

Minutes  
GHI Board of Directors  
April 9, 2009

Present: Agans, James, Lewis, McFadden, Mazursky, Morse, Novinski, Robles

Excused Absence: Hickey

Others in Attendance:

Gretchen Overdurff, General Manager	Michael Iacangelo, Audit Committee
Joe Perry, Director of Finance	Dorothy Lauber, Audit Committee
Matt Berres, Sustainable Design & Quality Assurance Manager	Genevieve Courbois, Recording Secretary
Joan Krob, Director of Member Services	Amy Headley
Brenda Lewis, Director of Human Resources	Mr. Headley
Tom Sporney, Manager of Technical Services	Yoni Siegel
Dianne Wilkerson, Chair, Audit Committee	Helen Joynes
	Waymond Joynes

President Lewis called the meeting to order at 7:30 p.m.

1. Approval of Agenda

President Lewis removed *6b: Proposed Lowered Window Sill, 6D Ridge Road* and *6f: 2 Year Profit Limitations Policy Review* and switched *6e: Administration Building Waste Line Repair Contract* and *6d: 2009 Concrete Sidewalk Contract*.

**MOTION: TO APPROVE THE AGENDA AS REVISED.**

Moved: Novinski

Seconded: Robles

Carried -7

2. Visitors and Members

There was no discussion.

3. Approval of Membership Applications

**MOTION: THAT THE FOLLOWING PROSPECTIVE MEMBER IS ACCEPTED INTO THE COOPERATIVE AND MEMBERSHIP AFFORDED HIM AT THE TIME OF SETTLEMENT:**

- **PETER TOTH**

Moved: James

Seconded: McFadden

Carried - 7

4. Committee Reports

There were no reports to review.

5. Consent Agenda

There were no items on the consent agenda.

6a. Installation of Large Windows & Cement-fiber Siding with 3-Season Porch, 10M Plateau

Manager of Technical Services Sporney said that when the Architectural Review Committee (ARC) first discussed this exception request, it considered the use of a four-hung window treatment and vinyl siding on the interior of the porch; at the time, ARC voted 3-0-1 to grant the exception. At the Board meeting of February 12, Yoni Siegel, 10M Plateau, voiced her opposition to the use of vinyl on the interior walls of the porch based on out gassing. The Board remanded the permit request to ARC. On February 25, ARC recommended 4-0 that cement fiber siding could be used instead of vinyl.

Ms. Siegel shared samples of the siding. Sporney noted that maintenance of this material would be the member's responsibility as it is a non-standard material, and this would be noted in paperwork to alert any prospective buyers/future owners.

**MOTION: THE BOARD OF DIRECTORS DOES ALLOW THE CONSTRUCTION OF THE PROPOSED 3-SEASON ADDITION ON THE GARDENSIDE OF 10M PLATEAU, INCLUDING THE 4-TRACK VINYL WINDOWS AND THE USE OF CEMENT-FIBER SIDING (4"OR 8" EXPOSURE, MATCHING YELLOW OR NEUTRAL WHITE) FOR INTERIOR WALLS OF THE SCREEN ROOM. MAINTENANCE OF THE CEMENT-FIBER MATERIAL WILL BE THE MEMBER'S RESPONSIBILITY.**

Moved: James

Seconded: Morse

Carried - 7

6b. Proposed Window Replacement in Existing Gardenside/End Addition, 20J Ridge Road

Manager of Technical Services Sporney said that Helen and Waymond Joynes, are requesting an exception to replace horizontal sliding windows in a gardenside/end addition; GHI rules require that vertical double hung windows be used in frame homes. He said that the addition was built with horizontal sliding windows and the Joynes' would like to replace these in kind. ARC recommended 3-1 that the exception be granted.

Directors James and Morse observed that these windows face the woods and that aesthetics should not be an issue in this case. Ms. Joynes shared some photographs she took, and noted that replacement in-kind would be most appropriate in terms of the addition's style and construction.

**MOTION: THE BOARD OF DIRECTORS DOES ALLOW THE PROPOSED REPLACEMENT OF HORIZONTAL SLIDING WINDOWS IN THE GARDENSIDE/END ADDITION OF 20J RIDGE ROAD.**

Moved: Mazursky

Seconded: James

Carried - 7

6c. Administration Building Waste Line Repair Contract – 1<sup>st</sup> Reading

Manager of Technical Services Sporney said that a backup occurred in the underground sanitary waste line which begins at the administration building and ends at the connection to the main at the parking lot near 36 Court Ridge. GHI solicited bids from four (4) independent underground utility contractors for this emergency repair; three (3) bids were received. At the request of GHI, bidders provided pricing not only for surface excavation but also for a combination of surface excavation and directional boring (which would limit the impact to trees). He said that in the past, pricing for full excavation has been competitive with directional boring, but in this case, directional boring is considerably more expensive.

Amy Headley, said that she was informed of the backup by Matt Berres and Peter Joseph on March 23. She voiced her concern that staff has continued to snake the line rather than making the Board aware of repeated problems, and as a result, her red maple will now be felled. On March 23, she requested written notification about the situation, but only received a door hanger indicating which trees in her yard could be affected by the emergency repair. She said the Board agenda did not specify affected locations, her neighbor was not notified about the Board meeting, and Board members did not respond to the email she sent prior to the Board meeting. She noted that while GHI has offered to replace any impacted trees in her yard, she questioned why they would replant over the new sewer line. She is concerned about the impact the loss of trees will have on her privacy. She understands that GHI owns the property, but questions GHI's methodology of "coming in and taking down the trees" when re-routing the line and directional boring are options.

President Lewis said that Board members did not respond to Mrs. Headley's email as Board members are empowered to address a situation as a whole at an official Board meeting rather than individually. She explained that GHI has numerous problems with its sewer lines, and that staff practices preventative maintenance as utility replacements are prioritized and budgeted for annually in keeping with member fees. She stressed the importance of looking at the big picture of the cooperative.

Sustainable Design and Quality Assurance Manager Berres clarified that written notification to all affected members is currently in draft form as staff has been awaiting the receipt of bids, the authorization of the Board regarding scope of work, and the subsequent determination of the extent of the impacted area. He stressed that this back-up situation necessitates an emergency repair and staff has opened the clean-up valve to avoid a public health risk. He said that staff strives to avoid unplanned utility replacement through preventative maintenance, but it is apparent that there are faults at every joint of this line. To minimize disturbance to members and the landscape, GHI considers the least destructive way to implement a project, therefore, directional boring is being considered. However it is more expensive, and while there would be no above-ground disturbance, boring has an impact on plantings. He detailed those trees in members' yards in 36 Ridge which would necessitate pruning or removal (regardless of which repair option is selected). In talking with Ms. Heslop of 36R Ridge Road about the potential impact to her trees, he related that she understands the necessity of proceeding with this repair. He acknowledged that determining with certainty which plantings will need to be removed is difficult as the sewer line, as mapped, may not be exact and the underground spread of root systems needs to be assessed. He explained that trees within 4-6 feet of the line may have to come down, as their supporting roots will need to be cut for the repair which can weaken stability. Berres said that GHI would need to remove any fence in the impacted area to gain access for the repair and will replace in kind.

Director Mazursky inquired about bending the line around Ms. Headley's yard. Sporney was unsure based on the grade. While securing more bids is always possible, Sporney said that procuring bids to re-route the line would take another month. Berres added that contractors and WSSC prefer lines without bends as they are best for flow, alleviate blockages, and are easier to snake.

Director Morse suggested that written notification in such a situation, even when certain factors are vague, may be a good procedure to follow. He empathized with Ms. Headley as many members live with large trees which they cherish. He requested clarification from Berres regarding directional boring's affect on a tree. Berres responded that the health of a tree post-directional boring depends on a

number of factors, e.g., depth of boring and the extent of the tree's root system, weather patterns and site conditions. Morse inquired about the state of conditions in the administration building. In order to minimize stress on the system, Berres said that staff is using off-site restroom facilities when possible and being prudent in their use of on-site facilities. The outside clean-out is helping and maintenance staff is frequently snaking the line to ensure the building does not have another overflow which would require full sanitization again, said Berres.

Director McFadden emphasized the need to look at what we value versus additional cost. Berres estimated the maple was in the 20-year range. He explained that the current line, which is original to GHI, is made of terracotta and roots are drawn to the nutrients in the terracotta and infiltrate at the pipe's frictional fittings. The replacement pipe will be made of PVC – its fittings create a seal, and it has greater longevity and a lower risk of root intrusion. While GHI discourages plantings over pipes, GHI cannot control where members choose to plant, said Berres.

Berres was unsure which species has most impinged on the line, but would presume maple as they are known for being a troublesome species in terms of terra-cotta pipes as they are very attracted to the nutrients. Sporney said that finding a contractor who does directional boring with affordable pricing is challenging. In terms of WSSC methodology, Sporney said that WSSC would favor directional boring in GHI given the number of trees, but is skeptical if their budget would support this. Berres explained that directional boring is not always an option as an access pit is needed on both sides. He noted that some line replacements slated for this year do not offer that access, therefore directional boring is not physically possible and trees will be impacted. He stressed that staff has made, and will make, every attempt to use directional boring when feasible, and negotiate with WSSC to do the same.

President Lewis inquired about the process of remediation with surface excavation. Berres said that GHI will make every effort to restore the landscape with same, but acknowledged that replacing an older tree with significant growth is impossible. In this case, GHI would typically plant a 5-6' tall tree or a ball and burlap 10-12' tall tree. He explained the other landscaping and existing structure remediation that GHI will do at its expense after the repair is completed. In terms of Ms. Headley's privacy screen, Berres offered that GHI could plant a living screen, but would be unable to erect a structural screen as it does not currently exist in that location.

President Lewis emphasized that the Board is responsible for considering cost and its impact on member fees, especially on those members who cannot afford more than they are paying. She acknowledged that the Board has to weigh many factors in making a decision, and Board members often have to make difficult decisions.

Director Morse noted that historical comparison of the past cost of directional boring of \$2,050 to save trees versus the current \$10,000 pricing for directional boring to save trees. President Lewis noted that the maple is a special "specimen" tree. Director Morse felt that if he owned the tree personally, he would not expend \$10,000 to save one tree. Director Robles concurred saying that if the tree were in her yard, she would be heartbroken to lose it, but would feel unjustified in utilizing members' fees to save a 15-20 year tree.

**MOTION: THE BOARD OF DIRECTORS AUTHORIZES THE MANAGER, FOR FIRST READING, TO SIGN A CONTRACT WITH B&P UTILITIES TO PERFORM EMERGENCY REPLACEMENT OF THE EXISTING UNDERGROUND SEWER LINE, USING SURFACE EXCAVATION FROM THE CONNECTION TO THE MAIN AT THE PARKING LOT NEAR 36 COURT RIDGE TO THE ADMINISTRATION BUILDING, AT ITS BID OF \$27,760, PLUS 15% FOR CONTINGENCIES, FOR A TOTAL AMOUNT NOT TO EXCEED \$31,924.**

Moved: Morse

Seconded: Agans

Carried – 6

Opposed: Mazursky

Director Robles asked if Ms. Headley’s red maple could remain intact until the exact location of the line is determined. Berres said that he and Peter Joseph will begin excavation along the line to determine more precisely its location and the potential impact on plantings. Director Agans requested that Berres work with Ms. Headley to determine the best location and species of a replacement tree; Berres said he would be pleased to do so. Director Morse suggested providing a letter to affected members in this situation rather than a door hanger. Sporney explained that a letter is standard procedure; however, all of the necessary information was not available due to the accelerated schedule of this situation. Ms. Headley requested a written report of the line’s location once staff has finished its preliminary excavation. Berres said that he will put in writing that GHI will attempt to determine the precise location of the line, but he can not say that it will be definitively exact; this will only be known once the official repair project begins. He said that the red maple is definitely within the limit of disturbance for replacing the pipe. He will put in writing that GHI will make every attempt to avoid damage to the tree, but cannot guarantee the tree can be saved.

President Lewis emphasized that the Board does not want to cut down the tree. Ms. Headley concluded that the Board’s decision is based purely on money, and requested that her future membership fees be dedicated solely to fund the \$10,000. She reiterated that this back-up situation has been going on for a year, and while it is “not her problem” her tree has to come down. Director Mazursky explained to Ms. Headley that preventive maintenance is practiced to avoid situations like this and is not an attempt by staff to obfuscate responsibility or be disingenuous to her or the Board. He continued that the repair is being undertaken as a last resort.

Director Robles inquired of Ms. Headley if she would be willing to provide the \$10,000 to subsidize the directional boring. She responded that the only way she could do this would be through her monthly fees. She emphatically stated that she does not want Berres’ assistance in replanting any trees in her yard or with landscaping. President Lewis noted that Ms. Headley is refusing Berres’ help in terms of remediation, but stated that he is a GHI employee with responsibilities to this project. After Ms. Headley remarked that Berres is not an arborist, President Lewis expressed her intolerance for disrespect towards an experienced and qualified employee; Ms. Headley responded that she did not appreciate President Lewis’ “lack of transparency.”

Berres requested further clarification of his remediation responsibilities. President Lewis suggested that Berres prepare a written document outlining the remediation work which GHI will provide as a matter of course, and Ms. Headley can determine if she would like assistance. Ms. Headley requested that the fences be put back in situ, and that she be notified when her tree will be felled.

6d. 2009 Concrete Sidewalk Contract – 1<sup>st</sup> Reading

In the first quarter of 2009, staff solicited bids to replace concrete sidewalks and a number of steps at forty-four (44) locations. GHI formally solicited bids from twelve (12) independent concrete contractors who were all individually contacted to ascertain their interest. GHI received bids from nine (9) contractors. Staff recommends that GHI contract with Willis Concrete Construction to perform the spring concrete sidewalk replacement, for the amount of its bid, with an additional 10 percent to cover contingencies or additional sites found necessary during the performance of the contract.

**MOTION: THE BOARD OF DIRECTORS AUTHORIZES THE MANAGER, FOR FIRST READING, TO ENTER INTO A CONTRACT WITH WILLIS CONCRETE CONSTRUCTION, FOR THE SPRING REPAIRS OF CONCRETE SIDEWALKS AT 44 SITES AT ITS BID, \$28,382.25, PLUS 10% FOR CONTINGENCIES, FOR A TOTAL NOT TO EXCEED \$31,220.**

Moved: Agans

Seconded: Novinski

Carried - 7

6e. Subleasing Policy

The Board discussed the possible elimination of the fifth criterion of GHI's subleasing policy which allows members who are unable to sell the opportunity to sublease for a period not to exceed one year. Staff reports that market conditions have brought forth a number of new requests for subleasing privileges and that an upturn in rental situations could negatively impact GHI's tax status as well as members' ability to obtain financing.

Director Morse acknowledged that this situation could impact GHI's tax status, but would also significantly impact members' financial well-being; he would like to see a policy that addresses both of these impacts. He suggested that the current policy could be amended by adding preconditions to any permission to sublease, such as making continuation of a sublease contingent on a new assessment and corresponding price reduction if the home had not sold after a specified period of time. In the meantime, he favored tabling the motion pending legal counsel. General Manager Overdurff suggested the attorney handling the tax appeal might be able to address this at a future Board meeting.

The Board discussed the difference between a non-owner occupied unit and a vacant unit. Overdurff explained that there can be liability issues for rental properties to the cooperative if the owner does not have appropriate insurance. She said that members will need to sign affidavits regarding their primary residence; based on the results, GHI may lose its homestead tax credit. Director James questioned if members would lower their asking prices if subleasing was not allowed. Director McFadden observed that this could be an opportunity for new members to buy at a more affordable price.

Audit committee member Wilkerson perceives that members do not understand the relationship between renter occupancy rates and tax status. She suggested an article in the *Communicator* to educate the membership about this and GHI's homestead tax credit.

Overdurff noted the perception among members is that renting is a readily available solution despite the fact that she is very strict about granting a rental situation. With homeowners possibly being unable to sell in the current economic conditions, she anticipates more rental requests and suggests that the Board be proactive about re-reviewing the impact of the fifth criterion at this point in time.

**MOTION: THE BOARD OF DIRECTORS TABLES CONSIDERATION OF THE SUGGESTED MOTION UNTIL AN OPINION FROM LEGAL COUNSEL IS RECEIVED.**

Moved: Morse

Seconded: McFadden

Carried – 7

6f. Financial Committee Recommendation Re: 501(c)(3) Status

**MOTION: THE BOARD OF DIRECTORS REQUESTS THE FINANCE COMMITTEE TO STUDY WAYS TO SET UP A 501(c)(3) ENTITY FOR THE BENEFIT OF REQUESTING GRANT FUNDING TO FINANCE GHI'S PROGRAMS.**

Moved: Morse

Seconded: James

Carried – 7

6g. Schedule Stakeholder Meeting with City Council

The stakeholder meeting with the City Council is scheduled for June 17. President Lewis said that the agenda will be set in May; Board members will have an opportunity to suggest agenda items at a future Board meeting.

7. Items of Information

General Manager Overdurff will email Board members once she confirms the starting point for the Greenhill Outfall Stabilization Project walk on April 16. Overdurff clarified that the Committee Task List is included with the Board packet for Board member review as applicable.

8. President

President Lewis is signing letters to Alice Mitchell who is resigning from the Sustainable Design and Practices committee and to Barbara Logan who is resigning from the Member and Community Relations committee.

The Marketing committee is proactively promoting GHI. A flyer promoting GHI open houses will be distributed in the *Communicator* and members are asked to post these at their places of employment. The committee's GHI logo contest has received a great response (deadline is May 1) and entries will be on display at the annual meeting. The Communications committee will report to the Board at the next meeting.

A series of ads promoting cooperatives was recently featured in the *New York Times* and a recent article indicated that housing cooperatives in New York were having a hard time as the value of cooperatives is decreasing.

County Executive Jack Johnson is sponsoring a sustainable livable communities program on May 30.

## 9. Board Members

**Director Novinski** gave an overview of the TV program on hoarding and emphasized that merely removing the items from the home will not solve the problem. She empathized with staff for the conditions in the building due to the waste line situation. She wished Dianne Wilkerson a happy 30<sup>th</sup> anniversary. **Director Robles** thanked Matt Berres for his help with the clean-up on Saturday, April 4. She announced an Earth Day, Arbor Day, and Public Works Open House from 10 – 2 pm on Saturday, April 25. There will be a shuttle service available, free t-shirts will be available at the youth center, and hot dogs/veggie dogs will be available at the public works building. **Director James** said the committee volunteer appreciation event will take place at the firehouse on April 19 from 12:30 pm to 3:00 pm; he encouraged attendees to RSVP. **Directors Mazursky, Agans and McFadden** thanked Tom Sporney, Matt Berres, and Peter Joseph for their work on the waste line situation. **Director Morse** announced a Sustainable Design and Practices committee meeting on April 14 and noted there is talk of folding the committee. President Lewis clarified that the decision to fold a committee lies with the Board.

Dianne Wilkerson said that member Leah Cohen (who had since departed the meeting) conveyed to Ms. Wilkerson that she was unaware of GHI's subleasing policy. General Manager Overdurff said the document is not openly publicized in the members' handbook and is used for guidance in processing requests to sublease; an open subleasing policy could negatively impact GHI's tax status.

## 10. General Manager

In terms of the waste line situation, Overdurff thanked the Board for their support of staff and assessment of the pros and cons. She acknowledged that the Board is charged with making decisions in the best interest of the cooperative despite to what extent it empathizes with individual concerns. Based on the sensitivity of this issue to Ms. Headley, she said that staff personally visited the Headleys several times regarding the waste line situation. In the past, members who received letters from GHI regarding a sensitive issue construed letters as being too impersonal and expressed their preference for a personal visit.

She announced *Essentials of Community Association Volunteer Leadership* on April 11 at Greenbriar. She said that she will be away for the rest of the week and will return on April 15. Regarding the hoarding video, she added that when a hoarder's possessions are removed, the hoarders lose part of themselves; they need intensive therapy to change their ways.

Joe Perry said he needs to set up a time for the Audit committee to meet with Tim Murphy to discuss the audit.

Brenda Lewis announced staff appreciation week from April 20 - 24. Director Mazursky inquired about the compressed work week. Lewis said that staff is adjusting to the schedule and the alternate Friday day off is very well-received. She has not personally received feedback from members. Overdurff said that staff will be reporting on this at the first Board meeting in May.

Matt Berres thanked the Board for its difficult and thoughtful decision regarding the waste line situation. He reported that twelve Greenbelt residents participated in the city's Spellman



overpass clean-up on April 4 (six bags of garbage and seven bags of recycling were collected.) The mowing contractors will start tomorrow around the administration building and Parkway apartments and then move to other areas; they will no longer be applying herbicides in landscaped areas and will be mechanically removing weeds from flower beds. The Woodlands committee will offer four or five herbaceous species at the annual meeting.

Tom Sporney reported that GHI has received drawings from Verizon regarding the FiOS installation. Staff will review the drawings and present to the Board. Once the Board signs off on the plan, work could begin shortly with all areas possibly being finished by the end of the year. Members will be notified and will have the option of granting Verizon access to their unit.

**MOTION: TO RECESS TO EXECUTIVE SESSION.**

Moved: Agans

Seconded: Robles

Carried – 7

The meeting recessed at 9:48 p.m.

Ed James  
Secretary