

**Birchwood Lakes Community Association, Inc.**  
**Regular Board Meeting Minutes**  
**September 11, 2015**

Present: Clare Bennett, President; William Wagner, Vice President; Vinnie Flatt, Secretary; Jim Luttrell, Treasurer; Marcella Livingston, Asst. Treasurer; Directors Anthony Palma,; Dennis McMahon, Thomas McConnon, Michael Moffa

Also Present: Carrie Ridner, Community Manager

**APPROVAL OF THE MINUTES FROM PRIOR MEETING:**

- August 11, 2015 Board Meeting Minutes

**Motion to approve the Regular Board Meeting Minutes made by Vice President Wagner, seconded by Director Moffa. Directors Livingston, Flatt and McMahon abstained as they were not on the Board at the last board meeting. All other directors voted in favor. Motion passed.**

- August 19, Action Without A Meeting – Audit

This Action Without A Meeting is to approve the Audit Report and supporting documents for the fiscal year ending April 30, 2015 as prepared and presented by William E. Owens, CPA.

Comment: Board needs to formally approve the draft audit before the auditor can finalize the document for presentation at the Annual Membership Meeting.

All Directors were contacted. Director Moffa was unavailable. All others voted yes.

**Motion to approve the above Action Without a Meeting made by Treasurer Luttrell, seconded by Director McConnon. Directors Livingston, Flatt and McMahon abstained as they were not on the Board at the time. All others voted in favor. Motion pass.**

- August 19, Action Without A Meeting – Sealed Bid Deadline

This Action Without A Meeting is to approve a sealed bid deadline of September 11th at 3pm for the proposed roadwork on East Lakeview Drive as presented by Cornerstone Engineering. Sealed bids must be received in the office no later than 3pm on the deadline date.

Comment: Opening of the bids and the award thereof will occur at the September Board Meeting.

All Directors were contacted. Director Moffa was unavailable. All others voted yes.

**Motion to approve the above Action Without a Meeting made by Vice President Wagner, seconded by Director McConnon. Directors Livingston, Flatt and McMahon abstained as they were not on the Board at the time. All others voted in favor. Motion pass.**

- August 19, Action Without A Meeting – Budget Transfer

This Action Without A Meeting is to approve a budget transfer in the amount of \$500 from Line Item 76900-003 Newsletter TO Line Item 76700-003 Special Functions.

Comment: The Recreation Committee has requested additional funds in support of the remaining scheduled activities. Currently, the Committee has a family pool party w/ hot dog bar scheduled for Friday, Aug. 21 and a wine and cheese event for the evening of Aug 22. There will be a \$1. Entry charge for the Family pool night; and the wine and cheese party is free of charge.

All Directors were contacted. Director Moffa was unavailable and Director McInerney abstained. All others voted yes.

**Motion to approve the above Action Without a Meeting made by Treasurer Luttrell, seconded by Vice President Wagner. Directors Livingston, Flatt and McMahan abstained as they were not on the Board at the time. All others voted in favor. Motion passed.**

- August 20, Action Without A Meeting – Sale of F550

This Action Without A Meeting is to accept the bid and approve the sale of the Ford F-550 in AS-IS condition to Unlimited Auto Sales Inc. in the amount of \$16,800. with payment in the form of cash or bank check. All proceeds from this sale will be returned to the Reserve Account.

Comment: As the Board is aware there are a number of mechanical issues with the F-550. The vehicle was advertised in As – Is condition on Craigslist.

All Directors were contacted. Director McConnon was unavailable. All others voted yes.

**Motion to approve the above Action Without a Meeting made by Treasurer Luttrell, seconded by Vice President Wagner. Directors Livingston, Flatt and McMahan abstained as they were not on the Board at the time. All others voted in favor. Motion passed.**

- Annual Meeting Minutes – August 22<sup>nd</sup>

**Motion to approve the Annual Meeting Minutes made by Vice President Wagner, seconded by Treasurer Luttrell. All Directors voted in favor. Motion passed.**

- Organizational Meeting – August 22<sup>nd</sup>

**Motion to approve the Organizational Meeting Minutes made by Vice President Wagner, seconded by Director McMahan. All Directors voted in favor. Motion passed.**

TREASURER'S REPORT:

Treasurer Luttrell presented the bank balances and the income and expenditure reports. (Copies attached).

Write-Offs:

Lot 5, Block 27, Section 4 (write off requested due to foreclosure) for a total of \$1,725.86

**Motion to approve the above write-off made by Treasurer Luttrell, seconded by Secretary Flatt. All in favor. Motion passed.**

Budget Transfers - None

Collections - Treasurer Luttrell updated the Board on the status of collections.

#### MANAGER'S REPORT:

CM Ridner provided the Manager's Report (attached) and noted that there will not be a Public Safety Report this month due to the change in public safety companies.

#### COMMITTEE REPORTS

Budget Committee - Treasurer Luttrell noted that the names have been changed on the bank accounts. He also stated that the Budget & Finance Committee will begin meeting shortly to begin the work on the 2016/17 budget.

Lake Management Committee – The committee will have a wrap up meeting on October 3<sup>rd</sup> at 9am followed at 10:30am with an Informational Spotlight on the Lakes Member Session. He noted that the budget for the lake treatments was underspent this season. This was mainly due to the higher water levels from all the summer rain. The committee is recommending that some of the remaining money be spent on fish surveys. Two surveys will cost \$1,450. The surveys provide us with information on how well stocked the lakes are. This information is key in determining whether we should life the catch and release program for a while.

**Motion to approve the use of \$1,450 from the lake treatment line item to conduct two fish studies, to be completed by EcoSolutions, made by Secretary Flatt, seconded by Director McConnon. All in favor. Motion passed.**

Communications – Newsletter will be going to print next month. Meeting of the new committee members will be held as soon as feasible.

Community Safety – Chair Vinnie Flatt stated that he will call a meeting within the next few weeks.

Recreation – Chair Vinnie Flatt again stated that his new committee will meet shortly.

PAYMENT OF BILLS - None

#### OTHER UNFINISHED BUSINESS

Salt Update – Our hydro-geologist, Brian Oram, is planning to purge BL-3 and BL-4 when he is here doing the quarterly lab tests. Surveying is under way for the proposed shared well system as part of the information needed for the development of the plans and costs of the shared system.

The Salt Advisory Committee is asking the Board to approve the date and time of October 17<sup>th</sup> at 10am to host an informal informational meeting with the impacted homeowners. In addition, a draft of the “Shared Well Agreement” is to be distributed to those homeowners who will likely be included in the shared well system. Those homeowners will be asked to stay on a bit longer on October 17<sup>th</sup> so that we can get their feedback on the draft

agreement and try and answer any questions they may have about the agreement. Treasurer Luttrell suggested that our attorney be present at the meeting. President Bennett stated that we have never had our attorney at these informal meetings and she did not see the need of having him present at this meeting either, as the agreement is a draft and we are asking for member discussion and feedback on the draft; we are not formalizing the agreement at that meeting. The Board agreed that it was not necessary to have our attorney present, unless one of the members informs us they are bringing an attorney. President Bennett added that should any of the members inform us that they are bringing their attorney we will, of course, ask ours to be present.

**Motion to approve October 17<sup>th</sup> at 10am to hold an informal informational meeting with the BL# homeowners, made by Vice President Wagner, seconded by Treasurer Luttrell. All in favor. Motion passed.**

**Motion to approve that Member Chas Ritson remains on the Salt Advisory Committee, made by Vice President Wagner, seconded by Treasurer Luttrell. All in favor. Motion passed.**

Tamarack Trail – We have received a proposal from Cornerstone for Land Development Plans and Permitting for the proposed Maintenance Facility/Salt Storage Facility at Tamarack Trail. President Bennett, with Community Manager Ridner reviewed the proposal thoroughly and recommended that, at this time, we proceed with:

1.01A	Boundary and Topographic Survey	\$ 4,250
1.02A	Conceptual Planning	975
1.02B	Preliminary/Final Land Dev. Plans	
	a. Plans	8,850
	b. Stormwater	<u>3,450</u>
	Total	\$17,525

**Motion to approve the above portions of the Cornerstone Proposal totaling \$17,525 so that they can continue the planning of the Maintenance/Salt Storage Facility at Tamarack Trail. Motion made by Vice President Wagner, seconded by Treasurer Luttrell. All in favor. Motion passed.**

Upper Birchwood Lake Dam – The Construction Easement Agreement was sent to the 8 East Shore Residents who will be impacted by the proposed berm, as required of us by DEP Dam Safety. We have only heard back from two members at this time. CM Ridner will resend the agreement via email to the homeowners and reach out to them via phone in an effort to get the agreements back, as they will need to be signed by both parties and recorded and copies of the recorded agreements to be sent to Dam Safety.

2<sup>nd</sup> Reading – 911 Rule – To be tabled until such time the Township has rewritten their ordinance.

**Motion to table the 911 Rule until the Township has rewritten their ordinance made by Vice President Wagner, seconded by Director McMahon. All in favor. Motion Passed.**

Reserve Study Proposals – The Board agrees to assign this project to the Budget & Finance Committee.

#### NEW BUSINESS

Tree Removal Requests – Livingston, Wilson, Salmon, Labato, Larick, Howland, LaRusso

**Motion to approve the Tree Removal Request from Livingston made by Director Palma, seconded by Director Moffa. Director Livingston abstained as it is her request; Director McConnon abstained because he does not agree with the guidelines. All others in favor. Motion passed.**

**Motion to approve the Tree Removal Request from Wilson made by Director Palma, seconded by Vice President Wagner. Director McConnon abstained because he does not agree with the guidelines. All others in favor. Motion passed.**

Board approval of the Tree Removal Request from Salmon is not required as the trees are smaller than the 3” as set forth in the guidelines.

**Motion to approve the Tree Removal Request from Labato made by Director Palma, seconded by Secretary Flatt. Director McConnon abstained because he does not agree with the guidelines. All others in favor. Motion passed.**

**Motion to approve the Tree Removal Request, at their expense, from Larick made by Director Palma, seconded by Vice President Wagner. Director McConnon abstained because he does not agree with the guidelines. All others in favor. Motion passed.**

**Motion to approve the Tree Removal Request from Howland made by Director Palma, seconded by Director Moffa. Director McConnon abstained because he does not agree with the guidelines. All others in favor. Motion passed.**

**Motion to approve the Tree Removal Request from LaRusso made by Director Palma, seconded by Vice President Wagner. Director McConnon abstained because he does not agree with the guidelines. All others in favor. Motion passed.**

Shared Well Agreement –

**Motion to approve the Shared Well Agreement made by Director Moffa, seconded by Director McConnon. All in favor. Motion passed.**

**Motion to approve the distribution of the shared well agreement to the homeowners who will likely be connected to the shared well made by Treasurer Luttrell, seconded by Director Moffa. All in favor. Motion passed.**

Road Bid Opening – President Bennett opened the only sealed bid received for the proposed drainage and road repair work on East Lakeview. While other companies asked and received the specifications for this job, no other bids were received.

**Motion to approve the bid from WAYCO, Inc. in the amount of \$124,245 made by Treasurer Luttrell, seconded by Vice President Wagner. All in favor. Motion passed.**

Other Road Work Proposal

Additional proposals were sought for other roadwork throughout the Association. Contractors were invited to view the proposed roadwork and submit proposals; the contractors were Wayco (\$167,263.26), General Blacktop (\$205,700), Jaggar Paving and Port Jervis Paving (both declined to submit a proposal).

**Motion to approve the proposal from WAYCO, Inc., in the amount of \$167,263.26 for additional roadwork including: Maple, Heartwood, section of Spruce, section of Persimmon, sections of Church, sections of Pine Lane and New Road, and a section of East Shore Drive, and to authorize the Community Manager to negotiate a lower price, made by Vice President Wagner, seconded by Secretary Flatt. All in favor. Motion passed.**

739 Entrance Sign – Committee Assignment – The Board agreed to assign this project to Capital Projects.

## COMUNICATIONS, WRITTEN & ORAL

- A. Petitions - None
- B. Hearings - None
- C. Properties - None
- D. Community Affairs Committee Members/Complaints Resolutions

## MISCELLANEOUS

Document Request – I019-69-09

**Motion to approve the Request for the Inspection of Corporate Records dated 8/26/15 for I019-69-09, made by Secretary Flatt, seconded by Director Livingston. All in favor. Motion passed.**

The Board noted that they had read the four letters listed on the agenda from the above same homeowner. No other action required.

Letter Correspondence – Habitat for Humanity

President Bennett stated that due to another commitment she is unable to attend this event, but she hoped other Directors would be able to attend. Secretary Flatt stated that he would be attending.

Email Correspondence – 8/31/15 – I011-61-08

The resident states that we made her circular driveway inaccessible and that we encroached on another part of her property when we did a big drainage job that included Cypress Court. President Bennett stated that she and Community Manager Ridner had visited the location and had spoken with the homeowner on a number of occasions. She added that the Association did encroach somewhat on the right side of her property as you face the house and that we would get Wayco to rectify when they come in to do the other work. However, President Bennett stated that the surveyor had not noted a circular driveway on her survey, or on the survey he did for us prior to commencement of the drainage work. She also noted that there are no building plans on file at the office or at the Township. There is no documentation on file anywhere denoting a circular driveway on that property. The homeowner stated that she spoke to Mr. Addio, the surveyor she had used in the past and who we use to do our surveying, and that he said there was always a circular driveway there. I also spoke to Addio who clearly stated that he could not state that there had been a circular driveway and that he had been hired in 1995 to just do a boundary survey on that property.

Several of the Directors indicated that they would like to view the property in question and asked that this be tabled until next month. President Bennett agreed.

Email Correspondence – 9/4/15 – I009-81-10

This homeowner complained that maintenance had severely scraped back roadside, pulling up ornamental grasses and shrubbery. President Bennett and CM Ridner had visited the site upon receipt of his email. They agreed that we had pushed back roadside material in several areas on East Lakeview. Community Manager Ridner added that we had done so to help with preparations for the road and drainage repairs that will commence on that road shortly. They agreed it was an eyesore, but disagreed that there were ornamental grasses in evidence, however, there was obviously Pachysandras. Community Manager Ridner informed the Board that once the road and drainage repairs were addressed, Maintenance will clean up those areas and replace any plants that were evidently removed.

**Motion to adjourn the regular Board Meeting at 10:10pm and go into Executive Session made by Director Livingston, seconded by Director Moffa. All in favor. Motion passed.**

Respectfully submitted by,

Vincent Flatt  
Secretary