

**Minutes: MPCA BOARD MEETING**  
**Monday, May 5<sup>th</sup>, 2008**  
**7:30 PM**

The Board of Directors of the MPCA met on Monday, May 5<sup>th</sup>, at Russ Simon's home. Present were Dave Contarino, Don MacKinnon, Cari Moorhead, Dick Ormrod, Peter Roy, Russ Simon and Jim Fitzpatrick, presiding. Erin Surprenant, from Great North, was unable to attend.

The meeting was called to order at 7:37 PM.

**1. Minutes of the April 7<sup>th</sup>, 2008 MPCA Board meeting:**

- Motion to approve the minutes, was made by Peter Roy, and seconded by Dave Contarino - approved unanimously.

**2. Treasurer's Report**

- Presented by Don MacKinnon
- Year to date expenses were running as planned (about \$24,000 under the annualized budget).
- Approved projects for the spring and summer for the EC (various projects related to Lot #4 maintenance) and Water Systems will begin implementation shortly. These projects will close the budget/actual gap.
- Don Mackinnon wanted the Board and the Community to take note of the excellent work done by Bob Blanchette and his crew in servicing our primary snow removal requirements during this record snowy winter. Their promptness, courteousness, thoroughness and flexibility were noted by all. The Board will officially thank Blanchette & Co.
- First pass on the 2008-2009 budget suggests it will remain reasonably flat to the current year budget, unless drainage resolution issues accelerate or we experience unexpected Water System events.

**3. Committee Reports**

**Water Systems Committee**

- Presented by Jim Fitzpatrick.
- The WSG sent out an RFP on the approved lift station road improvement project. No responses to the RFP have been received yet.
- Newmarket and the EPA jointly checked our system for sewer inflow on a dry day as part of a review of Newmarket's Sewer System and its inflow problems, especially during rain events. The purpose was to locate inflow problems that were contributing to the Newmarket inflow issues. A 4½ gallon/minute inflow problem was located around one of the homes on Osprey Circle. This will be addressed as part of the project to bring all of our manhole covers up to grade through repairs or replacement.
- Other immediate projects include replacing an old, outdated blown mercury switch in the Pump House with an electronic switch and the need to replace the electrical panel in the Pump House at a cost of around \$6000.
- The WSG will be reviewing the performance of our new Irrigation Vendor during the new turn-on and follow-up process.
- The new Computer System Monitoring is finally in place for the Water System and starting to provide new and useful info to the WSG. The WSG will be investigating

whether we can expand the monitoring system to include the Pump House so we can have just 1 monitoring system for both the Lift Station and Pump House.

### **Environmental Committee:**

- Presented by Trish Simon & Jim Fitzpatrick
- The annual Lot #4 maintenance began on 4/21 and was stopped shortly thereafter based on a call from one of our residents to Dan Vincent, the Newmarket Code Enforcement Officer that claimed there was illegal cutting going on at Moody Point. As a result of the accusation, a cease and desist order was required to be issued to the MPCA until the claim could be vetted by Dan. This required a series of meetings and walk arounds to be scheduled to review the cutting that was planned and approved for this year. Thanks to the prior efforts of the EC in educating themselves on both the old and new laws as well as the hiring of a new certified arborist as a consultant and cutter, all planned work was reviewed thoroughly and approved by both the Town and DES. The EC's prior preparation, as well as their management of the review and resolution process as a result of this resident call, was spectacular. The entire community should take pride in the EC's work and dedication as well as their stewardship of the common land on our membership's behalf. Though this complaint and resulting process proved to be completely unnecessary and wasted a lot of time and energy of many people, in the end it has enhanced the MPCA's and the EC's reputation with both the Code Enforcement Officer and DES as both good stewards of the land as well as extremely knowledgeable of both the spirit and letter of the law. The remaining tree maintenance work planned will be completed shortly.
- A number of additional projects have been approved for implementation including some priority culvert repairs along the trail, and bench and pond berm and dumpster area maintenance. Bids and estimates are being sought for the screenhouse, deck and dock cleaning and maintenance and repair for future review.

### **Community Life Committee:**

- Presented by Cari Moorhead
- Many thanks to our recent Friday BYO hosts, the Fitzpatrick's on April 11<sup>th</sup>, Tom Treece on April 18<sup>th</sup>, AnnaLisa Gotschlich on April 25<sup>th</sup> and the Kreismanis's on May 2<sup>nd</sup>. The Friday BYO's for May are planned at Johnson/Remignati's on May 9<sup>th</sup>, the Bestani's on May 16<sup>th</sup>, the Crawford/Arnold's on May 23<sup>rd</sup> and the Badger's on 5/30.
- The Floating Dock is in and all stored kayaks and canoes must be removed from the Screenhouse by 5/15.
- Timely Topics: the last timely topic of the season is a Bird Walk with Andra Crawford and Dave Arnold planned for Saturday May 10<sup>th</sup> starting at 8:30 AM at Trail Entrance #3 (between 133 and 137 Cushing Road).
- In preparation of the move of the Friday BYO's to the summer schedule at the Screenhouse, there will be a Screenhouse clean-up party scheduled for June 7<sup>th</sup> at 10 AM at the Screenhouse. Mark your calendars and all volunteers welcome. More details to follow in a later announcement.
- In lieu of a BYO on June 6<sup>th</sup>, there will be a all Moody Point BBQ scheduled for Saturday, June 7<sup>th</sup>, from 4 to 7 PM at the Ormrod's. Mark your calendars and more details to follow in a later announcement.
- Screenhouse Friday BYO's are scheduled to begin on June 13<sup>th</sup>.

### **Drainage Issue Report and Update**

- Presented by Russ Simon.
- Additional residents from the Waterfront Association have begun writing DES about basement leaks being caused by the poor drainage. Various engineers and specialists have been brought in by the Waterfront to review the basement leaks and causes and all have pointed to the lack of proper drainage at the bottom of Osprey Circle as the primary

- source of the water. Their advice is that any solution that does not include resolving the Osprey Circle drainage could not be guaranteed to work and that a Topographical Map of the surrounding location was required as a first step, before any solutions could be designed (see more on this issue in Other Business section below) .
- Awaiting DES's issuance of a Letter of Deficiency to the Moody Point Company. As of today we were informed that the final draft of the Administrative Order to Walter Cheney and the Moody Point Company is being finalized and should be issued shortly.

### **Fire Pond Dredging Committee**

- Presented by Peter Roy
- Numerous meetings have been held to develop the RFP's for the cistern and to do the preliminary engineering work required to verify the proposed location site on the Ridge. MJS Engineering has been hired to validate the site location and to be available to assist us in managing the project going forward.

### **5. MPCA Managers Report:**

- Presented by Jim Fitzpatrick (Erin Surprenant was absent).
- Nothing new or significant to be noted.

### **6. Other Business**

- Walter Cheney sent another letter on 4/29 to the MPCA Board saying that he had a builder interested in buying the wetlands lots in Osprey Circle asking us again whether we had any interest in purchasing the lots for \$150,000 prior to his proceeding with the builder. The Board authorized Jim Fitzpatrick to respond to Cheney that we needed additional time to evaluate his proposal and our possible funding options in light of the planned cistern project.
- As a result of the growing damage to our property and homes due to improper drainage (recurring Waterfront Association issue and other area's around Moody Point), recognizing that any drainage work at Moody Point would have to be preceded by having an accurate Topographical (Topo) map of the property (something never provided by the developer or his builder) and that partial Topo maps would be required at both the cistern site and Osprey Circle area, they felt it was the appropriate time to address the overall Topographical documentation at Moody Point. Also that Haley and Aldrich, an engineering firm familiar with Moody Point from our prior unsuccessful past dealings on drainage solutions with Walter Cheney, be engaged to perform the mapping. A motion was made by Dick Ormrod, seconded by Cari Moorhead to authorize Haley and Aldrich, as our coordinating engineer, to contract for a Topographical map of all of Moody Point with a cost not to exceed \$10,000. The motion was unanimously approved.
- Dave Contarino, Lubberland's Board representative to the MPCA, updated the Board on some of the issues related to Walter Cheney's proposal to the Newmarket Planning Board to subdivide Lot # 13 into two parcels, with a majority of the land proposed to be donated to a Conservation group and the remaining 3.4 acres, abutting and behind many of the Lubberland homes to be retained by Walter Cheney. He also notified the Board that they may have an interest in this issue as some of the Lubberland residents felt that Walter Cheney's ownership of Lot #13 may be in question. The MPCA's Lot #6 also abuts a portion of Lot #13 and Lubberland.

The Board Meeting was adjourned at 10:06 PM.

The next regular MPCA Board Meeting will be held at Dave Contarino's home on Monday, June 9<sup>th</sup>, 2008 starting at 7:30 PM.

Respectfully submitted,

Russ Simon  
Secretary