

Minutes: MPCA BOARD MEETING
Monday, January 12th, 2009
7:30 PM

The Board of Directors of the MPCA met on Monday, January 12th, at Jim Fitzpatrick's home. Present were: Don MacKinnon, Herb Campbell (Ridge representative substituting for Cari Moorhead), Dick Ormrod, Peter Roy, Russ Simon and Jim Fitzpatrick, presiding. Dave Contarino and Cari Moorhead did not attend. Lynn Badger was invited as a guest to provide the Environmental Committee Report due to the absence of Dave Contarino, EC liaison.

The meeting was called to order at 7:33 PM.

1. Minutes of the December 8th, 2008 MPCA Board meeting:

- Motion to approve the minutes was made by Peter Roy and seconded by Don MacKinnon - approved unanimously.

2. Environmental Committee Report

- Presented by Lynn Badger
- As requested by the Board, the EC provided a detailed budget plan for the 2008-2009 Fiscal Year, covering both regular maintenance and projects costs. This included both expenses and volunteer work.
- The only immediate item requiring a vote was the review of the regular expenses for Lot #4 MPCA cutting maintenance work, including the clean-up of the tree and limb damage due to this winter's storms. A motion was made by Don MacKinnon, seconded by Dick Ormrod to approve \$6,000 for this year's MPCA cutting maintenance (approximately 5 days of professional work). The motion was approved unanimously. The clean-up work would start in the winter, as soon as the weather permitted.
- The Board also requested that the annual maintenance work be done separately from any additional private member requested work approved by the MP4 Sub-committee and paid for by the requesting members. This separation of work was requested to reduce the possible confusion from the membership of what was MPCA funded work and what was privately funded, approved work on Lot #4. The Board also requested that the Lot #4 storm damage clean-up work be coordinated with Ridge clean-up work required and paid for by the Ridge Association, in order to minimize cost for all. EC will coordinate.
- The Board also reiterated that all volunteer work approved and supervised by the EC was appreciated by the Board. The Board also maintained its policy that chainsaws could not be used by volunteers on MPCA common land due to safety concerns and liability issues.
- One homeowner approached EC about a concern about a vernal pool behind his property on Lot #4 and it possibly being a mosquito breeding area. The Board requested that EC direct the homeowner to the various Town and State Agencies required to be contacted to research if anything could be done about his concerns.
- The Board requested that EC resubmit the bridge repair project not done last year as a new project for approval in 2008-2009.
- Some members of the EC will be attending continued DES training throughout the year and all interested members are welcomed to attend these training sessions. If you have an interest, contact a member of the EC.

3. Treasurer's Report:

- Presented by Don MacKinnon

- Expenses are running according to plan (currently about \$10,000 under budget) with nothing significant noted.
- As a result of the current US and worldwide financial crisis, interest rates on our Capital and Operating Reserves have dropped significantly. At the Treasurer's request, the Board authorized the Treasurer to work with Great North to see if we could increase the interest rate returns on our reserves by investing in CD's using a laddering approach.

4. Committee Reports:

Water Systems Committee

- Presented by Jim Fitzpatrick.
- Mandated State Water Quality Testing has been recently done and we are awaiting the report on our results.
- Approved Sewer repairs for this fiscal year are being done in Moody Point and are being coordinated with the repairs being done by the Town on their system to minimize expenses.
- As a result of the extremely cold weather, one of the Sewer Lift Station's Pump Casings just froze and cracked and needs to be replaced. The initial estimated cost of this repair/replacement is approximately \$6,000. We are able to continue to operate adequately with one pump for the time being and the repair process has begun.

Community Life Committee:

- Presented by Jim Fitzpatrick
- Winter Friday BYO's (5 PM to 7 PM) at member's homes began on January 9th and thanks to the Badger's for being the first hosts. A schedule for January has been published and the remaining schedule will be distributed shortly... If you would like to sign up to host a winter BYO, please contact your Community Life representative.
- **Timely Topics** will begin on January 25th and a winter schedule will be published shortly.
- A Community Book Exchange idea is being considered by the CLC.

Drainage Issue Report and Update

- Presented by Russ Simon.
- The DES decision to decline both of Mr. Cheney's wetlands dredge and fill applications was posted on the DES website on January 9th. As a result of this decline decision, no building will be permitted on either of the two Osprey Circle lots or on Lot #2-7 next to the road to the Fire Pond.
- Though we have yet to see all the details related to the DES decision, the decline of the applications should lift the "Stay of Appeal Order" approved by the Water Council within the next few weeks and the AG's office should be contacting Cheney to see if he will either withdraw his appeal and fix the drainage as per the DES Order or whether he will continue his appeal with the Water Council.
- We will continue to monitor the situation closely and keep you informed. If Mr. Cheney decides to continue the appeal of the DES Order, the Water Council's next order of business after lifting the Stay Order will be to decide on our application to register as an "Intervenor" in the Appeal Process.
- As a separate matter, the Board reviewed Mr. Cheney's latest Proposal (deferred from the 12/8/08 Board Meeting and prior to the Wetlands Application decision by DES). After discussion, a motion was made by Dick Ormrod, seconded by Peter Roy, to decline this recent Proposal as irrelevant. The vote to decline the proposal was unanimous.

5. Other Business

- **Lot #13:** The Board discussed the status and issues related to Lot #13 including the 12/16/08 decision of the Newmarket Planning Board to not allow the subdivision of Lot #13 as proposed by Mr. Cheney. Board members had reviewed the Lot #13 and Moody Point Subdivision Approval documentation and the legal opinions written by the Planning Boards legal counsel on the non-compliance issues related to the ownership of Lot #13. As a result of the discussions, the Board agreed to join with the Lubberland Association in writing a letter to the Newmarket Town Council requesting that they review the documentation from the Planning Board and then meet with us to determine the appropriate enforcement actions required to resolve the ownership of Lot #13 consistent with the Subdivision's approval.
- **Snow Removal:** The Board asked that Blanchette be reminded to fully clear access to the 3 fire alarm boxes and the Lift Station after snow storms. Russ Simon will follow-up with Blanchette.

The Board Meeting was adjourned at 10:02 PM.

The next regular MPCA Board Meeting will be held at Russ Simon's home on Monday, February 2nd, 2009 starting at 7:30 PM.

Respectfully submitted,

Russ Simon
Secretary