

Bayside overseers' discussion for naught

By Toni Mailloux

The overseers of the Northport Village Corporation, commonly referred to as Bayside, spent more than an hour and a half Sunday morning discussing whether to issue a quit deed to a fellow overseer on a piece of property in the village that had allegedly gone to foreclosure.

Judy Metcalf, who used to be Bayside's attorney and is now an overseer, made an offer to pay the taxes, interest, fees and utility bills due on a piece of property that abuts hers. She said the village owned the property but a bank had scheduled a foreclosure auction for Wednesday. She said if the village didn't sell the property to her, it would be buying a fight with the bank as well as likely not receiving its unpaid utility bills, which total \$2,427.82.

Metcalf said her goal was to purchase the property and put it in compliance with the village's ordinances. She said the property owner is also in a fight with the town for allegedly violating its ordinances.

Ken Vlodek, a former president of the corporation, said the owner called him from Texas and said he does have a building permit that was issued by the village's code enforcement officer. He said the owner can't find the permit since he is in the midst of a messy divorce but he has a cancelled check from the village for \$25 and the only thing that could buy is a building permit.

Vlodek said his understanding is that the sale of the property was supposed to close next week and then the owner plans to hire a lawyer and start filing lawsuits.

Vlodek said the town has been paid for back taxes and he questioned why the village wasn't.

Metcalf, who recused herself and left the room before the discussion started, was called back in. When questioned, she said the village owns the property but the owner is looking at a fight with the code enforcement officer and the bank.

"We're buying a legal battle," said president Jo Huntoon.

"I know I'm buying a legal battle," said Metcalf.

"If you sign the quit claim deed, you're out of it. We can take our money and run," said Huntoon.

Metcalf left the room again and Huntoon told the overseers, "Essentially it's a mess."

Overseer David Crofoot said the utilities committee would like to collect its more than \$2,000. He said the village doesn't have the manpower or the ability to take on a complicated legal battle. He said he'd be happy to get what is owed the village and get out of the mess.

"It's not worth the battle," agreed clerk Ellie Handler.

"You could auction off the quit claim deed," suggested Bill Cressey.

"Before Wednesday?" asked Huntoon.

"You could make Judy a

counteroffer," Cressey said.

"That sounds like extortion," said overseer Mike Robbins.

"It's worth \$300,000," replied Cressey.

"This just stinks to me," said Dan Webster. He questioned if the other overseers knew of the situation and if Metcalf knew because she's the legal counsel for the village.

He was quickly corrected by a couple of overseers that Metcalf is no longer the legal counsel.

Webster suggested the overseers get a second opinion on the issue from another attorney. "This is a valuable village asset you're talking about giving away for pennies," he said.

Beverly Crofoot said Metcalf gave extensively of her legal services without recompense 10 years ago when the existence of the corporation was threatened by legal action.

Webster said lots of people give to the community. He said the issue should have been discussed before the last minute.

Huntoon said it's been public record and notice of the foreclosure auction was printed in the newspaper. He said Metcalf is acting as a private resident and as an abutting property owner is willing to take on a fight.

Webster said it's good for Metcalf that she did her homework but he suggested the overseers needed to get their own legal advice.

The overseers then embarked on a lengthy discussion of whether Metcalf should be penalized for being an overseer;

whether they should be in the real estate business; whether there would be an appearance of impropriety; whether other individuals should have an opportunity to put in an offer and what would be the best move for the finances of the corporation.

Eventually on a 4-1 vote with Robbins opposed, the overseers voted to open the property up for bids until noon on Tuesday and at that time to accept the highest bid.

However, Tuesday, Huntoon said he had received no bids, not even one from Metcalf. Others in the village said the auction had been cancelled and it appeared the owner had been able to retain the property. In fact, according to one source, the owner had actually paid the tax lien prior to Sunday's meeting.

In other business, the overseers:

- discussed a problem with some residents trying to push their private landscaping and yards into the roadways and the problems that causes, especially on corners where the vegetation blocks the view;

- agreed to spend up to \$200 for materials to construct a riser for the lifeguard's seat and umbrella holder;

- agreed to purchase a sweat-shirt, two T-shirts and a hat with "lifeguard" on them; and

- held a workshop meeting to work on the warrant articles for the annual meeting scheduled for August 9; and

- set their next meeting for July 17.