



## BEAR CREEK LAKES CIVIC ASSOCIATION

57 Pool Drive, Jim Thorpe, Pennsylvania 18229  
(570) 325-3334

### Board of Directors Meeting – July 18, 2020 Via Zoom Videoconference

**Attendees:** Ken Levitz, Todd Laudenschlager, Margo Schaefer, Madeline Ligenza, Ray Bradley, Rand Asher, Bill Gullone, Ron Kerwood, TJ McKeon, Jack McGeehan, Roger Stewart, Pete Matone, Ned Ramm, Tom Nanovic

**Absent:** Steve Sosnowski, Ross McCartney

**Visitors:** Al Stillman & Bob Shuler – Mountain View Drive

**President Ken Levitz completed roll call, had a quorum, and called the meeting to order at 9:01AM.**

#### PREVIOUS MEETING MINUTES

- Reviewed and approved June 2020 minutes:
  - **MOTION: 20, 7-18-01:** Ligenza made motion to approve minutes. Seconded by Kerwood. All in favor. Motion carried.

#### TREASURER REPORT

- Margo reported she has nothing of note to report.
  - **MOTION: 20, 7-18-02:** Schaefer made motion to approve Treasurer's Report. Seconded by Ramm. All in favor. Motion carried.

#### Balance Sheet

Cash Balance of \$1,708,926 as of June 30, 2020 comprised of:

Operating Funds	\$ 445,461
Capital Reserves & Improvement	1,243,366
Construction Escrow	20,025

Capital Expenditures during June 2020 - None

#### MEMBER CONCERNS

- Al Stillman – Mountain View Drive: His shed is not in compliance with the 15' needed from property line. Al said when he moved in 2017-2018, he was told he did not need any permits from BCL, only from PFT. He said the shed has a 6-7" thick concrete slab that will be impossible to move. Ken explained this would be addressed later.
- Bob Shuler – Mountain View Drive – Bob is requesting the use of our pavilion for Census enumerator training for 2 events between July 30-August 5, 10-20 people, 2 hours maximum. They may need to use the electricity. Ken explained we would be addressing this later.

#### OTHER OFFICERS REPORTS & ATTORNEY COMMENTS

- Officers –Margo gave a summary on the collection efforts. We started collection action against 17 members whose balances were over \$1000 and were over 90 days old. Of the 17, 5 paid in full, 3 are either requesting payment plans or disputing the charges. We filed 8 complaints, 2 have scheduled hearings, 1 judgment given in our favor. We have collected \$8300 so far.
- Attorney – Ken emailed Tom about the Annual Membership Meeting in relation to COVID-19. Tom said, per the bylaws, we need to hold an annual meeting in some format. Since the new PA mandate has been

issued, we can't hold the meeting at the Firehouse. We can either have cars in the parking lot with a speaker or we can do a Zoom meeting. We need 10% (100 members) of voting members to be a quorum.

- **MOTION: 20, 07-18-03:** Schaefer made motion that for this year, voting will be solely by mailed-in directed proxies. Seconded by Levitz. All in favor. Motion carried.
- **ACTION ITEM: Margo will upgrade Zoom for one month to accommodate all members.**

### **COMMITTEE ACTION ITEMS**

- **Pennoni Engineering Storm Water Management Plan** – Ken discussed the cost estimate which is about \$286,000. We will still incur consultant fees. 9-10 parcels are close to the affected area, but 2 parcels will be subject to the easement. Ken and Ned have reached out to 2 different attorneys to help guide us through this process. Once we receive bids and the final version and easements are in hand, we will have presentation at Board meeting and ask for formal approval to award project and pursue construction.
- **North Beach Pavilion Permitting** – Todd reported that 2 weeks ago, he and Ken met with Terry McLean, member and registered architect. We did site measurements and moved the location to better suit the needs to keep costs down and improve swales. Terry took all the paperwork and his plot plan for the zoning permit to the Township. If the Building Official says to do certain items and we don't agree, then we can go to the Joint Board. Terry is doing this free of charge.
- **2020/2021 Capital and Expense Budget** – Dues Assessment will increase to \$770. \$299,000 will go to Reserves, and \$129,000 will go to Roads.
  - **MOTION: 20, 07-18-04:** Stewart made motion to accept the 2020/2021 budget. Seconded by Ramm. All in favor. Motion carried.
  - **ACTION ITEM: Margo asked that TJ publicize the budget to the membership. Margo also asked that copies be made available in office should a member request a copy, and the budget will be replaced in the Resale Folders as of September 1.**
- **Non-Complying Structure** – Discussion on Al Stillman's shed continued. Todd only recently received a report on this, and when he and Security inspected it, they found no permit for construction. PFT requires 5', but BCL requires 15', and since we go with the most stringent and what our deeds state, it should be 15'. More discussion will take place in Executive Session.
- **Pavilion Use Request for Census Training** – Board has no problem with this.
  - **MOTION: 20, 07-18-05:** Schaefer made motion for Bob Shuler to use the pavilion for Census training. Seconded by Stewart. All in favor. Motion carried. Todd will notify Bob of the decision.
- **Beach Bulkhead Modifications** – Todd said that if we put more sand in, it will get washed away. Todd, Bill, Jack, and Jim Halpin will look at it next weekend and report back at the August meeting.

### **UNFINISHED BUSINESS**

- **Declaration Rewrite Process** – Ken suggested holding this until the new Board is in place. Jack plans to get the committee together in August regarding Tom's feedback on the letter to the Board.
- **Rental Committee Recommendations** – Ron said the committee determined that we need to give renters more than just one piece of paper. Some ideas: get permit for rentals, get maximum occupancy re: septic and cars, add more important information as an addendum to the lease, explain that permit can be revoked based on complaints. The last document on the web is dated 2011. Ron and Jack will sanitize it. Ken will look at the DEP regulations and get back to Ron regarding number of bedrooms and septic.
- **Formal RTK Request Forms** – We need a form developed. Todd and Ron will work on this and have something by the August meeting. Ron will get with TJ on web permits info.

### **STANDING COMMITTEE REPORTS**

- Lake/Dam –Lake: Committee decided to distribute a paper to fishermen on overall goals and using bait on the lake. He also wants to attach to the minutes an email he received from Bill Dunstan on safety at the boat ramp. Dam: Jack spoke to the engineer about eliminating quarterly dam inspections from their proposal for the next year. Jack will be doing them in-house and saving \$2700/year. Nothing yet from the State on our spillway. A one-page document will be posted on the website.
- Finance – Margo had nothing else to report.
- Special Projects – Nothing to report for Steve. Elections: Steve is working on the ballot and letter to be sent to members.
- Lifeguards – Ken said we are down a few lifeguards.
- Maintenance – Bill reported all is going okay and keeping up with COVID changes.
- Roads – Bill will speak with Tom Larney.
- Environmental – Ned will have a report in August. Mike Gogal is on committee and has done extensive research and has been working on a workshop with members on invasives. Ned will send his Interim tree removal SOP to the Board and ask the office to start using the revised form.
- HR – Rand said all OK.
- Permits – Ron reported 1 new construction, a few sheds and questions, and one to be discussed in Executive Session.
- Recreation – Madeline thanked Linda Kunkel for the July 4<sup>th</sup> Parade and TJ for posting on the website and Facebook. Nothing else scheduled in July. August 22 is the Yard Sale, with the 23<sup>rd</sup> as a raindate, asking everyone to self-distance. August 22 is also the Tennis Tournament. There will be no church service in September. Madeline wanted everyone to know that the cancellation of events was due to COVID restrictions and volunteers not feeling comfortable running the events because of COVID.
- Security – Security report is attached. Madeline said the insurance is finally in place and the guards can carry again. They have been doing weekend hours since May. Crime Watch has been doing spotchecks at the boat dock; they may also be asking members to see stickers on boats. If anyone takes offense to that, call Jack or Ron. All members have the right to ask someone to see their badge.
- Membership Services – Margo had nothing further to report.
- Communications – TJ reported communications are going out. Glitch in system sometimes when you do not receive BCL Communication. Check on website and Twitter for wristbands for the pool.
- Computer Technology – TJ reported Wi-Fi is up and running at the pool. Password: Summer2020.
- Pool – Pete reported things are going great.
- Rules – Ron had nothing to report.
- Landscaping – Ray had nothing to report.
- Stewart Hall – Ray had nothing to report.
- Long-Range Planning – Roger reported there will be a committee meeting in September.

### **NO NEW BUSINESS**

### **EXECUTIVE SESSION**

- **MOTION: 20, 7-18-06:** Levitz made motion to go into Executive Session at 11:33AM. Seconded by Kerwood. All in favor. Motion carried.
- **MOTION: 20, 7-18-07:** Levitz made motion to come out of Executive Session at 12:12PM. Seconded by Ligenza. All in favor. Motion carried.

- **POST EXECUTIVE SESSION MOTION: 20, 7-18-08:** Kerwood made motion to authorize Tom to resolve the non-compliance of Stillman's structure. Seconded by Stewart. All in favor. Motion carried.

### **NO AWARDING OF CONTRACTS**

#### **FUTURE ACTION ITEMS**

- Annual Meeting – Margo will update Zoom for one month (July)
- North Beach Pavilion Permitting -- Todd awaiting Township's decision. (Nov-July)
- Budget – TJ will update website with new budget. Copies will be available in the office. (July)
- Beach Bulkhead Modifications – Todd will report back at August meeting. (July)
- Revision to Proposed Rule to Prohibit Use of Millings in BCL – Ron will revise Driveway Permit. (Jan20-July)
- Rules – Ken and TJ will discuss tree permit changes and TJ will update changes on the website. (March20-July)
- Boat Stickers – Readjust written rules in the new year. (July19-July20)
- Declaration Rewrite Process – Jack will get committee together. Hold off on final payment to Hal Barrows. (Oct19-July)
- Special Projects – Steve will arrange for an Industry Expert to come to future Board meeting, after new Board in place. (Jan20-July)
- Environmental – Ken working with County Forester to tentatively hold program in September to discuss tree preservation and slowing down growth of invasives. (Feb20-July)
- Lake/Dam – Invite AEC to make a presentation at one of our meetings so we could discuss with the membership about treatment options. (August19-July20)
- Maintenance – TJ will get a fillable Work Order form on Web and shared drive. (June19-July 20)
- Maintenance -- Bill will postpone painting the crosswalk until March/April. Bill will check with Butch Reiner to ensure Township will not be stone and chipping road after we paint crosswalk. (August19-July20)
- Stewart Hall – Ray is checking on our eligibility for electric service provider rebates. (Oct19-July)
- Board Member and Employee Conduct Standards and Training – Rand will work on Part 2 for Employees. (Jan 19-July20)
- Grills at the Pavilion – TJ will research and come to April meeting with planning structure or plans. (March20-July)
- Long Range Planning -- Within the next month, Roger would like to generate a draft of the Strategic Plan. (May20-July)
- Formal RTK Request Form – Todd and Ron working on this for August meeting. (June20-July)

### **ADJOURNMENT**

- **MOTION: 20, 7-18-09:** Levitz moved to adjourn at 12:16PM. Seconded by McGeehan. All in favor. Motion carried.

Respectfully submitted by Linda Sott, Recording Secretary

**Week of 6/14-20**

4 citations  
2 welfare checks  
76 amenity checks  
3 permit checks  
2 domestic calls  
1 boat trailer call  
1 injured animal  
1 trespass call  
1 fishing call-no license

**Week of 6/21-27**

5 citations  
1 welfare check  
64 amenity checks  
2 permit checks  
1 illegal dumping  
2 dog barking complaints  
1 loose dog on beach  
1 found dog & rtd to owner  
1 flower basket missing  
1 bike found Junk S. Beach  
1 PSP assist

**Week of 6/28-7/4**

16 citations  
2 welfare checks  
63 amenity checks  
1 permit check w/ Todd  
2 loose dog calls  
1 dog barking call  
5 fireworks calls  
1 parade  
9 CW calls (unfounded)

**Week of 7/5-11**

7 citations  
1 welfare check  
80 amenity checks  
1 permit check  
2 dog calls  
3 fireworks calls  
1 bear cub call  
1 Arbitration Hearing  
3 CW calls (unfounded)

July 17, 2020 email from Bill Dunstan to Jack McGeehan

Jack,

As of Wednesday, I have decided that the boat ramp is essentially not an option for launching boats in the evening. I arrived at the dock around 6:45 and mine was the only vehicle parked in the angled trailer spots. There were a few cars parked on the other side and a few golf carts parked near the ramp. I fished until about 8:15. When I returned to get my truck, I was still the only vehicle with a trailer parked in the angled spots. Every other angled spot and all of the spots on the other side was occupied by a vehicle. If anyone else would have wanted to launch a boat it would have not been possible due to a lack of parking spots. There were also at least a dozen golf carts parked at various spots including 2 or 3 rows parked 3 wide behind the dry hydrant.

There were also several parked on the asphalt on the opposite side making navigating a trailer in reverse a challenge. As I was backing up, one of the people sitting in his golf cart on that side cleverly asked if I didn't realize that this was a golf cart parking area.. I tempered my response but was not happy. The other people milling around seemed oblivious to the fact that backing up a trailer is a bit more difficult than driving a golf cart.

Unfortunately, there is only one spot on BCL to launch a boat trailer. There are numerous spots that suitable for nightly social gatherings, both by the lake and away from the lake. I am greatly concerned that when, not if, someone is injured or property is damaged, the Board and ultimately the membership could be held liable since the Board has condoned this unsafe activity.

In my opinion, the Board has 3 options.

1. Create a dedicated ramp at a different location.
2. Install and enforce parking signs, lines etc for guidance as we discussed previously.
3. Require the social gathering use a different location, ie North Beach, South Beach, ball field, grass hill by the dam, pavilion, etc.

Gary Benedict was at the ramp on Wednesday when I was leaving so please feel free to have him confirm my observations.

Also, please have this email entered into correspondence at the next meeting so it is a matter of record.

Thanks Jack.

Bill Dunstan  
BCLCA member.