

Birchwood Lakes Community Association, Inc.
Regular Board Meeting Minutes
January 23, 2018

The original Board of Directors meeting was scheduled for January 13th with a snow date of January 16th. During both of those days we experience inclement weather, further rescheduling the meeting to January 23rd.

Present: Clare Bennett, President; Dennis McMahon, V. President; Kevin Crawley, Secretary, Marcella Livingston, Treasurer and Directors, Cecilia Buckle, Nick LaRusso, Tom McConnon Lorraine Storms, Bob Wittrien

Also Present: Carrie Ridner, Community Manager.

Absent: None

President Bennett opened the meeting at 6:35pm with the Pledge of Allegiance.

APPROVAL OF THE MINUTES FROM PRIOR MEETING:

- December 8, 2017 Board Meeting Minutes

Motion to approve the November 10, 2017 Board Meeting Minutes, made by V. President McMahon seconded by Director McConnon. All voted in favor. Motion Passed.

- AWAM – December 11, 2017 – SBA

This Action Without A Meeting is to approve the Ballot and explanation for the SBA Assessment excess funds for Membership Vote.

In 2005 Birchwood Lakes Association members approved a ten year, \$50 per year assessment to repair the East Birchwood Lake Dam. When the ballot was presented to the members it included the following statement, “Any excess funds received under this option would be refunded to the members once the East Birchwood Lake Dam Project was completed and the SBA Loan was paid in full”. In January 2014 the Board of Directors voted to pay the balance of the SBA loan, thereby ending the special assessment after only 8 years. As with any Association assessment, getting 100% collections is not realistic, nor does everyone pay within the allotted period of time. Our collection efforts has yielded an accumulation of SBA assessment payments from delinquent owners in excess of \$43,000.

The Board of Directors Recommends a “Yes” vote on this Ballot for the following reasons:

- This applies only to those who were deeded owners prior to 2014
- The complexity of determining the minor amount of funds due to qualifying members and the cost of determining those members would outweigh the minimal benefit
- By placing the funds in the Reserve Fund we enhance that fund for necessary major repairs & replacements benefitting current and future members

- As we continue to collect delinquent payments this enables us to automatically place these monies directly in the Reserve Fund

Excess delinquent fund collected from the SBA Loan Assessment for the East Birchwood Lake Dam Project to be placed in the Reserve Fund.

	_____Yes	_____No
Clare Bennett	-	Yes (in person)
Cecilia Buckle	-	No Response
Kevin Crawley	-	Yes
Nick LaRusso	-	Yes
Marcella Livingston	-	Yes (in person)
Dennis McMahon	-	Yes
Tom McConnon	-	Yes
Lorraine Storms	-	No Response
Bob Wittrien	-	Yes

Motion to approve the December 11, 2017 AWAM – SBA, made by Treasurer Livingston, seconded by V. President McMahon. All Voted in Favor. Motion Passed.

- AWAM – December 11, 2017 – Collection Expense

This Action Without A Meeting is to approve the combining of line item 73500-001 Collection Fees – Sheriff Sales (\$4,000) with 73400-001 – Collection Fees (\$7,000) in the 2017/2018 Budget.

Comment: Collection expenses have been broken into two different line items. We have exhausted the regular collections line item due to the prolonged litigation on dues case, but haven't used the Sheriff Sale line. There will still be more collection expenses. In the 2018/2019 budget we combined these line items.

Clare Bennett	-	Yes
Cecilia Buckle	-	Yes
Kevin Crawley	-	Yes
Nick LaRusso	-	Yes
Marcella Livingston	-	Yes (in person)
Dennis McMahon	-	Yes
Tom McConnon	-	Yes
Lorraine Storms	-	No Response
Bob Wittrien	-	Yes

Motion to approve the December 20, 2017 – Collection Fees made by Treasurer Livingston, seconded by Director Wittrien. All voted in favor. Motion Passed.

TREASURER'S REPORT:

Treasurer Livingston presented the Bank Balances and the Income and Expenditure Reports.

Write-Offs:

Lot 19, Block 105, Section 15 – Due to deedback \$315.00

Lot 1, Block 83, Section 11 – Due to deedback \$770.00

Motion to approve the above Write Offs made by Treasurer Livingston, seconded by Director LaRusso. All voted in favor. Motion passed.

Collections – Treasurer Livingston updated the Board on the status of Collections.

Budget Transfer -

MANAGER’S REPORT:

CM Ridner provided the Manager’s, Maintenance and Public Safety Reports.

COMMITTEE REPORTS:

Governing Documents – Secretary Crawley reported that the Committee has been meeting on a regular basis to continue its work on the By-Laws.

Lake Management – Copies of the proposal for 2018 lake treatment services from Aqua Link was provided to the Board.

Motion to approve the contract from AquaLink for lake treatment services for 2018 in the amount of \$15,550, made by Treasurer Livingston, seconded by Secretary Crawley. All voted in favor. Motion Passed.

Motion to approve legal counsel sending Ecological Solutions a legal reminder that he is responsible to complete the contract he signed, made by V. President McMahon, seconded by Secretary Crawley. Director McConnon voted No. All other Directors voted in favor. Motion Passed.

Communications – Newsletter has gone out

Budget – Treasurer Livingston reported that the vote on Friday night will determine the 2018 Budget. The Reserve Study has been received and the Budget Committee will be meeting to work on a five year plan for the whole Association.

PAYMENT OF BILLS –

OTHER UNFINISHED BUSINESS:

Salt Advisory/Shared Well – CM Ridner met with Moyer Well Drilling to discuss the work plan which includes: Camera Survey of Borehole; setup initial pumping test and shock disinfect the well; visit private wells and make accessible for water level measurement; update private well owner forms; conduct initial pump test; determine if exploratory well should be converted or abandoned. A reimbursement request has been submitted by BL21 for the Salt Advisory Committees review.

Upper Birchwood Lake Dam – Chuck Givler continues to work on the stability calculations required by the latest technical review. Asked Chuck for a cost review of what is needed to be done. Board discussion on billing and what is Chuck doing.

Maintenance Facility – There were nine bid packets requested for the Maintenance Building. Only two vendors responded with bids. Once the bids are opened they will be sent to Cornerstone Engineering for review and comment.

Sealed bids are opened at this time: Wayco – Site work only \$237,236 and Zitone Construction, no total. Must be review since there are many items that are outside the scope as additional items. Copies will be forwarded to all Directors on Monday.

Highway Occupancy Permits – Hold out owner on Lancet still has not signed the permit application. President Bennett has attempted to get the owners at their home and letters are being sent nearly every 10 days.

NEW BUSINESS:

Tree Removal Request -

Motion to approve tree removal requests for 114 Joshua Lane – 3 trees; 105 Joshua Lane – 7 trees made by Secretary Crawley, seconded by Director Buckle. All voted in favor. Motion Passed.

COMMUNICATIONS, WRITTEN & ORAL:

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

- Andrea Nestor – asked the Board to reevaluate and reconsider the 739 gate restrictions for owners living closest to that entrance.
- Ann Celantano – questions regarding two untidy properties and their status.

MISCELLANEOUS:

Document Request from I011-90-12 - Property owner requested documents going as far back as 2006 as they related to votes on the Upper Birchwood Lake Dam. Further, property owner did not feel that any administrative fees to gather 12 years of information should be paid.

Motion to approve the Document Request for I011-90-12 with a waiver of administrative fees, made by Treasurer Livingston, seconded by Director McConnon. All Directors voted No. V. President McMahan abstained (does not think motion is stated properly). Motion Failed.

Motion to have the Board send letter to I011-90-12 advising the property owner to submit a document request that he will pay for, made by Secretary Crawley, seconded by Director McConnon. All voted in favor. Motion Passed.

Motion to adjourn the Regular Board Meeting at 7:40pm and go into Executive Session made by Treasurer Livingston, seconded by Director LaRusso All in favor. Motion passed.

Respectfully submitted,

Kevin Crawley
Secretary