

Birchwood Lakes Community Association, Inc.
Regular Board Meeting Minutes
April 14, 2015 @ 7pm

Present: Clare Bennett, President; William Wagner, Vice President; Carolyn Martin, Secretary; Anthony Palma, Treasurer (left at 8:46pm); Directors Joanne McInerney, Eugene Jarvis, Michael Moffa, Thomas McConnon

Absent: Jim Luttrell, Assistant Treasurer, Carrie Ridner, Community Manager

President Bennett opened the meeting at 8pm with the Pledge of Allegiance.

APPROVAL OF THE MINUTES FROM PRIOR MEETING:

- March 13, 2015 Regular Session Board Meeting Minutes

Motion to approve the March 13, 2015 Regular Session Meeting Minutes made by Director McInerney, seconded by Secretary Martin. All in favor. Motion passed.

- Action Without A Meeting - March 25, 2015

This Action Without A Meeting is to approve the job descriptions provided to the Board at the March 13, 2015 Board Meeting by Management.

Discussion: Job Descriptions for Office Manager, Accounting Supervisor, Collections Clerk, Maint. Supervisor, Senior Maint, Maintenance Support, Aquatics Supervisor.

All Directors were contacted. All Directors Voted in Favor. Motion Passed.

Motion to approve the above March 25, 2015 Action Without a Meeting made by Vice President Wagner, seconded by Director Jarvis. All in favor. Motion passed.

- Action Without A Meeting - March 25, 2015

This Action Without A Meeting is to approve McGoey, Hauser to proceed with the Preliminary Design work for the Community Shared Well. Cost as per proposal \$6,500. Further, to approve the necessary survey work required as part of the design work at a cost not to exceed \$10,000. Funding to come from the SALT Contingency line.

Discussion: Design work to include Basis of Design report, drawings prepared in AutoCAD format w/ profiles and details for the improvements, well house, basic water treatment and water main design. The survey is essential for the water main design and permit process.

All Directors were contacted. All Directors Voted in Favor. Motion Passed.

Motion to approve the above March 25, 2015 Action Without a Meeting made by Director Jarvis, seconded by Vice President Wagner. All in favor. Motion passed.

- Action Without A Meeting - April 8, 2015

This Action Without A Meeting is to approve a new office telephone system as outlined in the proposal from Richard Roa Tech Services, with a cost not to exceed \$2,300. Further, a separate purchase for a conference phone will be made with a cost not to exceed \$500. This funding is to come from the Administration Technology Reserve line-item. (We allocated \$5,000 for telephone replacement)

Discussion: We received two proposals for telephone systems. Richard Roa's proposal included 7 phones installed w/user training (\$2,025 + tax) and GAP System's proposal also included 7 phones, a conference phone and tax (\$3,644.04 inc tax). The system proposed by Roa is installed in the Pike County Library.

All Directors were contacted. All Directors Voted in Favor. Motion Passed.

Motion to approve the above April 8, 2015 Action Without a Meeting made by Director Moffa, seconded by Director McInerney. All in favor. Motion passed.

- Action Without A Meeting - April 8, 2015

This Action Without A Meeting is to approve a new office computer system as outlined in the proposal from KRS Computer Services LLC, with a cost not to exceed \$10,000 Further, a separate purchase for a compatible printers will be made with a cost not to exceed \$2,500. This funding is to come from the Administration Technology Reserve line-item. (We had allocated \$15, 000 for computer/printer/software replacement)

Discussion: We received two proposals for computer systems. KRS's proposal included 5 computers installed w/user training and installation of a server (\$8,823.32 inc Tax) and GAP System's proposal which did not include a labor cost (\$12,402 for Equipment only). KRS has worked on Birchwood's Computers in the past and is familiar with the current system and connectivity.

All Directors were contacted. All Directors Voted in Favor. Motion Passed.

Motion to approve the above April 8, 2015 Action Without a Meeting made by Vice President Wagner, seconded by Secretary Martin. All in favor. Motion passed.

TREASURER'S REPORT:

Treasurer Anthony Palma presented the bank balances and the income and expenditure reports. (Copies available at the office)

Write-Offs: None

Budget Transfers – Tabled and to be completed by an AWAM once it is confirmed that our Bookkeeper does not need the form used previously for Auditing purposes.

Collections – Treasurer Palma updated the Board on the status of collections.

MANAGER'S REPORT

President Bennett read the Manager's, Maintenance and Public Safety Reports in the absence of the CM.

COMMITTEE REPORTS

Roads & Maintenance Committee – Maintenance are doing a good job filling potholes, but there are a lot of them. We are still waiting for the plans on East Lakeview

Capital Projects – Waiting for further reports on Tamarack

Recreation – Easter Brunch on March 22nd was successful with over 40 people. Other activities will begin in May. Recreation Committee is now 8 volunteers strong and will always welcome more. Calendar is available at the office and will be distributed with the badges.

Beautification – This Saturday is Clean-up Day.

Governing Documents Recommendations –

Governing Documents presented the following recommendation to the Board.

98-10-1 Drivers License Required, 98-10-2 Motor Vehicle Registration, 98-10-3 Valid Insurance, 98-10-4 Valid Inspection. The Resolutions Committee asked that the Governing Documents Committee discuss combining the four rules into one rule. A majority of the Governing Documents Committee agreed to put the proposed rule change to the Board including an increase of the fine to \$100. Joanne McInerney and Bill Wagner did not agree to the fine increase. *The Board agreed to combining the four rules into one and to increasing the fine to \$100.*

The trial period for the four up-to fines has been completed and Resolutions asked the Governing Documents Committee to revisit the discussion. The trial period set the fine at a fixed amount, but allowed for the Resolutions Committee to recommend a fine reduction, which would then need to go before the Board at the next Regular Session Board Meeting for final approval. Resolutions believe that waiting for board approval was an unnecessary step, delaying the decision. The delay meant that if an appellant wished to pay after the appeal was heard and they were found guilty, payment could not be made until after the next board meeting.

The Board agreed that the reduced fine recommendations no longer needed to be presented to the Board for their approval.

98-50-7 – Animals

Resolutions are seeking clarification on whether a homeowner with multiple dogs should be issued a citation for each dog running at-large. The Governing Documents Committee clarified that it would be for each dog. On reviewing the rule, the committee also suggested that some of the wording be cleaned up. Under 'A', Definition of "At-Large" – remove "not accompanied by the owner or responsible owner."

Under 'C' – Remove the second sentence. Feral cats are covered under 98-50-8.

The Committee also discussed raising the fine for 98-50-7 from \$25 to \$75. It was agreed to suggest the fine increase to the Board of Directors. *The Board agreed to raise the fine from \$25 to \$75.*

98-50-13 – Health, Sanitation and Littering

The committee agreed that the wording should be changed under 'D'. Second sentence, change "The Office will contact to may contact". Also, remove the words "via email or fax." The committee is not recommending the \$50 fee be changed. *The board agreed to the removal of the words 'via email or fax' but states that the office will contact the owner. Fee remains the same.*

'E' – Preparation for Collection: The Committee is recommending the following changes to the wording: "Trash cans/bins are to be put out to the roadside no earlier than 24 hours prior to your scheduled pick up day. Empty garbage cans/bins must be removed away from the roadside 24 hours after garbage collection." - *Tabled for further committee discussion*

The Committee is recommending the following fine structure for 'E'. The fines for all other subsections will remain the same.

Penalty for E: 1st offense – Warning

2nd offense \$50

3rd and subsequent offense \$100 (*Tabled for further committee discussion.*)

98-20-1 - Motor Vehicles

Under Definition: add Trailer: any vehicle pulled behind another vehicle. (ADMINISTRATIVE CHANGE)

98-20-2 Abandoned Vehicles/Trailers

Definition: A vehicle or trailer (add trailer) (ADMINISTRATIVE CHANGE)

98-50-9 - Burning

B. delete 'c. Burn Barrels'. Some committee members would like to address the locating of the burn barrel so it is not an eye-sore. (ADMINISTRATIVE CHANGE)

98-50-14 Leaves in culvert pipes or ditching areas (change name to "Leaves")

A. Raking, blowing or otherwise depositing leaves in the roadway, culvert or ditch areas is strictly prohibited. (ADMINISTRATIVE CHANGE)

98-50-23 Snow Removal

A. Shoveling, plowing or otherwise depositing snow on to any roadway is prohibited. (ADMINISTRATIVE CHANGE)

98-60 - Recreational Rules and Regulations

(6) The committee agreed to remove the word 'noodles'.

(19) Change wording to 'Loud music is prohibited'.

(26) Remove the second sentence. (ADMINISTRATIVE CHANGE)

Proposed New Rule:

98-50-16 - Signs

New: B. Each homeowner shall properly display a 911 sign, in accordance with Delaware Township Ordinance.

B: becomes C:

Fine for 98-50-16 B 1st offense – Warning – 60 days to correct

After 60 days - \$100 one-time fine

The proposed new rule 98-50-16 – Signs is the only rule that it is suggested to go out to the membership for feedback.

Motion to adopt the proposed changes to the Rules and Regulations made by Director Moffa, seconded by Secretary Martin. All in favor. Motion passed.

Director McConnon asked if the tree removal guidelines had been addressed by the committee. President Bennett reminded him that if Community Safety wishes to be involved in those discussions, as indicated, a joint meeting would need to be set up with Governing Documents.

PAYMENT OF BILLS – None

OTHER UNFINISHED BUSINESS

Salt Update – Field and Quarterly Lab Testing was completed and results should be in shortly on the quarterlies. Additional engineering work was approved by the Board at the March meeting and the engineers notified. The salt team will need to meet soon to discuss next steps. The salt team will be now known as the ‘salt advisory committee’.

Upper Birchwood Lake Dam – The Board discussed the DEP request for additional changes to the plans. Our engineer, Chuck Givler has provided those technical changes to DEP and we are awaiting feedback. DEP Dam Safety also wants easement agreements with the homeowners regarding the access that will be required onto their properties for the proposed berm. The Association’s attorney has begun work on the agreements.

NEW BUSINESS

Tree Removal Requests

Motion to approve the removal of the dead trees ONLY in response to the tree removal request from Minahane made by Vice President Wagner, seconded by Director Moffa. Director McConnon abstained because he does not approve of the tree guidelines. All other Directors voted in favor. Motion passed.

Resolutions Committee – None

Beach 3 Septic

Director Jarvis asked the Board’s permission to abandon the septic system at Beach 3 as it is a potential hazard due to its collapse. The Board discussed at length the removal of the septic and the cabanas. The Board agreed to abandon the septic and Director Jarvis indicated he would do so without any charge to the Association. In addition we would need a demolition permit to remove the cabanas and a means to remove the debris. We will look into disposal and apply for the demolition permit once we have more information.

Motion to approve abandoning the septic system at Beach 3 made by Director Moffa, seconded by Treasurer Palma. All Directors voted in favor. Motion passed.

Strand Pool Contract

Motion to approve the strand pool contract for the 2015 summer season, noting that maintenance will assist in the pool opening thereby saving the Association \$400 made by Vice President Wagner, seconded by Director McInerney. All in favor. Motion passed.

William Owens 3rd Quarter Audit

Motion to approve the 3rd quarter audit from William Owens & Company, made by Secretary Martin, seconded by Vice President Wagner. All in favor. Motion passed.

Lake Management

Chas Ritson presented the following requests to the Board for their approval:

- Purchase of 10 grass carp - \$225
- Geese Addling Materials - \$ 20
- Cones & rope to cordon off Beach #3 for geese prevention program - \$350 approx.

Motion to approve the above purchases not to exceed a total of \$600 made by Secretary Martin, seconded by Director Jarvis. All in favor. Motion passed.

Recreation Furnishings – Tabled until next month.

COMMUNICATIONS, WRITTEN & ORAL – None

MISCELLANEOUS

- Document Request 1018-87-11

Motion to approve document request for January 2010 to July 2010 with applicable fees. Owner informed that all future minutes are either available on the Birchwood website or hard copies can be obtained from the office by emailing the office and letting them know you would like to be added to the member list to receive hard copy minutes. Motion made by Director McInerney, seconded by Director Jarvis. All in favor. Motion passed.

The second request for the engineer's report is tabled until an attorney opinion can be received by the Association as to whether or not it is part of our corporate records. The homeowner was also informed that 'for review' is not an adequate reason for request and must be pertinent to the owner's situation. The homeowner was provided the opportunity to add to the request detailing the purpose of inspection.

- Letter Re: Dingmans Ferry Stone

Motion to approve the request from Levy, Stieh and Gaughan, P.C. Attorneys At Law for copies of anonymous letters received by the Association against Dingmans Ferry Stone. Motion made by Secretary Martin, seconded by Director McInerney. All in favor. Motion passed.

Motion to adjourn Regular Session Board Meeting at 9:38pm and move into Executive Session, made by Secretary Martin, seconded by Vice President Wagner. All in favor. Motion passed.

Respectfully submitted by,

Carolyn Martin
Secretary