

February 24, 2009

Meeting called to order at 7:30 p.m.

Present: Brian Hoeg (Acting Chair) , K. St. George, Walter Healey and Gregory Kashgagian

Bills

Middleboro Gazette – Doherty - \$603.74

Walter – I make a motion that we approve the same for payment. Greg – 2nd the motion. Brian - All in favor. Vote was unanimous

Kopelman & Paige - \$560.00 and \$416.00

Walter – I make a motion that we approve the same for payment. Greg – 2nd the motion. Brian - All in favor. Vote was unanimous.

Huckleberry Shores

Folkman - I am here because I understand from Jamie that the Board was looking for some information from me. Al Nashawaty – When you started this we had an issue about the pavement adding to the flooding problem might get worst. Folkman – I agreed that I was willing to work with the people down there as far as the frog pond is concerned and that I would have my engineer look into it and that I would be willing to give the association \$7,500 to repair the pond. That pond has been there and it has nothing to do with what I am doing down there. Al Nashawaty – it has been over 3 years and nothing has been done. We have asked to see the engineering report but have not gotten anything up to this point. We have asked for it and were told that it could not be released until the engineering firm had approval from you. We would like to know what is going on and if it has been done. Folkman – the report has been done. I am sure that all of you are aware of the fact that at this time nothing seems to be happening. We have had the engineering looked at but at this time we do not feel that we want to put out any additional monies. At this point only 2 homes have been done and with today's economy it has become a challenge. We have put the field engineering on hold. The plans have not been drawn and I am telling you that I still intend to work with the association concerning the \$7,500. I did say that I would do but I never said that it would be done immediately. With the economy in the shape that it is in I do not feel that I can do it at this time but I can assure you I have all intentions of doing what I said I would. Nashawaty – our question is whether or not there is such a plan since no one seems to have seen it. Folkman – He sketched out the plan. I just am not in a position to layout that kind of money right now but I am still on board with giving the money as I said I would. Nashawaty –You must know what the plan looks like. Folkman – He has sketched out the plan as I said before. Nashawaty – the people that are there

feel that it is not sufficient. Folkman – you had a pre-existing condition and I said I would help try to sole it. Brian – you did agree to \$7,500. and a plan. How far along is the plan? Jamie – the topography is done. We also have established the property line at the frog pond. Brian – how soon will you have the plan. Are you waiting for the construction of the project. Folkman – that is the position we have taken. We did not anticipate this. We had hoped that this project would have been done two years ago. I have to say that at this point I have shut off the money to this project. Brian – you have an incomplete road. The people are subject to the condition of the road. Nashawaty – The road was done in December when there was snow on the ground. All that is there is a base coat which is already falling apart. The base coat that was put down was 3/16 to ¼ inch. Joe Chamberlain – I live across the street and I have to say that the last load for the base coat was put on top of the snow. Conservation notified you that the pipe is set so low that there is nothing going thru the pipe. It seems that the problem is that the pipe can handle the flow provided that there are no obstructions. It pools right in front of the invert. We have suggested pumping. The pipe can handle it something just has to be done to clean it out. Nashawaty – the pipe was put in the early 60's. The culvert is 2 ½ feet – 3 feet below the pipe it has not filled in. Brian – is there a problem from the construction. Joe – none on that side of the hill. It is about 2% short. Folkman – I will supply the Board with a letter. Nashawaty – we are not blaming you. Folkman – you are holding my feet to the fire. Nashawaty—we were promised a plan. Folkman – This project has continued much longer than was anticipated and I have presently put a stop on spending anything that is not necessary at this point. Walter – is conservation being kept informed as to exactly what is going on. Folkman – it is very different and we are pushing. I have not changed my mind. A lot of this has to do with the economy and the times. Walter – basically this is a lack of communication. Folkman – I would like to ask you to give us time. It is just not tweaking right now. Nashawaty – We would be happy if someone would just dig out around the bottom of the pipe. Would you be willing to help us out? Folkman – don't forget we are working against the wetland. Joe – If it was an emergency. Folkman – I have an open mind. Nashawaty – I will be willing to show you what has to be done. Folkman – as I said I have an open mind but a lot will depend on whether or not the machinery is available. Brian – Is it correct for the Board to assume that both of you have agreed to communicate on this matter and work from there. Folkman & Nashawaty – yes.

Nelson Shore Association

Ed Faria – I am here in response to a request that I received in the mail. As I am sure most of you are aware I took Red Nutley's place when he moved out of town. Brian – I am not sure of exactly how much you have been made aware of in this matter. When we ruled against Striar he took the Board to Court and the Judge ruled in his favor. Part of the stipulation was concerning the modification of certain roads. At that time a certain amount of the funds being held were to go to Fuller Shore Association and Nelson Shore Association. The funds were to be used to help with the water issue and Bartelli Road and Priscilla Road. At that

time three checks were written \$6,000 to Nelson Shore, \$6,000 to Fuller Shore and \$6,000 to both Nelson Shore and Fuller Shore. The joint check was to be used to help with the problem that the water had caused to Priscilla Road. At the time of the distribution it is our understanding that Fuller Shore signed the check over to Nelson Shore and that the same was to be used to help with the water problem on Priscilla Road and Red was aware of it. E. Faria – Clay and I have spoken but at this point the money is being held in a CD by Nelson Shore. We have come up with a plan to release the money. I have here a release which we would like to town to sign before the money is released. Brian – as we understand it this has nothing to do with Bartelli. E. Faria – we are faced with a liability. Brian – in looking at this I feel that you feel the people from Bartelli may be looking for money? Brian – we will have to have town counsel look at this. E. Faria – the association needs protection from Bartelli Road. Joe Chamberlain – I would hope that Conservation would be kept informed. Bartelli – has a problem you can not increase the amount, flow and velocity of water on to someone else property. Greg – I do not feel that we should even get involved. Brian – Pauline would you please make copies of this so that we will be able to review them and talk at our next meeting.

Meeting dated

Brian – March 9 and March 24 would be the dates for our March meetings.

Walter – I make a motion that we adjourn. Greg – 2nd the motion. Brian – all in favor. Meeting was adjourned at 10:35 p.m.