

## **Minutes of Meeting of the Northport Village Corporation (NVC) Board of Overseers**

*September 11, 2022 – Hybrid live meeting in Community Hall and virtual via Zoom*

### **In attendance:**

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

### **Overseers:**

Brady Brim-DeForest  
Celine Bewsher  
Fred Lincoln  
Vicky Matthews  
Judy Metcalf  
Michael Tirrell  
Jeffrey Wilt

Janae Novotny called the meeting to order at 8:05 a.m.  
The NVC President provided a summary review of the agenda.

### **Public Comments:**

Peter Sampo of 5 Griffin St. expressed concerns regarding a tree planted in Ruggles Park that he believes interferes with the line-of-sight from his property to the bay. Mr. Sampo was reminded that tree plantings were carefully considered for betterment to the overall community, and that related planning meetings had been announced with the public strongly encouraged to participate. *(See follow-up in the Parks and Trees Committee report)*

Rachel Rosa of Auditorium Park requested the Board consider discontinuing year-round trash pickup as a cost savings measure. NVC's current contract with Pinkerton and Sons ends in Sept. 2023, comprising weekly trash pickup mid-September to mid-June, and twice weekly mid-June to mid-Sept. The contract terms do not discretely specify cost differentials by dates.

Dan Webster of Shore Rd. suggested the pre-published Overseers agenda include additional details, for the purpose of improving public comment engagement.

### **Approval of Minutes**

The August 14, 2022 meeting minutes were approved unanimously.

### **President's Report**

The Bayside Historical Preservation Society (BHPS) presented a \$25 check to the Northport Village Corporation, as a gesture to cover prior years' annual "rent" of \$1 annually for the Shady Grove historical cottage located on Pleasant St. The Overseers graciously accepted this payment on behalf of village residents, with the funds placed into the NVC's General Government funds.

Planning for an Overseer orientation is ongoing.

The BHPS has suggested that the Community Room be named for the late Dick Brockway. No vote was taken by the Board to allow time for public comment.

## Village Agent Report

An early September site meeting held with Farley Construction regarding further lawn care needed at the lower half of Ruggles Park (disrupted by the Seawall project). Farley committed to additional seeding and maintenance through mid-Oct. to foster improvements to the regeneration of this lawn area. Farley expressed concerns that a portion of the lawn area where the wharf floats are stored for the winter continue being problematic and beyond his control. The NVC continues to hold a performance bond on Farley.

## Treasurers Report

Wendy Huntoon submitted a monthly Treasurers Report to the Overseers prior to the Sept. 11 meeting, with a reminder that public materials are located at the [nvcmaine.org](http://nvcmaine.org) website.

The August bank statements were furnished to the village office and are available for the Overseers review.

The new Bookkeeper, Philbrook & Associates, hadn't provided a final corrected copy of the August warrants in time for the Sept. Overseers meeting. **A motion was made by Jeffrey Wilt, seconded by Brady Brim-DeForest, to pay our outstanding bills associated with the August Warrant period. The motion passed unanimously.**

The Treasurer again spoke on critical concerns that the NVC Office Manager vacancy continues stressing our capabilities to perform daily operations, and that volunteer efforts alone can't adequately meet our requirements for streamlined administrative and financial duties.

The Treasurer indicated that previously unknown payroll data from Bangor Savings Payroll requires collection and analysis to resolve the year-to date issue with distributing payroll costs among General Government and the Utilities departments.

Judy Metcalf strongly expressed her concern regarding the assignment of estimated Sewer/Wastewater department labor costs to the Sewer account. The Treasurer reiterated that this is an estimate directly based on the Sewer department's 2022 Budget. The Treasurer further emphasized that taxpayer funds from the General Government account shouldn't be used to carry personnel costs associated with the Sewer department's fee-based operation. The matter will be addressed by the Finance Committee, with a near-term recommendation planned for presentation to the Board at the Oct. 9, 2022 meeting.

Our prior accounting support from Wilke & Associates will no longer be available due to a personnel transition. This may further exacerbate NVC's 2020 audit pace.

## Committee Reports

### Finance

The July 2022 Warrants are finalized and were approved by all 7 Overseers.

A Finance Committee meeting is planned to occur in the coming week (Sept. 16, 2022). The Finance Committee has a very full agenda ahead, and that the group will be identifying short and long term priorities for the Overseers' consideration, particularly in light of the continued Office Manager vacancy.

Currently, more attention has been focused on ensuring legitimate village expenses are being paid and properly accounted.

The perceived sluggish pace of the 2020 audit continues to be frustrating. NVC is currently dependent on the auditors' for fitting us into their work schedule to complete the activities.

The Finance Committee will review the concern with the accounting transactions involving the Sewer/Wastewater department, as referenced in the Treasurers' Report above, and provide an opinion to the Overseers at the October meeting.

Onboarding hiccups with the new bookkeepers are being experienced.

### **Governance**

No report

### **Parks and Trees and Tree Warden**

Vicky Matthews made a motion for the purchase of additional watering bags to support the growth development of newer trees. Brady Brim-DeForest offered to donate several bags he isn't currently using. Motion was withdrawn.

A discussion ensued with Jeffrey Wilt, the Infrastructure Chair regarding the use of pesticides in the parks and possible risk to newer trees. Consensus to investigate future levels of pesticide usage, particular to tree growth impact.

Discussion ensued regarding the possible disposal of village tree/garden refuse on vacant village land. It was determined, consistent with the Village Agent's suggestion, that parks refuse disposal onto village wooded areas was not an acceptable solution, and that other arrangements would need to be sought (and budgeted) for the proper disposal.

Vicky Matthews raised the subject of purchasing mulch for the improvement of village park spaces in 2023. This cost would fall under the Parks General Maintenance in the approved 2023 budget, and further funding is therefore unnecessary.

Concerns have been expressed from village residents regarding branches located at the foot of Bayview Park and the health of a tree in Auditorium Park. An arborist has been requested to investigate.

Regarding a public comment from the property owner at 5 Griffin St. (stated earlier in this report), Vicky Matthews and Janae Novotny reiterated that the Tree Canopy project volunteers had indeed solicited public commentary on multiple occasions and that there was a public review process where significant feedback from village residents was factored into the planning for locating the new trees. At Michael Tirrell's suggestion, the concern was referred to the Parks and Trees Committee for Committee input.

### **Utilities**

Jeffrey Wilt reported the committee last met on Sept. 9<sup>th</sup>, and their consensus is that our wastewater readings continue to be concerning. The Committee plans to hold another public hearing on Oct. 7, 2022, to extend the existing moratorium on new hookups, to allow additional time to collect readings for adequate analyses in meeting acceptable DEP thresholds.

The chair briefly addressed a public comment regarding equity in the billing process for seasonal vs. year-round system usage. The flat rate basis was considered by the trustees as the most fair and practical approach at this time, with a reminder the system has to continue as operational year-round, regardless of reduced usage.

Liens for nonpayment of utility bills are being prepared.

The 2023 Water and Sewer/Wastewater budgets are being finalized by the Utilities trustees and should be ready for review in October.

Due to unforeseen Wastewater challenges associated with significantly increasing costs of chemicals, along with unplanned increases in required pumping, the committee is investigating the potential need for an additional rate increase.

### **Infrastructure**

A discussion from the Aug. 14, 2022 Overseers meeting continued regarding Judy Rohweder's request for contractor access to village property adjacent to her property at the foot of Bayview Park. Concerns voiced by the Overseers centered on proper repair of the impacted park areas by Ms. Rohweder's contractor. A consensus developed that the village require (1) appropriate funds be placed in an escrow account by the property owner, refundable by NVC upon the satisfactory re-establishment of the village land area impacted at the foot of lower Bayview Park or (2) a performance bond. Janae Novotny and Judy Metcalf agreed to circle back with Ms. Rohweder and her contractor regarding this solution.

Release of the Farley Construction Performance Bond (from the seawall project) was discussed, with concerns voiced over the lawn at the lower end of Ruggles Park not yet being back to its "pre-seawall construction" condition. The contractor agreed in early Sept. to take additional measures this fall for the lawn work, and this matter will be discussed further at the Oct. 9, 2022 Overseers meeting.

Brady Brim-DeForest mentioned the possibility of further federal funding availability for potential infrastructure projects, to be further investigated. Wendy Huntoon suggested the Finance Committee be involved in the process, since receipt of public funds may require additional financial reporting requirements that NVC may or may not be currently staffed to produce.

### **Safety**

Michael Tirrell reported the NVC Police Officers duties have concluded for the season, absent a few administrative hours to conclude remaining business and meet with the Safety Committee. The police officer will offer a summary of the season's highlights - what worked well, and perceived areas for further improvement.

The Lifeguard duties have ended for the 2022 season.

### **Waterfront**

No report.

### **Communications**

Michael Tirrell reported that an update/maintenance of the NVC website may be necessary.

Based upon comments from the public, Michael recommended we seek ways to reconfigure the Community Hall meeting room to improve audio and visual quality of our meetings, particularly for individuals participating virtually. Michael agreed to investigate solutions.

### **Personnel**

Janae Novotny informed the Overseers that an advertisement for the NVC Office Manager position was placed with the Republican Journal and all of its related publications. The position description is also posted at the NVC website. Janae emphasized the need for Overseers to also circulate the job listing information to help secure a qualified candidate.

There have recurring issues with Bangor Savings Payroll that are causing missing and erroneous employee paychecks. There have been multiple personnel changes within Bangor Savings Payroll that may be the cause of these problems. Janae is working with the BP supervisor to correct the errors and hopefully setting a better path forward with the payroll process.

Bill Paige is temporarily performing the Wastewater Treatment Plant Operator job responsibilities of Fernie Barton, who is on medical leave.

### **Technology Officer**

Brady Brim De-Forest reported that he's worked with BlueHost for a successful renewal of the NVC.org domain. This includes the capability for creating new email accounts for \$5/month each.

Electronic filing system updates require review

### **Town Liaison**

No report.

### **Nordic Aquafarms Update**

Michael Lannan provided a comprehensive status of DEP permitting briefs and other legal filings involving Nordic Aquafarms. Recent briefings have included tidal rights, along with concerns over electric power and power loss risks to surrounding communities potentially caused by megawatt demand surge.

**A motion was made by Jeffrey Wilt, seconded by Vicky Matthews, that Michael Lannan continue as NVC's representative (to act, affirm, and ratify) on all matters regarding Nordic Aquafarm with the Department of Environmental Protection. Motion Passed Unanimously.**

### **Comments by Members of the Public**

Peter Sampo reiterated his earlier comments regarding a line-of-sight obstruction caused by a tree in Ruggles Park. Mr. Sampo stated that he did not receive any advance notice of the tree planting, and offered to pay the costs to move the tree.

Alma Homola commented on the Kentucky Bluegrass planted by Farley Construction at the lower half of Ruggles Park, as part of the seawall project and lawn restoration. This variety is not part of the natural composition of the area and our surrounding parks. On another topic, Ms. Homola suggested the Tree

Committee ascertain if Central Maine Power can share in the costs of addressing the tree issue at Auditorium Park, if the problem poses a threat to the electric wires.

Rachael Rosa commented that people continue dumping branches and other lawn waste over the embankment at lower Auditorium Park. Ms. Rosa also echoed the earlier comment regarding a needed improvement to the audio/video equipment used for our meetings.

### **Executive Session**

Pursuant to M.R.S.A Statute 405(6)(A), the meeting went to Executive session for personnel matters at 10:20 a.m.

The meeting reconvened from Executive Session at 11:10 a.m.

It was reported that the Overseers gave direction to the Personnel Committee regarding a personnel matter.

**A motion was made by Brady Brim De-Forest, seconded by Jeffrey Wilt, to install video surveillance cameras at the Community Hall, with a not-to-exceed initial cost of \$500 and a not-to-exceed recurring cost of \$50 per month. The motion passed unanimously.**

**A motion was made by Jeffrey Wilt, seconded by Judy Metcalf, to compensate Bill Paige in the amount of \$575 per week while temporarily assuming the job duties of Fernie Barton (during his medical leave). The motion passed unanimously.**

**A motion to adjourn at 11:13 a.m. a.m. was made by Janae Novotny, seconded by Vicky Matthews. Passed unanimously.**

Minutes submitted by Fred Lincoln.