

**Northport Village Corporation
Board of Overseers' Meeting
November 16, 2003**

On November 16, 2003, at 10:00 AM, President Jo Huntoon convened the meeting of the Northport Village Corporation Board of Overseers in the Community Hall meeting room. Present were Overseers Robbins, Hanrahan, Spollett, Crofoot, Metcalf, Brockway, and Allen, and approximately 12 residents.

The minutes of the October 12 meeting were approved as amended.

The treasurer's report was accepted as follows:

General Government:	\$66,855.83
Water Department:	1,433.73
Sewer Department:	54,493.89

Crofoot presented an additional warrant. In order to confirm the village's constructive easement on the submerged lands, the Bureau of Parks and Lands Department of Conservation in Augusta requests a yearly description of the wharf which is located on the submerged lands, including drawings of the wharf and a check for \$50.00. In 2002, the Village was sent a registration packet for this constructive easement, which included a blank site plan and an invoice for \$50, but according to this reminder from the State, it appears that these documents were not submitted. Metcalf moved, seconded by Hanrahan, that we authorize Madeline Tomlin to cut the check for \$50.00 and to see that it is mailed out this week. **Voted.** (Fancy will see that this is sent.)

Utilities

A letter from Ti-Sales to the Northport Village Corporation was presented, which listed the details of the contract termination agreement as follows:

- Ti-Sales will complete the supply item #3 of 20 meter setups for \$3,000.
- The remainder of the installations will be contracted with another firm.
- In consideration of NVC's handling the remainder of the installations, and no further recourse on past installations, Ti-Sales will provide 24 meters and 24 ¾"-Wilkins check valves for no additional charge.

Crofoot moved, seconded by Robbins, to approve the settlement with Ti-Sales. **Voted.**

After reviewing with the Overseers the October financial reports, Fancy presented the proposed budgets for next year.

Wastewater: These include work on Phase III (the replacement of the wastewater treatment plant), the I&I study, facilities plan, Belfast negotiations, DEP negotiations, site work, and land option (legal work). The final proposed figures are as follows:

Revenues	<u>\$112,670</u>
Expenses:	
Administration	\$ 6,650

Salaries & Contracts	22,750
Utilities	3,700
Maintenance	14,000
Miscellaneous	1,550
Long Term Debt Expense	33,220
Phase III	<u>40,000</u>
Total Expenses:	<u>\$121,870</u>

(Loss) \$(9,200)

The Utilities Committee recommended that \$18,670 (cost of the capital indebtedness) be transferred from the General Fund to the Wastewater account. Still needed is money to repay the General Fund the \$25,000 previously loaned, and to balance the budget next year.

Since 90% of the work done in the office is for the water/sewer departments, the budget includes a share of the expenses of the Community Hall office, both electricity and fuel for the new heating system. Metcalf moved, seconded by Hanrahan, that the proposed budget for the Wastewater Department 2004 be accepted, mindful that it includes a rate increase to \$405.00 per year. **Voted.**

Water:

Revenues:	<u>\$118,325</u>
Expenses:	
Administration	\$ 4,850
Salaries & Contracts	24,030
Utilities	18,900
Maintenance	6,800
Miscellaneous	1,600
Debt expense/reserve	<u>62,186</u>
Total Expenses:	<u>\$118,366</u>

The Water Department budget includes a share of the office expenses, and a reserve account is funded for future water upgrade projects. There will be one more water bill sent out in January (the 4th quarter of 2003), then beginning in May bills will be sent every four months to all customers. Metcalf moved, seconded by Hanrahan, that this proposed budget 2004 for the Water Department be approved as recommended by the Utility Committee. **Voted.**

Fancy reviewed the status of the Phase I and II projects. Sargent & Sargent will be assisting in finishing up the fall work.

Village Agent

Community Hall Roof: Choppah Construction is about 2-3 weeks behind. They could do the job in the winter.

Residents' Concerns

Dick Tardif: Tardif asked if he could have the computer that was replaced by a new, more powerful model in the village office. After discussion, Spollett moved, seconded by Robbins, that the old computer be given to Tardif after the hard drive is removed to preserve any village records that remain on it. **Voted.**

Crofoot, B: On the zoning, she urged that new construction be restricted to the height regulations presently allowed, to preserve the looks of the historical district.

Phillips, J: There is a Village property tree that may be endangering the Rosenblum's sea wall. Phillips would like to consult with the arborist. Hanrahan moved, seconded by Metcalf, that Jane Phillips be authorized to get an estimate for the care of this tree from the arborist. **Voted.**

Williams, E: The trees that were pruned recently on village property across from his home have been damaged by the contractors during construction. Fancy replied that the complaint form should be filled out. Metcalf commented, "Most certainly we need to have the Phase II complaint form filled out, but he (Williams) is absolutely right that, with the year's worth of debate with the town as to the propriety of pruning those trees, and if Frank Therio suggests that it was the pruning that hurt them, the minutes better reflect that there has been an intervening event." It was suggested that the tree warden go through the town appraising the damages, both by contractors and weather.

Zoning

A citizens' petition to change section 1.6.4 of the Zoning Ordinance. They ask to remove the words "or the existing height of the pre-existing structure." Hanrahan moved, seconded by Brockway, to act upon the petition. **Voted.**

During discussion the following points were made:

- The issue is too complex without further research.
- The historic district should not have the limits presently in place changed.
- This is an issue for nonconforming lots, which are mostly concerned with how the neighbors are affected.
- The right to put in a basement is not the right to add another living level. To achieve that, excavation should go deeper to get the height, not raise the building.
- There is a difference between raising a structure to alter the structure and making changes to repair the structure.
- The petition is premised on facts that were not accurate. The comparisons used were inapt. (Comparing the Sea Street house and the house on the corner of George and Rogers Lane is not valid. The house at the top of Sea Street was not governed by the zoning ordinance.) Issues like these could be dealt with through a special permitting process to address the concerns (i.e., light and privacy) which so often are issues.
- We must vote up or down and cannot alter the petition.
- The requested change would cause a grammatical error in the document.
- The permit application needs to be revised.

Voting: for- 0 Nay- 7.

Metcalf presented a letter to CEO Frank Therio from Village Attorney John Loyd at Eaton Peabody concerning the interpretation of the Zoning Ordinance. It requests that adding foundations on nonconforming houses be allowed, as long as they do not raise the house more than 3 feet, and can be considered maintaining or improving, not expanding the original structure. Allen moved, seconded by Spollett, that the letter be sent to Therio. **Voted.**

The attorney is still working on two violations and the enforcement action to be taken.

Committee Reports

Utilities: Crofoot presented a letter for approval, to be forwarded to Dan Webster to post on his website and to be sent out to customers. Fancy suggested that the notice of a public hearing about the rate increase be sent out at the same time. Hanrahan moved, seconded by Spollett, that the Utility Committee send out an informational letter and notice of the sewer fee hearing and that it be put on Dan Webster's web site. **Voted.** People will be encouraged to respond by e-mail or letter with questions or comments.

Crofoot then described a visit to the Belfast wastewater treatment plant, a fully mechanical plant built in 1971. The conclusions of the committee are that, while it takes up very little land, the expense of running the operation is not cost effective.

Facilities: Community Hall heating installation will be completed during the next few weeks.

Roads and Parks: Crofoot explained that Charlie Carter has landscaped in the Cradle Yard, and it is much more attractive. He has been authorized to lay the gravel. Crofoot presented a sign to be posted in Cradle Park.

All bills for storing masts in the Community Hall have been paid.

Crofoot moved, seconded by Robbins, that we post the village roads for winter parking restrictions. **Voted.**

New Business

1. The Yacht Club has requested to use the Community Hall meeting room on Dec. 13 for a social gathering after the annual tree-lighting. Hanrahan moved, seconded by Allen, that we let them use this room for this purpose. **Voted.**
2. A public hearing about the rate increase will take place on December 13 at 2:00 PM. The Overseers will meet at this time also.
3. After presentation of a proposed rough design and estimate for the Life Guard storage box on the wharf, as prepared by Yacht Club members, Metcalf moved, seconded by Hanrahan, that the Yacht Club be authorized to go forward with the design and

construction of the box as sketched on the drawing presented today, and NVC will pay up to \$500 for materials. **Voted.**

4. Hanrahan sought permission to research the animal control laws. There is a problem with dogs not under control. Huntoon suggested that she write a letter to selectmen concerning the issue. She will also look for ways to exercise some control over the situation.

Utilities District

A lengthy discussion was held about the Utilities District and its function and role in connection with resolving issues confronting the Village on water, sewer, and wastewater treatment facility.

Overseers' Future Meeting Dates

Location: Community Hall Meeting Room

- December 13: 2:00 PM and Hearing for Sewer rate fee increase.
- January 25: 10:00 AM
- February 22: 10:00 AM
- March 21: 10:00 AM
- April 18: 10:00 AM

The meeting adjourned at 12:45 PM.

Eleanor D. Lagner, Clerk