

**Minutes of the Meeting of the Northport Village Corporation
Board of Overseers**

January 16, 2022 – Hybrid live meeting in Community Hall and virtual via Zoom

Attendees:

President: Janae Novotny
Treasurer: Wendy Huntoon (virtually)
Clerk: Beanie Einstein (virtually)
Village Agent: William Paige

Overseers:

Brady Brim-Deforest
Lisa Fryer (virtually)
Steve Kazilionis
Vicky Matthews
Judy Metcalf
Michael Tirrell (virtually)
Jeffrey Wilt

Meeting Called to Order: 9:14 a.m.

Public Comments:

Dan Webster thanked the Overseers for the attachments included with the Agenda for the meeting. He also noted that the date on the Minutes of the November 14 meeting should be corrected from November 15 to November 14.

Brynna Ledyard, 1 North Avenue, spoke regarding the Proposed Parking Recommendation on North Avenue and requested that the North Avenue parking remain the same without changes. Jutta Van Dirk, 6 North Avenue, and Rachael Rosa, 7 Auditorium Park, also spoke in support of leaving the parking as is.

Approval of Minutes:

Judy M. made a motion, seconded by Vicky M. to adopt the minutes of the November 14, 2021 meeting as written.

Voted – Unanimously passed.

Jeffrey W. made a motion, seconded by Vicky M. that the minutes of the December 12, 2021 meeting be adopted as written.

Steve K. requested clarification regarding the Motion at the December meeting to authorize spending up to \$5,000.00 as necessary to engage help and complete the Audit, and how these monies would be split with the Utility Department.

The motion from the December 15 minutes read as follows:

That the Village retain the firm Wilkie & Associates, recommended by the Personnel Committee, to do all the work necessary to complete the 2020 Audit, with the Village expending up to \$2500.00 and with the Utility Department being directed to spend the rest

proportionately based on the work done. This recommendation was amended to include work done by Wilkie & Associates and Purdy Powers.

To correct the Minutes, Judy M. made a motion to amend the motion to approve the December 15 minutes, seconded by Jeff Wilt, to correct the minutes to read, *that the balance be billed in accordance with the traditional percentage splits with the Utility Department.*

Voted – Passed Unanimously.

Village Agent’s Report: Bill Paige

The Overseers had received Bill Paige’s report prior to the meeting (attached).

Janae N. thanked Bill P. for his work behind the scenes in taking care of the Village. The Town of Northport was considering a new ordinance that addressed vehicle weight limits on Town roads, which would have excluded our wastewater treatment plant chemical truck when the roads are posted. Bill P. went to the Town to advocate on the Village’s behalf and the new ordinance allows the chemical truck on posted Town roads.

Judy M. questioned the cost sharing of storm drain maintenance between the Town of Northport and the Village. Bill P. explained that the agreement with the Town is that the Town and the Village share equally the cost of maintaining all of the Town’s storm drains. Costs have increase so the bill for 2021 for the whole Town of Northport was \$6,000.00. At an upcoming meeting with the Town Select board, Janae N., Bill P, and Jeff W. will talk with the Town about catch basin maintenance cost share.

Michael T. - He will get together with Jeffrey W. to coordinate signage on the waterfront.

Treasurer’s Report: Wendy Huntoon

The bookkeeping firm’s last day was January 15. We are currently on the waiting list for a firm in Rockland, Philbrook & Associates. However, they cannot take us on as a client until the second quarter of this year. The Finance Committee and the Personnel Committee have been working together looking for an interim bookkeeper. One person they interviewed has declined the interim position. Anyone in the community who knows someone who might have an interest in interim bookkeeping should contact the Village office. The Treasurer’s focus has been on hiring a new bookkeeping firm as well as completing the 2020 Audit.

Michael T. and Brady B. thanked Wendy H., Janae N. and other volunteers who have been spending countless hours working very hard behind the scenes.

Committee Reports:

Finance: Judy Metcalf

No further report.

Governance: Judy Metcalf

The Committee met last week to prepare for this morning's Public Hearing on the Proposed Remote Participation Policy and Proposed Amendments to the Public Access Policy. Highlights, in the future, will be amended By-Laws so that we can address remote participation of Overseers and addressing public interest in modifications to our Zoning Ordinance.

Tree Warden and Tree Committee: Lisa Fryer

Grant's tree service has done extensive pruning. They were unable to do the work at the top of Auditorium Park due to CMP electrical wires. This work will be deferred until the spring at which time they will coordinate with CMP regarding the wires. Their bill will be approximately half of what was quoted, \$1400.00 instead of \$2800.00. Bill P. will be meeting with Grant's to discuss the tree at 34 Clinton Street to see if we should continue to prune or remove the tree. Lisa F. is asking for the Board to approve \$1000.00 out of the tree budget if removal is suggested.

Lisa F. made a motion, seconded by Judy M., to approve \$1,000.00 from the tree budget for the tree at 34 Clinton as needed.

Voted – Unanimously passed.

Utilities: Jeffrey Wilt

The Committee met on Friday, January 14 and had an extensive discussion on the effluent monitoring data. This data shows a substantial increase in usage of our wastewater treatment facility that is resulting in testing numbers, in some cases, exceeding the limits set by the DEP. There was a particularly concerning result in August where there was significant findings over the limit. This winter's readings have doubled over what they have been in past winters. After much discussion, on January 14, Utility Trustees adopted a moratorium on any new sewer connection permits for the calendar year 2022. This moratorium is for new sewer permits; it does not impact permits that have already been granted.

Currently, there are three new houses under construction. This moratorium will allow the Utility Trustees and staff to push the pause button and take a deeper look into this and come back with recommendations to the Board.

Discussion ensued.

Janae N. - The public needs to be informed in writing. Vicky M. – we need to inform the Town. Judy M. – The public needs to be educated, i.e. only put down wastewater in our system. Putting oils and grease in the system make it work harder and shortens the life of the system. Lisa F. asked for something in writing to post on the NVC website.

David C., Chairman of the Utility Committee, said one of the reasons for the moratorium is to get comparative data to determine whether or not we are actually near or at our capacity. The Utility Superintendent has been directed to prepare trend forecasts.

Jeffrey W. - If we have three months in a row where we exceed our limit the DEP can require us to build a secondary treatment plant whose cost could exceed 10-15 million dollars. The result we received in August was a serious “wake-up call” which we have to pay attention to. The prudent thing to do is further analysis.

Brady B. – Would the moratorium also impact adding new bathrooms, sinks, etc. when expanding a structure? Much discussion ensued.

Brady B. made a motion, seconded by Jeffrey W., to extend the moratorium that was approved by the Utility Trustees, to further limit any expansion of any new sewer connections and plumbing permits to existing sewer lines by adding sinks toilets, tubs and showers.

Voted – Unanimously passed.

Further discussion ensure regarding the need and methods of informing the public and local realtors about the moratorium.

Dan Webster – Attempted to raise a “Point of Order” that extension of the moratorium was not on this meeting’s Agenda and the public didn’t have the opportunity to know that the Overseers were voting on this especially on something as serious as a moratorium. He suggested tabling the conversation until the public has the opportunity to comment. Discussion ensued.

It was determined that this is an emergency situation and the Utility Trustees and Overseers have dual jurisdiction to approve the moratorium.

Wendy H. - We need a motion to pay an overdue Northeast Laboratory Services bill.

Judy M. Made a motion, seconded by Jeffrey W. that the overdue Northeast Lab bill of approximately \$540.00 have a special warrant for payment.

Voted – Unanimously passed.

Wendy H. perhaps, in the future, Northeast Laboratory Services should be placed on the warrant policy so they could be paid when the bills come in and then ratified on the subsequent warrant.

Infrastructure: Steve Kazilionis

The residents at 34 Main Street were informed, in writing, to remove their encroachment on Village property by December 1. No action on their part has been taken. Judy M. recommended that a Criminal Trespass Order, which is delivered by the Sheriff's office, be put into place. Vicki M. recommended that the residents first be notified in writing of the pending Criminal Trespass Order. Judy M. will draft a letter to the residents.

Judy M. made a motion, seconded by Jeff W., that a letter be sent to the encroachers of NVC's intent to begin a Criminal Trespass process if necessary. The encroachment would need to be removed within 10 days of receipt of the letter.

Voted – Unanimously passed.

Judy M. – If the encroachment is not removed, the Village has the authority to do so, with the cost of same to be paid by the encroacher.

The Village has repaired the damage at the corner of Oak Street and Maple. The owners of 23 Maple Street reached out to Bill P. to say that they would be responsible for fixing the damage caused when they filled a ditch resulting in overflow and washout on Oak Street and Maple Street. The Village will be sending the bill to the owners of 23 Maple Street.

Steve K. – Is planning to meet with North Avenue and lower Clinton residents and asked if the Overseers had any priority issues. Judy M. mentioned the need to maintain 14-foot roadways.

Mike Lannan approached Steve K. regarding all his files regarding sea wall, North Avenue project, etc. He was unable to upload the files, as they were too large. Brady B. was able to make it possible to do so. Steve K. requested any Overseer in contact with Mike Lannan to encourage him to complete the file transfer.

Safety Committee: Michael Tirrell

The Committee will be meeting in the next couple of weeks to get ready for the summer season. He has confirmation that Danny Ryosa would like to return as patrolman for the summer season.

Waterfront Committee: Jeffrey Wilt

The Committee met last week and is making a recommendation that they modify mandatory registration with an increase in fees:

Dinghy Fee - Increase from \$10.00 to \$25.00

Personal Watercraft (such as kayaks, etc.) Increase from \$10.00 to \$15.00

An additional fee will be added, to the increased fees, for any applicant that is not a Village or Town of Northport resident.

The Committee is having discussions with the Town and Harbormaster Scott Monroe regarding the “no wake zone” in our mooring field. This is becoming more of an issue with people not abiding by the “no wake zone.” They are talking about additional signage and additional buoys.

Cradle Park – Informing residents that from July 1 to Labor Day summer storage in Cradle Park is prohibited. The Committee will be vigilant in communicating this to the broader community and also to residents who typically use the area. They will work with the Communications Committee in sending out this information.

Communications Committee: Lisa Fryer

The Committee continues to refine the website and post information. She is working on the Google Calendar aspect of the website.

Brady B. – Has been working with CUSI, the company who handles our water and sewer billing, regarding online bill paying options. The challenge is the cost. User fees could offset the additional cost, but our small number of customers won’t offset the total costs. Even with discounts offered by CUSI, our costs would probably be a few hundred dollars a month. He is continuing to explore other options and exploring creative ways to off set costs. Discussion ensued.

Personnel Committee:

No Report.

Playground Ad Hoc Committee: Brady Brim-Deforest (Report attached)

The Committee has been meeting weekly since October on research, permitting fund raising and manufacturer selection process. Many members of the community participated in one or more meetings. In order to solicit input from the community a survey was distributed in November. 126 community members responded to the survey. The Committee is looking for:

- 1) Approval to offer our current playground structure to a third party to offset the costs of removal.
- 2) Approval to expand the actual footprint of the playground as illustrated on the handout to accommodate ADA “fall space” requirements and allow for the potential addition of a boat adapted for playground use.
- 3) Approval to replace the deteriorating current wooden border with a rubber timber border.
- 4) Approval to use cedar wood chips on top of a textile geo-fabric as the substrate. The cedar mulch comes from Canada and it is resistant to bugs and the like. The cedar

mulch will need to be replenished periodically, approximately every three years. Based on Cedar Works quote, the committee recommends budgeting about \$1000.00/year.

5) The Committee recommends an on-going annual budget line item of \$1500.00.

Cedar Works rendering of the play set structure recommended by the Committee is found on page 10 of his report. The play set structure is a combination of mainly cedar and some metal and plastic. The play set structure itself is designed to accommodate play for children 2-5 as well as play for children 5-12 years old.

Cedar Works recommends a sealant for the play structure, but the Committee does not recommend sealant at this time. The charge is 17% of the cost of the structure, roughly \$4000.00, which would need to be reapplied approximately every three years. The sealant is mostly for aesthetic purposes and would not significantly extend the lifespan of the structure.

The Committee is also recommending a stand-alone “rocker” be included for younger children. It does not require the ADA 6-foot fall zone.

This is not the final plan but the Committee feels strongly that we would like to have the Board’s approval of the direction of the recommendations of the committee so we can be more specific with the community as we go forward with the fundraising process. We have received just over \$20,000.00 to date in donations. The gap is approximately \$16,000.00 to cross the threshold. Fundraising continues and an on-line auction, approved by the Board, will begin February 1. The Committee will apply for a permit for the play set structure to the Town’s CEO, Tupee Rooney.

The Committee will come back to the Board for a final sign-off and approval. Cedar Works does require 100% payment when the order is placed. Approximate lead-time is 12 weeks. We hope to have the structure in place by July 1.

Judy M. made a motion, seconded by Jeffrey W., to approve the direction of the recommendations put forth by the Committee.

Discussion ensued. Judy M. inquired about the height of the new structure. Brady B. will confirm the dimension and height.

Bill P. – One of his concerns regarding expansion of the playground is proper drainage and washout possibilities and avoiding interference with the sewer pipe. Bill P. and Brady B. will get together for an on-site meeting.

In response to Lisa F.’s suggestion for a disabled-accessible swing seat, Brady B. said the Committee would explore replacing an existing swing with an alternative swing.

Michael T. – Clarified that the Board is not voting on final approval today. Brady B. confirmed the committee is looking for approval of the direction reflected in the Committee’s written recommendations submitted to the Board.

Judy M. amended her motion, seconded by Jeffrey W., that the items 1, 2, and 3 under “Next Steps” Section A of the Committee’s report be approved by the Board of Overseers.

Voted – Unanimously passed.

Ad-Hoc Parking Ordinance Implementation Committee: Vicki Matthews (Committee Parking Recommendations Attached)

The Committee is recommending four signs and road painting where the road is paved to eliminate an abundance of signs. Possible painting at Sea and Bay streets if deemed necessary by the Village Agent. Signage with a QR code allowing the user to access the parking map.

Jeffrey W. made a motion, seconded by Judy M., to adopt all of the committee’s recommendation.

Discussion ensued regarding aesthetics, placement of signs; cost of signage, road stenciling and painting, and enforcement; identity of enforcer(s); budget source of funding; public education; material used to inform an individual of an infraction; needed Town approval for signs and painting on Town roads.

Jeffrey W. made a motion, seconded by Judy M., to modify the motion to remove items 13 & 14 from the Parking Recommendations and adopt items 1-12.

Further discussion ensued.

Jeffrey W., then made a motion, seconded by Judy M. to table the motion until further clarification.

Vicki M. thanked Dan Webster and Elaine Moss for their help.

Technology Report: Brady Brim-Deforest

Brady B. recommended that we set up NVC Maine Facebook and Twitter accounts to secure our name for these accounts, and he will offer suggestions in the future for using them.

Judy M. made a motion, seconded by Brady B. to establish Facebook and Twitter accounts for NVC Maine.

Voted: Unanimously passed.

President’s Report: Janae Novotny

Judy M. made a motion, seconded by Brady B., to approve the memorandum agreement between the Town of Northport and the NVC regarding real estate tax.

Judy M. made a motion, seconded by Jeffrey W.

“That the Northport Village Corporation Board of Overseers adopt the attached new and updated Maine Criminal Justice Academy Board of Trustees Minimum Standards (Mandated Policies):

- Policy 1 Use of Physical Force Policy
- Policy 2 Police Pursuit Policy
- Policy 3 Domestic Violence Policy
- Policy 4 Hostage or Barricaded Subject Incident Policy
- Policy 5 Response to Mental Illness, Involuntary Commitment & Protection from Substantial Threats Policy
- Policy 6 Violations of the Maine Civil Rights Act/Hate or Bias Crimes Policy
- Policy 7 Recording of Law Enforcement Interviews of Suspects and Witnesses, to Include Investigative Notes and Records in Such Cases Policy
- Policy 8 Public Notification Regarding Persons in the Community Required to Register
- Policy 9 Citizens Complaint Policy
- Policy 10 Criminal Conduct by a Law Enforcement Officer Policy
- Policy 13 Bias-Based Profiling Policy
- Policy 14 Execution of Unannounced Search Warrants Policy, *and*

That the President engage individual Overseers, Committees and/or community volunteers to edit and revise NVC’s existing policies and prepare new policy language to conform to these mandated policies.”

Voted – Unanimously passed.

Janae N. stated that the Overseers needed to schedule workshops soon to address encroachment issues generally, 2023 budget planning and strategic planning.

Jeffrey W. – Bill P., Janae N. and Jeffrey W. will be attending the quarterly Town meeting where they will discuss infrastructure needs, maintenance fees and long-term projects.

Aquafarm Update: Vicki Matthews

It is still in the courts and may not be settled for several years. Upstream Watch and Harriet Hartley continue to need donations for this on-going legal process.

Comments by Meeting Attendees

Chris M., North Avenue, would like more clarity from the Board to solve North Avenue parking and traffic issues around parking.

Dan Webster thanked Polly Ireland for removing the tree on Village property behind her house on Maple Street and his sister's, Vicky Webster's house on 15 George Street.

Morgan K., North Avenue, questioned if Beale Walkway was an intersection? Felt there was a lack of communication regarding the sewer moratorium and public input.

Rachael Rosa, 4 Auditorium Park, expressed concerns about increased sewer rates and the sewer moratorium.

Adjournment:

Hearing no further comments, President Janae N. asked for a motion to adjourn the meeting. The meeting was adjourned at 12:06 p.m.

Respectfully submitted,

Beanie Einstein, Clerk

Draft