

Birchwood Lakes Community Association  
Regular Board Meeting Minutes  
February 11, 2011 @ 9am  
Conference Room

Present: Clare Bennett, Vice President, Marcella Livingston, Treasurer, Thomas McConnon, Carolyn Martin, Theodore Balke, Joanne McInerney, Carl Fredrickson

Absent: Charles Ritson, President, Linda White, Secretary,

Also Present: Bettye White, Community Manager

Vice President Bennett called the meeting to order at 9:00am

**Approval of Meeting Minutes and Actions Without A Meeting**

- January 28, 2012 Special Membership Meeting Minutes

**Motion to approve the January 28, 2012 Special Membership Meeting Minutes made by Director Livingston , seconded by Director Martin. Director McConnon abstained as he was not present at the meeting. All other Directors voted in Favor. Motion Passed.**

- January 14, 2012 Regular Board Meeting Minutes

**Motion to approve the January 14, 2012 Regular Board Meeting Minutes made by Director Martin, seconded by Director Balke. Director McConnon abstained as he was not present at the meeting. All other Directors voted in Favor. Motion Passed.**

- January 27, 2012 Action Without a Meeting

This Action Without a Meeting is to approve Ciccone Construction Inc. for the demolition of the salt shed at a cost of \$5,830.00 subject to provision of a Certificate of Insurance and executed contract. Two Directors were unavailable. All other Directors voted in favor. Motion Passed.

**Motion to approve the January 27, 2012 Action Without a Meeting made by Director Livingston, seconded by Director Martin. All in Favor. Motion Passed.**

**Treasurer's Report**

Treasurer Livingston presented the Treasurer's Report.

**Write-Offs**

There were a total of 4 write-offs.

Lot 8, Block 93, Section 12 for total of \$333.51

Lot 9, Block 93, Section 12 for total of \$2,173.72

Lot 10, Block 93, Section 12 for total of \$233.51

Lot 11, Block 93, Section 12 for total of \$283.51

Total Write-off Amount is \$3,024.25

**Motion to approve the 4 write-Offs for a total of \$3,024.25 made by Director Livingston, seconded by Director Martin. All in Favor. Motion Passed**

Budget Transfers

Transfer of \$800.00 from account #7640-004 Security/Postage to account #7230-004 Security/Electric.  
Transfer of 500.00 from account #6110-001 Admin/Payroll to account #7520-001 Admin/Deedbacks.

**Motion to approve the two transfers as listed above made by Director Livingston, seconded by Director Martin. All in Favor. Motion Passed.**

Collections

**Motion to proceed on collections with the execution of liens against 13 accounts and civil complaints on 15 accounts as presented to the Board in a memo on February 10, 2012. Motion made by Director Livingston, seconded by Director McInerney. All in Favor. Motion Passed.**

Managers Report

Bettye White, Community Manager, presented the Manager's Report.

Board Discussion/Decisions arising from Manager's Report

The Board agreed that Community Manager White should seek a part-time collections person who can be trained in the TOPS program and coordinate the collections effort utilizing a collections module in TOPS.

Community Manager White will be meeting with the Pike County Conservation District with regard to the Upper Dam on March 2, 2012.

Salt Shed Demolition Permit has been submitted to the Township.

Traffic Study – We are waiting a response from PennDot with regard to our proposal for the 739 Entrance. McGoey Hauser confirmed that they have received any further correspondence from PennDot since we met with them several months ago. Vice President Bennett stated that the Board is working on the entrance issue to try and find options that will be satisfactory to PennDot and will have little financial impact on the Association. A cost estimate to install a left hand turn at the 739 Entrance is in the region of \$250,000.

The Board approved Community Manager White's attendance at two upcoming CAI programs on February 15<sup>th</sup> and February 22<sup>nd</sup>. Vice President Bennett agreed to attend the February 22<sup>nd</sup> program.

Committee Reports

**Community Safety** – Director Balke indicated the Committee met on February 10<sup>th</sup>. They reported that there is a lighting issue at Silver Lake. Community Manager White said she will look into it and that it may be a Met-Ed problem. She indicated that bulbs had recently been replaced in this area and at the Gatehouse and if they are not working again there may be a wiring problem. It will be investigated. Director Balke expressed that a citation may have been issued in error on an overnight parking, indicating that the car was not there overnight. Community Manager White stated that citations are reviewed at the office in case there are errors and she believes this has already been addressed. Director Balke requested the sign be changed from "No Overnight Parking" to "No Parking After Dusk". He was advised of procedure on how to correctly address this. Vice President Bennett also reviewed committee meeting procedures with Director Balke.

**Budgets & Contracts** – Director Livingston, Chair, expressed that the Committee was pleased that the Budget Vote passed and thanked the Membership.

**Beautification** – Director Fredrickson stated that he has written an article for the upcoming Newsletter asking for donations of perennial cuttings. He has provided this to Linda White, Chair of Community Affairs.

**Community Affairs** – The Committee met on February 4<sup>th</sup> to review the website and to discuss potential vendors for the Newsletter. Deadline for next Newsletter is March 1<sup>st</sup>.

**Recreation** – Will work on calendar for the upcoming season. It was suggested that for the next Newsletter we list the events that will be held each month as dates will not be approved until the next Board Meeting. We will guide Members to the Website to check for dates and they will be listed in the summer newsletter.

**Payment of Bills** - None

**Other Unfinished Business**

Community Safety Proposed Changed to Committee Duties – Tabled while waiting response from Attorney.

Upper Birchwood Lake Dam Underwater Topo Survey

**Motion to approve the proposal from Gary M. Flood in the amount of \$750.00 for an underwater topo survey on Upper Birchwood Lake Dam made by Director Livingston, seconded by Director Fredrickson. All in Favor. Motion Passed.**

Office Mast

**Motion to approve Aquarius Plumbing & Electric proposal in the amount of \$495.00 for the relocation of the office mast made by Director McInerney, seconded by Director Martin. All in Favor. Motion Passed.**

The Board agreed that Maintenance should perform cosmetic work on the outside of the office to spruce it up.

Salt Shed – The permit for the demolition of the salt shed has been submitted to the Township.

Vice President Bennett stated that we were made aware of a salt issue in the vicinity of the Maintenance Facility. We hired a professional geologist to conduct extensive testing. Testing completed to date was discussed with the geologist and engineer last Friday and remedial options are now being researched. Results of those tests have also been provided to those homeowners who participated in the testing. As soon as we know what remedial options are available to us we will schedule a meeting with the homeowners impacted and then a community wide meeting will be held. DEP has been kept abreast of the situation and we will be meeting with them in the next several weeks to get their feedback on those options available to us.

**New Business**

Tree Removal Permits – Reilly – Inspection to be completed.

**Motion to send a letter to the homeowner informing him that he can cut down those trees under 3” without a permit from BLCA and only those trees on BLCA Property. Should the homeowner wish to**

**remove any trees over 3” after those other trees have been removed a Tree Removal Request should be resubmitted indicating how many and exact location on the property. The motion was made by Director Livingston, seconded by Director McInerney. All in Favor. Motion Passed.**

Director McConnon requested a second motion be made to permit homeowners to remove dead trees without prior approval.

**Motion to approve Members cutting down dead trees without prior permit and/or approval of the Office or the Board made by Director McConnon, seconded by Director Balke.**

Discussion ensued.

**Directors McConnon, Balke and Fredrickson voted in Favor of the motion. Directors Martin, Livingston, Bennett and McInerney voted against. Motion did Not Pass.**

Board of Directors Attendance/Confidentiality

Vice President Bennett reminded the Board that 3 or more missed meetings by a Director must be addressed by the Board. She indicated that two Directors have exceeded this number. She discussed options and submitted a draft warning letter for Board review and approval.

**Motion to send the two Directors a warning letter with an amendment indicating the Director submit a letter to the Board providing reasons for missed meetings, made by Director Livingston, seconded by Director McInerney. All in Favor. Motion Passed.**

Vice President Bennett indicated that confidential information is being released beyond the Board. She reiterated the need to keep all discussions in Executive Session confidential and referred the Board to the letter provided by the Attorney on the issue of Confidentiality, reminding everyone that each Board Member signed a Confidentiality Agreement.

Roadwork – Vice President Bennett addressed the memo received by the Board from Louis Freeman, Co-Chair of the Roads Committee. She suggested a workshop be held on the topic of Roads. A date has been scheduled for March 24<sup>th</sup> at 9am.

Spreaders

**Motion to place an ad to sell the two old spreaders made by Director Martin, seconded by Director Livingston. All in Favor. Motion Passed.**

Clubhouse Roof – Proposals have been received for repairs to the clubhouse roof. Proposal One is for \$13,590 or \$10,593 and Proposal Two is for \$3,500 or \$8,500, depending on scope of work. Maintenance Supervisor Back submitted a memo indicating from his experience what needs to be done to make the repairs and that it can be done by the Maintenance Department.

**Motion to approve Maintenance making the necessary repairs to the clubhouse roof made by Director Livingston, seconded by Director Fredrickson. All in Favor. Motion Passed.**

Collections Project

**Motion to approve Treasurer Livingston overseeing the Collections Project for the interim made by Director McInerney, seconded by Director Martin. All in Favor. Motion Passed.**

Message Board

**Motion to approve Sherri Gonzalez, Office Manager, handle procedures and content for the Message Board made by Director Livingston, seconded by Director McInerney. All in Favor. Motion Passed.**

Easter Party – Easter Party will be March 31<sup>st</sup> from 9am to 11am. Flyers will be placed in the mailboxes and on the website advertising Breakfast with the Bunny and seeking volunteers for the event. Our Easter Bunny has agreed to return this year!

Resolution Committee

1. Discussion on Attorney Letter regarding Resolution Member Email and Public Statements.

Vice President Bennett stated that concerns had arisen in reference to public statements on a Member's Blog and Facebook page as well as an Email received. This Member serves on the Resolution Committee. We asked for an Attorney Opinion on this. The Board discussed the Attorney Letter and the responsibilities of any Member serving on the Resolution Committee.

**Motion to remove the Resolution Chair from the Resolutions Committee made by Director Martin, seconded by Director McInerney. One Director abstained because he stated he did not have enough information. All other Directors voted in Favor. Motion Passed.**

2. Attorney Letter regarding Resolution Committee Responsibilities

**Motion to approve mailing this letter to each member of the Resolution Committee with a cover letter explaining the prior case that was incorrectly ruled on. Motion made by Director McInerney, seconded by Director Martin. All in Favor. Motion Passed.**

Gates for Crossing Road – Tabled while waiting for further information.

Birchwood Voice

**Motion to approve Community Newsletter as the new vendor for the Birchwood Voice once contract has been reviewed by our Attorney and all parties agree upon contract terms, made by Director Fredrickson, seconded by Director Livingston. All in Favor. Motion Passed.**

**Communications**

Mr. Fisher – Arrowood – Mr. Fisher wanted an update on the salt issue. Vice President indicated that we were coming close to possible remedial options and that we anticipated having a meeting in the next several weeks with those homeowners impacted. In the meantime he was invited to call Community Manager White on Monday.

Mr. Fisher expressed concern and frustration at the amount of untidy properties that may not be getting citations. The Board confirmed that we do issue citations for untidy properties. There are members in here who do not seem to care about the appearance of their property and ignore the citations. Many of these are included in the collections project.

Mr. Murphy – Arrowood – Asked if there is going to be a Community Meeting on the salt issue. Vice President Bennett stated that we will be scheduling a Community Meeting and that notices and flyers will be distributed in advance notifying Members of that meeting.

**Miscellaneous**

Payment Plan Request – 061-011-08

Payment Plan Request – 063-001-0800

**Motion to approve the two Payment Plan Requests above with the provision that judgments are effected and action taken on these judgments if they fail to comply to the payment plan. Motion made by Director Livingston, seconded by Director Fredrickson. All in Favor. Motion Passed.**

Payment Plan Request – 035-016-05

**Motion to deny the above Payment Plan Request based on the terms of the Amnesty Agreement signed by the Member and to proceed with the judgment and executive upon it once received. Motion made by Director Livingston, seconded by Director McInerney. All in Favor. Motion Passed.**

Swim Team - It was noted that there remains an issue with Members not in good standing participating on the Swim Team which is not permitted according to our By-Laws. It was agreed that we need to address this at each Swim practice by having a staff person check badges and make sure they are in good standing status. Those found to be delinquent will not be permitted into the pool area.

The request for Saturday mornings 8am to Opening will require a minimum of 5 days' notice. Concession Stand is approved as per the instructions provided last year, i.e. set up location outside pool gates. Request for the installation of a shed denied. Dates requested are approved. We will have to get back to them on the painting of lines in the pool. The Board requested that Community Manager White schedule a meeting with the Naturale's to go over all of this.

**Motion to Adjourn the Regular Session Meeting of the Board of Directors, February 11, 2012 at 11:50am, and go into Executive Session made by Director Livingston, seconded by Director Fredrickson. All in Favor. Motion Passed.**

Respectfully submitted,

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Linda White  
BLCA Secretary