

Birchwood Lakes Community Association

Regular Board Meeting Minutes

September 9, 2011

Conference Room

Present: Marcella Livingston, President, Clare Bennett, Vice President, Carolyn Martin, Treasurer, Linda White, Secretary, Carl Fredrickson, Thomas McConnon, Louis Freeman

Absent: Joanne McInerney, Bettye White Gross, Community Manager.

President Livingston opened the meeting at 7pm with the Pledge of Allegiance.

APPROVAL OF MEETING MINUTES AND ACTIONS WITHOUT A MEETING.

. August 9, 2011 Regular Board Meeting Minutes

Director Martin noted the changes that need to be made as to the block and lots. Changes should be Lot 5, Block 75, Section 10 - \$5,052.55, Lot 6, Block 75, Section 10 \$3,869.75 and dollar amount for Lot 7, Block 75, Block 75, for \$4,468.41 with a grand total of \$13,390.71.

On Page 7, change name from Baum to Daum.

Secretary White indicated she would make those changes.

On Page 8, remove brackets near Camp Akenac.

Motion to approve the Regular Board Meeting Minutes with changes noted made by Director Martin, seconded by Director Fredrickson. Director Bennett and Director Freeman abstained since they were absent for this meeting. All Other Directors voted in Favor. Motion Passed.

. August 15, 2011 Action Without A Meeting

To approve payment of \$382.00 to CA Underwriters for policy #200355248-3 (over budget). Transfer \$382.00 from account #7980-001 Contingency to account #7310-001 Administrative/Insurance. Directors McConnon and Meola were unavailable. All other Directors voted in favor.

Motion to approve the Action Without a Meeting of August 15, 2011 made by Director Martin, seconded by Director Fredrickson. All in Favor. Motion Passed.

. August 27, 2011 Annual Meeting

Motion to approve the Annual Board Meeting Minutes made by Director Freeman, seconded by Director Martin. All in Favor. Motion Passed.

. August 27, 2011 Organization Meeting

Motion to approve the Organization Board Meeting Minutes made by Director White, seconded by Director Freeman. All in Favor. Motion Passed.

. August 31, 2011 Action Without a Meeting

This Action Without a Meeting is to approve the extension of the vote on the By-Laws until September 30, 2011 at 3:00 PM. Voting results will be announced on October 1, 2011 at 9:00 AM. All Directors voted affirmatively.

Motion to approve the Action Without a Meeting of August 31, 2011 made by Director Martin, seconded by Louis Freeman. All in Favor. Motion Passed.

. September 2, 2011 Action Without a Meeting

This Action Without a Meeting is to donate proceeds from 50/50 at Jackpot Bingo to a young family in Birchwood Lakes whose mother has terminal cancer. There are small children in the family who were on the BLCA Swim Team. All Directors, other than Director McConnon who was unavailable, voted affirmatively.

Motion to approve the Action Without a Meeting of September 2, 2011 made by Director Martin, seconded by Director Freeman. All in Favor. Motion Passed.

TREASURER'S REPORT

Director Martin gave the Treasurers Report.

Write offs:

Lot 43, Block 1, Section 2 for \$ 3,231.56

Lot 42, Block 1, Section 2 for \$3,510.04

Total Write offs of \$6,741.60

Motion to approve write-offs in the amount of \$6,741.50 made by Director Bennett, seconded by Director Freedman. All in Favor. Motion Passed.

MANAGER'S REPORT

President Livingston updated members in view of Community Manager's absence due to illness:

Contracted Roadwork: Wayco was in and did the seal coating work. We received the drainage work permit on 8/25/11, giving Wayco 45 days to complete the Outer Drive road work.

Traffic study: A PennDOT meeting was held on 9/7/11 at the 739 entrance. Discussion on this matter was held later under Agenda items.

Member Suggestion/Complaints: The backhoe has been removed from the property on Aspen Road.

By-Laws Vote Deadline: The By-Laws vote deadline has been extended until 9/30/11 @3PM. The vote result meeting will be 10/1/11 @ 9AM and counts as a Board Meeting. Postcards will be sent out as a reminder.

Resignation of Board Directors: President Livingston indicated both John Meola and Louis Freeman have submitted their resignations as Board members.

Resumes for the Board vacancies will be due by 9/30/11. Post cards will be sent out. We hope to interview candidates before the 10/14/11 meeting so they may be seated at that time.

Pool Inspection: The pool inspection is to begin on or before 9/16/11 and will be completed on or before 10/15/11. Strand Pool & Wade Associates will coordinate this project. Director Bennett asked if this procedure will be delayed due to the Hurricane and Tropical Storm President Livingston stated that it would probably be best to postpone it a week or so due to concerns of pressure on pool resulting from the saturated grounds, and this is something that she will confer with both Wade and Strand as to feasibility.

We will be required to post a \$30,000 bond on the Crossing Dam Project

Upper Birchwood Lake Dam – The draw-down of Upper Lake began on 9/6/11.

OTHER:

Annual Audit: Copies of the annual audit are available in the office to members in good standing.

Reminder: Volunteer Forms: President Livingston reminded all that you must sign up for committees each year. Forms are available in the office.

Hurricane Irene caused damage to five (5) homes in Birchwood. Trees were down on houses, garages and sheds. We experienced flooding and washouts. Power outages were extensive.

This area was hit hard with wind and rain. Our maintenance staff worked long and hard to keep up with the problems. Our dams had no damage from the hurricane. FEMA is available if any resident did have damage and Pike County Emergency Management is also collecting information from residents. We have provided FEMA with damage information to BLCA roads.

President Livingston summarized conditions of our dams due to Hurricane Irene and Tropical Storm Lee. The problems with the dams arose due to heavy rains causing severe ground saturation. Chuck Givler, PE, our Dam Engineer, spent several hours here on both September 7th and 8th. His report was given to board members. President Livingston reviewed the report, noting Mr. Givler recommended changes with the sandbags, removing some, adding others, as well as other recommendations. He opened the outlet valve at the lower dam in anticipation of further rain. The valve opened and closed with no difficulty. The flow has been monitored with no problems occurring since the valve was opened. Middle Lake spillway worked fine. The only concern was on the crossing subsequently to lower lake.

Member Ritson asked “Did they get under the spillway?” President Livingston answered affirmatively. In response to a question about removing sediment, President Livingston indicated that once our Community Manager returns, we will ask her to research this issue including any permitting required by DEP and/or Pike County Conservation. Director McConnon indicated that his yard has now become part of the spillway, losing almost 300 sq. ft. of his yard. President Livingston advised that he bring his survey and mark in area he lost and bring this to the office to address.

Board Panel Review: President Livingston reminded members that this meeting is set for 9/15/11 at 11AM with Carolyn Martin, Marcella Livingston and Clare Bennett attending.

Public Safety: During the month of August, Vector submitted a report, indicating they were also involved with the monitoring of our dams. This service was provided by Vector every hour. This was also done by our maintenance. Due to this, although man power hours and vehicle mileage was submitted, they did not list the citations, but this will be picked up next month.

COMMITTEE REPORTS

Roads: Louis Freeman, Chair – Director Freeman indicated there is no committee activity right now.

President Livingston discussed the tarring and chipping done by Wayco without filling potholes. Director Freeman indicated Wayco got held up and didn’t come back in. President Livingston mentioned roads like Lakeview, Persimmon and Tulip. She noted concerns as to completion of work by Wayco within the 45 day contract, since obviously with this weather, they lost two weeks of work, feeling we would have to extend deadline.

Director Freeman was asked to contact Wayco and indicate the areas of concern. Director Freeman said in some areas they filled extremely large potholes, mentioning the large area on Church. Director Bennett said there are roads with potholes that were missed but have new tar and chip. Director Freeman indicated if they didn't put tar and chip before rain, we would have more potholes. Director McConnon asked if Director Freeman had a cost per sq. ft. or a ballpark figure for each particular item, comparing cost of asphalt or tar and fill. Director Freeman noted he will supply that to Director McConnon

Finance: Carolyn Martin, Chair - There has not been a Finance or Budget meeting yet.

Rules & Regulations: Carolyn Martin, Chair – There has not been a meeting yet.

Capital Projects: President Livingston, Chair – President Livingston summarized activities. On salt shed, we are seeking a permit to take shed down, and the ground must be excavated and cleared. It is anticipated building will start in spring. From January on, as we did last year, we will pick up salt as needed, and store 25 t on site. Our Maintenance Supervisor was going to get price for salt mix, but due to Hurricane Irene, this is not available.

President Livingston reviewed work and time frame for pool inspections.

Since Office Renovation is on the agenda, this item carried to that area under Agenda.

Community Safety: Thomas McConnon, Chair – Director McConnon indicated there has been no meeting of the committee to report on.

Lake Management: Charles Ritson, Chair – Mr. Ritson indicated the Committee will meet on Oct. 8th. He indicated he reviewed the Point Pleasant Boro's Geese Program. They are using a series of blinking lights which disturbs the geese when sleeping. They are solar powered and cost between \$349 and \$369 a piece, and can be installed in water or on the ground. Lake Management will review this program at their October meeting. If we do proceed with this program, he would estimate it would cost the Community about \$700 dollars for two. They allow their dogs to run free which they believe have helped keep the geese under control. As to concerns on illumination at night, Mr. Ritson indicated these are unobtrusive - less than 100 watts. His main concern is that they will be stolen or vandalized. Discussion on concerns of vandalism continued, but if it was felt we should try one on one of our beaches. Director McConnon indicated that his neighbor experienced a problem with geese gathering on his dock in the middle of night, and then come morning, the dock is a big mess, so perhaps a strobe light may make sense. Mr. Ritson indicated the lights blink every three seconds, and that the Lake Management Committee will discuss this at this next meeting and report back.

He also noted they did put down some of the geese preventive on Lower Lake Beach 3, as well as the adjoining grass area and berm, but with the hurricane, it would have been washed away.

He also indicated that we need a meeting with Joe Gallagher and hopes to get a meeting tentatively for October.

Beautification Committee, Carl Fredrickson, Chair – Director Fredrickson indicated he picked up some mums, will plant in fall, but account only has fifty dollars left. He wanted to continue on the work along entrance on Rt. 739, but with \$50 dollars left, doesn't feel we can get the topsoil or plantings. Concerns rose over finalizing painting of gate house. President Livingston indicated the paint expense comes out of R&M Security, but the topsoil comes out of his Beautification budget. Director Fredrickson said they will have to look at this, explaining what he had hoped to do there.

PAYMENT OF BILLS

Director Martin indicated there were no bills to pay.

UNFINISHED BUSINESS:

Tree Removal Policy – Follow-up Inspections:

President Livingston summarized Director McInerney's concern on lack of follow up. President Livingston noted a Tree Permit has a full year before expiring, so it would be difficult to inspect. Board members did not feel a change needs to be made to this policy at this time.

Tree Removal Inspector: Since Director Meola resigned, President Livingston asked who on Board would serve as the Tree Removal Board Inspector. Director Bennett indicated she would take this task until new appointments are made in October.

NEW BUSINESS:

Board Resignations:

President Livingston noted we received two directors' resignations: John Meola resigned effective August 27, 2011 and Director Freeman will be resigning at the end of tonight's Executive Meeting. Director Freeman returned his keys to the clubhouse. President Livingston indicated that postcards are going out for these two openings.

A Member in the audience, Ted Balke asked about requirements to apply. President Livingston explained requirement of attending monthly meeting and normal board operations. President Livingston elaborated on functions of a Director, and said there is no form required, just submit resume with cover letter that you are interested in filling vacant position on board. One of the

open positions is a one-year term and the other is a three year term. Board meets once a month, but stressed there are other meetings, like the upcoming voting result meeting and special workshops. She indicated we hope to interview all candidates first week in October and make appointment so that individual could be seated at the October 14th meeting.

Motion to accept Director Freeman's resignation at the close of tonight's Executive Meeting and Director Meola's resignation on 8/27/11 made by Director Bennett, seconded by Director Martin. All in Favor. Motion passed.

Office Renovation: President Livingston noted board members have a copy of Cornerstone's proposal. The office project could cost anywhere from \$160,000 to \$240,000 for a construction estimate. Looking at the construction costs and engineering costs, there are many different areas and prices for the tasks. The Capital Projects and Finance Committees will discuss this. However, this is for information purposes only as we prepare new reserves fund projects. We are not making a decision tonight.

Mr. Ritson asked if it is the intent of the board to put this on reserve vote for December. President Livingston responded that we did not know what is coming in for reserve vote. It is possible.

Sheila Salmon asked is office being renovated as is? President Livingston reviewed renovation indicating one of the possibilities will be squaring out the current small L into a rectangle, with a new office layout inside. This estimate will go to the Budget committee. Director Freeman asked if Cornerstone charged for the proposal. President Livingston indicated the cost was \$1,026.56. We had \$ 8,500 in Reserves so we still have monies to proceed with part of this, whatever the first step is.

Terms of Office: President Livingston indicated there was a problem with the terms of our Directors and that Director Bennett and Director Martin reviewed the terms. Director Bennett summarized the issues noting that each position serves a 3 year term and each year there should be a turn-over of three positions on the Board. It was discovered by Directors Martin and Bennett that due to the turnover of Directors beginning several years ago confusion arose. Directors Martin and Bennett rectified the schedule and are asking the Board to review and approve the corrected schedule. Mr. Ritson indicated he checked with our Community Manager and that she said there were four or five seats available. President Livingston indicated if the Board decides that this is the correct interpretation we will send it back to the office to rectify. Director Bennett requested the Board to approve this and have office put it into effect.

Motion to accept schedule reflecting correct expiration of terms for each Board Director made by Director White, Seconded by Director Martin. All in Favor. Motion passed.

Pierson Property Report – President Livingston moved this item to executive session due to concerns about possible legal action.

Tree Removal Requests - President Livingston asked for a motion on the Tree Removal Requests for Members Lieper, Day, Pajk, and Rogers.

President Livingston indicated that today she did an emergency inspection for Mr. Lieper on Pepperidge since the tree was going to hit the house.

- The Tree Removal Request for Day on Persimmon was approved by Director Meola on 8/25/11 The Tree Removal Request for Lieper on Pepperidge Drive approved by President Livingston on 9/9/11
- The Tree Removal Request for Pajk on Pine Lane, one dead tree, was approved by Director Meola on 8/15/11
- The Tree Removal Request for Richard Rogers on East Shore Drive, two trees too close to house, moss on roof – Director Bennett approved on 9/1/11
- A Tree Removal Request for Nelson on Lancet Court was approved by the office since it was within their jurisdiction.

Motion to approve Tree Removal Request for Members Day, Pajk, Lieper and Rogers as referenced made by Director Freeman, seconded by Director Bennett. All in Favor. Motion passed.

Spreader Purchase – President Livingston indicated that our Maintenance Supervisor obtained a quote from John Bonham for a new spreader for \$3,286; our Reserve Vote was for \$3,500. President Livingston said this type of equipment has to have a certain adaptation to a truck so can be used if we purchase new vehicles.

Director Freeman asked if our other spreaders are up and running and ready to go. Director Livingston indicated that with the storm maintenance is busy. She will schedule the Readiness Report on the October agenda.

Boat Rule Signs – Discussion ensued on purchasing Boat Rule signs for each of our lakes. Lower Lake has one posted now. The cost is \$240. Some lakes, per Director Livingston, have two boat launches so that requires more.

Mr. Ritson indicated the cost is \$80 per sign, and said if the Board can find monies to do it, or at least put in the budget in the spring, since it takes the Sign Company time to develop, consider it.

As to posting of sign, President Livingston indicated maintenance decides how to post them. Mr. Ritson said he would like to see these signs posted.

LMC Request – Mr. Ritson asked that this be tabled, and it will be reviewed at the October Lake Management meeting with the geese program.

Safe Deposit Box Inventory – President Livingston said two officers have to inspect and to let Sherri Gonzalez, BLCA Office Manager, know who will do this. Director Bennett and Director Martin agreed to do it.

Purchase of Salt Mix - tabled since our Maintenance Supervisor didn't have chance to obtain it.

739 Entrance/DOT - President Livingston summarized the meeting held last week with DOT: A group was out at the 739 entrance, consisting of three or four DOT representatives, four Board Members, Maintenance Staff, as well as two representatives from our engineering firm. The concern was that the traffic count reflected that turning left into Birchwood is a problem during peak hours between 4-6pm.

If the numbers could be reduced, we could pass without any alteration, but with this number, we are required to provide a left turn lane. This would require on our side of road, an easement into two properties from Lakeview down with the house and lot which we don't own. Costs of this type of lane could be anywhere from \$150G to \$200G. At this time, we are waiting for our engineer to come back with a report with suggested ideas. Discussion ensued involving the possibility of rerouting some residents based on lot, block and section, during this two hour period only. This would reduce the number of cars making that left-hand turn into BLCA which would result in BLCA not having to create the left turn, a cost that would have to be picked up by BLCA residents, not PennDOT. Board members felt the easier and most economical solution was to find a way to cut down vehicles using this entrance during peak hours.

President Livingston said we will wait for our engineer to come back with some alternatives that we can look at.

COMUNICATION, WRITTEN & ORAL

Charles Ritson, West Shore Drive, indicated he went as directed to the office to get a copy of the Hanover Report. The report was not in the Lake Management binder. He filled out a request for documents which will be on the October agenda.

Sheila Salmon, Juniper Drive expressed concerns over the flow of work in the office when the Community Manager is not present. President Livingston said many of these issues are on the top of her agenda when the Community Manager returns.

Mrs. Salmon spoke about Humane Society and feral cats, and that we can borrow their Have a Heart cages. This is a low cost service for finding feral cats, which they fix and return. Concerns voiced that we may also have a problem then since we catch wild life like raccoons.

Community Affairs Members/Complaints & Resolutions

Miscellaneous

Block 67, Lot 19 Section 9 – Amount of \$7,886.48 given as outstanding monies due to us, and GMAC is asking a concession of that amount from us. There was a GMAC Mortgage foreclosure on this property relative to a sheriff's sale. We were not notified of the sheriff's sale. If we were notified we would have had to take a lower amount. The Board thought we could eliminate interest and administrative costs and just ask for the dues and assessments requesting full payment of \$6,050 dollars.

Motion made by Director Freeman to accept a payment to Birchwood of \$6,450 to settle GMAC account on Block 67, Lot 10, Section 9, seconded by Director Martin . All in Favor Motion passed.

Miscellaneous: President Livingston and several Board Members noted both our Maintenance Staff and Office Staff did an excellent job this last week given the storms and office staff shortages and asked we give them a note commending all. Particular commendation was given to Linda McGinley who was in charge in the absence of our Community and Office Managers. All Directors agreed.

Motion to adjourn the Regular Meeting of the Board of Directors September 9, 2011 at 8:30PM and go into Executive Session made by Director Freeman, seconded by Director Martin. All in Favor. Motion passed.

Respectfully submitted,

Linda White, Secretary