



Leino Park Water District (LPWD)
Board of Commissioners' Meeting - December 2, 2009

1. **Call to Order** December 2, 2009 at 7:04 PM
 - Members present: Sue Miller (SM), Dave Crumbley (DC), Bob Brown (BB), Rick Plante (RP), Don Williams (DW), and Derek Knerr (DK).
 - Guests present: Elizabeth Williams (EW)

2. **Review and Approve Minutes** - Minutes of 10/07/09 and 11/04/09 approved.

3. **Reports**
 - A. **Treasurer Report (Finance/Budget):**
 - **Receipts** - \$450.50 for water bill payment and \$1,019.80 for return of legal retainer plus interest. The retainer is no longer needed.
 - **Expenditures** - \$4,446.12, for utilities water test, and (the majority) for the water bill to the Town.

 - B. **Water Commissioner Report:**
 - **Budget** - Nothing new expected.
 - **Billing** - Received payment from final household. This is only the 2nd time in 10 years that everyone is paid up. Thank you.
 - **Maintenance of lines and meters** - Nothing new to report.
 - **Quality** - DEP reported that the most recent TTHM and HAA5 tests were once again, within acceptable limits.

 - C. **Bridge Report**
 - **Legal ownership** - EW reported that she does not believe that we need a deed from the Leino heirs since there are several legal defense strategies (the adverse possession argument is one of them) that could be used to protect our interest should it ever become necessary. Discussion continued about previous discussions with the Leino heirs, who have stated that they have no interest in the bridge and appeared willing to put that in writing. EW offered to draft a document transferring any and all bridge related rights from the Leino heirs to the Leino Park Water District. Due to the relatively little effort and cost required, it was agreed to move forward on this.
 - **Time frames** -
 - **Replacement funds** - DC called State Representative Lew Evangelidis's office to find out if there was any source of funding that might be available for non-municipally owned bridge replacement projects. The office replied that they would check into it for us, but could not promise anything. DC also made the same request of U.S. Congressman John Olver's office, but has not received a response. DC will call State Senator Jennifer Flanagan's office to make the same request. DC also reported that USDA loans are currently available at 4.4% APR.



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- EW has a friend in the construction business that stumbled across another company that builds bridges from old railroad cars. The idea here is that material and construction costs could be significantly lower. EW will get more information for our next meeting.

D. Maintenance Report

- **Meters** - See maintenance item under Water Commissioner Report.
- **Roads** - The potholes on the bridge have been re-repaired with new plates. So far, the sample patch material is holding up exceptionally well where it was used over the new plates. DC will find out about getting more.

E. Communication Report

- **Mail** - Letter received from USDA stating requirement that all Leino Park Water District communications (mail, email, and website) contain specific wording about our non-discrimination policy. This is in accordance with Federal law since we have a USDA loan. Also received a letter from the Westminster Little League requesting team sponsorship. Voted not to make a donation or sponsor a team at this time.
- **Website** - DK will update the website with wording as required by the USDA and post the approved minutes.
- **Email** - Send comments and suggestions to us at: LPWD@LeinoPark.org.

4. Old Business:

- RP and DK met with Bill Winturri about an easement through his property (i.e. Honey Bee Lane) for use by Leino Park residents as a primary access to Leino Park. Bill seemed very positive about the idea but had to check with his brother, who also would have to agree. The land would have to be surveyed and existing deeds would have to be changed and recorded with the Registry of Deeds before any road improvements could be made. Ideally, Bill would like to see the land purchased by the Town and is hopeful that we can help him make this happen. He would like us to sit down with State Representative Lew Evangelidis and himself to discuss how to obtain funding so that this can be done. So the question was raised - do we want to begin spending money on fixing the bridge knowing costs could come close to a million dollars, or look further into obtaining an alternate access so that bridge replacement may not be necessary? EW stated that if it became necessary (due to bridge failure) we would most likely be able to obtain an easement using the 'easement by necessity' argument in the courts. That said, she recommended that we pursue an easement since the property could be sold at any time and we may never have this opportunity again. It was agreed to pursue the easement for now. RP suggested that we ask our lawyer what is involved to obtain easement. DC will ask our lawyer about this and what the legal fees might be expected. DK suggested that the surveyors might know quite a bit about this stuff so RP volunteered to contact a surveying company.



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5. New Business:

- DC has contacted the Town to see if they would be willing to help us if we were to improve Honey Bee Lane for use a primary access road. We have been put on the agenda for the next DPW meeting - 7:00 PM Tuesday Dec. 8, 2009. RP and DK volunteered to attend. Others will attend if available.
- It was agreed that there would be no vote on the bridge replacement proposals until we had more information about the easement option. DC will be obtaining the legal cost estimate for the easement from our lawyer. RP will be getting an estimated cost to survey the easement area from the surveying company, and hopefully there will be good news to report based on the DPW meeting next Tuesday.
- DC suggested that we meet twice each month to keep every one more up-to-date. It was agreed that we can use email for informational updates, and can post and hold a non-scheduled meeting if it becomes necessary to have one.
- The Board wishes everyone a Happy Holiday season.

6. Open Forum - none

7. Adjournment at 8:03 PM.

8. Next Meeting

- The next regular Board meeting will be held on **Wednesday** January 6th 2010, 7:00 PM at 15 Old Oak Ave.

Respectively submitted,

Derek Knerr - Clerk/Moderator