

**BIRCHWOOD LAKES COMMUNITY ASSOCIATION, INC.**  
**Annual Meeting Minutes**  
**August 23, 2014 @ 9am**  
**Clubhouse**

Present: Clare Bennett, President; Vice President, Joanne McInerney; Treasurer, Marcella Livingston; Carolyn Martin, Secretary; Thomas McConnon, William Wagner, Charles Ritson, Carl Fredrickson, Directors

Also Present: Carrie Ridner, Community Manager, Robert Kidwell, Esq., and William Owens, Auditor. Incoming Directors – Eugene Jarvis, Mike Moffa and Anthony Palma

President Bennett opened the meeting at 9:05am with the Pledge of Allegiance.

President Bennett recognized Member Denis Murphy, by presenting him with the 2014 Volunteer Recognition Award for his years of dedicated service to the Community. Mr. Murphy has participated on many committees over the years including: Rules and Regulations, Beautification, Roads Maintenance & Construction, Capital Projects and Resolutions and rarely misses a monthly board meeting, committee meeting, hearing, special or annual meeting.

President Bennett announced the results of the recent vote.

A total of 204 votes were received. Of these, nine votes were invalid; one member voted twice, one was not the owner, and seven did not have signature cards on file.

Reserve Withdrawals - 158 yes; 31 no – Passed.

By-Law Amendment - 171 yes; 16 no - Passed.

There was no election to the Board of Directors this year as there were five open seats and only three candidates.

Bill Owens from Wm. Owens & Company – reviewed the audit noting it was a good year from operational standpoint. He reviewed reserves/surplus summarizing that overall the community is in good standing. He spoke about the reserve fund and noted that the recommendation is to have a balance of \$1,000,000. He noted that very few Associations have that high a balance and, in fact, our balances in excess of \$581,000 is one of the healthier balances of the Associations he works with and that this board has been trying to increase this number over the last few years. He also went through the operating expenses and noted that we ended with an operating surplus of \$47,000.

President Bennett summarized activities for the past year. That **report is attached** to these minutes but some of the highlights include: hiring a new community manager, maintenance supervisor and administrative assistant, hired a new security company and just renegotiated their contract, replaced the pool fencing and added a grassy seating area; paid off the SBA loan two years early; added the ability for members to pay by credit card, dredged beach 3 and the cove, refurbished playground equipment, completed a couple of major drainage projects and road patching and collected on over 90% delinquent homeowners.

**Committee Reports:**

*Community Safety* – Director McConnon updated the membership on the number of citations and warnings issued and showed the membership the monthly report the board receives from Comet Security. He also informed the membership that additional, higher tech cameras have been purchased and installed in various locations, and the clarity of these new cameras have been of great benefit when reviewing gate breakages, tailgating and vandalism. He noted that the committee needs more members and asked members to considering joining the committee.

*Beautification Committee:* Director Fredrickson added his appreciation for his committee members, acknowledging Joanne Woods' guidance and dedication to the committee. He shared that the committee would like to add more plants to the flower bed as you come in the 739 entrance as this is the first thing people see. He added that the Annual Clean-up went well but it was poorly attended and more people need to come out and help. He also asked for more volunteers to join the committee.

*Budget Committee:* Director Livingston, chair stated that the Association was able to pay off the SBA Loan two years early and that any SBA money remaining in that account or due from uncollected funds will be put towards the Upper Birchwood Lake Dam and at this point there is \$37,375 in that account to go towards the dam. In addition, the Association passed the 2014/15 budget with only a \$10 increase for reserves. She informed the meeting that the committee will start their meetings in September in order to have a 2015/16 budget draft available to the Board in November to go out for a December vote. Director Livingston noted that we continue an aggressive collections campaign and for the last fiscal year we collected \$81,898, so far this this fiscal year we have collected \$26,614

*Communications (formerly Community Affairs):* **Report Attached**

*Roads Maintenance & Construction Committee:* **Report Attached**

*Capital projects –* **Report Attached**

*Recreation –* **Report Attached.** Vice President McInerney, Chair, stated that most of the recreation events were not that well attended but, she added, that was also the case for many other people's events. She stated that people need to get out again and get to know each other. That is what is missing in the community.

*By-Laws –* Vice President McInerney, Chair, informed the meeting that a few proposed changes to the By-Laws passed at the August 15<sup>th</sup> vote count. She noted that because the members of this committee are pretty much the same members on the Rules and Regulations Committee the committees usually met together. Much of the focus this past year was on Rules and Regulations. She advised the meeting that By-Laws and Rules and Regulations have merged and is now the *Governing Documents Committee*.

*Rules & Regulations:* The committee conducted a complete review of the Rules and Regulations based on the initial recommendations and feedback from our Community Manager and Public Safety Site Supervisor. We placed the recommended changes into three categories: those that were administrative changes, those that required a board vote such as eliminating certain rules where there are state rules in effect and duplication was unnecessary, and those that would need to go through the first and second reading process such as the vehicle decal rule, where we did receive feedback. The committee also recommended to the board several improvements for oversight of the Resolutions Committee.

*Lake Management:* Director Ritson, chair, stated that our lakes remain the largest committee in the Association. The primary goal of the committee is to monitor, maintain and improve the lakes. This summer he has been out on the lakes every two weeks to look at the issues and problems and providing feedback and recommendations to Eco-Solutions. The lakes are in far better shape this year than last year, East Lake in particular. The committee continued the geese control program, oiling 38 eggs that would prevent hatching. We did try a USDA geese roundup but it was unsuccessful because the lakes are too close together enabling the geese to escape easily.

A water testing program was established with Brian Oram and has been advertised to the members for several weeks now. Members could get their water tested; basic testing \$50; comprehensive testing \$90. Bottles were either picked up at the office earlier this week or were available at the Annual Meeting. Samples must be dropped off at the Clubhouse by 2:00pm that day.

We are going to hold our 5<sup>th</sup> Annual Spotlight on the Lakes Seminar September 27<sup>th</sup> at 10am. We also supported the PALMS Grant work at Beach 3 and in the cove. We are going to continue monitoring the lakes, continue monitoring the grass carp program and continue to educate the members by putting articles in the Newsletter.

*Voting & Elections:* Secretary Martin, Chair, thanked the 204 people who returned their ballots that allowed us to count the vote on time. She thanked the Judges of Election who faithfully come and count votes twice a year. Lastly, we did not have an election for the Board of Directors this year as we did not have enough candidates to fill the available seats.

**President Bennett invited Eugene Jarvis, Anthony Palma and Mike Moffa to take their seats on the Board.**

President Bennett asked the outgoing chairs to stay seated with the other board members for the question and answer session.

President Bennett asked the Board Members if they wished to say anything before opening the meeting to the membership. Outgoing Director, Chas Ritson, asked to speak. Mr. Ritson stated he was extremely proud to have served with this board. He has served on the Birchwood board probably longer than most other people and has a good perspective. He stated that “this is a good board. These are good people. They always have the best interests of the Community at heart. You may not always agree with what they do, but they always have the best interests of the Community at heart. I want to thank the Board, the committees, the staff for running this Community on a day-to-day basis. It is hard work. I have said this before, this is a small town, and we get no help from anybody. I am very proud of this group and I think you should be proud of them and I thank you for the opportunity to serve.”

**OPENED TO PUBLIC:**

Ann Kinney – This member is having a drainage issue where water is diverting from Chestnut onto her property. Maintenance has tried to resolve the problem but it has not been resolved. President Bennett asked Carrie Ridner, CM, if there is a temporary solution until such time those roads can be addressed per the drainage study. Carrie stated that they have some possible temporary solutions and that they have been in communication with the homeowner. President Bennett advised the homeowner to keep calling the office.

Michael Munoz – stated that water from Spruce is overflowing the swale as the swale and culvert pipe is blocked and that the overflow is going up onto his property. As a result trees have fallen and he wants to know what we are going to do about the trees. He noted that the swale has been cleaned out and opened since his last correspondence. President Bennett stated that the Association did not agree with your comments and that he had already been informed of this. She added that to resolve the complaint we would have to get an engineer out to evaluate the claim.

Mrs. O’Connor – Her granddaughter, Emily, had shown up for work on August 9<sup>th</sup> as scheduled only to be told the pool was closed because we did not have enough lifeguards as the other two lifeguards had called out the evening before. Why she was not informed of this so that she could go to Swim Championships? Also, she heard a rumor that the Association would not be hiring any lifeguards next summer who are on the swim team. President Bennett stated that is exactly what it is, a rumor, and that it is untrue. What the Association wants to be able to do is hire more non-swim team lifeguards so this issue does not reoccur. We did not get enough non-swim team lifeguards this year. The problem is Camp Akenac and most of the other communities pay their lifeguards more than we pay ours. We did increase the lifeguard’s hourly rate \$1 this year but it is still not enough and we will be looking at this in the coming months.

Firing of a Lifeguard - President Bennett stated that she could not talk about this issue. However, she informed the Membership that a meeting took place before the season with the lifeguards and at a Board meeting with the head coaches, the Naturales, who were all told that we would not close the pool for any reason other than weather related as it is not fair to the rest of the membership who use the facility. She added that they had been told they would try to accommodate when possible but if we did not have enough non-swim team lifeguards they would be expected to work. After claims from the swim team that it is only the swim team that uses the pool so we should close for championships,

President Bennett studied the badge check sheets for the pool for the summer and she determined that the swim team did not have primary use of the pool and that many other families used it throughout the summer. She added that this was an unusually cool summer. August is traditionally very hot and humid and members like to avail of the pool on days like that.

Vice President McInerney asked to address this issue. She clarified that the Association had never closed the pool in the past. We always had lifeguards who were not on the swim team. That was the problem this year. Most recently we extended the pool hours some mornings and evenings at the request of members.

Eileen Naturale – stated that we would not hire her son because he was on the swim team. President Bennett stated that the purpose of hiring another lifeguard that late in the season would be to provide coverage for the swim team lifeguards and her son is on the swim team so he could not cover. She added that he would be interviewed for a lifeguard position next year if he applies.

Mrs. O'Connor – asked why one lifeguard was on duty at the pool last Saturday and that it is dangerous to only have one on duty. President Bennett stated that all the lifeguards on duty for that morning clocked in, so she does not understand why only one was observed. The other may have been cleaning the facilities or doing garbage. President Bennett stressed that at no time would we place one lifeguard at the pool; it's against policy.

Eileen Naturale – wanted to know why the pool closed early yesterday as there was no thunder and lightning. President Bennett stated that it was because severe weather was expected.

Mrs. Gallagher - asked why there were no signs posted when the pool was closed on championship day. Carrie Ridner stated that signs were posted. President Bennett added that she did not post it on Facebook because she was out all day.

Another Member asked why we don't just close the 739 entrance fully instead of the existing plan of 8 month rotations restricting use by the membership.

The same member added that it was not intended to be an entrance; it was just to be used as a construction entrance. President Bennett stated that if we closed that entrance there would be an uprising of the membership. He added that the pool looks nice but it would have been nice to have a regulation pool. President Bennett stated that we were planning to have a larger pool but we didn't meet ordinances.

Lenny Glamann – said it wasn't Township Ordinances that prevented the pool expansion but PA BOCA Codes. We would have been required to add 250 parking spots under BOCA Code and we did not have the room for an enlarged pool and 250 parking spots. President Bennett thanked Mr. Glamann for that clarification. We had gone through the Township so we thought it was a Township Ordinance.

Mrs. O'Connor - asked if there is anything we can do to expand the Church St entrance as two cars can't pass at the same time. President Bennett said she did not have the answer to that and that, to her knowledge, was the first time it has come up. We would have to look into it.

Adam Fass – complained about the loss of the canopies and, more so, that the bolts have not been removed from the cement and have tennis balls over them. He added that he is noticing the pool fencing is getting dented and that the cement holding the poles in the ground is breaking. President Bennett stated that it was duly noted. Steve Bennett stated that there have been occurrences of people climbing over the fence and this would be causing some of the damage. In response to a question President Bennett stated that a new camera has been installed overlooking the pool and nobody has been observed climbing the fence since then.

Adam Fass – stated that he would like to look at the badge sign-in sheets because he has been at the pool early and frequently and there has been nobody else there. President Bennett said we could issue a report. Vice President McInerney stated that she will be addressing this at a Board Meeting because the people who asked to us to open the pool early are not using it.

Another member asked what happened to the lifeguards at Beach 4 and when they are there why don't they do anything other than sit around all day. They could be raking the weeds out of the lake. President Bennett stated that when they were at that beach they were supposed to be raking the weeds at the swim area. However, this year, after the dredging of the swim area at Beach 3, we decided to man that beach with lifeguards and install a port-a-potty. Some members have been asking for several years to open Beach 3. Beaches 1 and 4 have been sporadically used by one or two families for the last several years. We wished to see if Beach 3 would be more populated. The members voted to fund the dredging of Beaches 1 and 4 and that will take place in the spring. The board will decide then what to do about placing lifeguards at the beaches.

Another member asked why the lifeguards raked the beaches if they are not open. President Bennett stated that all the Beaches are open to the membership for their use and enjoyment, but they are not all manned with lifeguards. We rake the beaches to remove the goose droppings. Carrie Ridner, CM added that it is important to remove the goose droppings from the beaches so that run-off from the droppings does close the beaches due to elevated e-coli counts.

Eileen Naturale – stated that they don't understand why we fired Jake DeMasi for calling out sick one day. President Bennett stated that we cannot address personnel issues but that what is stated is not correct and there is always more than one side to a story.

Mr. McFeely – added that it is just a scheduling issue. When you are hired to do a job you are supposed to work the hours required. When the pool is open you work those hours.

Mr. McFeely also spoke about the proposed Doolan Road location for the salt storage facility. He noted that he is wearing two hats; capital projects committee member and private resident. He stated that when he is wearing his Capital Projects that he will review the feasibility studies for the two locations providing his engineering and property management background. However, he is also a member who lives near one of the proposed locations. As a private member he is concerned about putting a salt storage facility at the Doolan Road location. There will be times when the facility is in use 24 hours a day with trucks going in and out during snow and ice storm events. He added that it will devalue his property; nobody wants a storage facility behind their home. President Bennett thanked him for coming on the Capital Projects Committee and that she added that his comments were known and duly noted.

Several members brought up the vehicle decal rule change stating that they did not want to stick a decal to their vehicles. They stated that theirs were placed on their visors. Some others were concerned that displaying it was a security issue. Director Ritson stated that we had received several letters in response to the proposed rule change, against the change. He stated that the Board will refer it back to the Governing Documents Committee at which time they will review the responses and make a recommendation to the Board.

Paul Gangi – Didn't have any questions but wanted to make a statement. He stated that all of us wanted a fiscally sound community, a safer community. Most of us will be leaving our properties to the next generation. He stated the way to strengthen our community is through voter registration. We should work with other communities and share expertise and knowledge, get to know each other. This way we can appoint these people to Township positions and they will understand the needs of Community Associations. He also suggested we push green belting. It gets funds in. People can buy the lots next to them. It is good for the economy and good for everyone.

Mr. Gangi closed by saying that the board has done a very good job this year. It is a thankless job and it will always be a thankless job. He asked that we keep in mind that the children today are the boards of tomorrow.

Maria Moffa – brought up the recent correspondence bandying about on Facebook. She stated that the individual should not be posting or answering on the Association’s page. President Bennett stated that the Association owns only one page on Facebook and that is used only to share Association information. There are other pages on Facebook that uses Birchwood Lakes as part of their page name. It is on these several of these pages that individuals were cross-posting untrue information and using vile name calling. President Bennett confessed that she did get into a message exchange with one individual on one of the non-Association pages after she was personally attacked. President Bennett acknowledged that, as President, she should have refrained from responding, but stated that she is only human and when she was personally and viciously attacked she responded as a private member from her own personal page. President Bennett apologized to the membership saying she should have refrained from responding, and she reiterated she did not use the Association’s page improperly and that this all took place on another page run by a resident of Birchwood.

Janet Flaherty – Reiterated the concerns about the vehicle decal program changes. She addressed another security concern regarding signatures on the front of the mailing ballot envelopes. She stated that she drops her ballot off in person. Vice President McInerney added that she has had the same concerns for years and that they place their ballot in another envelope. President Bennett noted the concerns and said it would be addressed at a By-Laws and/or Voting and Elections Committee Meeting. Another member asked why we did not allow on-line balloting. President Bennett shared that it because we need actual physical signatures to compare with the signature cards on file. Attorney Kidwell advised that it would require a By-Laws change. President Bennett stated that it is something that could be investigated further. No further discussion or comments offered by public.

**Motion to adjourn the Annual Meeting at 11:20am made by Secretary Martin, seconded by Treasurer Livingston. All Directors voted in favor. Motion Passed.**

Respectfully submitted,

Carolyn Martin  
Secretary