

**Approved Minutes Northport Village Corporation
Sunday, November 13, 2022**

Overseers: Celine Bewsher; Fred Lincoln (via Zoom); Vicky Matthews; Judy Metcalf; Michael Tirrell (via Zoom); and Jeffrey Wilt; President: Janae Novotny; Treasurer Wendy Huntoon (via Zoom); Clerk: Maureen Einstein; Village Agent: Bill Paige

Not present: Brady Brim-Deforest

Visitors' Comments:

Dan Webster (670 Shore Road) (via Zoom) would appreciate the "draft" copies of the Overseers' minutes be distributed in advance of the Overseers Meetings for review by the residents prior to the Overseers' meeting.

Business Meeting called to order at 9:10 a.m.

Minutes

President Janae Novotny recommended that the Board approve:

- a) Minutes of the October 9, 2022 Overseers Meeting;
- b) Notes of the special meeting held on May 5, 2022 (they are called "Notes" because there was not a quorum present at the meeting. The Board ratified the action taken at the May 5 meeting at their May 15, 2022 meeting); and
- c) Minutes of the June 11, 2022 meeting as corrected.

Jeffrey Wilt moved, seconded by Judy Metcalf, to approve the Minutes of the October 9, 2022 meeting, Notes of the May 5, 2022 meeting and Minutes of the June 11, 2022 meeting. Voted: Unanimous.

Discussion ensued on the issue of distributing "Draft" minutes that are not in their final form. The "Draft" minutes are public records and should be made available to the public. Currently, "drafts" are distributed for Overseers meetings. Committee meeting minutes, if prepared, are posted to the NVC website in their final form.

Village Agent Report

The Village Agent referred the Overseers to his written report circulated prior to the meeting. He has been busy closing the Village down for the winter, removing meters, etc. He was approached by the Tree Warden, Vicky Matthews, and Infrastructure Chair, Jeffrey Wilt, regarding diseased Beech trees in Cradle Row, which Vicky M. will address in her report.

Treasurer's Report

Treasurer, Wendy Huntoon, referred the Overseers to her written reports circulated prior to the meeting. Warrants for October were circulated during the meeting for signature. She anticipated that Financial Reports would be circulated soon. Purdy Powers provided an update on the 2020 audit. They have reviewed all the materials provided needed to complete the audit. Their plan is to wrap-up the audit at the end of next week. Once the 2020 audit is complete the goal is to immediately start the 2021 audit.

Vicky Matthews still does not have approval from the Bank to be put on a signature card. Janae Novotny will speak with the Bank to have Vicky authorized to sign NVC checks.

Nordic Aquafarms Update - Michael Lannan

Michael Lannan (790 Shore Road) provided a status report regarding Nordic Aquafarm matters before the Maine Board of Environmental Protection. He will attend the November 17, 2022 Meeting of the Board of Environmental Protection on the Chair's dismissal of an NVC appeal a regulatory matter. Janae Novotny will also attend the meeting with Mike Lannan. One of the issues raised in the appeal was whether Mr. Lannan represented the NVC. Janae Novotny noted when Mr. Lannan was an Overseer, the Board designated him as the Board's representative on all matters before the DEP and BEP regarding Nordic Aquafarms, and subsequently his status as NVC's representative has been affirmed and reaffirmed.

Judy Metcalf moved, seconded by Jeffrey Wilt, to have Michael Lannan continue to serve, with full authority, as the duly appointed representative of the Northport Village Corporation in all regulatory matters concerning Nordic Aquafarms, including specifically at the November 17, 2022 meeting of the Board of Environmental Protection. Voted: Unanimous.

President's Report - Janae Novotny

Janae Novotny contacted Farley about the unresolved turf issue in Ruggles Park regarding the Seawall performance bond that we have not released and the Overseers concern to have a full and satisfactory restoration of Ruggles Park. The conversation with Farley was unproductive and did not end well. Owner, Tom Farley, also contacted Bill Paige. Bill P. reported that there are still blotches of brown areas in the Park, but it appears to "look better." After thorough discussion of possible options and the desire to avoid ruining the business relationship with Farley, regarding releasing the \$100,00 of the Seawall Bond we are retaining, the Board directed Bill Paige to get two independent estimates for repair of Ruggles Park and report back to the Board.

Finance - Fred Lincoln

Fred Lincoln moved, seconded by Judy Metcalf, that the Board approve the formation of an Audit Committee to support NVC annual audits and appoint three committee members that include the NVC Treasurer, a Utilities Department representative and a member of the NVC Finance Committee. Voted: Unanimous.

Fred Lincoln moved, seconded by Jeffrey Wilt, that the Board approve an amount not to exceed \$500 toward calendar year 2022 costs for services and/or products that ensure the NVC Office computer is backed up on a continual basis. Voted: Unanimous.

Fred Lincoln recommended that the Board approve a revision to the first sentence of the Finance Procedures to read: “The Finance Committee is a group of not more than **six** individuals that are appointed by the President consistent with the advice and recommendation of the Board.” The Finance Committee currently is comprised of six members. Discussion ensued. The Overseers concluded there is no issue with the number of individuals currently serving on the Finance Committee.

Governance Committee – Judy Metcalf

The Committee responded, with the enormous help of Dan Webster and Vicky Matthews, to a “Right of Access” request from Mr. Sampo, 5 Griffin Street, for documents in connection with the Canopy Tree Grant.

Joel Bandy, 34 Main Street, presented a written request for reimbursement for \$238.00 for damage to the top of his truck when a tree limb fell down (this request was originally submitted in June/July). Judy M. stated that the limb did not fall as a result of NVC gross negligence or intentional action, and she feels the Village is insulated from any liability under the Maine Tort Claims Act. The NVC subsequently removed the tree at a cost of approximately \$4000.00. **Judy M. moved, seconded by Jeffrey Wilt, that she be given the authority to respond to Mr. Bandy’s request that the Board has taken his request seriously and evaluated it and concluded that the damage occurred was with no intentional act and the Board has declined his request. Voted: Unanimous.**

The Village received a letter from the State Geographer with a series of questions regarding where and what is the Northport Village Corporation. Judy M. responded and a copy of her response will be placed on the NVC website under “History of Bayside”. Janae also sent Judy’s detailed and comprehensive response to the Northport Town Administrator.

Utilities – Jeffrey Wilt

The Utility Department received a letter from the DEP as a result of violations of our license to operate a Wastewater Treatment Facility. There were 13 violations in a

period of 30 days. The Utility Department is in constant contact with the DEP. They have requested that we seek outside professional counsel to help us to understand what happened and why, and to develop a plan to prevent violations from happening in the future. We operate with a license with a waiver that allows us to operate our type of wastewater system and not have to do secondary treatment which is a much more costly operation. The Utilities Trustees voted to instruct the Superintendent, Dick McElhaney, to reach out to the engineering firm Dirigo to provide that professional guidance and service.

Also, the Utility Department has had significant equipment failure, representing approximately \$10,000 that needs to be addressed immediately. In addition, cost of a needed acquisition and installation of an automated chlorinator is approximately \$20,000. The Committee will be meeting on December 9, 2022 to make sure these equipment items are appropriately addressed in our Budget. All this, will result in a rate increase. (The equipment that is failing is not part of the new building but old equipment that is well beyond its life cycle.) The Board will receive a proposed Budget from the Committee in December. All of the Department's reserves were used to build the new treatment plant, and we need to rebuild our reserves.

Infrastructure – Jeffrey Wilt –No report.

Parks & Trees – Vicky Matthews

The Committee has not received any follow-up from the Sampo family (5 Griffin Street) regarding their opposition to the tree replacement in Ruggles Park. They have been sent all the information they requested.

There are a number of Beech trees in Cradle Row that appear to have the Beech tree disease and will need to be removed. These trees will be tagged by the Tree Warden and Village Agent for removal. The trees are relatively small and could be done at no cost, perhaps for the wood.

The Governance Committee reviewed the plan to clean up the 17-foot wide path owned by the Village on the south side of Bayside donated by Tim and Anne Marie Samway. The deed was reviewed and the land is to be kept “forever wild” with pedestrian access allowed, but no removal of trees.

Michael Tirrell– No report

Waterfront – No report

Communications – No report

Personnel – Janae Novotny & Michael Tirrell

The Committee requested approval to amend/correct the minutes of the March 27,

2022 Board meeting to reflect the following additional action taken by the Board in the public session after an executive personnel session: approval of recommendations to appoint Bill Paige Interim Office Manager and pay him a monthly interim officer manager stipend of \$1,000 for the duration of the assignment.

Recommendation that the Board ratify its March 27, 2022 action to appoint Bill Paige Interim Office Manager and pay him a monthly interim office manager stipend of \$1,000 for the duration of the assignment.

Jeffrey Wilt moved, seconded by Fred Lincoln that the board accept and approve both recommendations of the Personnel Committee. Voted: Unanimous.

Technology – Brady Brim-Deforest – No report

Town Liaison – Jeffrey Wilt

Reported that Halloween in Bayside was a huge success with the Town and Drinkwater School community. He thanked Celine Bewsher for organizing this terrific event!

Community Comments:

Rachel Rosa (7 Auditorium Park) (via Zoom) said all computers used by the NVC should be backed up automatically.

She was unable to open up the Village Calendar for meetings on the NVC website. Per Michael Tirrell, he is waiting for input from Brady regarding this issue.

Alma Homola (11 Park Row) (via Zoom): A monoculture of Kentucky Bluegrass, which is not what we had in Ruggles Park, has been planted in the park. The Village should seek advice from the Northport Golf Club regarding the Kentucky Bluegrass that is causing a problem in Ruggles Park.

Beech tree disease can only be determined when there are leaves on the trees.

Executive Session

The Board adjourned to Executive Session at 11:15 a.m.

The Board returned to public session. Janae Novotny reported that the Board accepted a Personnel Committee report and directed the Committee to proceed.

The next regular Board meeting will occur on December 9, 2022 at 9:00 a.m.

The meeting was adjourned at 12:04 p.m.

Submitted by
Maureen "Beanie" Einstein, Clerk
and
Janae Novotny, President

Approved by the Board of Overseers, 12/11/22