



## **Minutes of 'Johns River Community Progress Association Inc' Committee Meeting.**

Saturday 22<sup>nd</sup> December, 2007 at Johns River Community Hall.

**Meeting:** All committee members present, opened by Glen Ferrero/ president at 10am who welcomed all those present.

Glen firstly read through the agenda for today's meeting, which consisted of Chris Bawn chairing the first 30 minutes of the meeting as some issues needed to be handled by Chris as the Public Officer of the Association.

The issues are as follows:

- Letter issued to Tony Galati by the Committee (signed by President Glen Ferrero)- dated 2<sup>nd</sup> Dec 07, regarding recent new members.
- Tony Galati's response to letter dated 2<sup>nd</sup> Dec 07.
- Glen Ferrero's response to Tony Galati's letter.
- Discussion on how to resolve the matter.
- ALL LETTERS ARE ON FILE.

Also we will be discussing the feedback on the flyers from the community.

Chris then reads these letters in detail to the committee:

The letter issued to Tony Galati on the 2<sup>nd</sup> Dec 07 expressed the committee's concerns regarding information received that Tony Galati has 'paid some of the new members fees' so they could join the JRCPA. The letter asked Tony to indicate which members he had paid for; understanding the intentions of Tony's actions and why he offered to pay their fees; and the exact offer he made to these members.

Chris expressed his concerns on behalf of the JRCPA indicating that this was a serious matter and an explanation from Tony needs to be provided. Chris further indicated that Tony's actions could bring the association into disrepute.

Chris further explained that the Department of Fair Trading has been

consulted and they advise that the committee has taken the correct course of action. The JRCPA has also sought independent legal advice and has been advised of the relevant course of action.

Tony interjects and said he'd like to say something in response to the letter issued to him by the Committee.

Chris agrees and asks Tony to respond.

Tony asks that they start from the beginning of all of this, and then asks for proof of these allegations towards him and an explanation as to why the letter was sent to him.

Chris indicates to Tony that the letter was issued as a result of the following:

- Tony's own admission to the President – Glen Ferrero – that 'he had paid for a few members'
- members of the community had approached Chris indicating that Tony had offered to pay 'their fees' and also the fees of relatives – 'as Christmas presents'.

Tony interjects - who?

Chris - Their names are confidential.

Tony- I think you're making it up. Where are the allegations? Where did this stuff come from? I think you made it up.

Chris indicates to Tony – 'I say again – as stated - members of the community have approached me indicating that you had offered to pay 'their fees' and also the fees of relatives – 'as Christmas presents'. Tony – you even indicated to Glen that 'you had paid for some members'.

Tony- Presents for children? who?

Tony- I did that, but what are these allegations? Where did I go wrong?

Glen- You have paid people to become members of the association.

Tony- so what, I can do what ever I want with my money.

Glen indicated to Tony – that 'you can not hire a killer' with your own money.

Tony- I didn't hire a killer.

Glen- you can't do what ever you want with your money especially in relation to what we are talking about.

Tony- where did all this come from, what is this all about?

Glen- explains to Tony that the members need to feel they can join and vote of their free will.

Tony- I think you have made all of this up. You are on a witch hunt. I didn't pay for any members. What is the big deal

Chris- Tony, we have not made this up and we are concerned of potential ramifications against the Association – in which we have worked very hard to develop. Your actions could bring the association into disrepute. We have members who have paid their own membership fees as they want to be a part of the association. Our concern now is if these people find out that you have paid for certain members of the association, the whole name and reputation of the association could be damaged.

Tony- I didn't tell anyone how to vote all I did was pay for their membership.

Glen- we need to cover ourselves and the association because when word gets out, one, two, three or more people have been paid for, it's going to look bad.

Tony- this letter was sent to me by one person of the committee, that being the president with out involving anyone from the committee.

Glen- Again, you are absolutely wrong. The letter was written based on information received and also the committee – and we had the required quorum (as per our rules) – approved unanimously sending the letter to you given the seriousness of the matter. I did not need to have a resolution passed to do this.

Tony- Well in that letter you had also asked that I reply to it within forty-eight hours and that was out of order.

Glen- Yes – based on the seriousness of the matter.

Tony- no where in the rules that I have to.

Glen- you're wrong again.

Tony- in the rules I think it says you have to have the secretary send me the letter and I have to respond in 14 days.

Glen- the rules do state 14 days – but based on how serious this matter is we wanted a response sooner than 14 days. Also - I'm sorry but you're wrong in relation to the Secretary having to send you the letter.

Tony disagrees.

Glen asks Chris to please re-read the letter.

Chris- The letter indicates that you need to advise us of those members you have paid for - in writing. Also – your intentions and the offer you made to these new members.

Also – under the rules – all new members and in this case , who you have proposed to join the association need to be approved by the committee. The rules further indicate that we can approve or decline their membership. There are 23 new members that we need to talk about and either approve or decline them today – as this is our first meeting since they applied for membership.

Chris further explains to Tony that we need a response to our letter dated 2<sup>nd</sup> December that answers the questions asked. We also need the names so we can prepare receipts for those members who have actually paid for themselves. The ones paid for by you – a receipt should be issued to you.

Tony advises - I have paid for two members – [NAMES NOT PUBLISHED] – that all.

Chris- Tony is that all you have paid for?

Tony- I'm telling you now who they are.

Chris - okay we need to get that in writing in relation to who you have paid for.

Tony- but there is nothing in the rules that say I can't pay for members, so what's the problem?

Chris- Tony – this was covered earlier – there is no need to go over and over this. If you had paid for new members – why did you not disclose that to the association under your position held as vice president?

Tony- because I don't have to, I have not done anything wrong.

David - no, but it sounds bad.

Tony- have I done anything illegal?

David- no

Tony- then why did I have to respond?

Chris- we have asked you to respond to the letter because there are allegations and then there are responses from members of the community who have not joined.....-

Tony interrupts - who are these members?

Chris repeats the above to finish- ...who have not joined simply because of coercion, trying to get members to join-

Tony- who are they? Can you to produce them?

Chris- I don't have to produce those to you as there is a level of trust and confidentiality that we need to abide by.

Tony - well I think you're full of bull----.

Chris – Tony you have already admitted to paying for two members and no I am not full of bull-----.

Tony - I am calling you a liar.

Chris- you are quite within your rights to do that.

Glen- can you make sure that Tony's comments goes in the minutes Kerri.  
(noted)

Tony- IF you can produce them I wont call you a liar.

Glen- I'm sorry Tony but you already called him a liar. You can't do that Tony.

Tony- well if he produces them I won't.

Glen- you can't do that. You have also accused me of lying and doing things wrong.....

Tony- well you have.

Glen- Really? I welcome you to prove that.

Chris brings the meeting back into order.

Chris then reads out Tony Galati's response to the letter from the Committee dated 2<sup>nd</sup> Dec 07.

(full letter available on request)

Tony response indicated that ` I now feel that I have `bribed' the community of Johns River for paying \$70 out of my own pocket for the organizing the progress association in the first place'. Chris indicated that this amount was paid for by you but was always going to be repaid to you when the association became financial and had an operating bank account. The association cannot be held accountable for that.

Tony- so does that mean when we get the furniture donated by the Honeywell's we have to give that back as well.

Chris- No Tony – that was given as a donation to the JRCPA.

Tony, well why can't mine be considered a donation?

Chris explains to Tony, 'because of what you have stated in this letter about those funds being considered a bribe.'

Chris – If you would like to change your mind and have those funds donated to the association – please place that in writing so we have records to back that donation.

Chris then goes on to read Glen's response to Tony's letter.

(full letter available on request)

Mid letter Tony interjects.

Tony- I received that letter by hand on Thursday not via fax as stated. On this it had the agenda which stated we would vote, we didn't't.

Chris continued with the letter, which addressed the above concerns of Tony.

Tony again interjects at the section relating to the 'wish list' and states where it says he was not informed, is not true. What he was not informed upon was the urban design map in which other people had seen.

Chris re-reads that part of the letter about the urban plan map that was discussed with Tony's brother, Dominic Galati – who is the proprietor of the Mechanical Section of the Johns River Service Station.

Tony said he and his brother had not agreed on anything in that urban design.

Glen- Dominic did speak at length with David for quite some time about the proposal and urban design plan.

David - explained he consulted with his brother.

Tony- but that was months ago.

Glen- so you are aware he was consulted?

Tony- But he didn't agree.

David explained what he spoke to Tony's brother about.

Glen- He doesn't need to agree as it was a consultation to gain his ideas – as was the discussion with Frank at the Johns River General Store.

Chris went on to read the letter. When it came to the part where at 'Tony's request, the vote that was to be held at that meeting – was not to happen'.

Tony interjected stating that 'if the vote was not to happen that day he had proxy votes and will these get transferred to the next meeting. I would like to know what we were going to vote on that day.

Chris- clarifies the rules for Tony indicating - the members that you had proposed, and who you received proxy's for - are not members of the association yet. Also Proxy's are only for the meeting proposed and cannot be transferred to another meeting.

Tony- well that is our fault.

Glen- Why is that our fault? The members have not been approved yet. The second item on today's meeting is to consider new members to the association.

Tony- well we need to start our meetings with new members put forward to be second and accepted.

Glen- that can be considered for future meetings.

Chris goes on to read the letter.

Tony interjected when Chris read that Tony had 'tried to change the agenda

set for that meeting and the reason for this was unknown'  
Tony's response - Glen was not there he was in hospital.

Glen- you really need to read the rules Tony - you can't change the agenda whether I was in hospital or not.

Glen explained what was on the agenda for that day- it stated 'vote on our preferred option' so those people that said they didn't like the proposed/suggested roundabout at Thomas Street etc. Most people were given the option to vote with their own design. That was the whole idea of the meeting.

Tony- now seeing as you did that, this is what I drew up; to make sure we all had a vote. Now is there something wrong with this?

Glen- Yes, I don't think you understand even if I were dieing in hospital, you aren't the president.

Tony read the agenda. Now at the next GM the members are going to stand up saying we've come here to vote and there was no vote.

Chris- as Glen stated earlier - the vote was made by those people either by means of accepting the proposal or changing it to what they would like on the form we provided.

Tony- you tell that to the rest of the community.

A verbal confrontation between Mr Fererro and Mr Galati.

Chris brings meeting back to order and continues with the letter.

Tony to Chris- when did you get the job as town planner?

Chris- we are not town planners and don't profess to be. We are asking the opinions and ideas of the residents of Johns River to submit their thoughts to the Association so we can represent fairly the needs and all the community. From there - we collate all the ideas and then ask the Community to vote on the options that would best suit the village moving forward. These ideas and options will be taken to the 'Johns River Post Bypass 355 Committee' held at

Taree Council. We are an association that works on behalf of the residents – which is in our objectives.

Tony- let's get back to 'Tony Galati, the smallest stakeholder in town' why am I the lowest stakeholder in the town? [Quoted out of letter read above]

Glen to Tony – we are mainly involved in the main street of the village and all the plans to date show this. You are not on the main street – you are in Stewart River road – and the servo is an empty building.

Tony- it's idle and waiting for RTA's final decision.

Glen- it's been closed for a long time.

Tony- I have been planning along time.

Chris- what are your plans?

Tony- it's licensed and when RTA responds with their planning, I will act accordingly.

Chris- why would we recognize the service station, the tavern is a business, you are a stakeholder of the community, and you are a business holder in the community as is your brother Dominic, as is Frank Araldi and Deena Lane.

Tony- this is why I call for the resolution as of the 5<sup>th</sup> January.

Chris brings meeting back to order.

In relation to letter dated the 2<sup>nd</sup> December 2007 Chris asks for a vote from the committee regarding Tony Galati responding to the three points indicated

- Identification of all new members for which you have paid their subscription and annual membership fees.
- Understanding the intentions of your actions and why you had offered to pay their fees.
- The exact offer you had made to these members.

Rod Heath, seconds the motion.

Majority rule, Mr. Tony Galati has 14 days to respond.

Chris- in response to this letter we need the names.

Tony- I will write them now, [NAMES NOT PUBLISHED].  
Who has complained? I want to know who.

Chris- under section 11(1) of the Rules, Chris serves notice to Mr. Tony Galati due to a formal complaint. [a copy will be made available to the secretary].

Tony wishes to know the complainants names.

Chris- as I indicated earlier Tony - that is confidential.

Tony- I want to cross examine these people.

Chris- Tony, you have 14 days to reply to this complaint. The committee will then consider your response and then decide if any further action could be taken.

Tony submits names in writing to Chris.

Glen will make copy available of letter of response from Tony with names.

Tony- I spoke to [NAMES NOT PUBLISHED] in front of people.

Bruce- you shouldn't disclose that Tony. He then explains to Mr Galati how this all appears and summarizes how it must appear to committee members, community members and how he would feel if Tony had paid for his fees, he would feel obliged to vote for his way.

Chris- this jeopardizes the association.

Tony- the fees are too high.

David suggests we accept donations from businesses anonymously for a fund for people's memberships. But you heard that people knocked you back because they wanted to be their own man. Now if you have other people you

have paid for, now is the time to tell us so that we can get the letters out. That is all we want to do, we want to protect the association from people coming back to us saying I thought I was being bribed. We are exposed. We want to protect you and want to protect the association.

Tony- well you have them.

David- well come on there was more than two people.

Tony- ask the people at the general meeting.

Chris- I will speak to the new members.

Tony- who are you to instigate?

Chris- I am the one who is to issue all the receipts to these people.

Tony- wants to ask the community at the next GM if in their opinion he is putting the JRCPA in disrepute. And whether what he has done is considered as a bribe.

Chris- explains what legal advice was given. That is we should send the members, of which Tony has proposed, including those he has paid fees for – a letter of acceptance and receipt and indicate in this letter that their fees may have been paid for by another person, they are joining of their own free will and are in now way responsible to pay the fees back to Mr. Tony Galati. That they are able to vote in which way they see fit and are not to be coerced by Tony or any other member of the association.

Tony- I wouldn't want it any other way.

Chris- that's what we need to do. [a copy of these letters will be available to secretary]

David- expresses his concerns that it is entirely possible that other recent members also did not pay their own membership. We should send them all the letter of their rights to reassure people.

David to Tony - 'I believe you paid for more than just two members.'

Tony wishes that it go on record that he has had no part in this.

David- we need to cover ourselves, you have made us vulnerable.

Glen- Tony – this is not personal, this goes for everyone. Example- Kerri paid for her mum and dad, they need to know their rights that they can vote independently to Kerri.

David- motion to vote for letter to go to all non grandfather members. Letter mentioning [on tape]. That should their membership fees been paid for by somebody else they are not held to any member of the community or the person who paid their fees. Just to clarify that.

Chris Bawn seconds motion.

Unanimous.

Tony- some of these members paid a very long time ago.

Glen- I was busy with a lot of other things including dealing with your issues and constant complaints.

Chris- receipts have to be given within twenty eight days of approval of the members to the association.

Tony states the new members have paid longer than 28 days ago.

Chris – we are now going to vote on the new members – once accepted we will issue a receipt to those who have paid.

Glen- should we now vote on accepting the all new proposed members with letter sent out.

Kerri seconds.

Voted that new members proposed be accepted into the association.

Unanimous.

Mr. Chris Bawn hands meeting over to Mr Glen Fererro/ President.

Glen- in response to the 160 flyers and approximately 20 issued out on the

day of the meeting on the 1<sup>st</sup> December 2007 to the community, we received a few phone calls and 12 delivered flyers which means a 10% feedback.

Everybody in committee looked at submissions.

Chris- in relation to speed zones in the village post bypass. The 'Johns River Post Bypass – 355 Committee' had a meeting on the 21<sup>st</sup> December and one of those point discussed was that the speed zone though the village will be 50kms.

David explains the plans for easy access to the village and for the public to give their opinions. Nothing will be taken to the 355 Committee meeting until the community has given their final options and voted.

Tony suggests we take it slow, it's in concrete.

Glen agrees.

Chris expresses his concerns that we do need to have some thing to show at the next 'Johns River Post Bypass 355 Committee' meeting.

It is agreed that there will be up to 6 designs, and to take all the attributes of the submissions to show the community.

Chris- we will push the top two, the RTA and Council will make their own suggestions and also take away what we can have.

David- we cant have members of the community say they didn't have their say. We have received responses and obviously there will be more.

Bruce- Mr. Graham Gardener's department will look at them and assess them in his department and then go through it again with the RTA and between them they may come up with some devised plan. They may say that your objectives are not quite within their guidelines. They look at what's feasible. The council may say it is but the RTA might say well what your asking for there is way in excess with what we have a budget for. We are still without a figure for the budget.

Tony- well what we have now is the proposal of the highway service town.

He discusses our options to council, they are not directly main street plans and directed at trucks.

Chris reads the clarification of Highway Service Town(HST)and Highway Service Centre (HSC).

HSC - 24hr fuel, restaurant, and other facilities. There is also specific requirements on where it can be situated.

HST – Not 24 hours, still to provide the village and passing visitors access to services such as food, fuel, toilets, etc. Needs to be ease of access to these services – which the current plans of the RTA support.

That are the basics.. [a copy of the document 205, will be available to secretary].

Tony- there's more differences than that. The legal document read above for proposal of Johns River Service Centre has been altered. He asks Chris to re-read the answer to proposal on the document.

Chris obliges, it stated the decline in application and mention positions of fuel dispensaries. Chris also indicates that Johns River can't be a HSC due to the distances of which RTA have planned for these. The new one is being built in Purfleet (South Taree). The other one is a Port Macquarie.

Tony- right, now we can start with my new proposal. Has anyone got any objections to me sending this to council?

Glen- as long as this is under your own name and does not represent the association.

Tony- to have a hwy service town we need two roundabouts.

Glen- the hwy service town does not require us to have two roundabouts.

Tony- the GTCC proposal is to have two roundabouts.

Glen- you are wrong – a hwy service town is not reliant on having a second roundabout.

Tony requests that the document from the council of the proposal be read. It was at that time un-available. He has a copy of it. And says that is what they

want.

Glen- the proposal is not reliant on the second roundabout.

Tony- it is, you know why? I am going to be the biggest draw card Johns River has ever seen. He then explains his plans. He mentions fuel 24/7

Chris interjects- I think you are confused between the two. You can't have 24hr service station in a HST. That is HSC.

Tony disagrees.

Glen brings meeting back to the agenda.

Tony mentions the proposal of toilets and rest area on the corner block of his property

Glen said it was also suggested the toilets go near the hall too as this is more close to the centre of the village.

Tony suggested two toilets..

Bruce Shaw- We won't get two. Tony asked Graham Gardner how many Public toilets are in the Taree Council area that is maintained by council. Graeme indicated there are too many and there are issues with maintenance of these.

Tony- I believe it takes about \$800 per toilet per week.

Chris- so your option for a toilet there was not considered feasible.

Tony- no, but it's the rest area they want.

Glen- well there are options and that's why we are looking at them.

Tony- well I'll give you an example, I won't put a rest area on my property unless I get a roundabout there.

Glen- well we can't use that option there because they won't do it. But we

will be taking our time with all the plans - 4-6 weeks.

All committee members agree.

Glen said he will combine the plans, he will take his time for the proposal to bring back to the committee and community for a vote on preferred options.

Tony apologizes, he needs to leave for work.

Glen thanks Tony Galati and before he leaves hands the secretary a letter of representation in response to Tony's letter regarding the removal of all committee members. Representations received from Bruce, David and Chris.

Tony Galati leaves.

David- Everything that we do is to be by the rules.

Bruce suggests we adjourn the meeting due to Tony leaving until next meeting to discuss other items raised on 'Johns River Post Bypass 355 Committee'

Glen Ferrero adjourns meeting at 11:18.

The minutes have been confirmed as a true and correct representation of the meeting on the 22<sup>nd</sup> December 2007.

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Glen Ferrero – President.