



February 12, 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/87514182270?pwd=b0I1YXBGanY0d0tYQ3dSYkExSkFuUT09>

*Masks are optional 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 January 8, 2023 and January 12, 2023 meeting minutes
- Village Agent Report
- Treasurer's Report
 - Audit Committee Report
- President's Report
- Committee Reports (*as needed*)
 - Finance
 - Governance
 - Utilities
 - Infrastructure
 - Parks & Trees Committee/Tree Warden Report
 - Safety
 - Waterfront
 - Communications
 - Personnel
 - Technology Officer
- Town Liaison Report
- Discussion topics
 - Public access over parks and other property for repair/construction of private property
 - Level of summer 2023 parking ordinance enforcement and required support structure
 - Identifying potential grants available for NVC projects
- Other business.
- Comments by members of the public
- Executive session for personnel matters pursuant to 1 M.R.S.A. § 405(6)(A).
- Report out of executive session.
- Adjourn.

**Draft Minutes Northport Village Corporation
Board of Overseers Meeting
Sunday, January 8, 2023**

Overseers, Officers and Staff present: Celine Bewsher; Brady Brim-DeForest (via Zoom); 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.

Public Comments

Dan Webster (670 Shore Road) stated that the Overseers should provide information for items on the Agenda to be acted upon and that the Agenda should thoroughly identify what items that are going to be acted upon, to give members of the public an opportunity to make public comment.

Jim Coughlin (526 Bluff Road) agreed with Dan W.

Aaron Rosenblum (20 Bay Street) – The recent storm did significant damage to their seawall as well as many others on Bay Street and south. It appears that these storms may be occurring on a more regular basis. The village should be thinking about a policy for public access for owners to work on their seawalls.

Rachael Rosa (7 Auditorium Park) – Public access from Auditorium Park to the shorefront has deteriorated.

Business Meeting called to order at 9:11 a.m.

President Janae Novotny added two new items to the Agenda: 1) Newly formed Audit Committee Meeting and 2) Scheduling an emergency meeting of the Board of Overseers.

Minutes

Janae N. asked if there were any questions/comments on the minutes of the December 11, 2022 meeting. Hearing none, she recommended the Board approve the minutes.

Jeffrey Wilt moved, seconded by Celine Bewsher, to approve the minutes of the December 11, 2022 meeting. Voted: Unanimous

Village Agent Report

Village Agent Bill Paige referred the Overseers to his written report circulated prior to the meeting. The Safety Committee is responsible for language of needed waterfront signage. Replacement of the fire pond fence would be approximately \$15,000.00. He will obtain an estimate to repair the fence. In response to a question from Vicky M. about resetting the

fence posts, he explained that the fence is 40 years old and the posts can't be set deeper because of the underlying rock layer. In response to a question from Celine B. about Ruggles Park, he responded that he had tried to contact the golf course turf person, but everyone was gone for the season.

Bill P. noted that a decision needs to be made about Grove Street. He also reminded the Overseers that the trash contract is a one-year contract, which will be up in September 2023. The Village will have to obtain bids prior to that so the Budget Workshop can address the costs in May.

Steve Kazilionis had made a list of priorities and time frames for work to be addressed by the Infrastructure Committee, which Wendy Huntoon forwarded on to the Overseers at the meeting. Jeffrey Wilt, Chair on the Infrastructure Committee, currently does not have the time to deal with the administrative work associated with the Committee; his work with the Utilities Committee is very time consuming. His term as Overseer ends in August, so thought should be given to the next Chair of the Infrastructure Committee. Janae N. said that these concerns would be addressed in future meetings.

Treasurer's Report

Treasurer, Wendy Huntoon, referred the Overseers to her written report circulated prior to the meeting. The Office will send copies of the Warrants, along with their invoices, to the Overseers not physically present at the meeting for their signatures.

Wendy H. recommended that the Board approve payment of the Northport Tax Collection Bill for \$7334.12, for the past year. This bill was not included in the current warrants. Wendy recommended that the Overseers approve that bill for payment now. This amount will be placed on the next warrant indicating that it was an expense and not an actual bill for payment on the next warrant.

Judy M. made a motion, seconded by Jeffrey W., to pay the Town of Northport's invoice for tax billing and collection services for the Northport Village Corporation. Voted: Unanimous.

Both 2021 and 2022 financial statements have errors in them; she is circulating them only to the Overseers so they can see what the statements of financial activity look like. Wendy will be working with Philbrook and Associates to address some of these outstanding issues, focusing on 2021 to get accurate statements of financial activity in order to complete the 2021 Audit.

Wendy H. reminded the Overseers that the general portion of NVC does not receive its tax revenue until September. Therefore, NVC funds expenses from January through September out of reserves. The Overseers should remember this when they make decisions about funding capital projects and other expenses such as lifeguard, police, etc. during that time.

Audit Committee

An Audit Committee was formed with Wendy Huntoon, Chair, Fred Lincoln, Janae Novotny and Jeffrey Wilt. Wendy H. has a call scheduled with Purdy Powers on Monday, January 9, to talk about the Audit and financial statements. The 2020 Audit is not a “clean opinion” which was expected by the Committee. It is important for the NVC to write a formal response Management Letter in response to the financial statements and needed corrections. Most of the errors they identified have been corrected. It is important to have an independent person (accountant) write a formal response to Purdy Powers’ Audit.

Fred Lincoln made a motion, seconded by Jeffrey Wilt, that the Board approves an amount not to exceed \$2,000 for professional support in writing the Management Letter in response to Purdy Powers 2020 Audit. Voted: Unanimous.

Wendy H. will contact Purdy Powers to see if they are open to a Zoom meeting to discuss the findings of the 2020 Audit so the NVC will have a deeper understanding of the findings.

President’s Report

As stated on the agenda, Janae N. made the recommendation to grant to Overseer Victoria Matthews the authority to endorse checks and orders for the payment of money or otherwise withdraw 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 payment of money or otherwise withdraw or transfer funds on deposit in the names 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) to any person(s) who is a director, officer or employee of the NVC.

Judy M. moved, seconded by Vicky M., to adopt the recommendation as written in the Agenda. Voted: Unanimous.

Janae N. said that the Board must consider the issue of public access over village property to private land for owners to repair their seawalls. Bill P. has been contacted by various contractors regarding access for the small village-owned property between the Rosenblum (20 Bay Street) and Scholhamer (18 Bay Street) cottages and the village-owned land in Bayview Park. Discussion ensued about having a general policy. Jeffrey W. stated there needs to be a philosophical question regarding access via barge or over village property. The recent storm caused severe damage to some seawalls, which is prompting this issue. Janae N. will place it on the February Agenda for discussion.

Joel Bandy (34 Main Street) was informed in writing by Judy M. that the Overseers denied his request to be reimbursed approximately \$250.00 for damage to his truck when it was hit by a limb from a Village-owned tree. Mr. Bandy asked Judy M. if the Board would

reconsider his request. Per Judy M., the Village has no liability according to law and there was no gross negligence by the Village. No motion was made for reconsideration of Mr. Bandy's request. Judy M. will let Mr. Bandy know that his request for reconsideration of his reimbursement request has been denied.

Finance – Fred Lincoln

The Finance Committee met Wednesday, January 4, 2023. The Committee will be working on a Draft Budget beginning late January/early February. Per Judy M., it would be optimal to have a draft Budget for review in early May. Janae N. reminded the Board that the Budget Workshops by the Overseers are open to the public but these workshops are not a forum for public input.

Governance – Judy Metcalf

The Committee will have their next meeting on Wednesday, January 11 at 4:00 p.m. via Zoom. The town of Northport's CEO, Toupie Rooney, has asked for help with interpretation of the "Driveways" portion of NVC's Zoning Ordinance.

Utilities – Jeffrey Wilt

The Committee met on Friday, January 9, 2023, responding to the Finance Committee's request that the Utilities Committee consider another means of repaying the \$65,000.00 that is "due to" general government from the 2020 year, based on the opinion of the Finance Committee that the 4-year payment plan, approved by the Trustees and Overseers in December, puts undue stress on general government reserves. At the Utility Meeting, the Trustees unanimously adopted a motion **"to accept a \$94,000 loan from Water Department reserves at 4% over a 5-year term. Approval contingent on verification that a loan is allowable under PUC rules."**

The Committee is working on the transition of the Utilities Superintendent effective this month. Superintendent Dick McElhaney will be retiring and not renewing his license effective January 15 or January 30. Brady B. contacted Maine Rural Water and Olver Associates (the firm working with Belfast), and Olver recommended contacting Water Quality Compliance Services an engineering company in Wiscasset. The firm, headed by Charles "Chuck" Applebee employs 22 professionals. The Committee expects a formal proposal from WQCS on Monday, January 9, 2023 to manage our water and wastewater systems for 12 months. A special Utilities Trustees meeting is scheduled for January 10th at 5:00 p.m., in person and via ZOOM, at the Community Hall to review the WQSC proposal and make a decision whether or not to accept the proposal. The Trustees know that it will be a more expensive but very appropriate alternative. Brady B. noted that we have very few options. He called over 40 agencies; sent 200 emails, and received two "no capacity" replies.

Following a brief discussion among the Overseers, a special emergency meeting of the Overseers was scheduled for Thursday, January 12th at 6:00 p.m., via Zoom and in person,

to review the Utility Committee's anticipated proposal to retain WQSC and make a decision to accept this proposal.

There were no exceedances in November and December and the plant is operating well.

Infrastructure – Jeffrey Wilt – No report

Parks & Trees – Vicky Matthews – No report

Safety – Michael Tirrell

Still waiting to hear back from Ronin Deschamps regarding lifeguard coverage for next season. There is another candidate who has expressed interest as well. The Safety Committee will be scheduling meetings for the season soon.

Waterfront – Brady Brim-DeForest - No report

Communications – Michael Tirrell

There needs to be a conversation regarding Communication's protocol for meetings, notices and items to be made available for any meetings for placement on the NVC website. Janae N. directed that all communications go through the Communications Chair. Per Janae N. the protocol is as follows: all communications, material, etc. should be sent to Michael T. first. Michael T. will then post it on the NVC Website and then onto other websites, i.e., Dan Webster. The chair of each committee can forward material to its committee members and the Board internally and Michael T. will post on the NVC website externally. Michael T. needs: meeting date, time and ZOOM details along with an agenda if it is available. This information should be provided in full for posting.

Celine B. thought there should be more clarification between social activities and village business notifications. Thorough discussion ensued. Brady B. reminded the Overseers that a resident can receive notices by signing up on the NVC website with their email address. Brady B. suggested that NVC create essentially an "email alias" to streamline communication and consistency which he will communicate to Michael T.

Personnel – Janae Novotny – No report

Technology – Brady Brim-DeForest

He is finalizing a drive structure this week and will schedule a session, with the staff, for training and a walk-thru, hopefully, by the end of January. Currently, office workstations are backed up to a hard drive and Google drive. Google drive will be the primary storage folder for the workstations. He is working on the final IT proposed policies.

Community Hall Form– Vicky Matthews

The draft Community Hall Request Form for usage fees and rental has been circulated. When the form is completed the NVC Office will send the final to Communications Chair Michael Tirrell for posting. A notice needs to be sent to Bayside Arts, Bayside Historical Preservation Society and the Northport Yacht Club regarding the new fee structure and deadline for priority reservations for the summer season. If one of these organizations makes a \$200 donation, the group will not be charge any other fees for Community Hall use for the season. Bill P. suggested that rules are needed for using the Community Room.

Town Liaison – Jeffrey Wilt – No report

Public Comments

Rachael Rosa (7 Auditorium Park) thanked Wendy H. and Brady B. for getting back-ups for the office workstations.

Jim Coughlin (526 Bluff Road) thanked the Overseers, the Finance Committee and many volunteers for all the work they do for the Bayside community.

The meeting was adjourned at approximately 11:02 a.m.

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

**Draft Minutes
Northport Village Corporation Board of Overseers
Special Meeting
January 12, 2023**

Overseers, Officers and Staff present: Jeffrey Wilt, Brady Brim-DeForest, Vicky Matthews, Celine Bewsher. (via Zoom): Michael Tirrell, Judy Metcalf, Fred Lincoln; President, Janae Novotny; Village Agent, Bill Paige.

There were no comments by members of the public in attendance.

President Janae N. called the meeting to order at 6:02 p.m. This meeting was called to consider a recommendation by the Utilities Committee to approve a contract with Water Quality & Compliance Services, Inc. (WQCS) to manage all aspects of the NVC wastewater system and drinking water system beginning January 15, 2023 through January 14, 2024.

Jeffrey W. provided an overview: The Utilities Trustees met on January 10, 2023 to review WQCS' proposed contract. Community members and two Overseers participated in the discussion of the proposed contract. The motion to approve the proposed contract with modifications passed unanimously. Brady B. reviewed the approved revisions with Chuck Applebee, WQCS; WQCS accepted all of the revisions, and we received an updated contract this afternoon. The State must approve the contract before it is effective, and the Board must approve it tonight. He thanked Brady B. for the heavy lifting he did in this effort.

Brady B. reviewed events leading to this recommendation. In December, Dick McElhaney resigned as the Utility Superintendent, effective January 15. Brady B. reached out to Maine Rural Water Association, all municipalities recommended by MRWA and all Waldo County municipalities operating a wastewater system. Belfast's operator, Olivr, generally serves systems with a larger customer base than ours. Few options are available to run a system the size of NVC's. Brady B. contacted 48 contractors; the only two who responded stated that they have no capacity to take on another system. Although Olivr said that we are too small and they are too costly for NVC, Olivr recommended WQCS.

NVC's system is on the smaller end of systems serviced by WQCS, but we are within their scope of service. Chuck Applebee of WQCS surveyed our system with Dick M. and Bill P. WQCS has been in business for 18 years. They have a state licensed lab. Half of their professional team is licensed at Grade 5 for wastewater and Grade 4 for water. WQCS has a deeper bench, its own licensed lab and greater liability insurance than Dick M. provided.

WQCS costs are higher than Dick M.'s. WQCS' rate for licensed operators is \$85/hour; the rate for administrative services is \$30/hour. These rates are for 2023 and the term of the agreement. Services are billed on an actual basis. WQCS anticipates that they may hit the "not to exceed" amount in the contract during the summer.

Judy M. moved and Vicky M. seconded to approve the contract with Water Quality & Compliance Services, Inc. (WQCS) to manage all aspects of the NVC wastewater system

and drinking water system beginning January 15, 2023 through January 14, 2024. Janae N. requested an amendment to the motion to direct the President to sign on NVC/s behalf the contract with WQCS, Inc. and the designated operator form required by the state. Judy M. accepted the amendment.

Michael T. asked whether a 6-month contract was considered, rather than a 12-month. Jeffrey W. replied that we did not want the contract to end during the summer, and a longer contract provides time to consider future options.

The amended motion was approved unanimously.

Public comment: Rachel Rosa, “Kudos to all. Excellent work.”

The meeting was adjourned at 6:25 p.m.

Submitted by Janae Novotny, President.

Draft

Treasurer's Report
02/12/2023

- **Warrants and Monthly Reports**
 - January warrants have been provided in a separate email.
 - January Bank Statements are not yet available. They will be downloaded and available in the office after February 18, 2023.
 - Bank balances as of February 9, 2023 were provided to the Overseers, Officers and NVC Staff.
- **Finance Committee Update**
 - Information in support of developing a 2024 budget was provided to the Finance Committee.
- **Bookkeeping**
 - A meeting was held with Philbrook & Associates to prioritize accounting tasks for 2023 including putting the 2023 budgets into QBO, adding Journal Entries recommended by the Auditors, resolving non-specified entries for 2021 and 2022 and invoice coding and warrant generation for 2023.
- **NVC Business Office Functions**
 - A number of office functions have once again been assumed by volunteer staff including NVC President (Janae Novotny), Overseer (Fred Lincoln) and Treasurer (Wendy Huntoon).
- **Payroll**
 - Payroll bank account has been opened with Bangor Savings. Estimated payroll amounts for Sewer, Water and General were deposited in the account based on the payroll budgets for each department.
- **Audit**
 - The audit committee met in February to review the audit documents and provide input regarding the review and finalization of the audit.
 - Audit documents were reviewed with Peter Fleming from Wilke & Associates and then with Dave Shorette and Erin Powers from Purdy Powers.
 - Additional supporting documentation was provided to Purdy Powers to support the due to/due from amounts on the 2020 balance sheet.
 - Revised audit documents were provided by Purdy Powers on February 10th and are under review. Draft documents are provided to the Overseers for their review.
 - Verbal recommendation by Purdy Powers and Wilke & Associates is for NVC to separate the QBO files for the three departments starting in 2023 in order to simplify the accounting and audit process.
- **Utilities Budgets**
 - Draft budgets were provided to the Utilities Trustees as background for decisions regarding changes in personnel and contracting costs due to the replacement of the Utilities Superintendent starting in January 2023.