

MOODY POINT COMMUNITY ASSOCIATION

Minutes of the Special Meeting April 12th, 2006

A Special Meeting of the Moody Point Community Association (MPCA) was held at the Newmarket Town Hall, Newmarket, NH on Saturday, April 12th at 9 AM. Jim Fitzpatrick, President of the MPCA, chaired the meeting.

The purpose of the Special Meeting was to have:

- 1.) A brief discussion of Newmarket emergency response and Moody Point.
- 2.) A presentation, discussion and vote on funding a cistern for fire protection.
- 3.) A presentation on the Comprehensive Shoreline Protection Act of 2008 and how it relates to Moody Point.

These agenda items were part of the Notice of Special Meeting package sent to the membership on March 12th, 2008. The presentation order of the agenda items was revised on March 18th with notice to the members.

The meeting was called to order by Jim Fitzpatrick at 9:05AM. It was certified that proper notice of the Special Meeting was given, that there was a quorum present and that there were 66 of the 93 voting members represented at the meeting either by attendance or by duly authorized proxies. The certification was made by Russ Simon, MPCA Secretary and Erin Surprenant, representative of Great North, the MPCA's Management Company by 9:45 AM.

A motion was made by Harvard Sitkoff, seconded by Lynn Badger to waive the reading of last year's Annual Meeting Minutes and to approve them as written. The motion was passed unanimously.

Emergency Response Presentation

Jim Fitzpatrick began the presentation by describing the work being done by Jan Geremia and Mimi Sokol in working with the Town's Fire Department, EMS and the Police in improving the ability of these Town Departments to locate both our individual homes and propane tanks locations in case of emergency. Home location maps had been provided to all and were being updated to provide propane tank locations to the Fire Department.

Rick Malasky, Fire and EMS Chief and Kevin Cyr, Police Chief were then introduced to give presentations on their departments emergency functions, how we can prepare for and help them to quickly and accurately respond to emergencies and to answer any questions from the members.

The presentations and Q & A by both Rick Malasky and Kevin Cyr were excellent and informative. The major points were:

- Not only were easily identifiable home markings important, but do to the unusual layout of Moody Point, identifying which homes shared driveways was also critically important. House #'s should be clearly visible on front doors and/or garages (first line of sight).

- Though the Police Dispatch had GPS, currently GPS was not available in the fire trucks, EMS vehicles or Police vehicles, making the home markings and the maps we provided that much more important. GPS was also not particularly accurate in locating shared driveways.
- Emergency calls (911) go directly to the Concord Call Center with a screen appearing with the address of the caller and the local departments (Fire, EMS & Police) responsible for that location. Appropriate responders are then notified.
- Do to the volunteer nature of the Fire Department and EMS, the Police were usually the first responders to any emergency calls.
- In addition to visible home markings, shared driveways and propane tank locations, both Chiefs were supportive of two additional steps that residents could take to better prepare the Departments for any emergencies.
 - Using an individual or group lock box for keys to allow access by the Departments in emergencies
 - Providing the Police with a completed Emergency Site Information Form on each home.
- Rick Malasky provided brochures and information on the lock box options and Kevin Cyr provided copies of the Emergency Site Information Forms to be distributed to members.
- Both Rick and Kevin noted that the size of the audience at our Members meeting seemed to exceed the attendance they experienced at most Town-wide meetings. Though they both recognized the humor in their comment, they wanted us to know that they were impressed with the involvement of membership in MPCA issues.
- Both Chiefs were thanked by Jan, Jim and the membership for there important presentations. Their presentations ended at 9:48 AM

Moody Point Fire Protection Presentation

Jim Fitzpatrick introduced Peter Roy, Committee Chair, to provide an overview to the members on our community's fire protection capability and the status of the Ad Hoc Fire Pond Committee's work and recommendations for Fire Pond Remediation and the implementation of a Cistern to expand and improve fire protection at Moody Point.

Peter introduced the Committee members: John Badger, Jim Fitzpatrick, Larry Kane, Ed Nicholas, Val Shelton and Russ Simon. He then discussed the history of the Fire Pond, the current state of the pond and its set-up and the options considered by the committee for the Community's Fire Protection going forward: Fire Pond Only vs. Fire Pond and Cistern Approach. The Committee was recommending that Community approve the building of a separately located Cistern, in addition to the Fire Pond to improve the adequacy, coverage of homes and response time for fighting fires. He also explained that once the Cistern was installed and operational, the Cistern would provide sufficient fire fighting protection so that we could then address remediation of the Fire Pond. Remediation of the Fire Pond was part of our overall fire protection plan, but by having the Cistern installed first, we would approach the Fire Pond remediation over a longer period of time and with less sense of urgency. The first step of the Fire Pond Remediation, once the Cistern was installed, would be to drain the Fire Pond and be in a position to more accurately analyze the remediation alternatives. In addition, the EC, working with UNH Extension staff and other experts, would be developing solutions to

reduce or eliminate the overwhelming growth of Water Lilies that have overtaken the Fire Pond. A plan for Fire Pond remediation would then be presented to the members.

During this presentation, the Fire Chief, Rick Malasky, clearly supported the addition of a Cistern to Moody Point for several reasons:

- A second location of source water to fight fires would significantly expand the number of homes at Moody Point that could be directly serviced by the water source vs. having to fill up a fire tanker truck first and then drive it to the fire location.
- A second water source in itself provided not only back-up source, but a second location with easier access and additional water capacity to fight fires.
- In addition, by implementing the Cistern, we would also enhance the Fire Department's capability to fight fires at other locations on and off Bay Road that have no direct links to fire hydrants.

Peter then introduced Val Shelton, to review with the members, the Committee's work and analysis in determining the alternative locations for the Cistern, as well as the rationale for the recommended location: near the entrance to Moody Point, on the high ground of the Ridge Association's land, just across the street from the Lubberland Association.

Jim Fitzpatrick then reviewed the current estimated costs of the Cistern project and how the project would be financed. The cost was estimated based on initial discussions with engineers, contractors and suppliers, but had not yet been finalized by an RFP process since the members had not yet approved the project and additional engineering work would have to be done to prior to finalizing the RFP's. Cost was estimated at \$100,000. The recommended financing of the project would come from two Capital Accounts – The Water Systems Reserve (approximately \$65, 000) and the General Capital Reserve (approximately \$35,000).

A motion was then made by Lynn Badger, seconded by Bill Bunting: TO USE UP TO \$100,000 FROM OUR CAPITAL AND WATER RESERVE FUNDS FOR USE IN THE RECOMMENDED CISTERN PROJECT.

A discussion period followed the motion with a number of questions and answers, as well as opinions made by various members. A motion was then made to call the question by Jerry Goddard, seconded by Melissa Robles (?). The motion to call the question was voted on by a voice vote, with the vast majority of members agreeing to call the question. The Cistern motion was then voted on and passed by a vote of 66 in favor and 6 against the motion (6 additional members had registered after the meeting had started, but before the Cistern motion vote).

A five minute break was taken at 11:32 AM before the start of the presentation of the Comprehensive Shoreline Protection Act of 2008.

Comprehensive Shoreline Protection Act of 2008 Presentation

Trish Simon provided background on the research, work, planning and training the Environmental Committee had been doing on both the MPCA's common land and assets, including working closely with DES on the newly implemented Shoreline

Protection Act of 2008, as well the increased understanding of the existing Shoreline Protection Act.

She then introduced Pat Gardner, a Moody Point resident and lawyer, who had volunteered to work with the EC as a consultant to assist them in understanding the new law, the implications to the management of Moody Point's common land, developing the new guidelines and policies as well as working with the EC and DES in getting our specific questions answered.

Pat then spent the next ½ hour explaining the changes in the new law, where it was the same as the old law and where it was different. She also described the process that would be used for implementing the new law, working with both DES and our new certified arborist and forester, Stalin Arias from Bartlett Tree. She also reviewed the process that was being used by the MP4 Subcommittee of the EC to manage and approve the cutting on Lot #4. Numerous handouts were provided including a summary of the new law, a copy of the new law and the MP4 Process. Pat stressed that the any cutting on Lot #4, as well as the rest of the common land, would not only be well within the laws but also have to be approved by the new Certified Arborist and be consistent with maintaining a healthy environment and responsible stewardship of our environmentally sensitive land. Time was also spent on Q & A with the membership.

At the end of this presentation, Dick Mills made a motion to adjourn the meeting and the meeting was adjourned at 12:15 PM.

Respectfully Submitted,

Russ Simon
MPCA Secretary