

VAIL'S GROVE COOPERATIVE, INC.
BOARD OF DIRECTOR'S MEETING

MAY 20, 2009

CALL TO ORDER:

Chairperson Waltzer called the meeting to order at 8:05 pm and asked all to rise for the Pledge of Allegiance.

ATTENDANCE:

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

ACCEPTANCE OF MINUTES:

Victoria Desidero made motion to accept the minutes of the April 2009 meeting. Sue Enos seconded. Ellen Mytych requested some changes on page one and page seven. Abstained: Sharon Scott. All others in favor. Motion passed.

COMMENTS AND CONCERNS OF STOCKHOLDERS:

Brooker Smith of 48 Vail's Lake Shore Drive requested that the Board take action in requesting that the owner of 46 Vail's Lake Shore Drive do repairs and general cleaning around his leased property. Ellen Mytych, Ombudsman, reported that she had spoken to Mr. Misale and that he indicated that he has a time issue. Based on their conversation, Ellen recommends that we allow the Stockholder a period of time to complete specific issues. Mr. Misale stated to Ellen that he does have pride in his home and he will be working on remedying the situation.

Margaret Flannery requested that a map of the Grove be placed on the Real Estate Board. Cindy Battreal stated that she did have one enlarged that day and it would be hung up on Thursday. Margaret has no Community Liaison Report. Ms. Flannery reported for Lend-a-Hand that the Bierce family has no immediate need for help.

COMMITTEE REPORTS:

CHAIRPERSON:

Ms. Waltzer reported that the Board is continuing to go through the Rules and Regulations prior to them being finalized.

VICE-CHAIRPERSON:

No Report

WWTP:

In Tom Duffy's absence, Ms. Waltzer reported that the Department of Transportation intends to build a construction road to be used during the building of the WWTP. DOT wants Maple Lane to then be used for the vehicles when going to the plant weekly for maintenance and for the sludge trucks to go in two times a month. Ms. Waltzer reported that if we do not give the DOT permission, they could take the road under "eminent domain." If we give permission, we could possibly require additional work to be done on Maple Lane in the future, such as blacktopping, snow removal, etc. The Coalition is recommending that we approve use of Maple Lane for this access. It was reported that the EFC (Environmental Facilities Corporation) couldn't release the funding for this project until this road issue is settled. The maintenance truck that would use the road is not anticipated to be any larger than the septic trucks that presently go down the street. The sludge truck would be accessing the plant two times a month. The daily truck that goes in will be no larger than the Vail's Grove maintenance truck. The trucks will be there during the week only, not on weekends. Ms. Waltzer stated that a sub-committee could be formed by the residents of Maple Lane to ask the DOT for a blinking light on Route 121 to slow the traffic down.

Kay Petroff, resident of Maple Lane is concerned about the noise, traffic and especially during the summer, when the children are home from school. Ms. Petroff would like to know why the DOT couldn't use Ramp 3. Ms. Rubini stated it was researched and it was determined that Ramp 3 is too steep to be used for these purposes. Ms. Petroff said that all the residents of Maple Lane are against this and also asked what would happen to the construction road at the point of completion. Ms. Waltzer stated that we do not know if this decision needs to be made right away. Ms. Petroff wants to know what will happen to the construction road after construction. Will it be left there as an eyesore? Ms. Desidero stated that there is a committee that works on this and that the committee works with the Coalition. It is the committee's recommendation that the Board approve this. Ms. Waltzer stated that the Board apologizes for this last minute notice to the residents of Maple Lane. Ms. Petroff is concerned about the property values on Maple Lane.

Amanda Simone, a resident of Maple Lane, stated that she is worried about the kids playing on Maple Lane and that they will not be able to play there anymore. She wanted to be sure that the road would not be used during the actual construction. She stated that the street would now be turned into a commercial street. She feels the construction road should stay open and that should be the road used. Mrs. Simone asked about the time frame for treatment plant construction. The Board stated that this plant would not be completed and utilized for another two years.

Chris Simone, resident of Maple Lane, asked why the blinking light cannot be continued after construction. He is also concerned about the employees working at the plant using Maple Lane to get in and out.

Kurt Guldan, resident of Maple Lane, asked about the flow of water going into the plant daily. The Board stated that they do not presently have that information. He said that if you do not know the flow, you couldn't say how many times it will be pumped out and how often the truck will go in and out. If the plant produces 180,000 gallons a day, it will be three or four times a

month. After two or three years, you have a lot of repairs. He is also concerned about the chemical deliveries, which are only delivered on tractor-trailers, as well as supply deliveries and repair trucks.

Ms. Desidero stated the committee reports to Board. We will take these questions and discuss all of them. Ms. Desidero made a motion to defer this vote until the Board gets more information and answers to the above questions, including the questions the Board asked last month from the Committee. In addition, Ellen Mytych would like to see in writing, why that temporary access road cannot be used. Ellen Mytych seconded. Jim Andes abstained. All others in favor. Motion approved.

SECRETARY:

Ms. Desidero reported that the Blood Drive was very successful, receiving 34 pints of blood for the Blood Center. She thanked Cindy Battreall for volunteering her time on April 20th and preparation for this drive. The deadline for The Vail's Voice is May 28th. We have had some work done on the computer in the office regarding automatic back-ups. The office will be closed on Monday, May 25 and on Friday, May 22, in addition to June 10. Ms. Desidero reported that the Town of North Salem has sent the office a notice, giving amnesty to those homeowners who have done any work without a building permit. The homeowners have until December 31, 2009 to take care of this at North Salem. After that, there will be a \$1500 fine in addition to the building fees. North Salem residents in Vail's Grove will be notified of this in writing.

TREASURER:

Ms. Mytych reported that there are presently three stockholders who are two quarters in arrears. Ms. Mytych made a motion to refer those accounts to legal for collection proceedings to begin. Fred Witte seconded. All in favor. Motion passed.

Ms. Mytych is waiting to hear from Resnick and Newman, to be sure they made the changes on the audit report. She is waiting for confirmation. Ms. Mytych also reported that Bob Peyton has offered to work for the Grove to see if we can save money on our taxes when we sell the land for the WWTP. Ms. Mytych wants it in the Minutes that Mr. Peyton is approved to do this work and will charge the Grove no more than \$750.

OMBUDSMAN:

Ms. Mytych reported that we received a complaint from a Stockholder about his neighbor's home, which has not been maintained according to the Rules and Regulations, which Ms. Mytych cites. She suggested that we send Mr. Misale a letter giving him specifics to fix part of the roof that is falling and a gutter that is in disrepair. Mr. Norcross asked for the yard maintenance to be maintained. Brooker Smith suggested that Mr. Misale be required to bring the house to the standards of the Grove's houses. Ms. Mytych suggested that we give Mr. Misale a period of four to six weeks for these repairs. We will place something in the next Vail's Voice reminding people that they need to maintain their leased properties.

AESTHETICS:

Ms. Desidero reported that the first Aesthetics Committee meeting would be on Wednesday, June 10. The committee has received notice from Ann Thorstenson that she will not be able to do the gardening work on the Monument as she has in years past. Ms. Desidero thanked Ann for her years of hard work. Buildings and Grounds have been doing work at the monument. Ms. Desidero also thanked Terri Dress for the donation of Hostas.

BOAT RAMP/NORTH END STORAGE:

No Report. A letter was sent to the Chair of this Committee, regarding the Boat Ramp gate being unlocked, which is against the Rules and Regulations.

PAVILION:

Jim Andes made a motion to approve an application from Ellen Watson for Pavilion rental on August 8. Fred Witte seconded. All in favor. Motion approved.

Jim Andes made motion to approve the application for pavilion rental by John Keiley for the small room on June 20. Sue Enos seconded. All in favor. Motion approved.

Jim Andes made motion to approve application for Pavilion use on June 13 by Jim and Claire Cull for the small room. Fred Witte seconded. All in favor. Motion approved.

Jim Andes made motion to approve application for Pavilion use on July 25 by Mimi Crane, sponsored by Claire Bierce. Victoria Desidero seconded. All in favor. Motion approved.

Jim Andes made motion to approve application from Anthony Spennichia for Pavilion use on September 12. Victoria Desidero seconded. All in favor. Motion approved.

Jim Andes made motion to approve application for Pavilion use of July 18 by Ellen Watson. Sue Enos seconded. All in favor. Motion approved.

BUILDINGS & GROUNDS/ PUMPHOUSE:

Jack Waltzer thanked Cindy Battreall for coordinating a class at Westchester Community College for four of our residents to get the Class D Water Operator Certification.

Jack Waltzer thanked Cindy Battreall for preparing the AWQR, yearly water report for 2008, which will be mailed out to all Stockholders tomorrow.

Mr. Waltzer reported that he worked on the Beach with Rob Norcross. The weeds and the muck at the beach, which is past where the lifeguards can clean, are very thick. Aqua Cleaner has given Mr. Waltzer a price of \$5000 for sucking up the weeds and muck at the Beach area. Both Jack Waltzer and Rob Norcross feel this is an expense well spent, as the beach is used a lot during the summer. Mr. Norcross made a motion to hire Aqua Cleaner for the price of no more than \$5000 maximum to clean out the weeds and silt. Fred Witte seconded. Ellen Mytych asked which budget this will come out of. Mr. Waltzer stated that the water leak part of his budget has not been used. Mr. Waltzer stated that Aqua Cleaner gets all the permits for this dredging. Ms.

Mytych asked if there are any other contractors that do this work. Ms. Desidero asked if we need to get more bids on this, as it is a large contract. Rob Norcross will research getting more bids. Ms. Desidero asked if there is an estimate on how long this process will last. Aqua Cleaner stated that it would last several years before we would need to take care of this again, but gives no guarantees. Mr. Norcross stated that the lifeguards will need to do maintenance on this. In addition, Mr. Waltzer stated that once the WWTP is functional, the nutrients in the lake would change. Ms. Desidero thought we were going to clean up the lake after the plant is working, due to the fact that this is not a budgeted expense. This amount will not be able to come out of the Beach budget. Ms. Mytych stated that Buildings & Grounds has the funds. Ms. Scott stated that this is a very good price, but she agrees that it might be something for us to wait to do. Ms. Scott reported that there is a website that has items to purchase to get rid of the weeds and maybe we should research these items. Vote was taken. Ms. Desidero voted against noting her concern about spending money that is not allocated in the budget for this year. All others in favor. Motion approved.

Mr. Waltzer stated that Buildings & Grounds would be getting more sand for the beach. Mr. Waltzer also would like to have a barrier built along the front of the beach to keep the sand from washing into the lake.

Mr. Waltzer stated that he received a price from George Hartshorn to do blacktop repairs on the property. Kect did not give a price.

Mr. Waltzer stated that he would start working on prices from Tim Butler and Steve Keene to replace water line on Vail's Lake Shore Drive from the Murphy house down to the Pavilion. Mr. Waltzer suggested perhaps 100 feet at a time.

Mr. Waltzer also reported that the drainage at Ramp Three needs to be improved. There is water flow coming down.

Speed bumps are installed.

Mr. Waltzer has bids for a new furnace in the Pavilion. More investigation will be done on this project. Mr. Waltzer will speak with all three bidders.

Mr. Waltzer has bids for the roof at the Pump House and for the six-car garage. Mr. Waltzer thinks the Pump House could be repaired, instead of a new roof.

Mr. Waltzer, Jay Moore and Bud Mullins are working on repairing the tennis courts. The bids for repairs and replacement were very high. This should help with the damage to the tennis courts for a year or two.

Mr. Waltzer discussed the issue of cement and a tree being dumped at the North End. Mr. Waltzer stated that Mr. Moore will be cutting up the tree and removing it a little bit at a time on his own time. A machine was brought in to pulverize the concrete and it has been buried. Mr. Waltzer stated that it is no longer a problem. Mr. Waltzer stated that the homeowner was given approval by someone who should have known better – not Jay Moore – to dump the cement at

the North End. Ms. Mytych asked Mr. Waltzer to please tell the Board who had given this permission. Mr. Waltzer stated that he would not say who gave the permission in an open meeting but would tell the Board after the meeting who gave the permission. Ms. Desidero stated that Mr. Moore himself told people that he gave the permission and the shareholder stated in their letter that it was Mr. Moore who gave them permission. Mr. Waltzer told the Board that he would put a letter in Jay Moore's file stating that he doesn't make those decisions.

Mr. Waltzer stated that he is still waiting for an answer from the Real Estate Committee Chairperson to determine on whose property a certain tree is. Mr. Waltzer would also like a new rule to be written regarding how to deal with a stockholders tree that falls on Grove property.

Ms. Desidero asked if a lot of the trash around the Grove would be picked up by Maintenance. Mr. Waltzer indicated that it would be done and also stated that Chris Murphy is working part time for maintenance until the Beach season is fully underway.

RECREATION/SOCIAL:

Mary Rubini said she would not do concession this coming summer. She would like someone to step forward to volunteer and she would be happy to train the new person.

Ms. Rubini stated that a Stockholder would like to know if a Grove-wide tag sale could be held down at the Pavilion, with the possibility that if it rains, it would need to be moved inside the Pavilion. Recreation offered to pay for the advertisement. Mary Rubini made a motion to approve having a Tag Sale on a Sunday. Victoria Desidero seconded. All in favor. Motion approved.

Fred Witte discussed the possibility of having a wine and cheese get-together in the near future.

LEGAL:

Mary Rubini reported that the Contract amendment for the WWTP land sale is signed and waiting for sub-division approval.

Ms. Rubini reported on the status of the Membership Committee's Proprietary Lease name change update. We would need a notarized affidavit from a stockholder if their name were to be removed from a Lease, and the bank, if there were one, would need to approve it as well. If there is a time where a Stockholder would like a name or names added to their lease, the new individuals would be required to proceed with the vetting requirements, including a New Member application, fee, interviews, etc.

REAL ESTATE:

Victoria Desidero made a motion to accept the application from the Tolans to extend their approval for alterations for a period of one-year. Sue Enos seconded. All in favor. Motion approved.

Mary Rubini made a motion to approve the application for the replacement of the deck for Mr. and Mrs. Boyle. Fred Witte seconded. All in favor. Motion approved.

LONG RANGE PLANNING:

Ms. Waltzer reported that Ray Harting has contacted members of the Committee and he will be setting up a meeting within the next two weeks. The Board discussed the importance of Long Range Planning in helping to determine where and when money can be spent for capital improvements. It was noted that there has not been a report from this Committee in a very long time. It was suggested that it might be better to have the Chairperson for Long Range Planning be someone currently serving on the Board who is actively involved in the discussion of these expenses. Chairperson Waltzer said she would take this suggestion under advisement

MEMBERSHIP:

Sue Enos made a motion to approve Membership for Robert Nouza at 26 Locust Road. Victoria Desidero seconded. All in favor. Motion approved.

Sue Enos made a motion to approve the re-finance application for Mr. & Mrs. Tolan, pending the receipt of an appraisal. Sharon Scott seconded. All in favor. Motion approved.

Sue Enos made a motion to approve the re-finance application from Amanda Rosamilia. Sharon Scott seconded. All in favor. Motion approved

SUNSHINE:

No Report

BEACH:

Rob Norcross thanked the Board for approving the weed clean up for the lake at the Beach. -Mr. Norcross also thanked Kevin Tompkins for his work with the tractor and rake at the Beach on clean-up day. Mr. Norcross also thanked James Collins, Jay Moore and Bruce Blackwell. The beach will be opening Memorial Day weekend and will be open only on the weekend until school is out. Mary Rubini stated that the Beach looks great.

PUBLIC SAFETY:

Mr. Matachierri submitted his report to the Board stating lack of any recent activity in the Grove. The Board requested that Ralph Matachierri work security from 9 pm until 1 or 2 am instead of 8 pm to 1 or 2 am.

Sharon Scott made motion to adjourn meeting. Meeting adjourned at 10:30 pm.