

## Northport Village Corporation

April 17, 2011

### MINUTES

Special meeting of the Board of Overseers to discuss the wharf damage and possible solutions.

Present: Jo Huntoon, President  
Maureen Einstein, Clerk  
William Cressey, Treasurer

Overseers: Judy Metcalf  
Ned Lightner  
Maureen O'Keefe  
Marge Brockway

Absent: Steve Kazilionis  
Lee Houghton  
Denis Wang

Visitors: Blair Einstein  
Bob Smith  
Dick Brockway

Invited Participant: Rob Frank of WBRC

President Huntoon called the meeting to order at 9:00 AM, and asked Judy Metcalf to preside. The telephone was activated in case anyone wanted to call in. Bill Cressey volunteered to take minutes.

Judy Metcalf invited Rob Frank to begin the discussion. Frank explained his perspectives on (a) communication issues, (b) design expectations, and (c) the nature of the failure and proposed remedies. Frank asserted that he believed that he had been making appropriate efforts to communicate effectively with the NVC over the past months since the piling failed. He expressed his opinion that the storm which caused the failure was beyond reasonable design expectations for the pilings. He explained that examination of the broken piling revealed a thickness of 0.293" as opposed to the specified thickness of 0.375". He said that, in his view, the proposed remediation, involving replacement of the broken piling with a similar product and filing four pilings with sand would be a more effective solution than replacement with oak, as voted by the Overseers on April 10. Finally, he told the overseers that Prock Marine had proposed a three-way split of the cost of the repair, with Prock, the manufacturer of the piling, and NVC each paying one third of the cost.

There was extended discussion of the design expectations, the history of NVC usage of the dock and floats and experience with previous storm situations, and the various proposed ways to deal with the situation.

Overseers said that the Overseers had relied on Frank's expertise as an engineer in accepting the design modification which resulted in the use of fiberglass pilings, and that when one of them failed so soon after installation, it was seen by some citizens as a reflection on the Overseers' judgment. They asked if Frank had had an opportunity to review the availability of oak pilings as requested and to review again the known problems which oak, particularly in connection with marine worms known to have infiltrated the Bay. Frank reviewed what he had learned in terms of scarcity of oak, the cost, and the shortened life span of oak pilings in light of the known presence of marine worms.

Frank recommended that to avoid similar damage to the pilings in the future, one of the following actions need to be taken: (a) in advance of an impending storm either remove the floats to dry land or disconnect the floats from the wharf and attach them to a storm mooring, or (b) install a break-away mechanism, such as a narrower chain segment, so that in the event of excess force, the float will break away rather than breaking the piling.

Dick Brockway asked if WBRC had delivered to the NVC an inspection and maintenance plan which was an element of the original engineering commitment, whereupon Frank gave a document to Marge Bockway, chair of facilities.

The question arose as to whether the pilings were driven into the ground below the water or were just resting on the bottom. Frank said his understanding is that they were driven to a depth of five feet.

Dick Brockway asked if there were any non-destructive technologies that could be used to test the thickness of the remaining pilings.

After consideration of the options available for remediation of the damage, the overseers took the following actions.

Judy Metcalf submitted the following motion:

In light of WBRC's report that oak pilings are not readily available, and that they will not resist rot and marine infestation, the overseers hereby rescind the action taken at the April 10, 2011 meeting calling for replacement of pilings with oak pilings.

Seconded by Maureen O'Keefe

*Voted: all those present in favor; none opposed; no abstentions.*

Judy Metcalf then moved that:

The WBRC previous proposal as explained to the overseers by President Huntoon on April 10 is rejected, and the Overseers propose instead that

1. The broken piling is to be replaced with a new fiberglass piling,
2. The four pilings that hold the two floats are to be filled with sand,
3. WBRC is asked to present a break-away mechanism for the floats,
4. New pile will have new one year warranty
5. WBRC is asked to confirm that the pilings are driven to a depth of five feet into the ground
6. WBRC is asked to assure that the repairs will be concluded by Memorial Day, 2011, and,
7. The NVC is not to be asked to pay any of the costs of these repairs.

Seconded by Marge Brockway

*Voted: all those present in favor; none opposed; no abstentions.*

Noting that time is of the essence, Rob Frank agreed to present the NVC proposal to Prock Marine and communicate Prock's response to Jo Huntoon as soon as possible.

Judy Metcalf then moved that:

WBRC is asked to provide the NVC with contact information and address for the manufacturer of the pilings, and that,  
The Overseers will notify the manufacturer that there has been a warranty defect in light of the known failure to manufacture at least one pile in accordance with design specifications.

Seconded by Ned Lightner.

*Voted: all those present in favor; none opposed; no abstentions.*

Metcalf indicated that she would write the necessary letter to implement the motion.

There being no further business to come before the Overseers, the meeting was adjourned.

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Bill Cressey