be viewed differently. Ms. Rubini asked that in reference to “the committee will review and the stockholder will be notified”, she would like this both verbally and then followed up in writing. Ms. Rubini also asked about the review committee. Ms. Waltzer stated that it would not be people on the survey committee. Ms. Waltzer stated that there would be a book in the office with all of the information gathered for each property. After the survey committee meets with shareholder, the committee will report to Board. The first committee is the Survey Committee. The 2<sup>nd</sup> review committee is a few people, Ellen Mytych will chair, and will have people from survey committee who were not part of the first part of the process (information gathering and talking to surveyors). And if that committee cannot solve the problem, the Board will discuss and then make a decision. If the shareholder is still not happy, then the shareholder can take it to court.

Ms. Desidero stated that she thinks the process is great, and she commends the survey committee, especially Ms. Mytych and Mr. Duffy for preparing this. Ms. Waltzer stated that when the first 30 are ready, they will get a letter and a copy of the survey and they can come in and look at the map of the Grove, and if they have questions, they must put this in writing to submit to the Survey Review Committee. Ms. Scott would like to know when these letters would be going out and Ms. Waltzer stated this would happen within the next couple of weeks.

#### **WWTP:**

Ms. Desidero reported that there is portion of our property up at the WWTP that now has a retention basin on it that was not part of the land we sold to the district. This was realized because B&G does not have a place to put our biodegradable items. There was a meeting of the Coalition to discuss this issue, including the Town Attorneys, Supervisors, and Sarah Cwikla. Many items were discussed, the first one being about the property being used and Mr. Duffy made it clear to the Towns that we do not want to sell this property and that we need to be compensated. We received a 4-page letter from Stearns & Wheler as to why it is there, with no mention of compensation. Mr. Duffy wanted this on the record for the meeting.

Ms. Desidero thanked the office and Secretary of the Board about getting out information to residents about what is going on when, regarding this process. Ms. Enos gave

Landscape Unlimited a wonderful compliment regarding their work, their cleaning up and their attitude towards the residents. Ms. Desidero agrees with this.

Ms. Desidero reported that we have received a request from Landscape Unlimited for an extension of use of their staging area until October 5, 2010. Ms. Waltzer made a motion to approve this request until October 5th. Ms. Myers seconded. All in favor. Motion passed.

**TREASURER:**

No Report

**OMBUDSMAN:**

Ms. Battreall reported that Ms. Mytych would be taking care of a letter regarding a barking dog, in response to a complaint we received. Ms. Desidero reported about a complaint regarding a car parked at mailboxes at Bass Lane. It is not in use and it has a broken window. The Rules state that you can have a car parked if it is registered. Mr. Lee, the owner of the vehicle, stated that he will place a cover on the car, and they will get the window fixed. It has now come to our attention that the cars registration and the plate are from two different states. Ms. Desidero feels this issue will be taken care of soon.

Ms. Desidero also reported that the Goodmans, who received a letter regarding their un-registered car, stated that they would either be moving the car or putting a cover on it.

**SECRETARY:**

Ms. Scott made a motion to set the date for the Annual Meeting as Sunday, September 12<sup>th</sup> at 11 am in the Pavilion. Ms. Myers seconds. All in favor. Motion passed.

Ms. Scott made a motion to change the next two Board of Directors meeting to July 22, rather than July 21, and August 19<sup>th</sup>, rather than August 18<sup>th</sup>. Ms. Myers seconded. All in favor. Motion passed.

Ms. Scott read the follow-up list open items into the minutes:

1. Address concern about water potability concerning retention pond so close to our well – Victoria Desidero
2. Continue to lobby for Maple Lane that the construction road will be permanent at end of WWTP project – Victoria Desidero
3. Process to be documented for 82 Vail's Lakeshore Drive water problem – Jack Waltzer

4. Resolution to the smell along Vail's Lakeshore Drive near #91 and the sewage that is coming out from the hill – Jack Waltzer
5. Request from Postmaster to relocation mail boxes during construction – Jack Waltzer
6. Address septic problem and smell at the Bass Lane (Tolve house) area by performing a dye test. – Jack Waltzer
7. Final resolution to Dress water problems – Jack Waltzer
8. Resolve the tax/acreage issue whereby Vail's Grove is being charged for the total acreage of the Grove by Southeast rather than just the Southeast portion – Office
9. Confirm adoption of resolution by the Town of Southeast regarding amount of letters residents need to send to their neighbors when they are planning to make alterations to their home – Office
10. Need recommendation regarding the maintenance and repair of septic systems in this period until WWTP is operational – Tom Duffy
11. Notification to those stockholders whose land surveys are completed for review of the results – Tom Duffy
12. Three stockholders notified by phone that their trees in question are on their land. A follow up letter is to be sent – Ronnie Waltzer
13. Address concern from Pietches to take care of a tree hanging over on a Pietches resident property – Ronnie Waltzer
14. Determine if Costello shed is on his property or on the Dress property. Letter sent to Mr. Dress saying this will be addressed when his survey is complete – Joan Myers

#### **LONG RANGE PLANNING:**

Ms. Scott read the following into the minutes:

We received the bid packages from Putnam Engineering late Thursday afternoon. We have a list of 3 contractors suggested by Putnam Engineering and 5 contractors who we believe would be interested in bidding. E-mails were sent yesterday to 4 contractors and e-mails were sent to Cindy late yesterday to fax the remaining three, first thing Monday morning since we do not have an e-mail for them. The last one, Bonavenia Construction, I am awaiting a call back for contact info.

Following is the names of all 8 contractors who were/will be contacted for the bid process.

Brennan Construction Company

Cassidy Excavating Inc

Coyle Construction Corporation

Southeast Plumbing & Mechanical

Butler

Kevin Tompkins

Landscape Unlimited

Bonavenia Construction

Below is a copy of text of the letter/e-mail that has been/will be sent to each contractor with all the details of the bidding process:

*Vail's Grove Cooperative, Inc. in Brewster, NY is in the process of replacing a section of water mains in our community. We have engaged the firm of Putnam Engineering to assist in this project and currently have bid packages ready for potential contractors. Your company has been provided to us a contractor who may wish to bid on this project.*

*Our bidding process requires a \$50 fee to Vail's Grove Cooperative, Inc. to obtain the bid package. Bid packages are available to be picked up at the Vail's Grove Office beginning Monday, June 14 and all bids must be returned to Vail's Grove Office no later than close of business Thursday, June 24, 2010.*

*Our office is located at:*

*Vail's Grove Cooperative*

*5 Vail Blvd*

*Brewster, NY 10509*

*914-669-5100*

*There will be a public bid opening on June 25th at 1:00 pm at the Vail's Grove Office.*

*Please do not hesitate to contact me at the above e-mail address or at 845-669-9499. We look forward to your bid submission.*

*Sincerely,*

*Sharon Scott*

*Long Range Planning*

*Vail's Grove Cooperative, Inc.*

Ms. Scott made a motion that on receipt of bids, Long Range Planning will discuss with Buildings and Grounds, and then recommend to Executive Committee for vote to be taken. Ms. Enos seconded. All in favor. Motion approved.

Ms. Scott then reported on the Water Tank Replacement project. We have received bids from Insite Engineering and Putnam Engineering for the specification work on this project. Ms. Scott made a motion to go over the bids with Building & Grounds and Michael Davies and then present recommendations to the Executive Board for a vote. Ms. Myers seconded. All in favor. Motion passed.

Ms. Scott reported that Long Range Planning met and discussed segregating the list of items into areas of: need, nice to have, etc. Ms. Scott suggested possibly sending out a survey too Stockholders as to what they would like to see happen here at the Grove.

#### **MEMBERSHIP:**

Ms. Enos made a motion to approve the application for Membership from Suzanne Cable to purchase 6 Maple Lane. Septic is passed. Interview has been held. Mr. Witte seconded. Ms. Rubini abstained. All in favor. Motion approved.

Ms. Enos made a motion to approve Rental Application from Susan Callahan to rent 17 Vail's Lake Shore Drive from July 1, 2010 until June 30, 2010, pursuant to a successful septic inspection. Ms. Myers seconded. All in favor. Motion passed.

#### **SUNSHINE:**

Ms. Enos reported that Gary Weber's mother passed away and former resident and Starr Ridge resident William O'Connor passed away.

#### **BUILDINGS & GROUNDS:**

Mr. Waltzer is happy that the coconut custard pie is back at the meetings. Thank you to Anne Marie Keiley.

Mr. Waltzer stated that Shaun Walsh, son of Michael Walsh is at Parriss Island for basic training and we should send out good thoughts to him.

Mr. Waltzer reported that over the course of their work, Landscape Unlimited have found some poorly installed pipes, and although they were not leaking, we have had these pipes replaced. Mr. Waltzer also wanted to report that his budget number for 2010 is \$62,000 and that as of now, B&G has already spent \$40,000.

Mr. Waltzer had a conversation with Sarah Cwikla of Stearns & Wheler, about the blacktopping, which was not all encompassing in the original contract. Ms. Cwikla will come up with some ideas, which Mr. Waltzer will then discuss with the Board. Mr. Waltzer stated that the ground at the back of Mr. Dress' house is still spongy and he does not think this is a Board issue any more. He believes that this is a "neighbor" problem for them to deal with. He dye tested these areas, and does not get any dye. He stated that many areas on the Grove have springs and that many areas have spongy areas. Mr. Waltzer also stated that the "odor" problem on Bass Lane h as been remedied and is no longer an issue. Mr. Waltzer does not think the Board has any more responsibility and Ms. Desidero stated that we need to get this in writing in a letter to Mr. Dress. Mr. Waltzer reported that the grate at 36 Vail's Lake Shore Drive would be raised up. The mailboxes for the two areas down at the North End, will be set up on Entrance One Ramp for the time that construction will be proceeding on the WWTP lines.

Mr. Waltzer reported that the only thing left to do at 82 Vail's Lake Shore Drive is to install a berm. Ms. Scott asked Mr. Waltzer to put this process in writing for the files so it can be removed from Follow-up list.

Mr. Waltzer thanked Jay Moore, Shaun Walsh, Christopher Murphy and Landscape Unlimited with all their help with the landscaping.

#### **TREES:**

Ms. Waltzer reported that the arborist from Sav-a-Tree walked around the Grove and sent to us a new list with recommendations. We will send RFP's out to contractors asking for bids. Ms. Waltzer and Ms. Mytych are developing two letters for use with Stockholder tree issues. One letter will be to shareholders who have questions about whose property a tree is on, and also a letter to stockholders whose land has a tree, which needs to be removed.

Ms. Waltzer reported that we received a request from Pietsches about part of a tree hanging over onto Pietsches property. Tompkins Landscaping removed these branches. Ms. Waltzer will send a letter to Pietsches informing them that we have taken care of this issue.

#### **AESTHETICS:**

Ms. Waltzer reported that Aesthetics has been very busy, and she thanked Joan Sheridan and Mary Larkin for helping with the purchasing trip to Outhouse Orchards. She also thanked Joan Myers for taking Ms. Waltzer and Ms. Desidero to Hardscrabble for perennials for the new triangle at Ramp 2. In addition, Ms. Waltzer thanked Sue Enos, Adeline Natiello, Joan Sheridan, Nancy Carney and Victoria Desidero for their morning of plantings at the Pavilion. The Board thanks Ms. Waltzer as well.



Ms. Waltzer reported that she worked with Jay Moore on plantings at the Beach. She also thanked Nancy Carney for Rose of Sharon bushes that are now planted all around the Grove. Ms. Waltzer stated that Jay Moore was very helpful with all of the planting. Norton Circle still needs to be completed. Ms. Desidero thanked everyone for making the Grove look beautiful and thanked Ronnie Waltzer again.

**REAL ESATE:**

Ms. Myers made a motion to approve an application from Mr. Sullivan at 39 Vail's Lake Shore Drive for a wood storage bin pursuant to his application, pursuant to the application fee being received. All in favor. Motion passed.

**COMMUNITY LIAISON:**

No Report

**RECREATION/SOCIAL:**

Mr. Witte reported that Meghan Cassidy, a welcome new member of the committee, has suggested an outdoor movie night by the 6-car garage. It would be a family evening and the committee will plan a date.

The July 4<sup>th</sup> Parade will be held as usual, starting at 11 am at the North End. Refreshments will be served. James Collins will be the Grand Marshall. Mr. Witte suggests the people who live on the parade route should decorate for the 4<sup>th</sup> of July.

**LEGAL and INSURANCE:**

Ms. Rubini reported that we have been served with a Verified Complaint regarding an accident on the land at 39 Vail's Lake Shore Drive. This issue is presently with our Insurance Company and the Insurance Company of the Homeowner.

**BEACH:**

Mr. Norcross reported that the Beach is up and running and thanks the Aesthetics Committee for the beautiful flowers. The Welcome Summer Full Moon BBQ on June 25 needs volunteers. Mr. Norcross would like the Board to think about possible installing a permanent BBQ pit at the Beach area.

Mr. Norcross reported that the lifeguards have been instructed to wear red bathing suits, which would help with identification purposes. Mr. Norcross reported that he oversees the scheduling by the head lifeguard.

**PUBLIC SAFETY:**

We will put a note in the next Vail's Voice to remind residents to call the police if they see any problems around the Grove, especially at the North End, the Boat/Lake areas and the Orchard Road parking lot. Some vandalism has been occurring. We do have security on duty on Friday, Saturday and Sunday evenings.

**LEND A HAND:**

No Report

**WELCOME:**

Ms. Battreall thanked Ellen Ward for the beautiful Welcome Baskets she has been making for our new residents. The baskets are gorgeous and the residents love them.

**BOAT RAMP/NORTH END:**

The lock on the Boat Ramp gate is presently being repaired.

**PAVILION:**

Ms. Myers made a motion to approve rental application from Diana Stevens for July 4<sup>th</sup>. Mr. Witte seconded. All in favor. Motion passed.

Ms. Waltzer made a motion to approve the rental application from Mr. & Mrs. McCarthy for Thanksgiving Day in 2010. Ms. Myers seconded. All in favor. Motion passed.

Mr. Witte made a motion to approve the rental application from Greg Coughlin, sponsored by Mr. E. McCarthy, for September 11, 2010. Ms. Myers seconded. All in favor. Motion passed.

**NEW BUSINESS:**

Mr. Waltzer reported that he would write up an article for the Vail's Voice giving Stockholders tips on how to maintain their septic systems.

Meeting adjourned ay 10:10 PM.