

**FINAL - APPROVED BY BOARD**

Boynton Waters Homeowners Association Inc.  
Board of Directors Meeting  
Saturday, January 15, 2011  
Meeting Location – Library – 10:00 am

Call to order. The meeting began at 10:15 am

The general members present were Gay Williamson, Bobbi and Eric Malkin, Lauri Long, Bill and Dardick, Teny and Max Nameth, Linda Delpopolo, Michael Grigelis, Mary and David Peed, Florin Tudor, Mrs. Dragon, Lynn Berdoll, Robert Galvin and a few others whose names were not noted by the Secretary.

The following board members were present:

Larry Lofaro, President  
Larry Berdoll, Vice President  
Maura Slaughter, Communications Director  
Kip Brandrup, Special projects  
Mark Halmo, Special projects  
Charles Mucciolo, Secretary  
Robert Uhrie, Treasurer

A quorum is present.

Larry Lofaro requested that a motion be made to approve the minutes from the September 11, 2010 meeting after being informed that they had not previously been approved. Larry Berdoll made the motion, seconded by Maura Slaughter, all were in favor; motion passed unanimously.

Larry Lofaro requested that a motion be made to approve the December 18, 2010 minutes. Maura Slaughter made the motion, seconded by Mark Halmo, all were in favor; motion passed unanimously.

Treasurers report:

Checking account -  
Starting balance of \$7,880.35  
Deposits of \$19,980.41  
Expenses of \$7,258.13  
Returned Check of \$110.11  
Ending balance of \$20,492.52.

Savings account -

Beginning balance of \$21,754.49  
Interest earned \$12.37  
Ending balance of \$21,766.86.

Total cash in bank per the December bank statement was \$42,259.38

We received some checks after the December statement so, the current ledger shows the checking account as having \$29,291.51, the savings account as having \$21,766.87 for a total amount of cash on hand of \$51,038.37.

Larry Lofaro: regarding homeowner's dues. Several homeowners are past due in their payments. A number of them are past due two or more quarters plus the special assessment. What I need the Board to discuss is the amount that we will allow a homeowner to be past due before we take legal action by establishing liens. Some homeowners are behind somewhere between \$700 and \$900. Understanding that some homeowners are having difficulty due to certain circumstances however; we need to establish a number that we will take some action on once they reach that number. Once they get past a certain point it seems to indicate that they may be heading towards foreclosure so, I suggest to the

Board that once a homeowner reaches a delinquent amount of \$450 we should begin the process of contacting the attorney to put a lien on the house.

Maura Slaughter: It costs us \$149 for the attorney to send their initial letter. We did recoup \$2100 from the one we did, but we spent over \$4000 and it took years. The attorney's fees were included in those recouped fees. It is up to the judge as to how much we can recoup should it go that far.

Charles Mucciolo: do our bylaws provide that we can recoup those fees (the \$149) prior to going to court?

Larry Lofaro: Yes. When a homeowner is past due more than 30 days we put a late fee on the account, then after 60 days we begin to charge 18% interest.

Charles Mucciolo: If the Board creates a rule which says that if you are delinquent by a certain amount and we then engage the attorney for \$149 can we then recoup that fee?

Larry Lofaro: Yes, however, it's the collecting of the fee.

Charles Mucciolo: What I'm asking is: prior to going to court, if we engage an attorney and he sends a letter which causes the homeowner to then pay, can we attach that initial fee (\$149) to the account as an expense related to collections?

Larry Lofaro: Yes. The homeowner is responsible for the back dues, the late fees, interest accrued and any fees occurred in order to collect. I was also under the impression that there was another thing we could do to establish ourselves as being due monies in the event of a foreclosure.

Maura Slaughter: The bank is always the first lien holder and it will depend on what the court orders. If we wish to go further into the foreclosure process we will incur more legal fees. The problem with the one that cost us \$4000 is that we have been pursuing it since 2003 or 2004.

Mark Halmo: Is there a way to push the process through faster?

Maura Slaughter: Every time we call the attorney it costs us. They suggested to just start with the initial letter as it sometimes has the desired affect.

Charles Mucciolo: Should we (the Board) take the first step with a registered letter from the HOA and then go to the attorney after that?

Mark Halmo: I like that approach and then if we don't get a response we can decide if we want to take the legal approach.

It was suggested that maybe we get on a payment schedule with some homeowners who are late. Larry Lofaro expressed concern that the schedule must be set so that they get caught up in a reasonable time because they will be incurring late charges and interest and can stay behind indefinitely.

The bottom line is that the remainder of the community will have to make up the shortfall if we are not getting paid by 9 or so homeowners. That is a significant amount.

Larry Lofaro suggested we form a committee who will work with the homeowners who are delinquent in payments. They can knock on the door or call them.

Charles Mucciolo expressed concern about having that face to face meeting and asking someone for money; it should be done formally in a letter so that there is a record and keeps us at a distance.

Larry Lofaro stated that we need someone on the Board to take the past due statements and follow up with the letter and keep track of the progress. Maura Slaughter stated that it is basically 5 or 6 families that are having problems.

Larry Lofaro recognized Eric Malkin in the audience who wanted to make a statement. Eric stated the COWBRA executive committee had this discussion recently and that there are several homeowners associations who have let residents get so far behind that it is a big problem. The consensus was that they would send a letter first, as suggested, and that the threshold would be two quarters worth of dues plus any special assessments.

Charles Mucciolo agreed that rather than a dollar amount the delinquency of two quarters dues was more appropriate plus any special assessments that may be in affect.

Larry Lofaro asked for a motion to be made regarding the previous discussion.

Charles Mucciolo made a motion that 'the homeowners association begin a process to collect homeowners dues when they are delinquent two quarters in addition to any special assessments that may be in effect at the time and that the Board first send a certified letter and that certified letter be given 30 days response time before we contact the attorney'. Seconded by Larry Berdoll, all in favor; motion passed unanimously.

Maura Slaughter: I calculate that we are owed about \$3,580 in back dues by the community.

Larry Lofaro entertained a question from Jim Lockyer who was concerned that this approach would give people an excuse to be late with their payments. The Board explained that through the various rules approved over the last few months regarding late charges and interest charges we were not giving anyone a free ride because late charges do go into effect. A late fee goes into effect after 30 days and interest gets charged after 60 days. The Board's concern are for those homeowners that receive numerous notices about late dues, late charges, etc. and do not respond - those 5 or 7 homeowners are the ones we are concerned about going further into delinquency at the cost of all the other homeowners. The Board has an obligation to pursue the monies owed the community and to also try and recover those monies in a cost effective way.

Larry Lofaro stated that he has finalized the budget for 2011 and passed out copies for Board members and the audience. He entertained a motion to approve the budget. There was discussion regarding same. The information will be available to the homeowners after it is approved by the Board and then must be approved by the community at the General Membership meeting. The Board members did receive an advance copy of the proposed budget.

The budget was established based on both last year's expenses and new expenses that were not previously included. Some general discussion took place regarding several line items of the budget. There is nothing in the budget for additional lake aeration because of the limits on funds to be received. The budget does not include the street lighting but is listed as a future expense. At the General Membership meeting we should have certain items be voted on by the community so that they are in control of how certain monies are spent. The budget is based on the quarterly dues of \$210 per lot. The budget is tight and addresses what we need to maintain the community which is why we will go to the community to ask their approval for certain additional improvements. Right now any future improvements will need to take funds from the reserve account or require a special assessment. Question regarding access control expenses: the new access system requires a modem for authorized Board members to access the system to monitor and make changes and will also allow for future video access by the individual homeowners to see who is at the keypad by tuning into a certain channel on their television. There was some disagreement as to the need for the modem. There will be a computer in the guardhouse which can then be accessed remotely rather than needing to go to the guardhouse to enter information. A question was asked regarding the reserve account showing more than the \$20,000 we determined to be adequate to maintain and discussion and explanation of the accounting principle was given and was satisfactory to the Board member.

Larry Berdoll made a motion to accept the budget as presented, seconded by Maura Slaughter, approved by all members; motion passed unanimously.

The next agenda item was the nomination of candidates for the four Board member positions that will be up for elections. The person nominated must be current in their dues in order to be a Board member. The following people were nominated, without obligation, by various members of the Board and the residents present in the audience:

Kip Bandrup, Jim Lockyer, Bobbi Malkin, Linda DelPopolo, Florin Tudor, Teny Namath, Keith Calloway, Larry Lofaro, Manny Lozano and Robert Galvin.

It should also be noted that at two members of the present Board will most likely resign and that it is important to have people take their place because without a full Board we may have legal issues with respect to the laws that govern homeowners associations. This concern is another reason that the Board has had to consider the possibility of a management company depending on the outcome of the elections.

There is a possibility that existing Board members may not be able to legally resign if there are not enough members remaining to form a bona fide Board.

Mark Halmo made a motion that we put together a letter to be mailed to the homeowners notifying them that elections are upon and to ask for assistance and participation on the Board and committee's otherwise we may be forced to engage a management company, seconded by Larry Berdoll, approved by all members; motion passes unanimously.

Mark Halmo will put the letter together along with Larry Berdoll.

For those running for the Board, it would be helpful for them to prepare a short statement outlining their qualifications, strengths and reason for wanting to be a Board member so they community has pertinent information on them.

We must be informed by the next meeting of who is going to be running for the open positions.

#### Architectural Review Committee

9368 Watercourse - Nameth, was approved for driveway and roof.

#### Violations

Only two violations were outstanding. Eric Malkin stated that there are a few violations that need discussion because they are subjective. An example he gave was if two committee members say a roof needs cleaning but others disagree - there is no way to quantify it. Does the Violations committee have the final say? The Board commented that the committee should be taking a majority vote of the committee members in those instances. Charles Mucciolo stated that there are many violations that are not subjective, they are simple in their definition and that the Violations Committee, either through their Chairperson or a member has the right to send notice to that homeowner citing a violation. Eric stated that in the case of parking in the street we are restricted by our bylaws against putting a sticker on a car unless the car has been there for 24 hours. Charles Mucciolo stated that the stickers have a statement which reads "move the car within 24 hours or be towed" or something to that effect and that it is not a timeframe during which we have to wait. There was discussion regarding the issue and there was no consensus. Eric stated that when Kennelly wrote the Bylaws he put something in there which states that you cannot put a sticker on a car unless you give them 24 hours notice. Eric insisted that we have not recourse. Eric suggested we have vehicles park on alternate sides of the road; this was rejected by the Board. The Board asked Eric how Phil Kline was able to have the Baileys construct the additional driveway and threaten fines if they continued to park on the street. Eric stated "because he got away with it". Eric stated that he did not want to put the Board or the Committee at risk of a lawsuit by illegally putting stickers on cars.

Charles Mucciolo asked Eric Malkin, as the Chair for the Violations Committee to please provide the Board with the portions of the Bylaws that specifically reference the inability to cite vehicles unless they are present for at least 24 hours.

(It should be noted that during the transcription of these minutes the Secretary researched the Bylaws and did not find any reference to a 24 hour waiting period for citing a violation however; the Bylaws do provide for 24 hours notice before a vehicle is towed. It is important to understand this because certain statements were made that suggest the prior Board acted improperly - this is not the case. It appears that the prior Board correctly enforced the Bylaws with respect to parking in the common areas).

Maura Slaughter stated that we have asked many homeowners over the years to not park their vehicles on the street and they have complied and asked Eric to move the car that he has been parking in the street to set an example as the Chair of the Violations Committee - "the Board is asking you to move it off the street and onto the driveway". Eric stated that he would comply and that the car will be gone by Tuesday as it is being sold.

Larry Lofaro asked when the next drive through the community will be; Eric said that he would like to have it done before the next meeting. Larry was concerned that we have been waiting for a while for a report and would like to get something going as soon as possible.

More discussion regarding the 24 hour rule. Members from the audience expressed concern about people parking across the sidewalks. The Board agreed that we do not want to have people parking across sidewalks for safety reasons.

Larry Lofaro stated that in his opinion the Violations Committee has the responsibility to notify someone who may be parking in the streets that they must move the vehicle and if they continue to park in the street it should be referred to the Board who will decide what to do.

Charles Mucciolo and Eric Malkin are going to discuss further how to proceed.

#### Fine Enforcement

Nothing to report at this time as there are no issues requiring fines.

#### Welcome Committee

Lynn Berdoll has been making some contacts and Maura Slaughter will be getting her the names of new residents on Aqua Vista.

#### Neighborhood Crime Watch

A neighbor reported an unknown man approached her home asking questions in some official manner but did not seem to be an official. The neighbor reported this to a Board member who then made the President aware. Residents are urged to call 911 at the first sign of any suspicious activity. Board members cannot help in this situation. The police have said on numerous occasions to call immediately if you suspect something to be wrong.

If was also discussed that anyone can access our community through the gate because the access code was given to a realtor who posted it on the internet.

The new access control system should be installed within the next few weeks.

#### Website

Bill Dardick requested that he not be required to attend each meeting as the website normally has nothing to report; the Board agreed to remove 'Website' from the future agendas.

Charles Mucciolo reported that he and Bill Dardick worked out an email address to instill confidence in the community for the purpose of receiving official Board correspondence only. Because a number of residents demanded their email addresses be removed from the Boards mailing list as a result of the emails that were sent a couple of months ago the community will incur additional expenses in the way of stamped mailings. The establishment of the new email address (bwhoa\_mail@boyntonwaters.org) will allow residents to block all other resident emails of their choosing to avoid solicitation or unwanted correspondence but know that mail from this address is being sent by the Board. So, if you see mail from this address please do not treat it as spam.

**Mark Halmo made a motion to remove the website from the agenda, seconded by Larry Berdoll, all in favor; motion passed unanimously.**

#### Landscape and Irrigation

Larry Lofaro reported the contract with Aquatic Systems is up for renewal and there will be no increase in cost so we will continue with them for lake maintenance.

Pest control - we have been notified that the White Fly problem is making a resurgence back into Palm Beach County and in fact, several homes in the community have had to be treated so, it is in our best interest to have the Jog Road hedge treated once again. Mrs. Dragun commented that her hedge did have it and needed to be treated. Charles Mucciolo will get a cost from PestSmart to do the work and coordinate same.

Mark Halmo and Charles Mucciolo reported that there are several dead palms and that it is the recommendation of Sunflower to postpone their replacement until March or April to help insure their survivability; additionally there will be a cost savings of about \$200 by having remove and replace all at once rather than make two trips. Total cost to be determined depending on number of palms.

Additionally the area of sod in the common area behind the Bartell's is looking bad. The history behind this is that the developer did not provide irrigation in this and similar common areas along Aqua Vista. The prior board was able to secure irrigation through the Bartell's system and added heads to the common area. Our landscaper, as part of their regular check of the irrigation, determined that Bartell's pump is not operating properly and Mr. Bartell does not want to incur the expense at this time and questions the diagnosis of the problem. Since we need reliable irrigation in this area in order to at least keep green what mix of grasses exists in this area and certainly to support new sod in the future we should look to the Sprigg residence for an irrigation source. Mr. Sprigg will allow us to assess the work needed to tie into his irrigation once Sunflower provides us a cost for the work.

Someone asked if trimming the Royal palms may have contributed to the decline of one along Aqua Vista. It was discussed that trimming in and of itself, while not necessary for a Royal Palm, does not affect the health.

Sunflower did comment in recent email that nailing into the palm trees at the front entry for the purpose of securing holiday lights would most definitely provide an opportunity for rot and insect infestation and to please find another method of securing the lights.

#### Lake Maintenance

Mark Halmo reported that the lakes are progressing well. Reports on the water came in and the levels are within acceptable ranges. Aquatic systems will be replacing the littoral plants that have died with more mature plants in the next month or two.

Also to be noted - the lakes have a lot of landscape debris such as clippings and especially coconuts and oranges - these material decompose and are costing us a lot of money and is a significant contributor to the problem of keeping the lakes clear and clean. Residents are urged to remind their landscapers to not blow or deposit cuttings in the lake, to be proactive in the trimming of coconuts so they do not fall and roll into the lake and to not place landscape waste on top of the drainage grates in the streets because the berries, seeds, leaves and small branches will wash directly into the lakes. If this practice goes unchecked it will cost the community a lot of money to keep up with the lake cleaning.

Some discussion about possibly having an outside contractor come in and clean the lake of floating debris; no decision made.

#### Access Control

Work on the system is progressing; trenches dug, wires run, inspections made and everything is up to code. The old permits have not been an issue so far. The forms need to be entered into the data base. Comcast was out today to survey how to pull lines under the road. If we go with Comcast for the modem installation then each homeowner may assign a phone number with a long distance area code rather than a local number because Comcast offers the long distance dialing at no additional charge.

There was some discussion regarding the various options available for assigning telephone numbers. It was determined that Coconut Palm does so many homes in the community we will assign an access slot for him at no cost to any individual homeowners who use his service.

A couple of Board Members will need to hear the tutorial from Howard Siegel (access control contractor) in the coming week in order to understand how to enter data from the homeowners.

Kip Bandrup has been doing a lot of research on the condition of the gate operators however; there is not enough time at this current meeting and he will postpone his presentation to the next meeting.

Kip Bandrup did make a statement that he has received negative comments about his abilities from certain homeowners. He went on the record to state his many years of experience in numerous fields relating to construction and

manufacturing, the role he played in rescuing a company from bankruptcy and his extensive dealings with contracts and contract negotiations. He further stated that he believes his is adequately experienced to deal with the issues regarding the community for which he has taken responsibility and contributed hundreds of hours to thus far.

The Board acknowledged the contributions that Kip has made and encouraged him to continue.

#### Bylaws

We need to be prepared for the General Membership meeting. One particular area has to do with the renter's restrictions we have been discussing. There was some discussion regarding the document that would need to be changed and the number of members that will need to be in favor in order to pass.

Maura Slaughter asked the Board's opinion on whether or not we should charge the equivalent of one month's rent as a fee for rental approval. There was some discussion regarding the first right of refusal for new buyers based on a clear set of circumstances which the attorney outlined for us as being good cause. There was concern about being sued for refusing a purchase.

There was some discussion regarding the clause about homeowners being restricted to renting the home only once every six months. The concern was that if a renter leaves after one or two months the homeowner will be at a disadvantage and have to leave the home vacant. It was suggested that the language be changed to allow two renters in a twelve month period.

There was some further discussion regarding the approval of transfers by inheritance and the ability to deny the transfer if someone is a felon or sex offender.

Eric Malkin stated that a board he is affiliated with in the county addresses these issues and often sides with the homeowner.

Maura Slaughter pushed for the language the attorney suggested because it gives the HOA the option to deny a purchase or transfer of title based on good cause (with being a sex offender or felon as good cause).

Bobbi Malkin expressed her concern that when an HOA includes clauses for 'first right of refusal' that is a red flag to many lenders. Maura Slaughter is going to check into this. Maura Slaughter asked for Eric and Bobbi to write down their suggestions and send them to her.

Larry Lofaro asked for motion on changes to the Bylaws regarding rental properties. **Mark Halmo made a motion that we continue to pursue changes to the Bylaws as they relate to the rental of properties pending further discussion, seconded by Maura Slaughter, all in favor; motion passed unanimously.** *(this motion occurred later in the meeting, as it was recognized by the Board that a vote had not been taken.)*

We need a committee formed of people who can prepare the materials needed for the General Membership meeting.

Larry Lofaro asked that members of previous Boards and Committees volunteer to count the votes.

We need names of those who are running for the Board to put forth their names as soon as possible.

Maura Slaughter said that we need to file with the State in April a renewal of corporate documents to include the names of the new Board members.

On the proxy that is going to be distributed we should list the items that will be up for a vote. One item that some homeowners want to see on the vote is the issue of the turnaround at the front entry. This is important so that the records will show that the community as a whole, and not just the Board, made the decision on this issue which may have certain liabilities to both the community and the Board should an accident occur while someone is backing out of the entrance onto Jog Road.

Larry Lofaro asked that a motion be made on the subject. Maura Slaughter made a motion that we put the turnaround to a vote by the community at the General Membership meeting. Kip Bandrup seconded, all in favor; motion passed unanimously.

Some residents were talking out of turn and Larry Lofaro asked for the audience to stop talking over the Board so that business could be conducted properly.

Larry Lofaro suggested that Kip provide the community with the costs associated with this improvement so that the community could be better informed.

If the community votes against the turnaround it will then absolve the Board from future legal actions should a lawsuit be filed.

### COWBRA

January 31, 2011 - there will be a meeting at the Library - all are encouraged to attend.

### Old Business

Larry Lofaro stated that at the previous meeting he asked Barbara Malkin, who had made certain accusations towards a Board member, to come forward with any proof; do date she has not. He then stated that he had not heard from her or received anything to date and asked if she had anything to present. (it is difficult to ascertain from the recording but it sounds like either Eric or Barbara said 'no'.) Larry Lofaro asked if Barbara would like to retract her statement and if so, to make the retraction in a written form so that it could be sent to all residents since the accusation was also sent to all residents. Eric Malkin said he wanted to postpone their comments until February because they needed to discuss it with their attorney. Larry Lofaro stated that he requested this at the last meeting and that his concern that if the allegations are true he wanted to take action. Eric Malkin asked what specific allegations he was talking about. Larry Lofaro stated 'the specific allegations against taking 'kick-backs'... Eric and Barbara stated that they never used those words and that the term used was 'potential conflict of interest'. Maura Slaughter asked Barbara Malkin what exactly the conflict of interest was. Barbara Malkin stated "he (Charles Mucciolo) works for GL Homes, Sunflower does work for GL Homes and Charles Mucciolo manages Sunflower and all of sudden they are working for us and we are not getting the services we were getting previously." Maura Slaughter asked "what services are we not getting?" Barbara Malkin said we are not getting the same number of cuts per year. Charles Mucciolo stated that was not correct - we are getting the same number of cuts as Coconut provided us with. Charles Mucciolo then read the statement that Barbara Malkin had made in her email for clarification to the Board; it read "it is my opinion that the present Board has not been operating in the best interest of our community. There has been spending far beyond what is necessary for the smooth operation of a community this size. Further, it appears to be a possible conflict of interest going on based on the relationship between our new landscape company and a Board Member who has no ownership interest in this community and now, with a proposal of a management company."

There was some inaudible discussion in the audience to which Charles Mucciolo stated "I don't work for Sunflower Landscape, I don't manage Sunflower Landscape. They install the landscape material for the company that I work for; on occasion I must go out and verify that the material they put in matches the plans that they followed."

Eric Malkin then asked (referring to the statement that Barbara had made in her email) "what in that statement was derogatory to you (referring to Charles Mucciolo) or anyone else?"

Charles Mucciolo stated "I don't believe anything is derogatory." (something inaudible was said by the audience) and he then responded "hold on a second, you threw something out in a very caustic way, you might not have come out and said 'this person is taking money' but if I say 'this person could be a child molester' then an implication is made. You are making an implication that I did something wrong. I did nothing wrong. At the last meeting you said 'I think you should have recused yourself from the vote'... that is a little different than saying there is a conflict of interest and I'm doing something wrong." Eric Malkin stated "if you just don't let this thing go away I will have to take it to my attorney." Charles Mucciolo commented (tongue in cheek) that it was OK for them (Eric and Barbara) to "throw something out to the community at large and then we have to just forget it".

Mark Halmo then asked Barbara if she had anything to offer Larry Lofaro with respect to his investigation. Barbara Malkin reiterated her position that Charles Mucciolo has a relationship with Sunflower Landscape through his employer. Charles Mucciolo stated that as a Landscape Architect he has dealings with numerous landscape contractors, suggesting there could always be a perceived 'conflict of interest' no matter who we use.

Robert Uhrie stated that during the process of presenting and selecting the various contractors Charles Mucciolo did offer to recuse himself and we asked him to contribute and vote because of his expertise.

Mark Halmo once again asked if Barbara Malkin had nothing more to offer in the way of information that Larry Lofaro could use in his investigation then we should close this investigation and be done with it.

Florin Tudor asked why we were spending more money on the landscaping than we did before. Charles Mucciolo stated that we are not spending more than before. Florin stated that he wanted to see how much we were spending on flowers and the like because the front looks worse than before. Charles Mucciolo asked what the basis for that statement was because he thought that most people have commented favorably on the entry. Florin demanded to know the costs for Sunflower Landscaping and Charles Mucciolo stated that the contract was approximately \$300 more per year over that of Coconut (note: the actual cost is \$100 more per year) with more services. When Barbara Malkin made a statement that we were getting less cuts per year she was basing that on a statement that Phil Kline made at one point that 'Coconut cuts every week' - that was not the case. Barbara Malkin agreed that they did not cut every week. Charles Mucciolo stated that if you look at Coconuts contract it was approximately 36 cuts per year - that is what we get. (note: the Secretary reviewed the contracts for Sunflower and Coconut and found that Sunflower provides 1 additional cut per year compared to Coconut - Florin Tudor was provided with the comparisons a few days after the meeting. If you calculate the cost of yearly maintenance by the number of cuts per year, we are actually paying less for Sunflower than we did for Coconut).

Eric Malkin stated that he did not think we need to change landscape contractors. The Board reminded him that this was a decision made a long time ago after much consideration. Charles Mucciolo stated that he recalled Eric Malkin stating in the past that we did need to make a change - several Board Members agreed to that recollection.

Larry Lofaro asked the Board how they felt we should proceed with regards to the original investigation as nothing has been provided in writing by Barbara. Maura Slaughter stated that Barbara Malkin's accusation was terrible, she was not specific on what the conflict of interest was...this is just like when people commented that members of the Board are not qualified to choose the access system company even though we explained our backgrounds and process for selection...so maybe we should let her statement go just like we did with the other.

Mark Halmo made a motion that we close the investigation and move forward as a community, seconded by Kip Bandrup, all in favor with the exception of Maura Slaughter and Charles Mucciolo; motion passed.

Larry Lofaro went on to state that we do need to move forward but recognizes that the statements made were irresponsible and caused to unfairly tarnish the reputation of someone who has invested a lot of time in this community and that this was the turning point for Charles Mucciolo who will most likely quit as a result.

#### New Business

No new business to discuss

Larry Berdoll made a motion to adjourn, seconded by Mark Halmo, all in favor; motion passed unanimously.

The meeting ended at approximately 12:30 pm.

End of tape

Transcribed by Chuck Mucciolo, Secretary