

MOODY POINT COMMUNITY ASSOCIATION  
MINUTES OF BOARD OF DIRECTORS MEETING  
May 17, 2010

The Board of Directors of the MPCA meeting met at Pat Gardner's home, 367 Cushing Road, Newmarket, NH @ 7 p.m.

Board Members:

President/ Board member at large: Pat Gardner

Vice-president/Board member at large: Peter Roy

Secretary and Board Member from The Ridge: Cari Moorhead

Board member from The Waterfront: Trish Simon (alternate attending for) Bill Cormier (absent)

Board member from The Hill: Dick Ormrod

Don MacKinnon from the Meadow

Board Member from Lubberland Creek: Judy Bouthot (alternate attending for) Paul Pensiero (absent)

Property Manger:

Representative from Great North Management Company - Absent

Treasurer: (Joanne Johnson for) Tod Rodger (absent).

Committees:

Environmental Committee, Chair, Beth Marsh

Water Systems Committee Chair, Jim Fitzpatrick

Community Life Committee MPCA rep, Cari Moorhead

MP4 Committee - Trish Simon

Meeting called to Order at 7 p.m. by the President, and Committee Reports were first given, along with the Treasurer's report, with some questions/input from the Board during the Committee and Treasurer reports:

**COMMITTEE REPORTS:**

**(a) Environmental Committee Chair, Beth Marsh**

EC requests a blast to be sent reminding people:

- to stay on trail on Lot 4
- to pick up after their dogs
- no fireworks

New firework policy proposed by the EC: In a community with houses close together and often attached, in a sensitive natural environment of woods and meadows, the Environmental Committee recommends that fireworks be prohibited.

Per the EC, the town ordinance says that a permit is required and the police need to know when where and what kinds of fireworks are being used.

*(Board: MOTION: Pat Gardner moved approval of the fireworks policy as recommended by the EC, Trish Simon seconded. Unanimously approved by the Board. Also, email blast will be sent, as requested.)*

*(Board: Because it was determined with input from the EC that a permit was needed for fireworks and only the MPCA as owner of Lot 4 could apply for a permit, and, permit issue aside, the use of fireworks being inconsistent with the peaceful enjoyment of Lot 4, the Board determined that the resident who previously set off fireworks would be sent a letter by the Board to cease and desist unauthorized activities on Lot 4 or face fines for any subsequent offenses).*

**Bartlett Tree** (Company that takes care of Lot 4 health and safety maintenance) was here Saturday to fill in the ruts that were made when their trucks got stuck. Gary Rosato of Bartlett Tree worked for several hours and ran out of fill. He will return this week to finish that job. No payment is due until the work is complete. There is a balance of \$1200 on the Bartlett tree bill to be paid when the work is completed, and approve by the EC that it was completed.

*(Board: Payment will be paid per the agreed upon contract, with no additional payments to Bartlett for them to repair the ruts caused by their trucks - \$1200 is the balance if the work is completed to the satisfaction of the EC.)*

### **Storm Damage**

The burn station at PSNH was not able to take the chips until May 5th so the trees were trucked off the property when the work began April 29. The work is divided into 3 phases:

- Phase 1 - From where the last waterfront condo meets the trail up to the screen house. That work was finished the weekend of May 8th, but the ruts will still be present until all phases are completed and the culverts need to be restored in that area. The EC recommends that the trail up to the screen house remain off limits to homeowners for their safety due to the unevenness of the path. Phase one payment released per Board approved contract.
- Phase 2 - Along the trail behind the Meadow East homes. Work is progressing well there. Expected date of completion is May 19<sup>th</sup>. Payment will be due at that time.
- Phase 3 - East of the bridge

*(Board: Please note that phase three is the end of the project and “east of the bridge” also entails storm damage tree removal on those areas of Lot 4 that abut unit owners in the Meadow/bayside and Lubberland/bayside areas. If you as a resident feel that storm damage has not been remediated in your area abutting Lot 4, please contact Pat Gardner immediately **before** the tree removal crew leave with their machinery [patgesq@aol.com](mailto:patgesq@aol.com)).*

In some areas where trees were downed by the storm, beautiful oaks, flowering fruit trees and other hard woods are now flourishing with new exposure to light. John (from Millie’s Wood Services who is sharing the tree removal work with Pace Tree & Landscaping

Service) has suggested transplanting seedlings which are abundant in the areas that have lost so many trees or possibly planting dwarf varieties of flowering trees. He does not expect erosion, as he has saved the stumps that he could.

*(Board: Any trees removed were due to safety reasons and approved by the arborist (Pace) on account of the storm damage).*

Some tree removal work fell outside of the flat rate being paid by the MPCA so was paid by individual residents for tree removal related to their homes for safety reasons. Once John has finished the tree work, he will be doing culvert work, replacing all the drainage pipes temporarily removed to do the tree removal work, and making sure that they are draining correctly. He suggested swaling the ground and having plank bridges over top as maybe an alternative. EC members pointed out the expense of this and voted against it

*(Board, per the approved contract, the culverts must be restored to their original condition, not planks).*

#### **Lot #6**

Two residents have raised concerns to Beth about downed trees on lot # 6, spoken to Dan Vincent about it and obtained their own estimate for \$2,500 including tree and debris removal, and feel this would cost \$1000 more if not done while the tree removal crew for Lot 4 is here. It was also reported to Beth that residents have spoken to Dan Vincent about their concerns about trees affected by the storm on Lot 13.

*(Board: It was the Board's understanding that the Town was going to remove some of those trees, due to the Town cutting them down to put the utility poles back up after the storm, concern that the MPCA would expend funds would not necessary if this was Town work. Peter Roy will follow up to determine what Town will do any removal before making a determination. The Board will make a determination in light of budget concerns at a later date, taking the items of tree removal in order of priority and in light of the budget, the largest issue being the completion of work on Lot 4.)*

There will be no spring cleanup this year. The EC will wait until the fall. The kayak racks that have been destroyed will eventually have to be rebuilt. Ken Geremia and workers are thinking maybe putting logs down to lean the kayaks on will be the best solution for now.

*(Board: Ridge Association asked for confirmation that the new racks will not be nailed to the trees to avoid damage or rot to trees).*

Beth has been working on a plan to replant the storm damaged areas. Beth has called Fred Boman at UNH Extension who has been out to take pictures of the damage. He has expressed to her that he feels we are one of the hardest hit in NH and is documenting it. Beth is interested in making contacts at UNH to see if a group of students would like to do a research project and help us plan how we will go about replanting. Cari Moorhead and David Hiley are providing contacts at UNH who may be helpful. Beth will see what happens and if nothing comes of it we will then make a plan of our own.

*(Board: Budget concerns are heightened, and MPCA will be facing budget overage due to expenses from things such as the storm, water and sewer systems, and cost/fees related to drainage litigation, so any plan to address replanting in terms of financing will probably not occur this year. The tree removal crew has indicated that with the introduction of sunlight in new areas, many native trees that did not otherwise have a chance to flourish due to the crowding from the white pines that have fallen, will now have a chance to flourish. Any plan of replanting should address erosion first. Concern was raised that involving students years ago in planting projects led to overplanting in areas where overcrowding of the white pines was part of the problem. Any views in introducing new vegetation after the tree removal crew has completed their work should incorporate views from the EC, MP4, home owners abutting Lot 4 who were affected by the storm damage or anyone else. Any plan is subject first to Board approval and the Board should be involved before any local or state officials are involved in any project, if they would be involved at all, not clear at this point until we address first a plan.)*

**(b) Water Systems Committee Chair, Jim Fitzpatrick**

Lift Station & Sewer – WS Committee recommends bid by MGS Construction to replace the Lift Station roof in the amount of \$2950.

*(Board – did this come under the approved amount? Per WSC, the bid is \$600 less than the \$3500 approved at the last MPCA meeting. The WSC has the go ahead to begin the work, approved at the April MPCA Board Meeting.)*

Backup Generator Project – WSC’s strong recommendation is that the job ought to be put out to a general contractor who would then manage the three part project as one entire project (design and build). As follows:

1. install generator
2. build minor addition (“bump out”) to accommodate electrical panel brought up to code, and
3. move the electrical panel.

*(Board: Question, how long will this take, can this be done in stages because of budget concerns? Per WSC, the total work will take about four weeks, and would require one contractor to take it to conclusion; costs will rise if the project is divided into stages over time. Contractor indicated they would not bid if done in stages).*

WSC learned the contractor will not bid on the project in parts. The WSC believes that the project would be more expensive if divided into its parts. The WSC has determined that the scope and significance of this project is such that it ought not to be left up to a volunteer(s) acting as a contractor. The timeline for this work is likely to be four weeks.

*(Board: is the WSC getting more than one bid for the job, WSC – yes. Also, discussion re cost of adding UV filter to avoid use of chlorine. WSC will see what the cost of that is, in addition to the 3 part project above for Board to review at next meeting.)*

WSC one bid in and two more bids to follow.

Irrigation start date – set for May 24, 25, and 26 (3 days only.) – per established policy, MPCA Pays for turn-on and turn-off only when done within the designated time windows. The e-mail announcement has been sent out.

*(Board: Some members do not have email, so when an email of significance goes out, Great North needs to be contacted to mail the email blast to the list who do not receive email. Was this done? Per Jim, this will be taken care of).*

Three gallon a minute leak was found and resolved at no cost to association.

WSC discussed irrigation well and pumps for irrigation located on The Ridge. The well was dug to relieve the potable system. The WSC strongly recommends that the care of the well fall under the WSC.

*(Board: To consider this request, could the WSC come back with a written proposal to clarify the role of the irrigation well on the Ridge. Ultimately we will need to have a formal easement in place between the Ridge and the MPCA if this is approved.)*

Community “Field Trip” of Water/Sewer system held last Saturday. Twenty one residents turned out for the tour on Saturday, May 15<sup>th</sup>. We believe the event successfully achieved the goal of educating our community about the complexity of the entire water system.

*(Board: Do you think the people who took the tour represent a fair sampling of persons from the different associations? Per WSC, yes.)*

WSC has concern that some unauthorized individual(s) are gaining access to Pump House. Possible mischief. Please be alert to this issue. WSC will be changing locks – *(unanimously approved by Board to change locks and WSC Chair will provide Board with a list of persons holding keys.)*

Update on the recent repair and its effectiveness: When we get the next heavy rain we will have a better idea whether the recent fix has had the desired impact in reducing the overflow into the system during heavy rain events.

Chlorine – Why is it that some days the chlorine smell is more obvious than others? We have discovered that the levels of Chlorine are as a result of run time not water volume. As a result, the levels of chlorine have been more concentrated due to periods of system leakage/breakdown within the pump house and resultant increased run-time on the well pumps without concurrent usage in the distribution system. We believe that the concentrations of chlorine we are experiencing are not hazardous. A UV system would allow us to stop using chlorine except in the event of an incident with the distribution loop after the UV treatment. The question was raised about the levels of chlorine and its impact on new plantings.

**(c) MP4 Committee** – Bartlett Tree Service will return to complete the remaining work paid by homeowners, which is \$700.

*(Board: Any work being done for limbing related to view windows will be paid by the Homeowners requesting the work and was not paid by the MPCA. No trees are being removed other than those related to storm damage or safety reasons, as approved by the arborist.)*

**(d) Community Life Committee MPCA – Cari**

Finances / reimbursement and receipts are now up to date: Reimbursements for the Race Party (\$56.52) took over a month to be processed.

*(Board: Question, regarding the reimbursement taking a month, when there was a problem, did the CLC member contact the President or Treasurer or someone from the Board regarding the problem?)*

*The Board has streamlined the bill process, identifying which Board or Committee chairs approve bills. The management company advises that to protect the association, any bill that is to be paid, must be approved by the Board or by someone authorized by the Board. Question regarding miscellaneous expenses, who should approve them? Peter Roy moved, Don MacKinnon seconded, unanimous approval, that President or Treasurer can approve minor, miscellaneous expenses such as the \$56.52 referenced in the CLC report. For reimbursement, just drop off your receipt to the President or Treasurer, or scan receipts and email to the President or the Treasurer for approval and reimbursement. The President or the Treasurer will follow up with Great North if there is a problem, but any problems need to be communicated to them. Tod will follow up with the CLC about the budget needs for next year, in light of current expenses, no guarantee that it will be \$1000).*

**Social Activities**

- Bird Walk for May 15 has been replaced by the Water and Sewer Tours. Water Systems Committee will lead the tour, May 15<sup>th</sup>, 9:00am.
- BYO Parties – Because of the tree damage after the storm, the BYO's will be hosted for the month of May. June will be at the Screen house if the tree clean up permits. We will make the announcement via e-mail.
- Post ½ marathon Race Party April 11th (CLC Sponsored Event) was very successful. We had a new location for the event and 35 attendees turned out for the event.
- Road Rally (CLC Affiliated event) will take place on June 5<sup>th</sup>. Participants (both residents and friends) welcome.
- Summer Party (CLC Sponsored Event) at Jeanne and Dick Ormrod's, June 13<sup>th</sup>, 4-7pm. Jeanne is working on the inventory of the party supplies. Mimi and Lynn will pick up supplies. The event is BYOB.
- Grandparents Week (CLC Affiliated Event) is scheduled for July 6-11<sup>th</sup>. E-mail announcement has gone out.

### Communication

Newest Telephone Directory-Andra has done a great job updating the phone list. We have added the option of voluntarily adding cell phones.

Welcome packs for new residents. Mimi and Peg will coordinate the delivery of the welcome packs for the Ridge. Moving forward the pack will include the policies and procedures.

Web Site /Lyn R the policies and procedures, which will include the EC policies, will be posted on the website so they are easily accessible to all residents. Lynn and Jeanne will follow-up with Beth Marsh from the EC.

The CLC function definitions will be posted on the web site (and in the MPCA minutes.)

Timely Topics – Mimi has sent thank you notes for the Timely topics. Many thanks to Peg Goddard for all of her hard work to plan the events - (Margaret Hagan, Carl Lindblade, Tom Treece). We had a discussion about attendance. The possibility of reducing the number of events, to two (January-March), was raised. The committee extends our appreciation to Lorelei and Dimitri for hosting all of the Timely Topics.

*(Board: The Board is going to post all of the policies of the MPCA on the web site as well as record them. Please submit any policies to the Board before posting.)*

### Old Business

MP Art Show (CLC Sponsored) – MPCA produced Art work (broadly defined, e.g., paintings, photography, quilting, knitting, jewelry etc.). To be held at Gisela's, in September (date TBA).

### New Business

Book Exchange (CLC Affiliated)- @ Colleen Fitzpatrick's, May 8<sup>th</sup>. Very well organized event. Thanks to Colleen for all of her hard work.

Screen house - Reservations have been made for June 5<sup>th</sup> (Fitzpatrick) and September 18<sup>th</sup> (Bouthot) and the Grand Kid event in the day time July 6-9<sup>th</sup>.

## **2. TREASURER'S REPORT:**

(Tod Rodger on vacation, Joanne Johnson reporting for Tod).

Joanne Johnson presented budget expense projections for 2010 and a preliminary projected budget for FY11. The special assessment is not yet included in the current budget projections. The operating budget shortfall is projected to be at the level of \$18,000. Capital expense is coming in under budget. Treasurer predicts that we will be over budget by approx \$20,000 when everything is taken into account.

## **3. BOARD OF DIRECTOR'S MEETING:**

### **(a) Agenda Items from the Community concerns/community emails:**

#### Ridge requests/emails:

Cistern update: Joel Clough has replaced one of the trees. There is a discrepancy on the other dead tree concerning whose responsibility it is to replace the tree. Stratham Nursery

claimed that there had been a flooding event that has caused root rot leading to the death of a couple of trees. Joel had volunteered to pay half of the cost. Subject to the Ridge's approval the Board is willing to add \$125 to the contractor's \$125 for a total of \$250 for the Ridge at their choice to either buy a spruce tree (which will be planted by Clough) or for use in purchasing other landscaping materials. This will then conclude the MPCA's and Joel Clough's responsibility for landscaping in the cistern area.

*(Board: Motion to approve \$125 to match the planter's \$125 for \$250 for the Ridge to complete the MPCA responsibility for cistern planting, Pat Gardner, second Trish Simon. Approved unanimously. Action item: Cari Moorhead will send the Ridge's response to Pat Gardner.)*

Fireworks email:

E-mail received from a member concerning the situation when fireworks were set off in the area of the fire pond over the Easter holiday. The concern had been raised at the April meeting. As a follow-up, a cease and desist letter, regarding unauthorized use of MP4 land, sent on behalf of the MPCA to the resident responsible for the fireworks.

Lot 6 email: Resident obtained an estimate on his own for removal of downed trees on Lot 6 and passed it on the EC and Board for consideration regarding downed limb/tree removal on Lot 6. This was considered and addressed when the EC reported (see above).

Email questions re canoes/kayaks – Board scheduled the insurance agent to attend the May MPCA Board meeting to address coverage questions raised by the residents, but, for the second time, the insurance agent failed to show, and will be contacted again.

Email re seeding in certain areas on waterfront: Question from the Waterfront regarding reseeding needed due to the fall drain cleaning on lot 4. Peter Roy advised the vendor will be coming, at no additional cost, to do seeding in the areas of concern raised by the Waterfront Condo President.

Questions re status of drainage litigation: The case was tried on May 12, 2010 before the Water Council in Concord. The parties were the DES, MPCA and the Moody Point Company. There is an indication that there will be a ruling expected at the June Water Council meeting. Once the ruling is received, a more detailed informational bulletin will follow from the Board.

Tree removal email: Question from a resident in the Meadow Association (bay side) regarding tree removal in that area of Lot 4 due to storm damage – this will be covered in phase 3 of the process and was so communicated to the concerned resident.

(b) **Minutes:**

Approved minutes from last meeting, subject to verifying the correctness of the reserve information. Moved: Pat Gardner, Second: Don MacKinnon, unanimous vote.

In an effort to promptly communicate the content of MPCA Board meetings, the MPCA plans to approve the minutes within two weeks of the MPCA meetings. As soon as the minutes are approved they will be posted on the MPCA webpage. Pat Gardner moved, Cari second, unanimous vote that the minutes will be circulated by email to the Board and will be posted absent any objections or edits from the Board, within 5 calendar days, silence meaning acquiescence to minutes content.

If people are interested in finding out about a particular issue within the two week window before the minutes are posted, you are encouraged to contact your MPCA representative.

New members of each association – Pat Gardner requested that each association representative be responsible for informing Great North or and the Board when there is a new resident to ensure that they have the most up to date information on membership, and that every resident is properly billed for assessments.

Review/decide Items on Public Comment or emails from Community.  
Status re Lot 13 litigation/trial date/letter/ins/mediation and Drainage litigation/trial date/conclusion.

Cistern planting status – Peter Roy.

Vanguard change – papers mailed to Great North for the change.

Regarding the options (money markets or savings accounts) available to us for the reserves, Pat Gardner has requested that Great North look into interest rates and withdrawal rules before we make our final decision.

CLC Rules update – Tabled until June meeting.

Loggers not here to carry out resident's property – Board meeting ran long and this was not discussed. The concern of the tree removal team was that residents were coming up to them while working and asking the loggers to move personal items from the screen house for them, which the loggers cannot do. They are hoping to be finished within a few weeks which would allow concerned residents to get to the screen house to obtain their boats.

\$250 special assessment went out – The resident question was, whether all people got the \$250 assessment. MPCA will verify with Great North that this occurred.

Water systems work, budgeting and paying for it, bylaws – to be discussed at next meeting.

#### Future Agenda Items:

The main item on the June MPCA agenda will be budgetary concerns and the Board's review of the Water System's Committee recommendations on improvements and

maintenance to the water systems, which include the potential addition of a generator and pad, electrical rewiring to bring the pump station to code with “bump out” and UV treatment of water to replace chlorine and it’s impact on the budget. If anyone has input on these issues they should contact their Board representative (go to [www.moodypoint.org](http://www.moodypoint.org) where your Board is listed if you don’t know who it is).

MPCA is waiting for the decision of the Water Council, anticipated to be issued in June 2010, regarding the DES position that the original developer should fix certain drainage, which position of the DES was supported by the MPCA. Related, MPCA has received a concern from a resident homeowner regarding pooling of water in front of his house after rainfall.

Each meeting has a public comment portion so if any resident wishes to make his or her concerns known; they should contact the Board to be put on the agenda. The meetings are held the Third Monday of each month, and where the meetings are located each month are posted in the Board minutes. The Board minutes are posted on the web site of [www.moodypoint.org](http://www.moodypoint.org).

Minutes – in an effort to promptly communicate to the community, the Board will post the minutes of its meetings within two weeks of the MPCA meeting being held, on the web site, again, [www.moodypoint.org](http://www.moodypoint.org), providing the web master is not away. The Board will email the minutes out to the BOD members for their approval, and if no edits are received the minutes will be deemed final within 5 days of circulation to the BOD; and, any edits should be received within the five-day period of circulation to the BOD so that they may be finalized and posted on the web site, no later than 14 days from the meeting date.

*The next regular meeting in June will be held at the home of Peter Roy @ 7 p.m.*

*July meeting - home of Don MacKinnon.*

*The meeting schedule is the third Monday of each month @ 7 p.m, except for the first Monday in December, due to the holidays.*

***Respectfully submitted,***

***Cari Moorhead***

MPCA Board Secretary