

Birchwood Lakes Community Association
Regular Board Meeting Minutes
November 9, 2012
Clubhouse

Present: Clare Bennett, President, Joanne McInerney, Vice President, Linda White, Secretary, Marcella Livingston, Treasurer, Charles Ritson, Carl Fredrickson, Leonard Glamann arrived at 7.50pm.

Absent: Thomas McConnon, Carolyn Martin

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

APPROVAL OF THE MINUTES FROM PRIOR MEETINGS

- October 12, 2012 Regular Board Meeting

Motion to approve Regular Board Meeting Minutes from October 12, 2012 made by Director Livingston, Seconded by Director Fredrickson. All Directors voted in Favor. Motion Passed.

- October 17, 2012 Action Without A Meeting

This Action without a Meeting is to approve paying \$395.28 over budget on reserve item #80480/Spreader.

Total Cost	\$3895.28
10% over allowed	\$ 350.00
Actual over	\$ 395.28

All Directors voted in favor.

- October 17, 2012 Action Without A Meeting

This Action without a Meeting is to approve the transfer of \$500.00 from Acct. #6110-003 – Recreation/Payroll to Acct. #7060-003 – R&M Beaches for gravel for boat launch (on East Birchwood Lake) to Blooming Grove Gravel. Director Glamann voted no - not enough information. All other Directors voted in favor.

- October 19, 2012

This Action without a Meeting is to approve the transfer of \$411.00 from Acct. #80420 Reserves/Upper Birchwood Lake Dam to Acct. #80410 Reserves /Upper Birchwood

Lake Dam Permit for payment to Chuck Givler (engineer) for submission of dam permit fee. (Fee \$1500, account over budget \$411.00). All Directors voted in favor.

- October 22, 2012 Action Without A Meeting

This Action without a Meeting is to approve the estimate #1746 dated August 22, 2012 from Pike County Plumbing & Heating, Inc., in the amount of \$200 with funds from Account #7350-001 to flush the heating system for BL-3. Pike County Plumbing will pump out the old water, flush system and purge heat loops. Clean water will be utilized from the newly installed water tank at BL-3. Director Glamann abstained due to conflict of interest. All other Directors voted in favor.

- October 23, 2012 Action Without A Meeting

This Action Without a Meeting is to approve the bid package for the pool renovations received from RJR Engineering Co. Inc., in the amounts of: Base Bid \$111,650 and Alt. Bid #1 for \$20,000 for a total of \$131,650 utilizing reserve funds A/C #80350, based upon the recommendations of the Capital Projects Committee and Wade Associates and a review of references. Director McInerney was unavailable. All other Directors voted in favor.

- October 23, 2012 Action Without A Meeting

This Action without a Meeting is to approve the Proof of Financial Responsibility statement/timeline below for inclusion in the Upper Birchwood Lake Dam permit application.

PROOF OF FINANCIAL RESPONSIBILITY

ITEM # 23

Birchwood Lakes Community Association, Inc., the dam permittee/owner, is governed by a Board of Directors that must operate under applicable laws and governing documents. Among these, the Association By-Laws specify a process the Association must utilize for the approval and expenditure of reserve funds. This process requires approval of the Association membership and Board of Directors.

It is the Association's intent under these parameters to proceed with providing the Proof of Financial Responsibility as follows:

Activity	Entity	Estimated Time of Completion
Determine/approve appropriate Instrument	Board	December 2012
Seek/obtain membership approval	Membership	June 2013
Obtain instrument based on Membership decision	Membership	August 2013

Director McInerney was unavailable. All other Directors voted in Favor.

- October 29, 2012 Action Without A Meeting

This Action without a Meeting is to approve purchasing 3-1 salt anti-skid mix for winter road maintenance from D & S Hauling at \$55/yard plus tax. Directors Glamann & McConnon were unavailable. All Other Directors voted in favor.

Motion made by Director McInerney, seconded by Director Fredrickson to approve the above seven Actions without a Meeting. All Directors Voted in Favor. Motion Passed.

TREASURER’S REPORT

Treasurer Livingston reviewed bank balances and the Income/Expense Report. Director Ritson recommended Board members receive a copy of the actual expenses to budget report and the income report rather than the whole document and should they wish to see the full breakdown they review it in a binder at the office, to save on photocopying and paper.

- Write-offs

Lot 3, Block 85, Section 11	\$ 5,236.85
Lot 4, Block 85, Section 11	<u>\$ 5,110.14</u>
Total:	\$10,346.99

Motion made by Director Livingston, Seconded by Director Fredrickson to approve the total write-offs of \$10,346.99. All Directors Voted in Favor. Motion Passed.

- Collections

Director Livingston summarized collections and noted we are progressing. The Board discussed legal and court costs, deciding that although County Court is more expensive a procedure, we will proceed with collections at that level.

Motion made by Director McInerney, Seconded by Director Ritson to approve filing at County Court vs. Magistrate Court. All Directors Voted in Favor. Motion Passed.

MANAGER’S REPORT

President’s report in lieu of Manager’s report attached to original minutes. President Bennett summarized report.

President Bennett asked the Community Safety Committee to take the lead on developing a plan to deal with emergency situations like we just experienced with Hurricane Sandy, e.g. how to contact members, opening clubhouse, staffing and volunteers, etc. Discussion ensued on how to develop a list of people that would be considered “at risk”. The Board

decided to put a letter/flyer out asking those that may need assistance (i.e. senior citizens, disabled residents, families with infants) and that wish to be put on a contact list to submit their information to the Office for future use. President Bennett stressed that we do need a plan in place for the future. She offered compliments to all of our staff for going *above and beyond* during this difficult time and thanked Treasurer Livingston for her assistance throughout the week and for staffing the clubhouse all weekend. President Bennett thanked Director Glamann for keeping us updated on Township activities.

The Upper Birchwood Lake Dam Permit Application was signed and mailed to the DEP. The application was submitted without the proof of financial responsibility. The Board agreed that Treasurer Livingston and President Bennett meet with financial institutions to discuss our options and report back to the Board on the issue of financial requirements.

Interviews will be held in the next few weeks for the open positions of Community Manager, Maintenance Employee and Administrative Assistant.

Public Safety Report: Outer Road is being used as a speedway. Board referred use of speed bumps to the Roads Committee. Thirty-one citations were issued during the month of October. New site supervisor from Legion Security is Tom Maslin.

COMMITTEE REPORTS

Lake Management: Director Ritson summarized activities to date, as well as updates from the seminar. Twenty-two members attended the seminar. Director Ritson explained that he held discussions with Joe Gallagher on how best to use the remaining monies in the Lake Management budget. He reviewed these discussions with the Board indicating that he feels we are best served to use better but more expensive herbicides next year. He has requested a comparison of costs from Mr. Gallagher. He spoke of the possibility of renting a piece of equipment from Eco-Solutions to clean up some of our lakes, noting that some residents voiced an interest in using this equipment for their lakefronts, and would pay for the use. "Catch and Release" signs are pending. Director Ritson suggested purchasing double the amount of goose deterrent materials. Lake Management will submit information at the December meeting.

Beautification: Director Fredrickson indicated that all of the old plants have been removed from the planting boxes, and we will be looking to decorate for the holidays.

Budget Committee: Director Livingston noted that the next meeting will be next Friday, at which time a draft budget will be developed and made available for the Board for the December meeting.

Capital Projects: President Bennett indicated that the committee reviewed bids for the pool project, recommending to the Board that RJR Engineering be contracted for the job.

Roads & Maintenance: President Bennett noted that the Committee reviewed work completed to date and upcoming activities with the new Chair of the Committee, Director

Glamann. The committee also discussed finding an easier way to report potholes and other repairs utilizing our Maintenance.

Community Affairs: Director White noted that the newsletter was completed and sent to all, regular and email, and was posted on the web.

Recreation: Director McInerney said the Halloween Party hosted 28 kids. The next event will be Breakfast with Santa date still to be determined.

Proposed Government and Regulatory Advisory Committee: Deferred to Director Glamann to report at the next Board Meeting.

Note: Director Glamann entered 8:20pm

Roads Recommendations – The committee recommends hiring Cornerstone to begin specs and permit application on Old Oak Court so that drainage work on Old Oak and Butternut/Basswood can be done at the same time. We have PALMS grant, and will work with the Lake Management and Roads Committees to allocate monies towards that area from this grant. Received a quote from Cornerstone for \$2,750 for all costs for permitting and work on Old Oak Court, other costs may be incurred. Project has to be completed by July 2013 in accordance to the terms of the PALMS Grant.

Motion made by Director Ritson, Seconded by Director Fredrickson to approve Cornerstone for work on Old Oak Court not to exceed \$2,750. All Directors Voted in Favor. Motion Passed.

PAYMENT OF BILLS

Budget Transfers

- Transfer \$1,000 from account # 6110-003 Rec Payroll to account 7060-003 R&M Lakes/Rec for payment to M&S Septic for pump tanks (4).
- Transfer \$2,300 from account #80420-Res/dam to account #80410 Res/UBL dam permit for C. Givler for permit revisions and completion
- Transfer of \$260 from account #6110-003 Rec Payroll to account 7020-003 R&M Bld/Rec for payment to Pike Co. Plumbing for 3 furnace cleanings at clubhouse
- Transfer of \$695 from account #7980-001 Contingency to account #7060-004 R&M Gates/Sec for payment to Eastern Alarm for repair to 739 call box.
- Transfer of \$390 from account #6110-001 Admin/Payroll to account #7790-001 Admin/Ads for payment to NJ Herald & Pocono Record for Community Manager Ad.

Motion made by Director Livingston, Seconded by Director Ritson to approve the above five transfers. All Directors Voted in Favor. Motion Passed.

OTHER UNFINISHED BUSINESS

- Request for Payment Plan – 092-005/014-1200

Director Livingston and the bookkeeper will meet with this homeowner at which time the homeowner will have to provide documentation supporting his inability to meet payment plan terms. Our attorney indicated that if the homeowner fails to provide documentation, we should proceed with collections.

- Payment Plan Policy – was to be discussed at the Nov. 3rd workshop which was cancelled as result of the recent hurricane. It will be rescheduled. We do have the attorney's and auditor's feedback which will make it easier to make decisions.

- Complaint Filings

Director White summarized some recommendations that may help in bringing some complaints that are more public safety related addressed in a faster more effective manner. Her suggestion was that residents may telephone, email, or mail a complaint to the BLCA offices ONLY for the complaints as noted below. The complaint must be specific as to the details of the problem, area of concern, and must contain the complainant's name, address, phone number, and/ or email. Complaints that could be reported this way would include things like overgrown grass, weeds, and trees restricting visibility on a BLCA road, unsightly signs advertising "For Sale" items, items for sale along Right of Ways (i.e. refrigerators, stoves, and air conditioners) and graffiti.

She also indicated that while looking at our rules, she questioned if the Board shouldn't reconsider what type of 'temporary' structures should be permitted. Things like 'pods' and or 'white plastic enclosures' are not what she feels was the intent of allowing certain temporary structures. She believes these types of structures being slated as temporary only tend to create blight in a neighborhood. They are cheap, they do not hold up well, and after one season, they begin to look horrible (yellowed, sagging, ripped, left open with debris/cars, etc.). Director White stated they devalue the neighborhood as opposed to enhancing it. There are no controls listed, so should we look at these issues. Board referred issues to the Rules and Regulations Committee.

- Bingo Proceeds

Director McInerney asked that the Board consider that beginning with the 2013 Bingo season, monies taken for income to BLCA be based on a percentage rather than a flat rate as had been previously approved.

Motion made by Director McInerney, Seconded by Director Fredrickson to approve beginning with the 2013 season of Bingo that Birchwood take in 10% of the monies that come into the door up to \$125. After that amount, Birchwood would take \$25 as has been past practice. All Directors Voted in Favor. Motion Passed.

Director McInerney also indicated we only need 2 staff members at Bingo not 3, which will save BLCA monies in salaries.

- 2012/2013 Repository Lot Sale

Motion made by Director Ritson, Seconded by Director Fredrickson to bid on 13 repository sale lots at \$134 each, inclusive of all costs. All Directors Voted in Favor. Motion Passed.

- Maintenance Vehicle Cleaning Site

President Bennett reminded the Board on the inability to clean equipment after winter storms at the maintenance yard. An alternative temporary site for this winter season has been determined in the clubhouse parking lot. Anti-skid/pre-mix will be used by the Association instead of salt and it was noted that the amount remaining in the trucks after spreading is minimal and will not cause an adverse impact in the area. President Bennett reminded the Board that the amount of material used on the parking lots and roads during a storm greatly exceed the amount remaining in the trucks when being rinsed out.

- Office Move

President Bennett indicated we are having difficulty finding a company for the temporary partitions. Director Glamann offered to supply the name of a company that did work in the Township. Matter tabled at this time. Two contractors gave us rough estimates of \$50,000 and \$40,000 for permanent construction. It was suggested that we talk to those contractors to see if estimates could be reduced.

NEW BUSINESS

- Tree Removal Request – Malandrino, Livingston, Wendland, Burgos, Gonzalez

Malandrino, Livingston, Wendland, Burgos, Gonzalez, Fredrickson, Falzone, and Laudenbach tree removal requests were reviewed.

Motion made by Director Livingston, seconded by Director Glamann to approve tree removal requests for Malandrino, Livingston, Wendland, Burgos, Gonzalez, Fredrickson, Falzone, Laudenbach. Director McInerney abstained because some of the trees were not considered dead. All Other Directors voted in Favor. Motion Passed.

Board discussed concerns with pine trees and shallow root system around homes especially as evidenced in this past hurricane. Director Fredrickson offered apologies to those that were denied tree removal permits for these species. President Bennett suggested the tree guidelines be reviewed to see if any changes should be made in light of new knowledge. Discussion ensued.

Mr. Kolenet, a Member whose tree removal request had been denied previously expressed his frustration and concerns about denying his request as there was tree damage on his property following Hurricane Sandy.

Motion made by Director White, seconded by Director Glamann to rescind prior denial for removal of six trees. Directors Ritson and Director McInerney voted no, that the tree policy as written should be adhered to. All Other Directors Voted in Favor. Motion Passed.

Motion made by Director White, seconded by Director Glamann to approve removal of four remaining trees as indicated on the original Kolenet tree removal request. Director McInerney abstained as she did not agree with rescinding the previous motion. Director Ritson voted no. All Other Directors voted in Favor. Motion Passed.

Tree Removal Process sent to Rules and Regulations for review.

- Budget

Revenue budget and expense budget were reviewed by Director Livingston with the Board. The problem is that we need to add more monies to Reserves. Director Livingston voiced concerns on not having an adequate cushion in our budget. The issue is 'how much' more goes into the reserves. Discussion ensued on an increase of dues to accommodate building up the reserves and having adequate income. Board members were asked to review forms prepared by Director Livingston and be prepared to respond at the December meeting.

- Delaware Township Fire Dept. Donation

Motion made by Director Fredrickson, seconded by Director Ritson to approve donating \$25 to Delaware Township Fire Dept. All Directors voted in Favor. Motion Passed.

- Request for Corporate Records - Butler

Motion to approve Request for Corporate Records from Mr. Butler made by Director Ritson, seconded by Director Glamann. All Directors Voted in Favor. Motion Passed. President Bennett indicated he will receive the Annual Lakes Report from EcoSolutions.

- Palms Grant

President Bennett indicated that we need to start working on this, and will work with Roads, Lakes and Capital Projects to develop plan.

- CAI Community Association Membership Application
Tabled until we hire a new Community Manager.

- Safety Deposit Box

President Bennett indicated this inventory was completed.

- Lot Surveys (well/septic)

President Bennett said the survey for the four lots that must be done will cost \$400 per lot; said surveys to be done by Addio Surveying. She indicated she will confer with Brian Oram to make sure that the four lots have been correctly identified.

Motion made by Director Ritson, seconded by Director Fredrickson to approve Addio Surveying to provide surveys for the four lots at \$400 per lot. Director Glamann abstained because of a conflict of interest. All Other Directors voted in Favor. Motion Passed.

- Recycling Center – Zoning hearing is scheduled for Tuesday night @ 7PM
- Office Roof – There was a leak in the office roof which was repaired by maintenance. It was indicated that the underlying wood appears to be wet/soggy, and we will have to get quotes for new roof.

- Salt Issue

There is a homeowners meeting at 9AM; community wide at 10AM tomorrow, November 10th. President Bennett updated the Board on recent activities. Moyer Well Driller is on site this week and next week laying piping, lining and limestone for the 72 hour pump test; static water level testing will commence; maintenance well modifications going forward; rebedding of green sand filter for clubhouse going forward; camera surveys going forward. We also just received the quarterly lab results which Brian Oram is reviewing.

A member indicated he never got a response as to what the Board decision was on his well pump. President Bennett stated that the Board wants to have the pump examined by the manufacturer to see why the pump failed. However, the Board had been informed that the homeowner wanted the pump back. After further discussion the homeowner verbally agreed to have the manufacturer examine the well pump in question. President Bennett indicated she will draft a release letter so that the homeowner agrees that the Board can take ownership of the pump. She assured the homeowner the letter would be sent to him early next week. Once this letter is signed, she will send the pump to the manufacturer to determine the reason for the pump's failure. President Bennett stated that there is no policy in place at this time as it relates to replacement of parts in the houses in this area. This was to be part of a workshop discussion which was unfortunately cancelled due to storm.

- Hurricane Clean-up – Estimate for tree clearing

President Bennett said two bids have been received from Sequoia and Tree Guys. The Board requested a better determination of time and manpower to complete the work. The Board also suggested sharing the work between the two vendors.

- Roads Presentation by Vendor

AMS and Wayco will be invited in to give a presentation on materials, road repairs and options with the Roads and Maintenance Committee and the Board of Directors in the near future, either in advance of a Board Meeting or at a workshop. Director Glamann to set up.

MISCELLANEOUS

- Patel Correspondence – water testing request on Hawthorne – Board found this a reasonable request and gave permission to have this lot included.
- Grewe Correspondence – relates to tree removal at West Shore which was completed.
- Franks Correspondence – Doesn't want to have septic pump. Board still requires septic inspection, not necessary to pump for that. Advise accordingly.
- Richelderfer correspondence – 083-005-11 – paid back dues and had several fines and requesting the Board review. The Board agreed to recalculate fine to forego insurance violation and interest from 7/7/08; all other violations need to be paid.

Motion made by Director McInerney, seconded by Director Glamann to recalculate the Proof of Insurance violation since proof received verifying homeowners insurance existed since 7/7/08. All other fines upheld. Directors McInerney and Director Livingston voted no. All Other Directors voted in Favor. Motion Passed.

The homeowner on Doolan Road whose home was damaged by falling tree from neighbor's house came to office requesting that BLCA pay the \$500 deductible since we denied original homeowner's tree removal application request. Board forwarded to BLCA attorney for review and advice.

027-04-0400 – Balance due is \$5718.18 – 4 years dues outstanding. Homeowner is asking the Board to hold off until Jan/Feb when his social security hearing is scheduled to be decided. We are ready to file the judgment. It was decided to go forward with filing the judgment and hold off on exercising it until January/February as requested.

034-014-05 – Homeowner owes back dues for two years totaling \$1978.97 and is volunteering services to the community. Board asked that he attend a meeting with Director Livingston and the bookkeeper to discuss his offer.

Motion made by Director Livingston, seconded by Director Fredrickson to adjourn Regular Meeting. All Directors Voted in Favor. Motion Passed.

Meeting Adjourned 10:15pm.

Respectfully submitted,

Linda M. White
Secretary