

□ Marc Ginsberg - vs – Sandpiper Bay Homeowner’s Association Inc. Board of Directors

SPECIAL MEETING DATE: Wednesday, May 16, 2018

In reference to the letter I received from the Sandpiper Bay Homeowner’s Association Inc. Board of Directors dated May 20, 2018 (incorrect date) for a Special Meeting which is scheduled for Wednesday, May 16, 2018 for a Vote To Exercise Section 2.6 EXPULSION HEARING AND VOTE of the Association’s By-Laws regarding continued “Membership”.

DUE TO MY SURGERY, I WILL NOT BE ABLE TO ATTEND THIS SPECIAL MEETING on Wednesday, May 16, 2018. Phil Millevolte will read this letter on my behalf. I am exercising my right to proxy vote and that vote is for me to remain on the Board because I did nothing wrong as written in the letter sent by William Bradley.

Please note: On advise of my attorney, I would like to officially put on the record that I did not receive the proper 14 day notice as required by the By-Laws. I am exercising my right not to give up any rights or actions I may want to legally take. A complete copy of any recordings either video or audio recording of the meeting on Wednesday, May 16, 2018 needs to be provided to me or my attorney no later than May 23, 2018.

My surgery was setup and scheduled in March 2018 and will be performed in New Jersey due to a line of service injury on Friday, May 18, 2018. Due to my surgery, I will not be available to attend the meeting. I informed each of the current Board Members months ago of my surgery and that I would not be able to attend the May 2018 Board Meeting and the June 2018 Board Meeting.

This whole ordeal with the Board has been weighing heavy on my wife and myself. As you know, it isn’t always easy serving on boards and especially if you are a volunteer. But whether you volunteer or do this for a living, you must do your fiduciary duty to make sure that all decisions are for the best interest of those you represent.

In the letter, it clearly states I did nothing wrong. I agree. My intentions at each Board Meeting is to remain nonpartisan, aboveboard and ethical. My questions may seem direct and forthright but the Secretary takes the minutes and what is being read or approved needs to be accurate. We as a board should be unified in making sure that what we say is correct and if by chance we make an honest mistake – let’s just correct it. We are all human.

I believe our \*\*\*“Articles of Incorporations” (see below) were written for that very reason. To remind us that we are human and we do once in a while have a lapses in judgment or good sense and “cannot be liable to each other”.

I would like to start with addressing some of the false accusations that were waived in the letter from William Bradley, President then I will address the lapses in judgment and good sense that my fellow Board Members have displayed.

1. Letter dated May 20, 2018 and signed by William Bradley for the Board of Directors:

The following accusation were waived against me:

- Summary of Issues Presented by the Sandpiper Bay Homeowner's Association Inc. Board of Directors in their letter dated May 20, 2018 (Incorrect Date)

o The Board believes that certain actions and behavior on your (Marc Gingsberg) part – regardless of intent – are driving people away the association. As a member of the Board as well, these actions are magnified. In the Board Meetings, as a Board Member in two meetings how you interacted with another Board Member that some consider condescending. At the January Board Meeting you talked to a member in the audience in a condescending tone. Most recently, you posted on Facebook comments and responses and further accusations that were destructive to the image the association is trying to build and preserve. We have an audit of these postings for the record.

Let's break down their letter:

Summary of Issues:

- Certain Actions and Behavior – regardless of Intent are driving members away.
- 327 Members - 2017 Membership – While I was President
- 191 Members - 2018 to Date – With New President (William Bradley) & with Fictitious Name Change
  
- Interacting with other Board Members / Board Members Resigned
- One I have a hard time hearing with loud background so I tend to talk loud (American Disability Act)
- Which Board Member did I offend? Who have I offended?
- To Date NO Board Member has officially resigned so the letter is incorrect.
  
- January Meeting I spoke to member in audience in condescending tone.
- That member was “out of order” according to Robert Rules of Order and this same member had sent approximately 200 derogatory and defaming emails to other Board Members and Homeowners for over the past 2 years. The President should have spoken up.
  
- Facebook accusations are inaccurate. The Facebook comments did NOT originate from MY Facebook. However I did make a comment about being appalled at behavior. I was not directing my comment at the Sandpiper Bay community so I am confused as to how my comment had anything to do with the “image of the community” in which I am totally vested in. I challenge you to find anyone who can say that I am not one of Sandpiper Bay's biggest supporters. If you need a reminder, I will certainly share a copy of my North Fork magazine with you.
  
- The Accusation Letter states I would have more time to take on more responsibilities at my “Temple” implying Temple Beth El Israel (my synagogue). I have to wonder if this isn't direct hostility from his (William) non-belief which was apparent from the unprovoked incident at our Annual Christmas Party on Sunday, December 3, 2017. I feel my religious beliefs and faith are being singled out by William.

2. Let's address William and my fellow Board Member's lapses in judgment and good sense. A PRECEDENCE has been set by William/President as he has scrutinized my every effort yet others indiscretions and misconduct went ignored and unnoticed. So is this a witch hunt or does William Bradley have an agenda with me due to the fact I am Jewish and he is agnostic?

- February 2018 Board Meeting our Treasurer responded by yelling "shut up" from the dais to her husband because he interrupted the Board Meeting.

- March 2018 Board Meeting, Social Committee Chairwoman/wife of William Bradley disrupted the meeting by literally running to the dais and yelling to William/President because he did not call on her committee yet. It was discovered it was not her turn to go yet as they go in A-Z order.

- March 2018 Board Meeting, Treasury report was verbally given but with incorrect amounts. The amounts read were to the rounded off amount. The Secretary however reported in the minutes not what was read to the Board at the meeting but what was written on the paper that was NOT approved.

- March 2018 Board Meeting, I asked about a questionable line item (\* charity) that was read.

- After March 2018 Board Meeting, I spoke with William Bradley after a couple of members' disapproved of the Treasurer (especially the Treasurer) drinking alcohol during the business meeting. William/President said he would handle it.

- March 2018, I discovered after reading in TCPALM that our Social Committee Chairwoman/Wife of the President had been holding 50/50 Raffles without a gaming license. I immediately notified the President of this FL State Gaming Violation.

- April 2018 Board Meeting, Kelly Lee/Former Secretary yells out to the Treasurer and interrupts a Board Meeting. I informed her she was "out of order" and she left. I understand she is a good friend of the President and his wife but she still needs to adhere to the Roberts Rules of Order.

- April 2018 Board Meeting, Treasury report was verbally given but with incorrect amounts. The amounts read were to the rounded off amount. The Secretary however reported in the minutes not what was read to the Board at the meeting but what was written on the paper that was NOT approved.

- April 2018 Board Meeting, the Treasurer showed blatant disregard for how the members felt by bringing alcohol on the dais. It was obvious William spoke with her because she at least put it in a cup instead of a wine glass to disguise it.

- 2018 FLORIDA NOT FOR PROFIT CORPORATION ANNUAL REPORT Document # 714254 Filed April 03, 2018 with Secretary of State of FL CC0477533388 This document was

electronically filed by Kelly M. Lee, SBHA Secretary (electronically Signature) and the Electronic Signature of Signing Officer/Director Detail was William Bradley, President. PROBLEM: Kelly M. Lee is NOT the SBHA Secretary. This is an official document.

- NOTE: The questionable line item: CHARITY – When I asked William/President about this line item he stated this “money” was promised to a charity by Kelly Lee and instead of getting into a “conflict” with her he was just going to pay it first and then get the Board to approve it later.
- Sunday, December 3, 2017 at the Annual Christmas Party, Vice President at the time, was intoxicated dancing on the dance floor. Suddenly and without cause began to take his clothes off. Several members including my wife and myself left in horror. This incident was videotaped by William/President.
- At the Christmas Party on Sunday, December 3, 2017, William/President stormed up to my wife and myself without warning and began to scream and yell (waving his arms) that he did not believe in God and he agnostic was going to leave the party because he was not going to stand by while we had a flag salute and the Lord’s Prayer before dinner was served. This bizarre behavior is the root of why I think he might have some hidden hatred toward my faith and why he is working so hard to undermine me as a Board Member especially after looking at all the “lapse of judgment and good sense” shown by other board members as seen above.

Below are my conversations with the other Board Members. There is a pattern of miscommunication let’s call it because backstabbing is such a harsh word. It has been difficult to determine what is the truth between what William/President tells me and what the other board members say.

- I met with William/President on Wednesday, April 25, 2018, hoping to discuss the issues with the board. After a few minutes into the meeting, it was obvious I was not going to get anywhere no matter how hard I tried. Later after talking with several of the other Board Members it was confirmed that William/President was the reason the Board was at odds. If he can talk about other members in such a way, I can only imagine what he has said about me true or not true.

William told me Phil’s wife Laverne hates to lose so Phil got two Golf Pros to join his team for the Golf Tournament. And as luck would have it, they won title of First Place and the gift baskets.

William told me that Sandra has a glass of wine in her hand at 10 am in the morning every time he is at their house.

William told me that he was looking in to replacing Don Harris because he was too old and not capable of doing the Neighborhood Patrol.

- I spoke with Dan Hammer personally concerning his plan to tender his resignation. His complaint did not fall completely on me. Dan felt the whole Board of Directors were not very supportive of his marketing plan. When speaking with him, I tried to let him know that he was

taking us in the right direction.

- I spoke with Don Harris personally. He shared his concern that the Facebook posting went “viral”. This could have only come from someone who obviously has one goal and that is to discredit me since I only have 39 friends on Facebook which half are up north. I don’t think even if all 39 people saw it that is considered viral.

- I spoke with Sandra Lee and tried to apologize for any misunderstanding but she was not receptive.

- I spoke with Phil Millevolte personally. He was supportive and agreed that the Treasurer’s report should be done correctly. He was in agreement that it did not look professional to have any alcohol on the dais. I asked him about coming in First Place at the golf tournament and if he had a “Golf Pro” in his Foursome. Phil mentioned something about Sandy & rehab. I was flabbergasted. I told Phil I never ever heard such a thing. I don’t even know her well enough.

At no point in all this drama have I felt I have done anything wrong. My only goal as a Board Member for the HOA is to serve as a representative for all the members of Sandpiper Bay Community and if that means that I am have to ask the tough questions so be it. The association has been blessed with a growing bank account that allows us to provide ourmembers with activities throughout the year.

I would like to see this continue and have worked hard to be a part of its success. Being a Board Member isn’t always easy and it isn’t for the faint of heart. You can’t make everyone happy. All you can do is your best! But there is no “I” in team and it takes a TEAM to make it work and we need to all work together.

It is my hope that this does not have to go any further and we can roll our sleeves up and get to work and let bygone be bygones as no one is perfect.

Thank you,  
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