

VAIL'S GROVE COOPERATIVE, INC.

BOARD OF DIRECTOR'S MEETING

May 19, 2010

CALL TO ORDER:

Chairperson Victoria Desidero called the meeting to order at 8:00 pm and asked all to rise for the Pledge of Allegiance.

ATTENDANCE:

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

COMMENTS & CONCERNS OF SHAREHOLDERS:

Mr. Kiernan would like to address the issue about the temporary road on Hickory Lane. Ms. Desidero asked Mr. Kiernan if he wouldn't mind waiting, as that issue is on top of the agenda.

Mr. John Myers, Chair of Boat Committee, reported that his committee would like to try a lock-box on a trial basis for the boat ramp. This would allow committee members to give out the combination, which could be changed at any time. Ms. Desidero stated that this will be discussed on the agenda and asked Mr. Myers to wait until that point.

COMMUNICATIONS NOT INCLUDED IN REPORTS BELOW:

None

ACCEPTANCE OF MINUTES:

?? made motion to accept minutes from April meeting. Mr. Witte seconds. Ms. Waltzer, Ms. Myers, Ms. Scott abstained. All others in favor. Motion passed.

COMMITTEE REPORTS

CHAIRPERSON:

Ms. Desidero stated that she needs a motion for a temporary road on Hickory Lane. The residents at the North End have been asked to have their vehicles out of the area by 7 am each day and Landscape Unlimited would be finished with work each day by approximately 3 pm. If the cars were out of the area, it would make it easier on the

workers. This will continue for about 3 months, for all homes north of Ramp 3. There is a concern about some residents at that end who cannot walk to their vehicles. In addition, if there were an emergency, vehicles would not be able to get in/and or out. Landscape Unlimited suggested that the property at the top of Hickory could be made into a temporary road. They would do this free of charge. This area would be restored to its original condition. Ms. Waltzer made a motion to allow Landscape Unlimited to create a temporary access road on Hickory Lane for the time period needed. Ms. Scott seconded the motion. Mr. Kiernan stated the letter he received said that this would be done no matter what. He would like to know how wide the road would be. He is concerned about his trees on the property. Mr. Kiernan stated that he does not think the road will only be used for emergencies. Ms. Desidero stated that the residents would be informed to only use this road for emergencies and that Mr. Kiernans trees would not be destroyed. Ms. Desidero stated that this would be voted on tonight. Vote taken. All in favor. Motion passed.

Ms. Desidero then discussed the issue regarding usage of our land by WWTP Districts. We had sold the district land, and then additional land, including easements. It has come to our attention that Arben have built a retention pond on property that is ours, that we did not sell them or grant an easement for. The Coalition met last night and it appears that our land is being used. Mr. Davies presented photos of a retention pond from Maple going down. Water will run off into this pool, which would then go into a pipe. The only plans that we have are from fall of 2009. The plans from 2010 show the culvert on the plans. This appears to be 20 feet away from our water source. They have used 250 feet from west to east and 160 feet from north to south that we have not given any easement for. It appears that they have created a section without our approval. S&W states that an easement was received, but Ms. Rubini states that we do not have anything about this. The owner of the property must grant an easement. Mr. Davies said that Sarah Cwikla from S&W reported that Will Stephens, attorney for the Town of Southeast, has told them that there is an easement. Ms. Mytych is concerned about what is a safe distance for our drinking water system. Mr. Waltzer stated that he is not worried about the quality of the water, because our water will be filtered. Mr. Waltzer stated that he was planning to use this culvert area for biodegradable items.

VICE-CHAIRPERSON:

Ms Waltzer reported for WWTP. Last night, the Peach Lake Coalition had a meeting and they developed a letter to the Town Supervisors and Town Boards, addressing some issues, including the property about the retention pond. There will need to be discussion about how Vail's Grove will be compensated for this property; otherwise they will be told they need to move this retention pond. This letter requests an emergency meeting with the District. Ms. Mytych is still concerned about building something close to our water supply. Mr. Waltzer said the water goes through the ground, filtered naturally, gets pumped up into our tanks and gets chlorinated at that point, which kills any bacteria. Mr. Waltzer is not concerned about the potability of the water. Ms. Desidero stated that we have always been concerned about the distance regarding our water supply. Ms. Desidero said we would look into this issue. The Coalition has now joined us in our

concerns. The next step will be to have this meeting and then compensation can be addressed.

Ms. Waltzer also reported that Warren Lucas, Town of North Salem Supervisor, has directed S&W to install laterals on undeveloped land in NWCC. These laterals cost \$3000 a piece and the Sewer District would be paying for these laterals. The issue is that we cannot prevent him from saying that, but we can say that we do not want to pay for these laterals. The Coalition is asking for these laterals not to be installed. Private owners, who might not be planning to ever use that property, own these properties. But the Towns could now collect more tax monies from these lateral properties.

SECRETARY:

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

1. Final resolution to Dress water problems – Jack Waltzer
2. Continue to lobby for Maple Lane that the construction road will be permanent at end of WWTP project – Victoria Desidero
3. 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
4. Notification to those stockholders whose land surveys are completed for review of the results – Tom Duffy
5. Process to be documented for 82 Vail’s Lakeshore Drive water problem – Jack Waltzer
6. Resolution to the smell along Vail’s Lakeshore Drive near #91 and the sewage that is coming out from the hill – Jack Waltzer
7. Letter to Town of Southeast regarding amount of letters residents need to send to their neighbors when they are planning to make alterations to their home – **Awaiting response** - Mary Rubini, /Office
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. Contact individual stockholders for structures erected without approval to submit an application and pay required application fee – fines will be waived – Joan Myers
10. Letter about failing septic for Kerry Tolve # 4 Bass Drive - Office
11. Keys and Key sign-up sheets for the North End and Boat Ramp were given to the Chair of the Committee for distribution to Committee Members. Sheets need to be returned to the office and a day needs to be scheduled for access for stockholders to put their boats in the lake – John Myers
12. Easier access for dock at 83 Lakeshore Drive – Bill Quinn
13. Need recommendation regarding the maintenance and repair of septic systems in this period until WWTP is operational – Tom Duffy
14. Three stockholders notified by phone that their trees in question are on their land. A follow up letter is to be sent – Ronnie Waltzer

Ms. Scott also reported that the Postmaster from the Town of Southeast has asked us to temporarily relocate mailboxes from Ramp 3 to the North End, and the mailboxes at the bottom of Spruce Lane due to the construction. Jay Moore has indicated that we have enough boxes so that we do not need to move the boxes, we can just put new ones up. Mr. Waltzer stated that it would be easier to put the new ones up on Ramp One. Mr. Waltzer will look into the issue.

Ms. Scott reported that the office had a Workers Compensation Insurance Audit and we are receiving a credit back from the State Fund.

TREASURER:

Ms. Mytych made a motion to send two stockholders to legal, as they are two quarters in arrears. Ms. Waltzer seconded. Ms. Rubini abstained. All others in favor. Motion passed.

OMBUDSMAN:

No Report

BOAT RAMP/NORTH END:

Mr. Myers would like a lock box to be placed at the Boat Ramp on a trial basis. If a committee member gets a call, they could just give out the combination. Ms. Desidero said we need a motion. Ms. Mytych made a motion to place a lock box at the boat ramp. Ms. Myers seconded. Mr. Myers said that a few people have been inconvenienced, as when someone takes the key and does not return it, it takes extra time. The Key Holders are not always around. Ms. Desidero is concerned about changing a Rule just by making a motion and voting at a Board meeting. She does not think we have given the system from last year enough time and would like to give it more of a chance. Mr. Myers does not think we need a day to keep North End open for boat removal. Mr. Myers asked why we have two gates at the North End and Mr. Waltzer said they have always been there. It is the same key for the two gate locks. Ms. Rubini asked if we have owners sign something that we are not responsible for their boats. Ms. Desidero asked Mr. Myers if he would be willing to give these rules the rest of the year and he indicated he would be.

SURVEYS:

Ms. Waltzer reported that the survey committee continues to gather information to perform the surveys. A meeting will be held to develop the process for the first group of stockholders to view their surveys if they want to. Each block of surveys will follow the process.

LONG RANGE PLANNING:

Ms. Scott read the LRP report:

The progress continues since last month to bring the water main project to closure. The bid package is complete and has been reviewed by LRP identifying final questions to the Engineer. All paper work is at Putnam Health Dept. for approval and final approval by the Health Department is expected by the end of this week. At that point the bid packages can be mailed to contractors with a 5-day return date. A bid opening date will be scheduled for two days after the deadline for bids to be in. The returned bids will remain sealed until the scheduled bid opening date. Contractors are invited to attend if desired and LRP/Michael Davies/Jack Waltzer will open the bids. It should be noted that from first shovel in the ground to completion is estimated to be about 3 weeks. LRP spoke to the Stearns & Wheler today and confirmed we would work together to coordinate the timing, if necessary, ensuring the water mains go in before the sewer pipes.

Progress also continues on the replacement of the water tanks at the pump house. At the end of last year, we obtained an Engineering quote from Bibbo Engineering for the replacement of the water tanks. During the past month, meetings have been held with both Insite Engineering and Putnam Engineering for their engineering estimates for this project. We expect to have the estimates back before the next meeting. By that time we would know the cost of the water main project and it will help us in our decision for next steps on the water tank replacements.

TREES:

Ms. Waltzer reported that the arborist from Sav-a-Tree would be back tomorrow to go through the common grove property to see if there are problem trees. If so, we can get bids to do that work. Mr. Witte asked if the stumps are being ground down. Ms. Waltzer said that this is very expensive and we will leave those as long as there is not any safety issues.

We are going to look at the tree that Pietsches has asked us to take care of. There is a limb hanging over to a residents property at Pietsches.

MEMBERSHIP:

Mr. Cassidy made a motion to approve rental renewal from Costello to Lee at 105 Vail's Lake Shore Drive. Ms. Myers seconded. All in favor. Motion approved.

Mr. Cassidy made motion to approve rental renewal from August 2010 to June 2011 from Pierce to Robert Barclay at 35 Orchard. Ms. Myers seconded. All in favor. Motion approved.

Ms. Scott brought up a request from Bob Peyton. The Board had approved him to rent Chip Howe's house at 37 Vail's Lake Shore Drive for three months this past winter,

which he never did. Mr. Peyton is asking to use his 3-month approval for the house for June 2010 and September 2010. Any additional rental after 2010 would require a new septic inspection and Board approval. The Board had no issue with this request.

SUNSHINE:

Ms. Scott reported for Ms. Enos. Karen Bruen and Tyler Costello had medical procedures done. Please keep these people and their families in your prayers.

BUILDINGS & GROUNDS/ PUMPHOUSE:

Mr. Waltzer reported that the septic problem smell at the Bass Lane (Tolve house) area required a dye test. B&G will do a dye test on Monday morning before 8 am.

Mr. Waltzer thanked the following for clean-up day help: Mary Rubini, who did the shopping, Pat McGuinness, Ronnie Waltzer, Victoria Desidero, Michael Davies, Rob Norcross, Ellen Mytych and Kelly Mytych. Much was accomplished.

Aesthetics has proposed some things for gardens and they will report on that.

Mr. Waltzer and Mr. Norcross have discussed putting in a jetty to prevent the sand from washing away at the beach. Mr. Waltzer will meet with contractors from Landscape Unlimited who might be able to move rocks. They are discussing spotlights for beach. Sand will be picked up from Clearwater for the Beach.

Mr. Waltzer extended the dock at the beach due to the rocky area. Jay Couillard had approached Mr. Waltzer about this and Mr. Waltzer approved it. Mr. Waltzer said that the docks on the back of Pavilion are too unsteady for wheelchairs. He suggested a concrete area from blacktop area to new dock extension,(at the Beach) and then wheelchairs could use that area. Ms. Mytych asked how much the extension cost. Mr. Waltzer said it was less than \$2000 and would come out of maintenance budget. Ms. Myers stated that a jetty needs to go though the Corps of Engineers. Mr. Norcross stated that they are really just re-routing the area. Ms. Myers said that the plan she had submitted for the Pavilion area shows that the docks would completely be re-done.

The Pavilion and Tennis Courts have been power washed. Ms. Desidero stated that coordination should be happening when work is being done at Tennis Courts. She stated that last year the courts were still not great.

There is no sign of dye at Dress house. Mr. Waltzer still believes there is a spring under the Dress property. Ms. Scott would like to bring this issue to closure with a letter. Mr. Waltzer will follow up and he thanked Bill Quinn for stepping in when he was away. The biodegradables are being held in the back of the pump house area for the present time. Wood chips have been spread at the playground area. Mr. Waltzer reported that Shaun Walsh has been a very big help to B&G and that Shaun will be a Marine Corp recruit as of June 1st.

The water was shut off to replace what we thought was going to be two water shut off valves. They were dug up and only one needed to be replaced. The other one was repaired. We then flushed the pipe and rechlorinated. Ms. Desidero asked Mr. Waltzer to report the outcome of the May court date regarding the truck. Vail's Grove paid \$ 150 for each violation, and we had to plead guilty. The total was \$1300. This was for violations found out during a routine truck check throughout Brewster. The violations were on Jay's license originally. Ms. Desidero went to court with Jay Moore. The court transferred these violations from Jays license to the Cooperative.

Ms. Desidero asked about the dock issue at 93 Vail's Lake Shore Drive. Mr. Waltzer will follow up on this issue.

Mr. Waltzer reported that Sue Enos suggested that we place the AWQR on the website instead of mailing them out to everyone and he thanked Ms. Enos for the suggestion.

REAL ESTATE:

Ms. Myers made a motion to accept application for outdoor shower from Adeline Natiello. Ms. Waltzer seconded. All in favor. Motion approved.

Ms. Myers made motion to approve application from James Murphy at 9 Hilltop for the construction of a new deck on the back of his house. It would be 40 feet wide by 12 feet. He has all the variance room that we require. Ms. Waltzer seconds. All in favor. Motion approved.

Ms. Scott stated that the office would send Ken Sullivan an application for his outdoor structure.

COMMUNITY LIAISON:

Mr. Gregory would like to get volunteers to represent Vail's Grove at both North Salem and Southeast Board meetings.

Mr. Gregory complained about residents who have junked cars on their property. He stated that residents could donate these cars and get tax deductions. Ms. Waltzer stated that the new rules state that if you have a car that is not licensed or registered, a commercial grade cover on must cover it. Mr. Gregory would like this rule enforced by Mr. Goodman.

RECREATION/SOCIAL:

Mr. Witte reported about a program in Putnam County for Veterans. Veterans need to register and get an ID card to be able to receive discounts at various establishments in Putnam County. This information will be placed in the next Vail's Voice.

Mr. Witte stated that it does not seem like people are very interested in Social events. Ms. Desidero suggested that Mr. Witte get some new volunteers and do some different events. The next event is July 4th parade and refreshments. Ms. Waltzer said that Joan Ford is interested in doing Social functions here at Vail's Grove. The Board also suggested that Mr. Witte ask Megan Cassidy to help out with ideas.

LEGAL:

Ms. Rubini read the following e-mail, which she was copied on from Michael Rights:

Will,

We've been asked by Mary Vail, representing the Vail's Grove Coop, to amend Southeast's notification requirement pertinent to certain zoning matters. Their request is an adjustment of notification to 500 feet or less from a pertinent residence, in lieu of mandatory notification to the entire Vail's complex as well as to entities within 500 feet surrounding the entire Vail's Grove neighborhood. The present arrangement is unreasonably burdensome on Vail's residents. Nanci will distribute Mary's letter via separate email.

This request is reasonable and we should adopt it. I suppose the proposed adjustment in the law will require a public hearing and the subsequent adoption of a resolution. Kindly advise re: procedure as well as how quickly we may adopt the measure.

Thanks, Mike

Ms. Desidero asked Ms. Rubini to thank Helen Vail for starting this process.

AESTHETICS:

Ms. Waltzer reported that the committee has started planting at the monument as well as the office entrance and some of the mailboxes. There will be a meeting on Wednesday, May 26th to discuss buying and planting. In addition, some new garden areas will be developed. Landscape Unlimited will be moving rocks to create some of these gardens.

BEACH:

Mr. Norcross thanked Kevin Tompkins and everyone else who helped with Beach cleanup on Saturday. Kevin turned the sand for us, which saved us a lot of money. The float and ropes will be put out this week. The Port-o-Potty is there. The Beach will be open Memorial Day weekend. Lifeguards are all set. Mr. Norcross announced the following function: June 25th – Full Moon BBQ, July 9th – Tacos and Tequila, July 25th – Brunch, August 7th – Bonfire BBQ, August 21 – Kids Day. Residents are encouraged to come enjoy dinner, brunch, etc. as part of your time here at the Grove. Your quarterly fees pay for these nice events.

PUBLIC SAFETY:

Jay Moore will be paid security for Memorial Day Weekend and for the first weekend of June, while Ralph Matacheirri is away. This will be regular time, under "security", not under maintenance.

LEND A HAND:

No report

WELCOME:

No Report

INSURANCE:

Already reported under Secretary Report.

PAVILION:

Ms. Scott made motion to accept application from Angela Terilli to rent Pavilion in August 2011. Ms. Myers seconded. All in favor. Motion approved.

NEW BUSINESS:

Ms. Mytych stated that Mark and Landscape Unlimited have been very nice and helpful regarding the construction work down at Bass Lane area.

Meeting adjourned.