

**Birchwood Lakes Community Association, Inc.**  
**Regular Board Meeting Minutes**  
**June 10, 2014 @ 7:00pm**  
**Conference Room**

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

Also Present: Carrie Ridner, Community Manager

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

**APPROVAL OF THE MINUTES FROM PRIOR MEETING**

- May 9, 2014 Regular Board Meeting

**Motion to approve the May 9, 2014 Meeting Minutes made by Secretary Martin, seconded by Vice President McInerney. All in favor. Motion Passed.**

**TREASURER'S REPORT**

Treasurer Livingston presented the Treasurer's Report.

Write-offs -

Lot 13, Block 26, Section 05 (due to tax sale) \$4,125.18  
Lot 3, Block 42, Section 6 (due to bankruptcy) \$1,005.20  
Lot 4AA, Block 42, Section 6 (due to bankruptcy) \$71.86  
Lot 4BB, Block 42, Section 6 (due to bankruptcy) \$71.86

Total Write Offs        \$5,274.10

**Motion to approve the above write-offs totaling \$5,274.10 made by Treasurer Livingston, seconded by Secretary Martin. All in favor. Motion Passed.**

- Budget Transfers –

**Motion to approve the following bills for 2013/2014 year:**

A/C #		Amount
6500-004	-	\$2,674.37
7270-007	-	\$ 154.30

7020-003	-	\$ 26.10
7620-002	-	\$ 24.50
7340-001	-	\$ 301.75

**Motion made by Treasurer Livingston. Seconded by Secretary Martin. All in favor. Motion Passed.**

- Collections –The board was updated on current collections.

#### MANAGER’S REPORT

Carrie Ridner, CM, provided the manager’s, maintenance and public safety reports.

Meeting with Chuck Givler at 6pm, July 8, prior to the July Board Meeting.

**Motion to approve a date and time for the receipt of the Old Oak Court sealed bids, with the date/time set at 4pm July 8, 2014. Motion made by Treasurer Livingston, seconded by Vice President McInerney. All in favor. Motion Passed.**

Director McConnon asked when the remaining cameras will be installed. Carrie Ridner advised that they were being purchased and once received will be installed.

#### COMMITTEE REPORTS

Beautification – Plants on 739 have been planted. Director Fredrickson asked that the office ensure that he has access to the water for watering. Director Fredrickson stated that it has been himself and Joanne Woods actively involved at this point. President Bennett asked Carrie Ridner to ask the swim team for some volunteer hours to assist in watering, weeding and other beautification tasks, as needed.

Treasurer Livingston requested we get a weeding party to weed at the gatehouse, 739 entrance and the clubhouse. President Bennett suggested we set a date and announce it. She added that there is poison ivy around the clubhouse flower beds and precautions will need to be taken. Treasurer Livingston expressed gratitude, on behalf of the board, to Sheila Salmon and Nancy Halliday for their contributions to the office gardens. President Bennett acknowledged Treasurer Livingston’s involvement too. Treasurer Livingston stressed that they provided monetarily and labor-wise, removing older plants and replacing them with new plants more conducive to the office.

Community Safety – The committee met two months ago to discuss camera system options and recommend we proceed with the installation of state-of-the-art cameras.

Budget – The Committee met with the board in a workshop to discuss reserve items, which will be addressed later in the agenda.

Community Affairs – Anyone interested in submitting articles for the newsletter are asked to submit by Thursday.

Roads & Maintenance – President Bennett informed the meeting that once our maintenance supervisor has had the opportunity to review the roads to determine what potholes and other repairs can be done in-

house, the committee will meet to determine how to proceed. Old Oak Court is proceeding with the sealed bid package. Proposals will be forthcoming for other road repairs.

Capital Projects – President Bennett informed the board that Capital Projects will meet once we determine which site to proceed with for the salt storage facility. The two sites in question are Association owned sites located on Doolan Road and Milford Road.

Lake Management – 3 of the four lakes were inspected. The lakes are surprisingly in good shape, albeit not weed free. All three lakes do need to be treated in the next couple of weeks.

Director Ritson announced that there will be a well water testing/cell phone recycling day on August 23<sup>rd</sup>. Director Ritson acknowledged the work our Administrative Assistant, Linda Schwall, did on producing the well-presented flyer.

Rules & Regulations – This committee has been making a lot of progress and the board has been provided with copies of recommended changes: Administrative, Board, and Community Feedback lists.

Administrative changes do not change the basic intent of the rule. It may be slight wording changes, addition of a phrase and/or clarification of a rule. The Board was asked to review this list.

**Motion to approve the proposed rules and regulations changes in the Administrative Changes List “A”, made by Director Ritson, seconded by Director Wagner. All in Favor. Motion Passed.**

Director Ritson asked the board to review List “B”, proposed changes requiring board approval. Some of the proposed changes recommend removing some rules as they are addressed under State Law. Another proposed change relates to up-to fines.

The Board agreed to keep the gross weight of vehicles at 10,000, rather than change it to 26,000 tons.

**Motion to approve the proposed rules and regulations changes in the Board Changes List “B”, with the exception of the gross vehicle weight, which is to remain at 10,000 tons, made by Director Ritson, seconded by Director Fredrickson.**

Treasurer Livingston suggested that Board Panel Reviews be done within 45 days, rather than the existing six months or the suggested 30 days, to give the board time to respond. The Board agreed the rule be changed to 45 days.

**Motion to include amendments. All in Favor. Motion Passed.**

Director Ritson asked the board to review Community Feedback List “C”

Comments:

Vice President McInerney expressed concern about the rule restricting feeding of waterfowl and wildlife. Under the new wording to include ‘wildlife’ members would not be permitted to feed birds. Director Ritson stated that was not the intention of the rule and suggested it be tabled and revisited by the committee for better wording.

ATV's – This topic has involved lengthy conversations at both committee and board level. The concern is that it is one of the most violated rule in the Association, yet difficult to enforce as the vehicles are not registered with the office. Many area communities ban them outright.

**Motion to approve the ban of ATVs within the community, including private property, made by Director Ritson, seconded by Treasurer Livingston.**

With the motion on the table discussion continued. Secretary Martin stated they should be allowed with snow plows. President Bennett asked Carrie Ridner, CM, to address the liability issue. Ms. Ridner advised the board that if we allow ATVs on community roads our current insurer will no longer cover us and there are very few insurance companies that will provide coverage and it will be at a premium. Some directors stated that people should be able to use ATVs for snow plowing. The board comprised by agreeing that ATVs will be allowed on a member's private property but they must be registered, insured and photographed by the office. The existing rule banning them from Birchwood roads and common areas will also remain in force.

**Motion to approve the ban of ATVs within the community, including private property, made by Director Ritson, seconded by Treasurer Livingston. Five directors voted against, four directors voted in favor. Motion failed.**

**Motion to approve that ATVs continue to be banned from community roads and common areas, but that they must be registered at the office, registration requirements to be determined, made by Director Ritson, seconded by Treasurer Livingston. All directors voted in favor. Motion passed.**

Vehicle Decals – The Board discussed the difficulty of enforcing this rule because of the multiple options for decal location. The suggestion is that vehicle decals be placed in either the driver side back bumper or the driver side rear window for those people who do not want to adhere decals to their cars. New decals would be provided to members whose decals are no longer legible or adhered elsewhere in their vehicles.

**Motion to approve the proposed rule as written with the location of vehicle decals being limited to the driver side rear bumper or driver side rear window made by Treasurer Livingston, seconded by Director Ritson. Director Wagner voted against. All other directors voted in favor. Motion passed.**

Dogs – Existing rule states that dogs must be leashed. They are prohibited from the pool and beach areas.

The committee is suggesting between Labor Weekend and Memorial Weekend dogs be permitted on all beaches and that Beach 2 be allocated as a dog-friendly beach all-year around.

**Motion to approve not permitting animals within the pool enclosure at any time. Leashed pets are permitted at all common areas between Labor Weekend and Memorial Weekend. Beach 2 is allocated as a dog-friendly beach all-year around. All owners must pick up after their pets. Motion made by Director Ritson, seconded by Director Wagner. Director Livingston voted against. All other directors voted in favor. Motion passed.**

**Motion to approve sending all proposed rules and regulations changes, except those items that have been tabled, to the membership for feedback in the next mailing, made by Director Ritson, seconded by Director Wagner. All in Favor. Motion Passed.**

President Bennett thanked Director Ritson, Carrie Ridner, David Richeldelfer, and all the members of the Rules and Regulations Committee for their work, acknowledging how much time and effort went into all the proposed changes.

Recreation – President Bennett had made some changes to the recreation calendar following a meeting with Chrissy DeCola, Recreation Coordinator and Carrie Ridner, Community Manager. We added several events such as Ultimate Frisbee and Whiffle Ball on Sundays, a triathlon, teen pool nights, and a talent show night. We talked about holding a pig roast in August instead of the dinner dance. We will have another yard sale Labor Weekend.

President Bennett stressed that only Members in Good Standing can attend Association-sponsored functions and that badges must be displayed and/or requested to be shown.

The Board reviewed the Beach Rental Agreement and agreed to its wording and use going forward.

PAYMENT OF BILLS – None

OTHER UNFINISHED BUSINESS

- Salt Update – We received quotes from Sorber and Moyer for the camera survey BL-17 and purging of BL-15.

**Motion to approve the proposal from Sorber Well Drilling in the amount of \$1,200 for the camera survey of BL-17, made by Secretary Martin, seconded by Director Fredrickson. All in favor. Motion passed.**

**Motion to approve the proposal from Sorber Well Drilling in the amount of \$3,800 for the removal of existing pump, installation of an Association-owned pump (316 stainless pump), and 8 hour purging of the well at BL-15, made by Director Ritson, seconded by Director Fredrickson. All in favor. Motion passed.**

Maintenance has been asked to place on their monthly calendar purging of the maintenance well. Quarterly water testing will take place next week.

We received two proposals for the community well. We are asking the two companies to meet with us and Brian Oram and Carrie Ridner is setting up those dates.

- Salt Storage Facility – Purchasing or leasing property on Route 739 has been ruled out as an option. Leasing or buying property on 739 is not considered fiscally responsible because Birchwood already owns property. Another Association-owned property located on Milford Road has been identified as a possibility. We will need to have both properties studied to determine which one will serve our needs best. The board agreed to bring in engineers to perform a feasibility study of both properties.
- 739 Entrance - McGoey, Hauser & Edsall has informed us that PENNDOT is now requiring electronic filing of permits. This means we have to re-file for our highway occupancy permits for all our entrances. This will also require that we conduct a new traffic impact study at the 739

Entrance. Treasurer Livingston did not believe we had to do an AM traffic impact study last time and could we clarify that it was definitely needed.

**Motion to approve the proposal from McGoey, Hauser & Edsall in the amount of \$8,000 pending the clarification of the AM requirement, made by Director Ritson, seconded by Director McConnon. All in Favor. Motion passed.**

- Upper Birchwood Lake Dam – President Bennett asked the board to meet with Chuck Givler at 6pm on July 8th, prior to the July Board Meeting.

#### NEW BUSINESS

- Tree Removal Request – Elm Court

**Motion to approve the tree removal request on Elm Court made by Director Wagner, seconded by Director Ritson. Vice President McInerney voted against. Director McConnon abstained because he does not agree with the tree removal policy. All other Directors voted in favor. Motion passed.**

#### Tree Removal Request – 190 Doolan Road

The homeowners wish to remove 23 trees from the rear of their property for landscaping. The site was reviewed by couple of directors. Board members have several concerns. Some of these concerns relate to the privacy of other homeowners as well as potential drainage issues. The homeowner wishes to remove the bank at the rear of the yard to gain as much usable lawn as possible. They also want to build a 3 car garage in the future. President Bennett stated that any future building plan would include tree removal. President Bennett stated that when people remove multiple trees from their property they frequently come back to the Association complaining of water drainage issues. The homeowner stated he has that problem now. She stated that when we viewed the site a couple of years previously and met with the homeowner's builder the builder was informed that he should have put in a culvert pipe during construction and the lack of this culvert pipe is causing existing drainage issues. The homeowner said that is part of the project to address. Treasurer Livingston stated that she was concerned that if the homeowner did not replant as they stated they would pretty quickly washout would occur. Director Ritson stated that it appeared that the purpose of the removal of the 23 trees is really for aesthetic purposes. He further added that the board tries to balance the right of the homeowner with the character of the community, which is not a suburban plan community. The Board asked if the homeowner would be willing to compromise where possibly the garage area be held in abeyance until such time they are ready to build. The board stressed their concern that the removal of all these trees will create drainage issues, especially if the homeowner does not immediately address replanting.

**Motion to approve the request to remove the 23 trees, as detailed in the tree removal request was rejected.**

**Motion to approve the removal of those trees that are outside the proposed garage building plan, (7 trees), with the homeowner's intention to replant bushes/trees to prevent washout. Motion made by Treasurer Livingston, seconded by Director Ritson. Vice President McInerney voted against. Director McConnon abstained because he does not agree with the tree removal guidelines. All other Directors voted in favor.**

- Resolution Committee Citation #8174

The Board was asked to uphold a recommendation for a reduced fine. The citation was for driving an ATV on Association Roads. The member stated he was helping his neighbor by plowing his driveway.

**Motion to approve the reduction in fine to \$25 made by Vice President McInerney, seconded by Director McConnon. All in favor. Motion passed.**

- Reserve Vote

**Motion to approve that the reserve vote with an amendment from 6 computers to 5 computers, go out in the next membership mailing in July, made by Secretary Martin, seconded by Director Ritson. All in favor. Motion passed.**

- Board Candidate Positions

President Bennett informed the Board that we received one candidate prior to the original June 1<sup>st</sup> deadline. We have extended the deadline to June 26<sup>th</sup>. On June 27<sup>th</sup> we will be hosting a Wine and Cheese Meet the Candidates Forum at 7pm.

#### COMMUNICATIONS, WRITTEN & ORAL – NONE

Forklift – LoriAnn Rosencrance Hines – She was concerned with the no parking signs that were erected on Lancet Circle. She stated that it is only on occasion that her customers park there. Her parking is very limited. She added that throughout our Association people are parking on roadsides and the Association has not erected no parking signs elsewhere. Treasurer Livingston stated that her concern is that is where the gas line is located and that vehicles should not be parked on the gas line. President Bennett stated that we are in a difficult situation as Lancet residents complained about Forklift customers parking there. Director Ritson stated that the issue he would have with this situation is one of consistency. If we are not ticketing Lancet residents for parking there for the bus stop then we shouldn't ticket Forklift customers. The same thing should apply for the rest of the Association.

#### MISCELLANEOUS

- Correspondence 013-037-03 – 233 East Shore Drive

The homeowners claim that Pine Lane is flooding their driveway. President Bennett that she had responded to this issue the year before by viewing the situation and having maintenance do some road repairs and diversion of water. It appears that it did not resolve the issue. She stated that Carrie Ridner our Community Manager and our Maintenance Supervisor would view the site and try and find a solution.

- Correspondence 094-034-12 – Moved to Executive Session due to potential litigation.

- Correspondence 081-025-11 – Request to rescind capital improvement fee. We did confer with our attorney and I am recommending we charge an administrative fee of \$50 instead, under the extenuating circumstances.

**Motion to approve an administrative fee of \$50 in lieu of the capital improvement fee due to extenuating circumstances made by Director Ritson, seconded by Vice President McInerney. All Directors voted in favor. Motion Passed.**

- Correspondence 069-019-19 – This member is complaining that water running off Spruce is running onto his property and killing trees. Both Carrie Ridner and President Bennett reviewed the site. It is not possible for water to jump from the swale 3-6 feet up onto his property – it would run across the road before it got to that level as the road level is lower than the property line. President Bennett added that it is more likely that the rain water is running from his lot into the sway. She added that he had installed a pipe to gain access to his property from Spruce and he is not clearing that pipe to keep it open. The Board agreed that Carrie Ridner respond stating that we are not in agreement with his determination.

**Motion to approve reopening the closed-off section of Spruce Drive and install guardrails where appropriate, made by Director Ritson, seconded by Director Wagner. All in favor. Motion passed.**

- Email 6/8/14 – Member complaining that they are being singled out by Security. Carrie Ridner pulled the incident report from Public Safety. Carrie Ridner stated that the member could appeal the citations and that Carrie informs them that they have this right.
- Request for Inspection of Corporate Records – The Board instructed Carrie Ridner to inform the member that it is a criminal issue and that the State Police must request the documentation.

**Motion to deny the request for Inspection of Corporate Records as it is a criminal matter and should, therefore, be requested by the State Police, made by Director Ritson, seconded by Director Fredrickson. All in Favor. Motion Passed.**

**Motion to adjourn the Regular Board Meeting and move into Executive Session at 10:03pm, made by Treasurer Livingston, seconded by Director Wagner. All in Favor. Motion passed.**

Respectfully submitted,

Carolyn Martin,  
Secretary