Village of Valley Green West Recreation Association

Regular Meeting Minutes January

January 19, 2022

Call to Order

1. President Les Goeffer called the meeting to order at the VVGWRA clubhouse at 7:00 pm.
2. Roll Call of Board Members

Present Members: Les Gouffer, Laurence Wachs, Carol Miller, Tami Grim, Eric Harris, and Nathan Herr (by phone), Ed Belskey, Dan Wyrick, and Stacy Devine

Absent Members: Alyssa Attinger, William Strohm

1. Homeowner Concerns- Trash cans:

Two homeowners presented an appeal concerning possible fines due to trash cans being stored in front of the townhome. Problems were noted by the homeowners and Board members in implementing the policy of storing garbage cans behind the townhome. Issues were noted as follows: Fences on end units which prevent residents in middle townhome units from bringing the cans around the end of the units, forcing people to bring unsanitary trash cans through the living unit, and; Physical limits of residents preventing easy transport of heavy cans through the living area, and; Households where the disruption of routine present problems, and; Erosion by Fishing Creek behind the townhome, and; Steep and dangerous terrain directly behind the townhome, and; Fences allowed prior to the Bylaws being amended in 2018, and; Fear and potential injury or dog waste encountered when intruding on neighbor property, and; The multiplicity of townhome differences in terrain, and other factors. One homeowner understood and agreed with the proposition that a clean, attractive appearance is a positive asset to the community, but the strict rule does not always meet the valid needs of the community.

Les Gouffer noted that there must be a way to allow exceptions, but only on a case-by-case basis. The general rule must be followed, with an option for reasonable exceptions, except storing trash cans along the street in the sidewalk would not be authorized in any case. Due to the Home Owners Association model changing rules must be carefully done.

Laurence suggested the matter be handled similar to construction updates and requires the homeowner to obtain permission for the exception. The trash can accommodation request could address why the exception to policy is requested and an acceptable solution. Laurence noted that trash can plastic enclosures have been found acceptable to the Association. The solution must be suited to the circumstances and noted with PMI as the agreed-upon resolution. Laurence welcomed input from the Board or residents as to the appropriate wording of the policy that can be written into the upcoming Bylaw update. Laurence opined that because the subject is in the Rules, the Rules and Regulations can be updated as soon as the Board can approve a policy. Laurence will draft wording for the Bylaws that can authorize changes in the Rules and Regulations concerning this matter and distribute to the Board for comment.

Les made a motion to pursue a solution to the issue and decline to enforce fines against homeowners, except that leaving the trash cans on the sidewalk continuously will not be approved in any case, until a new policy is decided and published. Tami Grim seconded the motion, and the Board unanimously agreed to the decision. Carey Twigg will be informed of the decision and the upcoming change process is completed.

1. Approval of November and December Meeting Minutes

Board members briefly discussed the November and December draft meeting minutes prepared by Laurence Wachs. Tami Grim motioned to accept the November 2021 minutes as submitted, the motion was seconded by Les, and the Board unanimously approved the November minutes as written. Carol Miller motioned for approval of the December 2021 minutes as written, Les Gouffer seconded the motion, and the board unanimously approved the draft meeting minutes as written. Laurence will send the board-approved minutes to Carey Twigg for publishing.

1. Discussion on Open Board Positions/Secretary Positions

The Board has 2 Director vacancies due to one member moving and the other unfortunately passing away. Two community members, Ed Belskey and Dan Wyrick, presented themselves as candidates for the positions to serve for the period of the unexpired term until the next Board elections at the Annual Meeting. After brief discussion, Nathan Herr made a motion to appoint both candidates as new board members, Laurence Wachs seconded the motion, and the board unanimously accepted Ed Belskey and Dan Wyrick as new board members. Dan Wyrick also volunteered to act as Board Secretary in future meetings. The Board is pleased to welcome these new Board members.

1. Presentation of Reports
2. Secretary: Laurence noted little activity since the last meeting. Two snow events have occurred. Our new snow contractor did a capable job in its first snow response and presented a reasonable invoice. Laurence will continue to be the point-of-contact for this contractor during winter weekends and after hours. Any issues can be reported to PMI so Laurence can address it quickly.
3. Treasurer: Eric Harris noted the budget is accurate and useful, but with little room for unplanned events. Eric also questioned the status of any independent audit, especially since bids for service contracts are considered at meetings. Les Gouffer noted that the budget system creates a reserve fund as well as the possibility of moving money from other presently untapped areas meant for future use to cover larger expenses. Nathan Herr informed a special assessment can be levied for approved matters. Laurence noted that the Association already has strict internal controls on spending limits for Association funds. Dan Wyrick suggested that a group of Board members could conduct an unofficial audit to ensure the Association funds are being correctly handled and the status of all accounts. Les Gouffer noted the overall concern and will ask Carey Twigg about the status of any independent audit, and report back to the Board at the February meeting.
4. Landscape Committee: Carol Miller confirmed that the new snow contractor had performed capably with some minor exceptions. Per query, tree bids will be evaluated separately in the meeting.

Old Business

* 1. Proposal by Landmark for Easement Access and Approval

For a year, Board members have received information presentations and asked questions to Landmark Development as regards the proposed Red Mill Crossing development in the present farm along Red Mill Road up to Corn Road. Issues discussed included animal and plant environmental concerns, Department of Environmental Protection requirements along Fishing Creek, playground facility disruption and safety and many others.

The Association lawyer and Landmark lawyer have met to finalize the wording on a contract for the sanitary sewer access through the field area between the former Jack Short property between Red Mill Road and the Association field by the playground. Board members have received the contract approved after numerous back-and-forth legal draft contract exchanges among the lawyers.

Landmark Contract Promises:

Landmark made the following promises:

-Pond Improvements: Remove the vegetation in the pond and excavate the pond bottom to accommodate pond holding capacity as built, and; Clear the ends of drain pipes draining into the pond originating uphill from West Street, and; Stabilize the pond West Street end, and; Install a new pond overflow drain stove pipe, and; Rehabilitate the water pipe now draining the pond with new construction long-term collar and concrete reinforcement, and; Return the pond above West Street to its original functioning as an overflow basin to drain the upper portion of the neighborhood to its as-built status in the 1980s.

-Field area: Remove macadam pathway, bury the sanitary sewer line beneath it, and pave a new pathway across the field to higher level for less disruption during rains, and; Dig two trenches through the field and install two buried drainage channels to more quickly drain the field into the swale leading to Fishing Creek after rain events, and; Excavate the field area between the formerly Jack Short property up stream of the field and install an 8-inch minimum 50-year construction standard sanitary sealed sewer line sufficient to handle the load from Red Mill Crossing as well as associated maintenance screw-sealed manhole accesses according to Department of Environmental Protection standards, and; Excavate and install sealed sanitary sewer lines between the pool area and Fishing Creek and hookup to the existing Newberry Township sewer main along Yocumtown Road.

-Landmark is responsible for all permits and compliance with all applicable local, state, and federal regulations, including environmental regulations and reports.

-Landmark further agreed to install adequate support mechanisms to stabilize the bank near the pool by planting vegetation, ground screening and other means as needed.

-Landmark agreed to be responsible for any acts which are against any law or regulations and execute corrective measures to fix any problems caused by their acts.

-Landmark promises to give the Association $10,000 as additional consideration for any Association needs within our discretion.

-Upon completion and overall certification, the sanitary sewer line will be turned over to Newberry Township for future maintenance and responsibility.

-Landmark promises to begin the project within 180 days from execution of the agreement.

Association Contract Promises:-Association promises to refrain from any act to damage the construction and refrain from any acts thereafter that will damage the construction.

-Association agrees to act within all local, state and federal law and regulation concerning this facility and easement. Association may not plant any trees or construct any buildings along the right of way for the sanitary sewer.

Contract Legal Considerations:

-Board Members discussed the proposed agreement from the lawyers as to specific promises made and how the issues were handled within the contract.

-Board Members addressed the Technical letter from the DEP to Landmark which outlined specific paperwork and construction standard compliance.

The Board voted to sign the agreement as amended and presented in final form to grant access for the easement upon Association property by a vote of 9 ayes and 1 nay vote. PMI and the Association will execute the contract.

b. Tree Safety: Les Gouffer explained the perceived need to address tree safety on Association common ground. Resident safety and orderly care of association business is preferable to injury, property damage and costly emergency tree removal. Laurence Wachs and Carol Miller met with three (3) tree companies. We noted our priorities as immediate tree service at White Dogwood behind a property, obvious hazard tree removal, tree pruning and potential hazard in Association wooded areas. One vendor made a counterproposal for a fine detailed tree-by-tree assessment, and two vendors submitted instant hazard tree assessment and cost estimates. Dan Wyrick motioned to accept the Champion bid for a period of two days’ work based on Association priority trees, Ed Belksey seconded the motion, and the Board voted unanimously to accept this bid. Several Board members will tour the area and mark the trees for priority removal.

Security Bids

The Board noted the need for additional security at Association facilities factors. Concerns note included: Pool entry measures during the swimming season, and; Presence of visible security to discourage misbehavior, and; Providing a record for Association or police use in case of incidents in the playground, clubhouse, basketball and tennis areas, and; Insurance coverage and general safety and resident safety concerns, and; Controlling access to the basketball and tennis courts by non-residents. The Board considered input from three (3) vendors. After discussion the Board hired KIT Communications to perform the following: Install 6 video cameras covering the clubhouse, tennis and basketball courts, playground and parking areas, and; Install 4 door and limited entry systems on the clubhouse main door, pool gate, tennis gate, basketball gate, and; Install and program a central server for video data storage and retrieval and operating the door access system, and; Facility access control by programming entry all to facilities according to Member and Association needs, and; Provide programmable cards for issue to residents for entry to Association facilities, and; Train Association staff to use the server system to provide access to Association facilities. Members will have opportunity to purchase access cards for a fair fee to all noted facilities for pool usage, clubhouse rentals, basketball and tennis courts. Les Gouffer motioned to accept the KIT Communications bid, Tami Grim seconded the motion, and the Board voted to hire KIT by unanimous vote.

VIII: New Business

Bylaws: The Bylaws are being updated this year to reflect needed changes as observed in the last several years. Laurence is assigned as Bylaws Committee chairperson. Any resident can submit suggestions to improve the Bylaws. Changes will be discussed in the next few months, and a Bylaw Decision Meeting will be held where residents may vote on any subjects presently covered in the Bylaws. Residents can also propose new Bylaws for adoption. Once all suggestions are collected in the next two months, the proposed changes will be summarized, or exact wording can be submitted for voting by residents.

PMI will issue the final proposed wording or summary of Bylaw suggestions via available email addresses and by letter to Members who have not supplied a valid email address.

Members can vote via email by the date of the Bylaw Decision Meeting. In-person voting is allowed at the Bylaw Decision Meeting by name to ensure proper vote count. Paper ballots can be submitted to PMI by the date determined for the Bylaws Decision Meeting. The Bylaw Decision Meeting must be advertised 30 days prior to the meeting. All input should be submitted as soon as possible, even if only an incomplete thought. Please give a suggestion to accompany any complaint. Laurence cannot guess what you think exactly.

Members can review the Bylaws on the VVGreen website. The PDF version of the Bylaws is easier to read. Laurence will hold Bylaw input meetings on February 7 and February 23rd at the clubhouse. Additional input meetings will be scheduled and published.

NOTE: The time for input is BEFORE the ballots are sent out. We cannot add suggestions that are substantially different than input already received because the summary or specific wording must be turned into a Yes or No vote by all voting Association Members to receive proper consideration.

IX. Adjournment

Dan Wyrick made motion to adjourn the meeting, Stacy Devine seconded the motion, and all members voted to adjourn unanimously. The next regular meeting will occur in the clubhouse at 7:00 pm on February 16th, in person, with social distancing in effect.