

Birchwood Lakes Community Association
Regular Board Meeting Minutes
July 17, 2012 @ 7pm (postponed from 7/10/12)
Conference Room

Present: Charles Ritson, President, Clare Bennett, Vice President, Linda White, Secretary, Thomas McConnon, Carolyn Martin, Theodore Balke, Joanne McInerney

Absent: Carl Fredrickson, Marcella Livingston, Treasurer, Bettye White, Community Manager

President Ritson opened the meeting at 7:00pm with the Pledge of Allegiance.

President voiced concerns as to a flyer going around the community which is a distortion of facts, innuendo and false information and noted that members who had issues or problems should appear before the Board at our monthly meetings.

APPROVAL OF THE MINUTES FROM PRIOR MEETINGS

- June 8, 2012 Regular Board Meeting

Motion to approve Regular Board Meeting Minutes from June 8, 2012 made by Vice President Bennett, Seconded by Director Martin. All Directors voted in Favor. Motion Passed.

- June 13, 2012 Action Without A Meeting

This Action Without A Meeting is to approve moving the CDRS Operating account #1013609485 (\$214,906.59) to account #7350-001 Other Professional Fees for payment of salt contamination related charges. Director Fredrickson no; all other directors voted in favor

- June 18, 2012 Action Without A Meeting

This Action Without A Meeting is to fix the due date and time for receipt of the sealed bids for the contracted roadwork to be July 9, 2012 at 4 pm with two notices to be given in the New Jersey Herald, News Eagle and Pocono Record of the request for bids. Director White unavailable; all other directors voted in favor

- June 18, 2012 Action Without A Meeting

This Action Without A Meeting is to approve the proposal by PR Addio for utility location surveying and mapping dated June 14, 2012 in the amount of \$600. The plot plan will be used in conjunction with the well permit application for the maintenance facility. Director White unavailable; all other directors voted in favor

- June 21, 2012 Action Without A Meeting

This Action Without A Meeting is to approve placing two notices regarding the golf outing and a henna tattoos/etc fundraiser to benefit the swim team on the BLCA website on an exception basis until a formal policy is implemented. Joanne McInerney, Carl Fredrickson, Ted Balke, Tom McConnon all unavailable; all other directors voted in favor

- June 29, 2012 Action Without A Meeting

This Action Without A Meeting is to amend the AWAM of June 1, 2012 to pay for the office remediation project completed by Integra. The original AWAM did not state where the money was going to be taken to pay for the action. Funds will be taken from Account #80240 (Reserves). Director McConnon unavailable; all other directors voted in favor

Motion to approve the Actions Without a Meeting dated June 13, June 18, June 18, June 21, June 29, 2012 made by Director Bennett, seconded by Director McInerney. All in Favor. Motion Passed.

TREASURER'S REPORT

President presented the Treasurer's Report.

Write-offs

Lot 12, block 93, section 12 - \$7129.74
Lot 4, block 109, section 15 - \$5993.80
Lot 7, block 109, section 15 - \$2,644.47
Lot 17, block 96, section 13 - \$4,871.71
Lot 4, block 17, section 3 - \$ 7,129.74
Lot 4, block 1, section 1 - \$6122.53
Lot 10, block 85, section 11 - \$7,135.90
Lot 41, block 80, section 10 - \$6,184.27
Lot 44, block 97, section 13 - \$7,554.79
Lot 35, block 101, section 14 - \$8,441.45
Lot 36, block 101, section 14 - \$8,441.45
Lot 15, block 106, section 15 - \$8,441.45

Totaling \$ 80,091.30

Motion to approve write-offs made by Director Martin, Seconded by Vice President Bennett. All Directors Voted in Favor. Motion passed.

Budget Transfers

Bill for Chuck Givler for work on Upper Dam discussed, indicating it is over budget by \$536 which will require moving \$536 from #061-10-002 payroll maintenance to account #08031-001 dams R&M for payment to Chuck Givler for Emergency Action Plan.

Motion to approve the Budget Transfer for CA Givler in the amount of \$536 from 061-10-002 payroll maintenance to account 08031-001 dams R&M for payment to Chuck Givler for Emergency Action Plan made by Director Bennett, seconded by Director McInerney. All Directors Voted in Favor. Motion Passed.

Collections

012-023-4: Relative to a June 18th judgment per David Horvath, Esq. indicating that the new owner lives in CA and in order to get Pike County Sheriff, the Board needs to deposit \$1,000. Board's discussion resulted in recommendation not to proceed at this time but to keep judgment in place.

071-002,003,004-0900: The Board proceeded with executing on this judgment listing items worthwhile for auction. (i.e. lawnmower, rake, trailer, miscellaneous items). If we are not satisfied with the list, we can ask the sheriff to look further. Total amount due is \$9,000. Decision is to have BLCA attorney ask sheriff to add more items.

MANAGER'S REPORT (Attached to Minutes)

Board Discussions and Decisions from Manager's Report

PALMS Grant:

Motion to approve an increase in matching funds for the PALMS Grant from \$5,000 to \$6,330 so as to increase the PALMS Grant we receive from \$15,000 to \$18,990. Motion made by Director McInerney, seconded by Director Martin. All in Favor. Motion Passed.

Upper Birchwood dam permit is in process and should be filed with PADEP this fall. President indicated a complaint was received on the level of the lake. PADEP will review raising the lake again next year. The application process for this project is extensive. President Ritson reminded the Board that PADEP is requiring dams throughout the State to abide by their new requirements and many Communities are facing the same challenges and costs.

The new recreation coordinator was hired. The Association is seeking to hire more lifeguards. It was noted that in August the Swim Team Championships may result in the pool/beaches being closed or schedules adjusted because of lack of lifeguard availability. Vice President Bennett asked why we don't hire 15 year-olds as lifeguards anymore?

There have been several recent incidents of vandalism. The State Police was contacted. Members are asked to contact public safety if they witness something.

Permit for Birchwood Lake Boat Launch was received from Pike County Conservatory District and Maintenance has been instructed to proceed.

Mountain Laurel Performing Arts Center – The Board agreed to place information on website, accept and display posters and rack cards. The Board also agreed that Community Manager White will work with the Recreation Coordinator and Chair of Recreation Committee to see if we can work in some of the sponsorships Mountain Laurel Arts Center requested but noting that time may not allow it.

COMMITTEE REPORTS

Recreation - The Board agreed to the inclusion of several events to the August Calendar including a Kids Karnival, two Young Adult Nights at the Pool, an Adult Beach Party at Beach One and to change the Potluck Dinner to a Spaghetti Dinner and Potluck Dessert for the Family.

The Board asked that Directors McInerney and Bennett put together a Memo relating to the various swim issues discussed and send to the Community Manager and Recreation Coordinator.

The Board agreed that 15-18 year olds can participate in adult lap swim providing they are there to do laps only.

By-Laws – The Board agreed to send the proposed By-Laws changes to the BLCA Attorney for his attorney and feedback. Because the Committee and Board decided against changing the agenda format, this section is to be removed from the By-Laws proposed changes before submitting to the attorney.

Roads: Vice President Bennett indicated there was no meeting as the Committee was waiting on the road bid packages. President Ritson opened the two bids received from Wayco and AMS. The Board asked the Roads & Maintenance Committee to review the bids and come back with a recommendation. Outer Road was just completed. Cornerstone has submitted the paperwork to Pike County Conservation District for the permit needed to begin work on Butternut/Basswood. It will take 30-45 days for their review.

Director McConnon asked what the plan was for Old Oak Court. Vice President Bennett indicated that this is the drainage hot spot next slated for permitting and if the reserve vote passes in August, Roads will request the Board to begin the road permit and bid process for this over the winter so that work can commence next Spring. It was noted that some of the PALMS grant money will be used for this project.

Community Safety - Director Balke voiced concerns again about fireworks throughout the Community on July 4th and he wasn't sure if security issued any citations.

Lake Management - Joe Gallagher treated Upper and East Lake and also Middle Lake. There was an explosion of weeds due to heat. East Lake is most susceptible. Lake Management Committee is meeting this Saturday as well as a meeting for Capital Projects.

Community Affairs – The deadline for newsletter content is July 19th. Director White stated that there has been no input from Directors for this issue.

OTHER UNFINISHED BUSINESS

Volunteer Recognition Guidelines

Vice President Bennett summarized development of procedures and guidelines. She also submitted a nomination form design for Board approval. Vice President Bennett reminded the Board that while this program would go into effect after this year's annual meeting the Board agreed previously to nominate a member to receive the Volunteer Recognition Award at the upcoming Annual Meeting. Nominations were offered by the Directors. The Board agreed to name member George Aber as the 2012 Award Recipient in recognition for his work throughout the years and, in particular, in relation to his work with the Beautification Committee. The Board approved a letter be sent to Mr. Aber notifying him of the award to be presented at the Annual Meeting on August 25, 2012.

Motion to approve the BLCA Volunteer Recognition Guidelines and Nomination Form made at the July 17, 2012 Regular Board Meeting. Motion made by Director Bennett, seconded by Director Martin. All in Favor. Motion Passed.

The Board approved Director Bennett look into a perpetual plaque and the Board is requested to provide input as soon as the information is available.

Website Guidelines

Motion to approve the above guidelines was made at the July 17, 2012 Regular Board Meeting. Motion made by Director McInerney, seconded by Director Martin. All Directors Voted in Favor. Motion Passed.

The board decided not to open up our website for outside businesses at this time. These new guidelines will be put on web as well as in our policy manual. Director Bennett indicated she would have the webmaster add it to the website and it would be placed in the upcoming newsletter.

Pool Design/Bid Packet

Motion to Approve Wade Associates' proposal to do the pool design and bid packet made by Director Martin, seconded by Director McConnon. All Directors Voted in Favor. Motion Passed.

Office

Community Manager Bettye White sent a memo to the Board requesting approval to close the office early for up to two afternoons and to have the phones transferred to another location or have a Board Member answer the phones while the office staff completes the membership mailing. President Ritson advised the Board that this was being requested because we are short two staff in the office and it is difficult for the two remaining full-time staff to do the mailing, answer phones and attend to Members at the window. The Board agreed to allow the office to close one afternoon and, if needed, a second afternoon to prepare the Membership Mailing Packets. Phones to be diverted to the Community Manager and/or use Board volunteers as needed. A couple of Board Members were curious as to why the office staff did not want their help with this mailing when they have helped with past mailings, especially as we are short-staffed. They reiterated their willingness to help.

Mold Remediation

President Ritson summarized the mold remediation efforts that were taken in the Office and the Clubhouse buildings. We remediated the crawl space under the office using the services of Integra Clean. Integra Clean also returned at a later date to review their work in the crawl space and to examine the attic, which had been remediated previously. In addition to the remediation being undertaken by Integra at the Office, President Ritson and Maintenance staff, as added measures, HEPA vacuumed the carpet in the office, including each office, cleaned and sanitized the filters for the air conditioners and purifiers. We purchased a bigger dehumidifier for the crawl space and an additional air purifier for the office. We placed the smaller dehumidifier in the office and we are running the dehumidifier, air conditioners and air purifiers 24/7. Carpets

are getting HEPA vacuumed weekly and all floors are getting mopped weekly. All but one member of staff has returned to work full time in the office and have made very positive comments about the conditions in the office.

Motion to approve Craig Williams Well Drilling to perform work on the office well made by Director White, seconded by Director Martin. All Directors Voted in Favor. Motion Passed.

Remediation was undertaken at the Clubhouse building after mold was discovered in the utility room. It was believed to have occurred as a result of a leak. Integra Clean remediated the utility room and kitchen. They fogged and sealed the HVAC systems in the utility room. They placed air scrubbers in the Conference Room and the main Clubhouse and ran them for several days. They also HEPA vacuumed the Clubhouse and the Conference Rooms.

Air tests taken after the remediation of both the Office and the Clubhouse and a written report from Integra Clean indicates that all spaces can again be occupied.

Office Move

Estimates were received from two contractors on the cost of moving the office to the conference room. Director White volunteered to research modular office systems and report back to the Board with findings and options. Once we have a cost analysis of both options the Board will make a decision.

739 Entrance Permit

President Ritson summarized history. The 739 Entrance was never permitted by PENNDOT. A recent traffic study showed that there are too many cars making left hand turns into that entrance between 4pm to 6:15pm. PENNDOT will not grant us a permit for that entrance if we do not address this problem. Options are to either install a left turn lane from 739 into Birchwood at cost of approximately \$250,000 or restrict access through that gate to lower the volume of cars entering Birchwood through 739. The Board is trying to devise a plan that will be acceptable to PENNDOT and not have a major financial impact on Birchwood Members.

The Board has asked Community Manager White to set up a meeting with PENNDOT to discuss some options with them. One of these options is moving the guest call box to Doolan Road and restricting delinquent members using the 739 Entrance during peak hours. We would also consider adding a call box at the Silver Lake entrance when funds are available.

Reserve Withdrawals

Motion to approve the Reserve Fund Withdrawals Ballot Information for a total of \$227,000, increasing the Pool Reserve amount from \$35K to \$40K. Motion made by Director McInerney, seconded by Director Bennett. All Directors Voted in Favor. Motion Passed.

NEW BUSINESS

092-017-1200 Permit Application: Homeowners were present to discuss a waiver from Board to allow their new well to be located within BLCA's easement. They expressed desire to build home, and had already obtained permits from the Township. The Board expressed frustration that the Township is providing permits knowing easement requirements within the Community.

Motion made by Director Balke, Seconded by Director McConnon to make an exception to the easement rule in this case because the Township has already approved their request. The Community Manager is requested by the Board to have our Attorney send a letter to the Township ASAP reminding them of the 10' easement rule and requiring them not to approve any further permits that are not in accordance with BLCA requirements and/or not in full accord with Township Ordinances. All Directors Voted in Favor. Motion Passed.

Tree Removal Request – Feaser, DeCola – Approved the tree removal requests from Feaser and DeCola (DeCola changed request to take down only one tree). The Liccata request was refused and the Board directed a letter be sent to the homeowner informing them why it was denied. They can take down the three dead trees approved by the Board and any trees less than 3” in accordance with our Tree Guidelines. Those trees they indicated are too close to the house should be resubmitted as a new tree removal request for Board consideration. When they decide to go ahead with possible pool installation or other possible building renovations tree removal will be required under the building permit at that time. The Board also stated that they be reminded of the existing water drainage problem in that area and that the removal of so many trees can contribute further to that problem.

Candidates Board of Directors Ballot Placement

As per the By-Laws the placement on the ballot of the candidates for Board of Directors was selected by the Secretary of the Board of Director’s at this meeting. The names were drawn randomly and will be placed on the ballot in the following order: Clare Bennett, Joanne McInerney, Carol Martin, Len Glamann.

Salt Update

President updated salt issue. The 48 hour pump test is almost ready to go forward, pending final review by PADEP. We are having problems getting access to properties. 25 members are being tested with 12-16 giving authorization at this time. Those that didn’t respond will not get their wells tested during this cycle. 7-10 monthly field tests were done. We are looking for alternate well sites, going to drill another well to segregate salt strata from non-salt strata. We would use same concept for other residents. The 48hr test will exaggerate the use of water to determine whether we can influence the rate at which the plume is moving. The additional testing and camera testing and replacement of some of the well sanitary caps is still on schedule. We have to get back to DEP in late fall. We provide bottled water to homeowners requesting it. If you have over 250mg of chloride and/ or 500mg TDS, you would qualify. There are 12 residents getting bottled waters. This water is for drinking and cooking only. We are being as conservative as we can. We need to verify all plumbing problems before considering reimbursement. Cornerstone surveying work on additional wells and updating of maps is pending member authorizations. Exploratory well permit application submitted to Delaware Township. Board noted our BLCA attorney needs to talk to one of his firm members specializing in insurance claims relating to our salt issue.

Bottled Water: The Board agreed to change current water company supplier for a two year contract to Mountain Water since their price was lower.

Motion to approve a two year contract to Mountain Water to supply spring water as a new vender for the bottled water made by Vice President Bennett, Seconded by Director McInerney. All Directors voted in Favor. Motion passed.

Request for Reimbursement -094-034-1200(water heaters) – The Board approved paying the 2009 bill, but did not approve the 2010 invoice on plumbing repairs until some verification is obtained regarding the damage. All future claims will need verification of damage and/or inspection by a plumber (or other professional) hired by the Association.

Payment Plan Requests

046-015-0600 and 046-016-0600 - property owner requested allowing her to pay \$100 a month plus this year’s due. Total shown on judgment was \$4,140 but it is believed her account indicates a past due figure of almost \$9G. This amount does not include current outstanding dues. Homeowner explained her financial difficulties and that she needed a letter on Birchwood letterhead to her bank since she is attempting to refinance her mortgage to address debts acquired. The bank is requiring the Board's response to the payment plan request. The Board agreed to work on a repayment plan, but not at \$100. Owner noted she could do \$175/a month addressing past and current dues.

Motion to approve a Payment Plan Request for 073-007, 008-0900 for \$100 a month for back payments on one agreement and a second payment plan agreement to bring this year’s dues current. We will hold the judgment in abeyance but will file it should the Member default on the Payment Plans for any reason. Motion made by Director White, seconded by Director McConnon. All Directors voted in Favor. Motion Passed.

The Board asked Director Bennett to review amounts owed with the BLCA Bookkeeper because the Board believed the amount owed was greater than that presented by the homeowner.

#095-060, 061-1300 – The Board asked Director Bennett to discuss this account with the BLCA bookkeeper as no financial/background information was provided to the Board on this account. Once reviewed by the Board an AWAM would be performed.

Road Bids Opened: Wayco's bid came in at \$64, 840.44. A second bid, AMS, came in with \$124,000. Vice President Bennett will review the bids with the Roads Committee.

Newsletter Distribution to Tenants: The Board agreed that tenants will not be mailed the newsletter. Newsletter is mailed to the homeowners. Director Bennett said she will include a line in the newsletter for members to inform their tenants that they can get a copy of the newsletter in the office or it can be found on the BLCA website.

Possible Buried Tank at Maintenance: The Board agreed that we would not proceed with this project at the moment because of financial constraints. However, when we are ready to proceed, we will use Advanced Geological Services.

Aquatic Program Request: The Board referred the Member to join the Recreation Committee and indicated that we are half way through the summer season and it does not appear possible to incorporate such a program at this time.

050-011, 012-0700 – The Board agreed to waive this fee.

25-08-500 - The Board denied this request.

Swim Team Request: Board approved that the Swim Team can use the clubhouse on rainy evenings in lieu of swim team practice. It is to be stressed to them that the clubhouse, kitchen and bathrooms be cleaned after use by them.

Request for Waiver on Septic Rule Compliance: Taylor, Rubinow. Both requests to waive were denied by the Board.

MISCELLANEOUS

Capano Correspondence – The Board agreed to send letter noting our appreciation.

Murphy Correspondence – The Board approved providing the information to the homeowner.

Larick Correspondence – The Board referred to Community Manager.

Meeting adjourned 11:09 unanimously in a motion by Vice President Bennett, Seconded by Director McInerney. All Directors Voted in Favor. Motion Passed.

Respectfully submitted,

Linda White, Secretary