



BEAR CREEK LAKES CIVIC ASSOCIATION

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

Board of Directors Meeting – September 19, 2020 **Via Zoom Videoconference**

Attendees: President Kevin McGrath, Vice President Todd Laudenschlager, Corporate Secretary Madeline Ligenza, Assistant Treasurer Margo Schaefer, Rand Asher, Bill Gullone, Ron Kerwood, Jack McGeehan, TJ McKeon, Pete Matone, Ned Ramm, Bob Skiffington, Roger Stewart, Tom Nanovic

Absent: Treasurer Derek Dailey

Visitors: John Cihy – Piney Woods Drive; Ron Kerwood – Indian Trail

President Kevin McGrath completed roll call, had a quorum, and called the meeting to order at 9:00AM. Kevin went over the Zoom rules: All members need to be signed in with their first and last names, anyone on Zoom should be a member, and members can use the chat to send Linda their names and addresses.

PREVIOUS MEETING MINUTES

- Reviewed and approved August 2020 minutes:
 - **MOTION: 20/21, 9-19-01:** Kerwood made a motion to approve minutes as stated, but remove member correspondence. Seconded by Stewart. All in favor. Motion carried.
- **Review of Annual Membership Meeting Minutes:** Draft minutes will be reviewed by the Board at the October meeting and then minutes will be posted on website as DRAFT.

TREASURER REPORT

- Margo explained some of the line items. Margo stated Directors should only approve bills they have responsibility for. Contractors that do not have a COI and W-9 cannot perform work in BCL. The Directors will ensure the office has copies. Volunteers in BCL are covered by BCL insurance.
 - **MOTION: 20/21, 9-19-02:** Schaefer made a motion to approve Treasurer's Report. Seconded by Ramm. All in favor. Motion carried.

Balance Sheet

Cash Balance of \$1,605,876 as of August 31, 2020 comprised of:

Operating Funds	\$ 293,422
Capital Reserves & Improvement	1,250,603
Construction Escrow	60,025

Capital Expenditures during August 2020 - None

MEMBER CONCERNS

- John Cihy – Piney Woods: John would like BCL to assess each household \$10 to fight Atlantic Wind and Bethlehem Water Authority appeals on wind turbines.
- Ron Kerwood – Indian Trail: Ron asked that BCL take the lakefront property they own and make it more usable for boat launching and fishing for next season. He also inquired about the Executive Committee's ability to make decisions without Board approval. He would like the Membership to have the ability to comment on a motion before it is voted on by the Board.

OTHER OFFICERS REPORTS & ATTORNEY COMMENTS

- Officers – Steve Sosnowski and Ray Bradley’s resignations were filed prior to the start of the election process; Ross McCartney resigned after election was in process. Steve and Ray’s successors were elected. Open vacancy from Ross’ resignation will be discussed at a later time. Kevin published the new Committee assignments. Kevin would like to keep the meetings and minutes professional and organized. He would like to focus on moving ahead by cleaning up the backlog.
- Attorney – Tom’s comments are below on non-compliance of shed.

COMMITTEE ACTION ITEMS

- Larch and Blue Jay Area – Ned gave an overview of the project. In 2019, the Board approved \$70k to hire Pennoni Engineering Services. To date, we have spent \$36k. An outside attorney needs to be hired. Total estimate for project: \$286,352. Kevin thanked Ken, Tom L and Ned for their work on this project. Kevin would like to place this project on hold until we can discuss funding and indicate the scope of overall stormwater management plan for BCL.
 - **MOTION: 20/21, 9-19-03:** McGrath made a motion to establish an ad hoc committee co-chaired by Ned Ramm and Pete Matone. Seconded by Kerwood. All in favor. Motion carried. Contact either chair if you are interested in participating.

Jack said that if we could convince PFT, they could apply for grant funding for this and the Dam projects. Deadline for applying is November 30.

 - **ACTION ITEM: Ned will proceed with acquiring an attorney NTE \$2500.**
- North Beach Pavilion – Todd said the permits were approved by PFT as commercial this week, but we would still be going over budget.
 - **MOTION: 20/21, 9-19-04:** Laudenschlager made a motion to terminate the construction of the pavilion on North Beach, but negotiate the best deal with Amish Country Gazebos to minimize our costs. Seconded by Kerwood. Motion carried.
- Non-Complying Structure (shed) – Tom gave a brief overview. The agreement he proposed is as follows: Unless court ordered to do otherwise, BCL will take no action and mandate the shed be removed until the earliest of (1) the property owner transfers or conveys the property to someone else, (2) court order ordering it must be removed, or (3) must be removed within 20 years. This agreement will be recorded in Recorder of Deeds office so there will be a public record. Tom spoke to the representative of the member and he will let Tom know.
- Beach Bulkhead Modifications – Jack said Ready Rock will meet with Maintenance. Cost should be \$2000-4000 for both beaches.
- Proposed Editing of Rule No. 9 Diaper Prohibition – Kevin stated this is complete.
- Ongoing Security Issue: White Oak Drive – Madeline explained it has been quiet the last few weeks.
- Call for Committee Members – Except for long-range planning, lake/dam, and Security, we are looking for some working committees. Kevin encourages you to think about how many people you want on your committee. Get info to Ned on call for volunteers, Ned will post on the web, with volunteers replying directly back to the committee chair. Would like them in place before the October meeting.

UNFINISHED BUSINESS

- Declaration Rewrite Process – Kevin said Ned needs to get a meeting scheduled prior to Board meeting.
- Rental Committee Recommendations – Ron will attend the PFT meeting with 5 communities on 9/30 and then will schedule a meeting with his committee to discuss.
- Formal RTK Request Form – Todd sent draft to Tom. Todd will send to Board members.

- LRP Meeting Schedule – Kevin asked that meeting be scheduled and notify members of date/time.
- On-line Work Order Requests – TJ said the form has been created and he and Ned are determining where to place it on the website. Members will be able to submit a form and it will flow directly to Maintenance.
- On-line Permit Posting – Ron is working on this. Page would contain address, issue date and type of permit. Rand will come up with the best method to post info. TJ said the webmaster gmail account will be up and running by the October meeting.
- 2020 Paving Project – Kevin asked Bill/Todd to look into the paving project for next year. Tom Larney can assist in the paperwork process only. Finance will check to make sure money will forward to next year.

STANDING COMMITTEE REPORTS

- Communications – Ned thanked TJ for his help. TJ has an in-depth SOP on the concept of where to go next with this area. They have found ways to save money on the phone bill. Will discuss in October.
- Computer Technology – We will be adding committee chairs and some other changes and clean up some of the pages. They added a search feature to the website. TJ checked into internet at the office. He will upgrade with Blue Ridge to increase internet speed for a 3-year contract @ \$71/month. Rand asked TJ to look into getting a new desktop.
- Environmental – Bob sent out a committee report. He will meet with prior committee chair(s).
- Finance –
 - **MOTION: 20/21, 9-19-05**: McGrath made a motion to codify check signers at MCTC, adding Derek Dailey, Kevin McGrath, and Jack McGeehan and deleting Ken Levitz, Steve Sosnowski, Ray Bradley, and Margo Schaefer. Seconded by Ligenza. All in favor. Motion carried.
 - **MOTION: 20/21, 9-19-06**: Schaefer made a motion to notify JTNB who the BCL Officers are: Kevin McGrath President, Todd Laudenschlager Vice President, Derek Dailey Treasurer, Madeline Ligenza Corporate Secretary. Seconded by McGrath. All in favor. Motion carried.
- HR – Rand said Madeline will be helping with office procedures and efficiency. Rand will review mask-wearing policy for the staff in the office.
- Lake/Dam –Lake: Jack will have more information at the October meeting. Jack had President Ken Levitz as a de facto member; Kevin will assume this role. Dam: Jack said he heard from the State after reviewing hydrologic/hydraulic plan re: EAP, and dam does not have sufficient capacity. We need to explore options to increase capacity to get dam in compliance; we may have up to three years to do the work.
 - **MOTION: 20/21, 9-19-07**: McGeehan made motion to form a sub-committee, Probability Maximum Flood Spillway Issue Committee, to work with the engineer and DEP Dam Safety. Members will be Jack McGeehan, Pete Matone, George Moosburner, Todd Lute. Seconded by Stewart. All in favor. Motion carried. Roger will also like to participate in this committee.
- Landscaping – Roger had nothing to report.
- Lifeguards – Nothing to report.
- Long-Range Planning – Bob covered this topic in his report to the Board prior to this meeting.
- Maintenance – They will be working on selling the old truck for \$30,000. Bill said Maintenance is starting on the fall cleanup. We received a load of cinders. Todd reported that the Maintenance golfcart is in sad shape.

- **MOTION: 20/21, 9-19-08:** Laudenschlager made a motion to purchase a new golfcart NTE \$5000. Cost will be taken out of Reserves. Seconded by McGeehan. Motion withdrawn.
- **MOTION: 20/21, 9-19-09:** McGrath made a motion that Todd be authorized to purchase a new golfcart NTE \$5000 and that he contact Carts by Dave to get a second opinion. Cost will be taken out of Reserves. Seconded by Kerwood. All in favor. Motion carried.

Bill will put a load of stones for a temporary fix off the edge of road at North Beach. He will talk about it in January and work on the parking lot in spring. Kevin said that paint is peeling off the sign at our entrance, and the paint on the deck and steps at Stewart Hall is peeling and wood splintering, and asked about a preventative maintenance schedule. Bill said the deck was stained last year.

- Membership Services – Margo said in April we had 20 members owing \$37000; currently we have 7 members owing \$19000. Of the 7, 5 have judgments, 2 hearings scheduled (1 negotiated to pay). Five judgments are past 30 days to appeal. Tom will discuss with Margo.
- Permits – Ron had 2 new construction permits, a few shed permits, and a lot of what if questions. Kevin suggested getting permit questions in writing by email to the office and can be referred to Todd/Ron rather than “the office said we can do it.” Rand/Madeline/TJ will establish a searchable database that we can add to. Kevin said we need to be clear on who should be speaking on behalf of the organization. The Permit chairs, and no other Board member, can make determinations to members. Todd will be permit coordinator. All permit requests will go through him and he will distribute them to his team. Rand asked that Board members should not be going to the office staff if they need policies/procedures; they should be going to Rand/Madeline.
- Pool – Pete reported we need a new pool cover. Also looking for an air conditioner 5000-8000 BTUs to donate to lifeguard shack. Ron has a few he can donate.
- Recreation – Bob reported COVID 19 is restricting activities and access to Stewart Hall and other common areas.
 - **MOTION: 20/21, 9-19-10:** McGrath made a motion that Stewart Hall remain closed through the end of 2020, with the exception of limited Association meetings, and plan on reopening in 2021, subject to government restrictions. Access to the library is included in this restriction. Seconded by Stewart. All approved. Motion carried.
- Roads – Bill/Todd had nothing to report.
- Rules – Ron is working on revisions to rules on registration of garage sales, individual responsibility for swimming when no lifeguards are present. He will be discussing these and rules on temporary structures and PODS at the October meeting. Kevin reinforced that Security and Crime Watch and Ron are not the only people responsible for enforcing rules.
- Safety/Security – Security report is attached. Madeline discussed the new placards that will be placed on rear view mirror so easier to see. Security codes for the office will be updated and SOP written. She suggested minutes should reflect who current officers are. Since new badges are being distributed, Madeline will write policy on prior badge expiration dates and send to Ned for publicizing. Kevin would like to look at overall calendar early in 2021 and try to get everything into sync (budget, badges). No CW meetings right now. CW list distributed every Friday morning. Dues letters completed and being sent out with updated rules. ID needs to be presented at office.

ACTION ITEM: Madeline will update security codes and write SOP, write policy on yearly badge expiration date and send to Ned for publicizing, Madeline will ask Ned to publicize that ID needs to be presented at office.
- Special Projects – Ned had nothing to report.

- Stewart Hall – Roger needs a key.

NEW BUSINESS

- Board Code of Conduct – All Directors will receive a Code of Conduct in their mailbox. Please sign it and return to the office before the October meeting.
- Conflicts of Interest -- May occur frequently. All you have to do is recuse yourself from any vote Board will hold. Let Kevin know if you have any prior to the October meeting.
- Rules Review – Contractors should not be parking on the shoulder of road. They should be parking on member property/driveway. Contractor signs should only be displayed during the work. Permits not being displayed correctly. Kevin will meet with Madeline/Ron/Jack Z to review what Security should do re: rules enforcement and potential permit issues. Ron will work on a list and discuss it in October. A new boat sticker concept will be presented by Jack/Pete at the October meeting.
- Board Vacancy – We have 1 open Board position. Kevin will get info to Ned, asking for replies from membership so a decision can be made at October meeting.
- Schedule of Board Meetings – We will have Zoom meetings through December, possibly a December meeting. TJ asked if meetings could change to different day/time. Zoom account is available for our community use, e.g., book club, committee meetings. Margo will share code with community chairs and is available to schedule if need be.
 - **MOTION: 20/21, 9-19-11**: Matone made a motion to suspend the rule regarding the limitation on electronic meetings. Seconded by Stewart. All in favor. Motion carried.
- Board Thank You to Ken as President –
 - **MOTION: 20/21, 9-19-12**: McGrath made a motion to give Ken a \$100 gift certificate for a restaurant from everyone for all the hard work he did as President and for the community. Seconded by Stewart. All in favor. Motion carried. Madeline will take care of this.
- Open Items from Last Board Meeting:
 - Denise Booker's Request to have BCL install fence between her property and North Beach – Kevin will speak to Denise about the termination of the pavilion project. Table this but keep it on the agenda.
 - Stoning the Beach – We have a plan in the works.
 - No Fee in Tree Permit Rule – Ned will remind Ron about updating this.
 - Committee Meetings Publicized – Please let office and Ned know of these meetings and the office will list them on the web calendar and Ned will post them for the members to see.
 - John Cihiy request for a Special Assessment for SOAR Initiative –
MOTION: 20/21, 9-19-13: Ramm made a recommendation to inform and encourage members to donate to SOAR. Seconded by McGrath. All approved. Motion carried. Ned will follow-up with John for further detail.
 - Pool Cover – Pete said Strand was out to look at pool cover. They will check their files to get a replacement cost. Pete will share at October meeting.
 - Newsletter – Spring newsletter was printed, emailed, and members picked it up at the office. Madeline would like to mail and email the Fall newsletter. Email has been sent to all Directors looking for articles. We are selling ads to fund printing and mailing costs. We have to mail it because of letter to advertisers Kevin said this needs to be looked at and decided for 2021.

EXECUTIVE SESSION

- **MOTION: 20/21, 9-19-14:** McGrath made motion to begin Executive Session at 12:05PM. Seconded by Schaefer. All in favor. Motion carried.
- **MOTION: 20/21, 9-19-15:** McGrath made motion to exit Executive Session at 12:18PM. Seconded by Ligenza. All in favor. Motion carried.

NO AWARDING OF CONTRACTS

FUTURE ACTION ITEMS

- Revision to Proposed Rule to Prohibit Use of Millings in BCL – Ron will revise Driveway Permit. (Jan20-Sept)
- Boat Stickers – Jack and Pete will draft proposal for October meeting. (Sept)
- Declaration Rewrite Process – Jack and his committee working on a draft. (Oct19-Sept)
- Special Projects – Steve will arrange for an Industry Expert to come to future Board meeting, after new Board in place. (Jan20-Sept)
- Environmental – Ken working with County Forester to tentatively hold program in September to discuss tree preservation and slowing down growth of invasives. (Feb20-Sept)
- Lake/Dam – Invite AEC to make a presentation at one of our meetings so we could discuss with the membership about treatment options. (August19-Sept20)
- Maintenance – TJ will get a fillable Work Order form on Web and shared drive. (June19-Sept 20)
- Stewart Hall – Ray is checking on our eligibility for electric service provider rebates. (Oct19-Sept)
- Board Member and Employee Conduct Standards and Training – Rand will work on Part 2 for Employees. (Jan 19-Sept20)
- Grills at the Pavilion – TJ will research and come to April meeting with planning structure or plans. (March20-Sept)
- Long Range Planning -- Within the next month, Roger would like to generate a draft of the Strategic Plan. Within the next year, Roger will have a long-range plan as required by the bylaws. (May20-Sept)
- Formal RTK Request Form – Todd sent draft to Board. (June20-Sept)
- Larch and Blue Jay Areas -- Ned will proceed with acquiring an attorney NTE \$2500. (Sept)
- Office Security Codes – Madeline will update office security codes and write SOP. (Sept)
- Badges – Madeline will write policy on yearly badge expiration date and send to Ned for publicizing. (Sept)
- Identification Needed --Madeline will ask Ned to publicize that ID needs to be presented at office. (Sept)

ADJOURNMENT

- **MOTION: 20/21, 9-19-16:** Kerwood moved to adjourn at 12:25AM. Seconded by McGrath. All in favor. Motion carried.

Respectfully submitted by Linda Sott, Recording Secretary

Week of 8/9-15

7 citations
2 welfare checks
80 amenity checks
1 alarm call
3 dog calls
2 permit checks
1 swimmer at dam call
(unfounded)
1 dog at dam call
(unfounded)
2 neighbor complaints
1 medical

Week of 8/16-22

6 citations
2 permit checks (one
unfounded)
1 welfare check
70 amenity checks
2 alarm calls
2 dog calls
1 ATV call
1 fireworks call (gone on
arrival)
1 truck/trailer at boat dock.
Truck had placard, trailer not
registered so doesn't need
sticker (unfounded)

Week of 8/23-29

5 citations
2 permit checks (unfounded)
80 amenity checks
1 alarm call
3 dog calls
1 dirt bike call
1 golf cart call
1 unregistered trailer call
(unfounded)

Week of 8/30-9/5

4 citations
1 permit check
2 welfare checks
73 amenity checks
1 alarm call
2 dog calls
1 trailer call
(unfounded)
1 curfew call (unfounded)

1 dispute at boat ramp
over use of lake
1 fishing at North Beach call
1 confrontation at North
Beach call
1 fireworks call (off property)
1 noise complaint call
1 neighbor issue/stalking call

Week of 9/6-12

3 citations
1 welfare check
68 amenity checks
1 alarm call
1 permit check
1 fireworks call
1 barn fire call
1 vehicle w/o tag on South
Beach (gone on arrival)
1 ATV at ballfield call
(unfounded)
1 cars blocking road call
1 mailboxes on White Oak
open overnight call
1 dog bite call