

## Master Management Special Meeting

2-22-10

### Minutes of Master Management Special Meeting 2/22/10

President, Ira Somerset called the meeting to order at 9:30 am on Monday, February 22, 2010.

In attendance were: Caryl Berner, Norm Bloom, Harry Chizeck, Dick Ciocca, Anthony Falco, Dan Glickman, Bill Goddard, Gene Goldman, Jules Kesselman, Jack Kornfield, Bob Marcus, Alan Schachter, Mel Schmier and Ira Somerset. Not present: Fred Rosenzweig. Guests present were Bob Dolson, Business Manager; Mike Mahaney, Administrative Advisor.

Following the opening roll call and pledge of allegiance, Jack Kornfield raised a point of order that CVEMM bylaws require that only 1 item is allowed at a special meeting. The chair replied that more than 1 item is allowed to be discussed at a special meeting providing that the three day notice is duly provided for each and therefore the point of order was not accepted and the agenda items were addressed.

#### ***Item 1. Tech support during negotiations with Comcast.***

Mr. Somerset stated that during the Executive Session on Thursday, February 18<sup>th</sup> Mr. Murphy brought representatives from CSI, a broadband consulting firm, to meet with the Board and present their views of the situation with respect to the Comcast contract and the addendum proposed by Comcast. It was the consensus of the Board at this meeting to sign this agreement with CSI. There were some issues that were raised that will be negotiated. Mr. Somerset reminded the Board that at the last Board meeting they had agreed to hire someone up to \$15,000 to support Mr. Murphy's efforts. CSI prefers to work on a contingency basis, based on whatever monies they get Comcast to provide us in cash as well as what they save us in a revised contract. The Committee proposes to accept the CSI offer on a percentage basis to be negotiated along with other criteria and concerns that have been expressed. Gene Goldman moved to accept the Committee's proposal. Bill Goddard seconded.

Mr. Kornfield stated that he spoke to George Lowenstein, President of United Civic Organization of CV in WPB. Mr. Lowenstein said that they hired a cable attorney to review and negotiate the contract at an hourly rate of \$350/hour. Mr. Kornfield offered a

substitute motion to hire and reallocate the funds for a cable attorney and proceed to interview the attorney, Ms. Konyk. No second. Motion failed.

The original motion passed on a roll call vote 9:3. (Yes Vote: Norm, Caryl, Dick, Anthony, Bill, Gene, Bob, Alan and Mel; No Vote: Harry, Dan, Jack)

*Item 2. Irrigation Designer recommendation from Irrigation Committee.*

The Irrigation Committee met on Friday, February 19<sup>th</sup> to discuss the choice of a direction and approach to the design of the irrigation system modifications. After a review of the history of the quest and requirements for meeting the SFWMD regulations, the Committee agreed to recommend to the Board that the Masuen proposal of January 15<sup>th</sup> be accepted. The Committee then took up the question of the contractor to work with Masuen during the design phase. Based on an estimate by Todd Mohler (Masuen) of approximately \$3,000 and the list of recommended contractors provided by Mr. Mohler, the committee agreed to recommend that Masuen use Research Irrigation.

Mel Schmier moved "Be it resolved that CVE Master Management Co., Inc. contract with Masuen Consultants to provide irrigation design and construction observation services in accordance with their proposal dated 15 January 2010 and with the clarifying narrative of the same date submitted therewith.

"The contract shall contain provisions that should CVE Master Management decide not to proceed with the design prepared by Masuen Consultants thereunder, that the construction supervision provision shall be null and void and CVE Master Management shall not be obligated to any further payments thereunder.

"The Irrigation Committee is hereby authorized to select an Irrigation Contractor to participate in the design phase with Masuen Consultants, in accordance with their proposal, without further approval by the BOD, provided the cost of such shall not exceed \$5,000.

"The final contract shall be reviewed by our attorney before signature."

Dan Glickman seconded.

Mr. Schmier noted that the Committee will have input into the design. Part of their proposal is that they will review the report prepared by IDG for all pertinent information that will inform the design process. The IDG report suggested that we might continue to use the lateral lines; the designers will look at the proposal and decide if we can or cannot use the lines.

The motion was passed on a roll call vote 11:1 (Yes Vote: Caryl, Harry, Dick, Anthony, Dan, Bill, Gene, Jules, Bob, Alan and Mel; No Vote: Jack; Abstain: Norm)

Mr. Somerset requested that any Board member with comments on these documents please send them to him quickly as we need to move on the Comcast issue. We had asked Comcast to extend the free offer for residents to keep the converter (digital cable box) boxes through next fall for those that go home, but the preliminary response from Comcast was that they would not accommodate us. Mr. Ciocca stated that Comcast advised him that any residents leaving for the summer should return their boxes, as there will be no extensions and they will be charged in July.

Mr. Somerset also reminded everyone that there is a District 3 meeting today at 1:00pm in the Party Room.

The meeting was adjourned at 10:15 am.

Respectfully submitted,

Ira Somerset