

Bayside enacts process for liens

More than \$10,000 in doubt after utility liens aren't signed

By Toni Mailloux

At its last meeting, the overseers of the Northport Village Corporation passed three motions designed to clarify the manner in which liens for unpaid utility bills will be handled in the future.

The need for the motions came about after treasurer Dan Doucette failed to sign and mail 23 lien notices that were given to him at the February meeting of the overseers.

According to the March minutes, which were approved by the overseers: "Liens signed by overseers at the last meeting were not mailed out to homeowners. The law allows 12 months from the date of billing to send out liens. Bills were mailed a year ago February, so the 12-month period has ended. It now would take legal action to

collect those outstanding bills."

John Fancy, who handles utilities for the Northport Village Corporation, commonly referred to as Bayside, said he handed the liens to the treasurer to be signed at the beginning of the February meeting. He said when he asked for the liens at the end of the meeting, Doucette told him his pen had run out of ink so he was taking them home to finish.

The issue is complicated further by the fact a lien against Doucette was included in the pile of liens totaling \$11,314.88. His unpaid balance was \$623.69.

Doucette says his failure to pay was an oversight and a payment has since been made. As for not sending out the liens, Doucette said the liens are "an issue I discussed with the overseers and utility committee...we are working at lining up the process. I am working with the

utility committee, counsel and the overseers to set out a process to get a number of things accomplished...the process needs to make sure it accomplishes a number of objectives. It's a detail-oriented thing...there were details that were not set out that need to be."

Fancy said he is unsure what details Doucette is referring to and former treasurer Russ Handler said he sent out lien notices when he held the office.

The motions passed by the overseers recently were:

- at the time of the presentation of the lien notices or unpaid bill notices to the treasurer for signature, the superintendent shall produce a list identifying all persons subject to any claims lien or notice of unpaid bills to the overseers;

- if the name of any elected official appears on any such list

plant, which the Department of Environmental Protection says has to be upgraded or replaced within the next few years. Under one alternative, the sewage would go into septic tanks and then into a processing unit with a biological trickling filter that leaves 99 percent clean water to be discharged into the ocean;

- learned there are concerns about excessive water infiltration into the sewer system from the Kelly Cove development. It appears some manholes may have been improperly sealed;

- learned the installation of water lines along the Bluff Road should be finished by the end of the month. During paving, portions of the Bluff Road will be closed for several days;

- learned an income survey among year-round Bayside residents may make the village eligible for Rural Development funds, even though Northport as a whole is not; and

- set a public hearing for a proposed Sewer Department Ordinance for July 11.

of lien notices or notices of unpaid bills, that person shall recuse herself or himself from action upon the lien or notice and the lien or notice of unpaid bills shall be presented at the time to a majority of the overseers for review and execution; and

- the overseers hereby confirm and commit the assessment of the sewer rates and charges for the period up to and including Dec. 31, 2004, in the amount of \$405 per annum per household. The treasurer is hereby authorized and instructed to collect those sewer charges by all means legally allowed and to assess interest at the annual rate of 6.5 percent on any amounts more than 30 days overdue.

At the March meeting when it was revealed the liens had not

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been sent out, overseer Judy Metcalf asked the utility committee to look into going to small claims court as an option for collecting the liens.

Also at its last meeting, the overseers talked about numerous problems with the water bills that went out recently. One resident received a bill for \$274,999.97 and many others were unreadable.

The overseers were told there were a lot of problems with the computer program and so much frustration that the sewer bills weren't even done.

"Why would we even mail out bills we know were wrong?" asked overseer Mike Robbins.

Overseer David Crofoot, who is chairman of the utility committee, said the program would work right for a while and then go wrong.

"This looks terrible," said Robbins.

The overseers asked Crofoot to express to Fancy the frustrations of the overseers over the water billing that went out.

In other concerns about utilities, the overseers:

- learned the committee is looking into alternatives to the village's wastewater treatment