

VALHALLA ASSOCIATION 10 – Board of Directors – Emergency Meeting
MINUTES – MAY 12, 2025 – 8:30 PM – Zoom Meeting

Welcome: Emily Mandarino, President. Meeting called to order at 8:36 pm

Roll call: Linda Castiglioni, Secretary. Roll call conducted.

President's Report: Emily Mandarino

The President called an emergency meeting of the Valhalla Ten Association Board of Directors for 8:30 PM on Monday May 12, 2025. This emergency meeting was called to discuss a request from the Owner of Unit 16 for the Valhalla Ten Association to pay for the repairs of broken glass on Unit 16's patio door

Background: Unit 16, ground floor patio door glass was broken on Sunday May 11, 2025, sometime in the late afternoon at approximately 4-5. Apparently, there were approximately 4-5 individuals who threw rocks from the outside through the patio glass door of Unit 16. Apparently, the intent was to obtain cash from Unit 16's Occupant(s). It appears this was a targeted and intentional act against the Occupant(s) of Unit 16. Individuals from Buildings 10 and 11 called the Rochester Police Department. The Rochester Police Department did a neighborhood search and arrested some of the individuals involved. A police report has been obtained. Valhalla Maintenance on-call staff were notified and assisted the Owner of Unit 16 with securing the glass part of the patio door the same day.

- 8:21 AM; 05/12/2025. Email from Mark Kellen Owner Unit 16 sent to General Manager – Jill Bailey. "Good morning. I hope you had a great weekend. Sad to hear the news that happened at unit 16 in building 10 last night. Just reaching out to you to confirm that Valhalla will be replacing that window. Please confirm. Just want to make sure the unit gets secured ASAP."
- 10:28 AM; 05/12/2025. Email from Valhalla General Manager to Valhalla Ten Association Board of Directors. "Building 10 Board of Directors please see email from Mark Kellen below."
- 11:37 AM; 5/12/2025. Email from Mark Kellen Owner Unit 16 sent to Valhalla Ten Association Board of Directors. "All, Good morning. Time is of the essence. Thanks in advance for your cooperation. Regards, Mark"
- 1:53 PM; 05/12/2025. Email from Mark Kellen Owner Unit 16 to Valhalla Ten Association Board of Directors. "Good afternoon. Still waiting on a response. In addition, can you please confirm that patio doors are on the reserve worksheet? I looked for the worksheets, but could not find them. Regards, Mark"

Discussion followed regarding events that occurred at Unit 16 on Sunday May 11, 2025, Owner's request for Valhalla Ten Association to pay for the repairs, Valhalla Ten Association's Governing Documents, the Association's and Owner's responsibilities.

A motion was made and seconded to deny the Owner's request for Valhalla Ten Association to pay for the repairs of Unit 16. No further discussion. Motion passed unanimously.

Discussion followed regarding Unit 16's Owner to repair patio door with equal or better-quality materials as before.

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Next Steps

Send a denial letter to Owner Unit 16.

Meeting adjourned at 9:06 pm.

Minutes respectfully submitted: Linda Castiglioni, Secretary

Minutes approved by Valhalla Ten Association Board of Directors via email on May 13, 2025

	X = Present (Directors)				
X	Director, Emily Mandarino, President	X	Director, Mark Graham	X	Director, Linda Castiglioni
X	Director: Derick Behrends	X	Director, Connie McKenzie	X	Director, Kyle Gaffaney

APPENDIX: Governing Documents – Excerpts

Valhalla Ten Association - Amended and Restated Declaration; dated August 9, 2022.

Section 6 Assessments for Common Expenses; pages 10 and 11.

6.4 Limited Allocation Assessments. In addition to annual assessments and special assessments, the Board may, at its discretion, levy and allocate limited allocation assessments among only certain Units in accordance with the following requirements and procedures:

Paragraph d. Reasonable attorney's fees and other costs if incurred by the Association in connection with (i) the collection of assessments; or (ii) the enforcement of the Governing Documents or the Act against an Owner or Occupant or their guests, may be assessed against the Owner's Unit.

Paragraph g. If the act or omission of any Owner or Occupant or their guests damages the Common Elements or another Unit, the Association may assess the costs of repairing the damage exclusively against the Owner's Unit to the extent not covered by insurance.

Section 7 Restrictions on Use of Property; page 13. All Owners and Occupants, and all secured parties, by their acceptance or assertion of an interest in the Property, or by their occupancy of a Unit, covenant and agree that, in addition to any other restrictions which may be imposed by the Act or Governing Documents, the occupancy, use, operation, alienation, and conveyance of the Property shall be subject to the following restrictions.

7.3 Use of Common Elements. There shall be no obstruction, littering, defacement, or misuse of Common Elements nor shall anything be stored in the Common Elements except in areas designated for such storage by the Board of Directors of the Association.

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Section 9 Maintenance; pages 19 and 20

9.1 Maintenance by Association. The Association shall provide for all maintenance, repair, or replacement (collectively referred to as “maintenance”) of the Common Elements. The Association shall have easements as described in Section 12 to perform its obligations under this Section 9. The Association shall have the authority, by and through its Board of Directors, to make such rules and regulations as it deems appropriate for the maintenance provided in this section.

9.2 Optional Maintenance by Association. In addition to the maintenance described in this Section the Association may, with the approval of Owners entitled to cast in excess of fifty percent (50%) of all the votes in the Association, undertake to provide additional maintenance to the Units.

9.3 Maintenance by Owner. Except for the maintenance required to be provided by the Association under Section 9.1 or 9.2, all maintenance, repair or replacement of the Units shall be the sole responsibility and expense of the Owners thereof. The Owners and Occupants shall have a duty to promptly notify the Association of defects in or damage to those parts of the Property which the Association is obligated to maintain. The Association may require that any maintenance to be performed by the Owner be accomplished pursuant to specific uniform criteria established by the Association. The Association may also undertake any maintenance which the responsible Owner fails to or improperly performs and assess the Unit and the Owner for the cost thereof.

9.4 Damage Caused by Owner. Notwithstanding any provision to the contrary in this Section, if, in the judgement of the Association, the need for maintenance of any part of the Property is caused by the willful or negligent act or omission of any Owner or Occupant, or their guests, or by a condition in a Unit which the Owner or Occupant has willfully or negligently allowed to exist, the Association may cause such damage or condition to be repaired or corrected (and enter upon any Unit to do so), and the cost thereof may be assessed against the Unit of the Owner responsible for the damage.

9.5 Maintenance Responsibilities Defined by the Board of Directors. Notwithstanding any provisions to the contrary, the Board of Directors shall have the sole and exclusive authority to define the scope of maintenance and repair to be provided by the Association. The Board of Directors is hereby vested with the authority to interpret the Governing Documents and rule on any ambiguities contained therein. The Owners shall be legally bound by any decisions of the Board of Directors pertaining to the determination of the Association’s maintenance obligations and the scope and extent thereof.

Addendum to Minutes (Summary of ABC 6 News dated May 13, 2025 at 2:00pm):

Four men and one teenaged girl suspected in Rochester burglary. Three of the four men have been arrested, and one juvenile faces possible charges in a NW Rochester burglary. Charges: aiding and abetting 1st-degree burglary- assault person in building; aiding and abetting 1st degree burglary- possession of dangerous weapon; aiding and abetting 1st-degree burglary – occupied dwelling; aiding and abetting theft; and aiding and abetting 5th-degree assault. The first four charges are felonies. Aiding and abetting 5th-degree assault is a misdemeanor.

According to court documents, \$3,000 in cash, plus shoes worth \$1,800 were taken. Police noted the sliding glass door to the condo had been shattered with a large rock, according to court documents.

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“The man (Occupant of Unit 16) told police that five people had entered his condo while he was home, and he knew four of them – even though the men were all wearing ski masks.” “Several of them had been guests at his house just the day before.” Occupant of Unit 16 named three men and the teenage girl to the police.

According to court documents, the four men rushed into his home after breaking the door and “started beating him up in the corner of the apartment” while the teenager took video of the event.

Addendum to Minutes respectfully submitted: Linda Castiglioni, Secretary

Addendum to Minutes approved by Valhalla Ten Association Board of Directors via email on May 14, 2025