



January 8, 2023 – 9:00 a.m.

Meeting of the Northport Village Corporation Board of Overseers

This is a hybrid meeting – in person* in the Community Room of Community Hall, 813 Shore Road, Northport, ME and virtually at:

<https://us02web.zoom.us/j/83741515741?pwd=NEVLTFAyQ0VENTJMTGJZSU9jSmtNUT09>

*Due to the size of the meeting room and quality of air circulation, **masks will be required for the in-person meeting.** This is a business meeting conducted in public; it is not a public meeting. An opportunity for comments from members of the public is provided before the business meeting begins and end of the meeting. Unless a question from the public can be answered definitively and very briefly, the Board usually does not engage in a dialog with a commenter. If the speaker addresses an item on the Board's agenda, the Board's consideration at that time may respond to the speaker's comments. When recognized, a commenter should state their name and Village address and make their point briefly. Depending on the number of public members who wish to address the Board and the length of the Board's agenda, the presiding officer may establish a time limit for speakers. Agenda items may be taken out of order to accommodate guests. **Please note that remote participants will not be admitted to the Zoom meeting unless the participant's name is identifiable.**

Meeting Agenda

- Comments by members of the public.
- Call to order business meeting.
- Agenda review.
- Approval of December 11, 2022 meeting minutes
- Village Agent Report
- Treasurer's Report
- President's Report
 - Recommendation to grant to Overseer Victoria Matthews the authority to endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit in the name of the NVC with Bangor Savings Bank and to affirm the authority of Treasurer Gwendolyn Huntoon and President Janae Novotny to open any deposit account(s) in the names of the NVC; endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit in the name of the NVC with Bangor Savings Bank; place orders with Bangor Savings Bank for petty cash, coin or currency drawn on the deposit account(s) of the NVC; and delegate or revoke the delegation of authority relating to all or some of the power(s) granted in this resolution to any person(s) who is a director, officer or employee of the NVC.
- Request to reconsider issue of requested reimbursement to Joel Bandy for damage to his truck top
- Committee Reports (*as needed*)
 - Finance
 - Governance
 - Utilities
 - Infrastructure
 - Parks & Trees Committee/Tree Warden Committee Report
 - Safety
 - Waterfront
 - Communications
 - Personnel
 - Technology Officer
- Discussion: Community Hall use form
- Town Liaison Report
- Other business.
- Comments by members of the public
- Adjourn.

**Final Draft Minutes Northport Village Corporation
Sunday, December 11, 2022**

Overseers, Officers and Staff present: Celine Bewsher; Brady Brim-DeForest; Fred Lincoln; Vicky Matthews; Judy Metcalf (via Zoom); Michael Tirrell (via Zoom); and Jeffrey Wilt; President, Janae Novotny; Treasurer, Wendy Huntoon (via Zoom); Clerk, Maureen (Beanie) Einstein (via Zoom); Village Agent, Bill Paige; Office Manager, James Mays.

Visitor's Comments:

Dan Webster (670 Shore Road) expressed concerns regarding the unavailability of draft minutes of the November meeting prior to today's meeting; the lack of notice of the Utility increase on the agenda for this meeting. He also noted that no meeting minutes have been posted on the NVC Website for months.

Business Meeting called to order at 9:05 a.m.

Minutes

President Janae Novotny recommended that the Board approve the Minutes of the November 13, 2022 Overseers' Meeting.

Jeffrey Wilt moved, seconded by Vicky Matthews, to approve the Minutes of the November 13, 2022 meeting. Voted: Unanimous.

Village Agent Report

The Village Agent, Bill Paige, referred the Overseers to his written report circulated prior to the meeting. Fred L. stated that a prioritized list of needed projects would help the 2024 budget planning process. Bill P. responded that he would work with the Infrastructure Committee regarding priorities. There were no further questions/input from the Overseers.

Treasurer's Report

Treasurer, Wendy Huntoon, referred the Overseers' to her written report, circulated before the meeting, and to the warrant folders and approval cover pages that were being circulated to the Overseers during the meeting for signature. There were no questions from the Overseers. Wendy's report included an update on the 2020 audit, which is nearing completion. The NVC office and volunteers have begun to focus on preparations for the 2021 audit. With the addition of new staff, this process should go much faster.

President's Report – Janae Novotny

The Personnel Committee recommended approval of the temporary employment of James Mays in the role of Office Manager as of December 5, 2022.

Jeffrey Wilt, moved, seconded by Fred Lincoln, to approve the Personnel Committee's recommendation for the temporary employment of James Mays in the role of Office Manager, effective Monday December 5, 2022. Voted: Unanimous.

Janae N. introduced James M. who was attending the meeting.

Finance – Fred Lincoln

Fred Lincoln moved, seconded by Vicky Matthews, to more fairly and equitably share estimated year-to-date 2022 payroll expenses among the General Government, Water and Sewer Departments, and with consideration to the approved 2022 budgeted expenses of all three departments, the NVC Finance Committee recommends that payments in the amount of \$29,894.41 by the Sewer Department and \$31,355.73 by the Water Department be made to the General Government Department. Upon completion of the 2022 payroll analysis currently in progress with Wilke and Associates, a true-up of final 2022 Payroll expenses will be documented and reflected in QuickBooks Online. Discussion ensued. Wendy H. reported that payroll accruals through week 39 are accurate and weeks 40 through 48 are estimated. **Voted: Unanimous.**

Governance – Judy Metcalf

Judy M. reached out to Mr. Bandy, 34 Main Street, regarding the Overseers' decision not to reimburse him for the damage reported to his vehicle by a village tree limb. Mr. Bandy has asked for reconsideration. He was informed that his request would be on the Overseers' agenda at their January meeting.

Owners of the Dyer Cottage (Driftwood) consulted with the Overseers this past summer about a potential boundary line dispute that they thought the Village might be involved with. A survey commissioned by the owners of the Dyer Cottage has been complete, and it does not appear that the Village owns any land that is at issue. Judy M. will talk directly with the surveyor and homeowner next week. The property is on Broadway, the space between "Driftwood" Cottage (owned by the Dyers) and the "Hillcrest Cottage" (owned by Linda Elliot).

Utilities – Jeffrey Wilt

The Utilities Trustees met on Friday December 9, 2022. The Wastewater/Sewer Department is not solvent and does not have enough financial resources to cover the Department's expenses. Most notably, it has been determined that approximately \$64,000.00 is due to General Government from budget year 2020. They do not have the funds to take care of what is currently due to General in 2020 and 2022 (2021 is not affected). The genesis of the problem was the decision in 2020 by the Utilities

Trustees and Overseers to fund the new wastewater treatment plant out of reserves. The actual cost of the newly constructed wastewater treatment plant exceeded the reserves and required some spending out of operating funds.

The Utilities Trustees recommend a payment plan, whereby the Sewer Department will reimburse the amount owed to General over a period of four years. The plan will allow the Department to work down the obligation without further raising user fees to pay the total amount owed in one year. The proposed 2023 Sewer Budget adopted by the Trustees on Friday and recommended to the Overseers includes the first payment of \$15,000.

Dick McElhaney, our long time Utility Superintendent, announced his retirement effective January 15, 2023. He may work until February 1, 2023, when his license expires. His retirement will complicate things from many levels, certainly from a financial standpoint. His retirement will impact the 2023 budget just adopted by the Trustees. Brady B. will reach out to Maine Rural Water Association to determine how they might be able to assist with the transition. Trustees discussed the probability of engaging an engineering firm to manage Utilities, as Belfast does. The Trustees have reached out to the firm that Belfast uses.

If adopted, the proposed Wastewater/Sewer 2023 Budget will require \$361 per trimester (\$1,083 per year) in fees for each of Wastewater's 248 customers. This compares to a current budget of \$176,000, which is funded by customer fees of \$237 per trimester (\$711 per year).

The Utilities Trustees recommended that the Overseers adopt the Sewer/Wastewater Utility 2023 Budget as presented, knowing that this budget will need to be altered early next year, in light of Dick McElhaney's retirement, among other factors. The billing cycle that will first reflect the sewer rate increase does not go out until March 2023.

Two recommendations from the Utilities Trustees regarding the Sewer Department were presented:

Jeffrey Wilt moved, seconded by Fred Lincoln, that the Overseers accept the Sewer Department's payment plan, whereby the Sewer Department will pay the \$64,000.00 due from budget year 2020 over a four-year period. Voted: Unanimous.

Jeffrey Wilt made a motion, seconded by Brady Brim-DeForest, to adopt the Sewer/Wastewater Utility Budget for 2023, with the knowledge that it may need to be adjusted in the coming year for increased costs. Jeffrey W. stated that the Trustees acknowledge that this is part of a recent pattern of steep increases and that the increases reflect the real costs of running the wastewater operation. Brady B. commented that this is the minimum rate increase needed. **Voted: Unanimous.**

The Water Department is in good shape with healthy reserves and has the capacity to pay all their obligations without a rate increase.

Vicky Matthew made a motion, seconded by Brady Brim-DeForest, to approve the 2023 Water Department Budget (which does not include a rate increase). Voted: Unanimous

Michael T. asked Jeffrey W. if there was an update on the exceedances for August and September. Per Dick McElhaney's report for October and November there were no exceedances. Dirigo Engineering has not yet been contacted to determine the reason for recent exceedances and managing future exceedances. Dick McElhaney recommends engaging Dirigo in the spring closer to the summer season.

Infrastructure - Jeffrey Wilt - No report

Trees & Parks - Vicky Matthews

Vicky M. has reached out to the arborist regarding the tree up by the pond and the tree at George and Griffin, and, hopefully, weather permitting he will provide estimates for both and they will be taken care at the first of the year.

Safety - Michael Tirrell - No report

Waterfront - Brady Brim-DeForest - No report

Communications - Michael Tirrell - No report

Personnel - Janae Novotny & Michael Tirrell

Janae N. stated that the Village's official recognized holidays include: Christmas Eve, Christmas Day and New Year's Day. Our policy is that employees are paid holiday pay; seven hours for full time employees and four hours for part-time employees for these holidays. However, the NVC policy does not address when those holidays are observed. She is recommending, for 2022, to approve that the NVC holiday for Christmas Eve be observed on Friday, December 23, the Christmas Day holiday be observed on Monday, December 26, 2022 and the New Years Day holiday be observed on Monday, January 2, 2023. This holiday observance schedule will allow for the employees to receive a day off in addition to holiday pay, given these holidays fall on a Saturday or Sunday this season.

Jeffrey Wilt, moved the recommendation as stated, for 2022, to approve that the NVC holiday for Christmas Eve be observed on Friday, December 23, the Christmas Day holiday be observed on Monday, December 26, 2022 and the New Years Day holiday be observed on Monday, January 2, 2023. Celine Bewsher seconded the motion. Voted: Unanimous.

Technology – Brady Brim-DeForest

All office computers have been backed-up and NVC has successfully regained administrative access. Brady B. will be meeting with the new office Manager, Jim Mays, and walk him through the process. He will be putting a training manual and host training sessions for staff and Overseers.

Town Liaison – Jeffrey Wilt – No report

Nordic Aquafarm Update

Janae N. reported that she and Michael Lannan attended the Maine Board of Environmental Protection appeal meeting on November 17, 2022. The Board denied our appeal, which was expected, and there will be no further appeal.

Other Business

Vicky M. is in the process of updating the Community Hall Rental form. Brady B. recommended that she update the form using Google Docs.

Comments by Members of the Public

Rachel Rosa, 7 Auditorium Park, stated that some of the links on the NVC website are not working properly. Rachael will email Michael Tirrell and the new Office Manager with the links. She also spoke about notifying the public of the sewer rate increase.

Dan Webster (670 Shore Road) reiterated his request to have draft minutes of meetings along with attachments and items added to the agenda posted and available to residents prior to an Overseers meeting.

Executive Session

The Board adjourned to executive session at 10:00 a.m.

The Board returned to public session at approximately 10:15 a.m. Janae N. reported that she received direction from the Board in executive session.

The next regular Board of Overseer meeting will occur on January 8, 2023 at 9:00 a.m.

The meeting was adjourned at approximately 10:17 a.m.

Submitted by Maureen (Beanie) Einstein, Clerk and Janae Novotny, President

**Northport Village Corporation
Village Agent Report
January 8, 2023 Board of Overseers Meeting**

Parks

- Ruggles Park
 - Playground drainage work needs to be done this fall. I haven't received any information about this yet. Also have received no information about planned purchase of rocker.
- Ruggles Park turf condition: May be time to move on and fix any remaining issues ourselves. Based on recent conversations with Tom Farley, I do not believe he will do anything more. He thinks the turf is fine. I haven't yet found anyone to give a quote for reseeded the problem areas. Contractors are busy getting ready for snowplow work.
- Bottom of Ruggles Park: Water running down the public walkway between 3 and 5 Park Row that washes silt and rocks down the side of the Park Row extension and around the corner of the boat ramp down toward the Bay. Met with contractor to discuss installing a storm drain to capture that water. Estimate is \$5,000 for new catch basin that ties into the one further down.

Wharf, floats and seawall

- Christmas 2022 storm damage
 - Dock: Only damage noticed so far underneath the dock – waves delaminated the composite fender pilings. The “minimum mean low tide” sign on the front of the dock may need to be replaced. Railing loosened and must be repaired. Planking to the side of the grate ripped up and must be replaced.
 - Seawall and causeway area: Gravel and dirt on the causeway, along the face of the seawall and on the boat ramp washed away. Waves washing out gravel moved large rocks at end of causeway. Brown's Excavation has put in new gravel and reset the rocks on the causeway; added 1"- gravel along the face of the seawall/parking area; and temporarily filled the boat ramp. Will need to add loam in the spring so grass can grow.
 - Seawall beach area: Sand has washed away from the beach, uncovering boulders, and new boulders have rolled in. Some sand should return during spring storms.
 - Bayview Park and Auditorium Park: We lost some shoreline embankment at the bottom of these parks. Will need to assess.
 - Sewer Department buildings: Wastewater Treatment Plant appears fine. During the power outage, the generator did its job, but a couple of fuses in the generator blew and it did not turn off when the power was restored. Generator has been repaired and tested. Generator at pumping station

worked fine. Propane tanks at both locations have been topped off and are ready for the next power outage.

- Signage: Safety Committee and Wharfmaster have requested new signage regarding swimming safety and fishing rules. Will get estimates when I receive final language from Safety, Waterfront and Wharfmaster. Dock activity this year shows that new signage is needed. Also need to repaint the white line marking where jumping off the dock is ok.
- Light on end of dock: The light is flickering on and off and probably needs to be replaced. I am still looking for an electrician willing to work on this.
- Alfred J. Keith sign on the wharf: Art Hall replaced the damaged sign. He volunteered his time and his available materials and made a new sign for the cost of the remaining needed materials. Thank you, Art!

Roads

- Pleasant Street: Recent heavy rain resulted in “normal” washout. Plan to repair in the spring.
- Roads, generally: Other than the “normal” Pleasant Street problem, we had no road wash out problems from the Christmas storm. Cobe Road ditches were filled with leaves.
- Streetlights: CMP repaired all but one of the lights, and now we have one that is on 24/7.
- Property owner complaints about water runoff from village roads: Whenever I have an opportunity, I advise property owners building new structures or doing major remodels to build their foundations higher than the crest of the road grade to avoid flooding. Property owners who ignore this advice then complain that runoff from the road floods their property and they want the village to do something about it. I suggest that we figure out some other ways to communicate this information. Website? Zoning ordinance?

Miscellaneous

- Tree by fire pond: The tree came down across the fence and into the pond during the Christmas storm. Matt Brown hauled it away as part of our storm repairs.
- Fence around the fire pond: The frost had picked up the concrete posts and the fence was falling over before the tree fell on it. Replacing the fence was on a “10-year plan” that was never funded. A temporary fix is no longer possible. The fence needs to be replaced as soon as possible to prevent kids from attempting to skate and play on the partially frozen pond.
- Fire hydrant on Shore Road: Someone ran into it and it will need to be repaired.
- Truck and sander: Sander has been repaired. I have ordered new blades for the snowplow (estimate \$800), and the plow will be serviced when the new blades arrive and are installed. The truck needs service and new tires now (new tires were included in the 2023 budget.)

- I continue to field calls from private contractors working throughout the Village on current and planned projects in the Village.
- I continue to deal with various villagers with issues they want addressed.
- Cradle Row: Need a plan, money and new signage for planned future Cradle Row/Grove Street use.
 - Grove Street/Cradle Row Preparation for Parking: Working with Brown's Excavation on an affordable solution. (1) First option, although better, is too expensive: 4' wide trench by 140' long filled with rock tailings; 12" of -2" gravel over everything, except first 40' from Clinton in because that area is in better shape and needs less gravel. \$9,000. (2) 4' x 140' 2' deep trench, filled with rock tailings and 6" of -2" gravel, except 4" of gravel over first 40' in from Clinton. \$6,800. (3) Same as option 2, except only 4" of -2" gravel throughout. Cars may sink down and this option may not last as long as other options. \$6,200. All options will direct water to the Pleasant Lane ditch.
 - Dead Beech Trees: I'm looking for a cheaper option than an arborist to remove all of the dead beech trees in the Cradle Row area. Tree Warden and I will examine and identify dead trees.

Village projects/needs on the near and far horizon with budget implications

- **Basketball court**: Resurfacing will need to be done in the near future. The crack(s) is widening and will present a hazard at some point. Jim and Cathy Ross decided not to organize pickleball until the crack is repaired.
- **Community Hall**:
 - Because the new door arrived so late and the ground is too cold, the door will not be installed until spring.
- **Inshore mooring block for the boat float**: The block is near the end of its life and needs to be replaced. Rough estimate of replacement cost is \$3500.
- **Floats replacement**: It is time to begin setting aside and saving money to replace the swim float. Replacement cost ballpark: \$25-45, 000. Then, it will be time to save for a new boat float.

Other Activities

- Ferne should be released to full-duty soon. I continue to help as needed until he is released without restrictions.
- Interim Office Manager work – transitioning to Jim Mays.
- Fall seasonal water shut offs. Cottage owners should let the office know when they have drained and closed up their cottages. Some cottage owners let us know when they are ready for us to shut off the water at the street, and this helps us stagger the shut off work. Paul Overgaag has volunteered many hours of service this past month helping with water shut offs and meter reading.

- Seasonal water shut off issues: Peter Simpson's decision to no longer do water shut offs required some communication with many customers who did not understand the process. I talked to Janae about a notice posted on websites and added to utility bills to cover the basics:
 - Seasonal water shut off starts Oct 15 and all seasonal water needs to be off by Nov 1.
 - Shutting off the water at the street (Village property/equipment) is prohibited unless authorized by Village Agent. Only the Village turns water on/off at the street.
 - Everything from the Village shut off at the street to the house and under/in the house is the homeowner's responsibility. The homeowner arranges with a plumber to drain the house, remove the water meter in or under the house and return the water meter to the Village for winter storage.
 - The water meters belong to the Water Department. The Village collects and stores them for the winter.
- Outfall pipe buoy: The sewer department's outfall pipe buoy is missing and must be replaced. Anticipated cost of \$3500 is in the department's 2023 budget.

Submitted by Bill Paige, Village Agent.

Treasurer's Report
1/08/2023

Public materials can be found on the NVC website nvcmaine.org.

- **Warrants and Monthly Reports**
 - December warrants will be provided separately.
 - December Bank Statements are available in the office.
 - Bank balances as of December 8, 2022 were provided to the Overseers, Officers and NVC Staff.
- **Finance Committee Update**
 - A Treasurer's Update was provided to the Finance Committee and provides an analysis of the use of reserves for all three departments highlighting the amount of funds needed by each department for 2023
 - A reminder that General requires up to 9 months of operating funds in reserve in order to fund ongoing operations until the tax revenue is received in mid-September.
- **Bookkeeping**
 - Meeting with Philbrook & Associates has not yet been scheduled due to the ongoing workload associated with office and financial activities.
 - Philbrook & Associates has been asked to appropriately categorize all non-specified revenue and expenditures to the appropriate class and property.
 - Overseer Fred Lincoln is working with the Treasurer to review the 2022 general ledger and draft statement of activities to ensure that revenue and expenditures are attributed to the correct account codes.
- **NVC Business Office Functions**
 - Have worked with the office manager to prioritize activities focusing on collecting documentation needed for the 2021 audit.
- **Payroll**
 - Amounts due to General from Sewer and Water were paid to General at the end of December. Amounts reflected estimated payroll through week 48.
 - From Sewer to General: \$29,894.41
 - From Water to General: \$31,355.73
 - Payroll bank account has been opened with Bangor Savings. General, Sewer and Water will deposit estimated payroll by quarter in advance to the account.
 - In 2023 Office Manager will review the payroll information weekly, providing a summary of the payroll by Department and provide the payroll reports to accounting firm. NVC will ask the accounting firm to record and reconcile the payroll information on a monthly basis starting in 2023.
- **Audit**

- NVC's responsibilities for the 2020 audit have neared completion, with additional questions received and answered the first week in January.
- NVC office and volunteers have begun to focus on preparations for 2021 audit.
 - 2021 documentation (warrants, invoices, meeting notes, etc.) will be assembled by the NVC office staff both in electronic and hardcopy.
 - In the end, the delay in the 2020 audit was providing the required documentation to the Auditors. Unlike 2020, most 2021 document has been archived electronically. As indicated above, Office manager is tasked with preserving the 2021 documents in both physical and electronic formats, including identifying any missing documentation.
- Draft Statement of Financial Activity and Financial Position are provided to the overseers again as background.
 - These documents are not final, have been provided before and have not changed since the Audit started this past fall.
 - For 2020 adjustments are expected from the auditors, particularly in the reserves for each department, once the audit is completed.
 - For 2021 non-specified items need to be categorized and the final close out for the year done by the accounting firm.
 - For 2022 non-specified items need to be categorized and the year closed out. Once that is completed, the statement of financial position needs to be reviewed and balanced by Properties.

FACILITIES USE REQUEST FORM

Date _____

Name _____

Address _____

E Mail _____ Telephone # _____

Bayside Resident? Y N Rental purpose _____

Chairs - \$50.00/day # of chairs requested _____

Tables - \$50.00/day # of tables requested _____

Date and time requested _____

By signing this document you agree that you are the responsible party for this event and you have read the community hall usage rules and agree to abide by them.

Signed _____

Rental payment is due within 7 days of approval of this reservation request.

Payment received \$ _____ By _____
(NVC office admin.)

Date _____

FACILITIES USE REQUEST FORM

Date _____

Name _____

Address _____

E Mail _____ Telephone # _____

Bayside Resident? Y N Rental purpose _____

Space requested? Community Hall Community Room

Date and time requested _____

Rate: Hourly(\$25/hr) _____ Day(\$150/day) _____

Kitchen usage fee \$50/day _____ (when food is involved, not beverages only)

Proof of Insurance must be received a minimum of 30 days prior to the event and attached to this document _____ (date received)

By signing this document you agree that you are the responsible party for this event and you have read the community hall usage rules and agree to abide by them.

Signed _____

Rental payment is due within 7 days of approval of this reservation request.

Payment received \$ _____ By _____
(NVC office admin.)

Date _____