

**Draft Minutes Northport Village Corporation
Board of Overseers
Sunday, April 16, 2023**

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

Public Comments:

Don Webster (27 Rogers Lane, Upper Bayview Park) spoke in opposition to Steve Kazilionis's proposal to develop a garden adjacent to George Street in Upper Bayview Park, and he read an email he sent to the Overseers' explaining his opposition. He also requested that the Overseers consider tabling the vote on the proposed garden until the summer when a larger audience of voters could express their opinions.

Dan Webster (670 Shore Road) spoke in opposition to the proposed donation from Steve Kazilionis for a garden in Upper Bayview Park.

Jennika Lundy (66 George Street) wanted to be part of the discussion regarding NVC's ability to impose short-term rental/occupancy fees and offered to act as a resource for same.

Business Meeting called to order at 9:23 a.m.

An updated Agenda was posted on the Village website.

Minutes

Janae N. asked if there were any questions or comments on the minutes of the March 12 meeting of the Overseers. Hearing none, she recommended the Board approve the minutes.

Judy Metcalf moved, seconded by Jeffrey Wilt, to approve the minutes of the March 12, 2023 meeting. Voted: Unanimous.

Village Agent Report - Bill Paige

Bill P. referred the Overseers to his written report distributed prior to the meeting and on the Village website. The seawall work on the Oak Street Extension (22 feet between 18 & 20 Bay Street) work has been completed and looks good. The work was authorized by the Overseers not to exceed \$3500. Waiting for a final invoice.

CMP is planning on putting anchors on their pole in Bayview Park in our right of way and access to the beach. He met with CMP and they will use an anchor method that will not block access to that area.

Still waiting for language from the Safety Committee, Wharfmaster & Waterfront Committee for new signage on the dock and waterfront. Brady B., Michael T. and Craig Brigham will get together to coordinate the new signage.

Ruggles Park turf condition – Has not found anyone to give a quote for reseeding the problem areas.

Still waiting for an estimate for the fence around the fire pond. Estimates are hard to get when they are related to work to be done the next year.

Celine B. expressed concern regarding the seawall and causeway area and the gravel that has washed out. Bill P. explained that this is expected with the tides and subsequent storms. Bill P. said this issue will continue to be an ongoing maintenance issue and will be monitored by the Village Agent.

Janae N. – 18 Bay Street – Application for Access to Public Property

The owners of 18 Bay (Scholhamer's) submitted an application to gain access over Village property to repair their seawall. The Application is for Overseer approval or disapproval and if approved defining what access is being granted.

Judy M. – The application is incomplete. The DEP Permit by Rule is not included with the application and, secondly, it does not include the requirement of a binder from the insurance company with the Northport Village Corporation as an additional insured. Her recommendation is not to reject the proposal but table it with instructions that the final application be properly completed with all needed attachments.

Jeffrey W. – NVC should inform the family that access to the beach on Oak Street Extension will not be approved but access over village property in Bayview Park will be approved per Bill Paige's recommendation.

Judy M. moved, seconded by Vicky M. to table the March 31, 2023 application until the next Overseer meeting and/or the presentation of a complete application consistent with the policies of the Northport Village Corporation and subject to review by the Village Agent. Voted: Unanimous.

Janae N. –Service parameters for RFP for trash recycling/pick-up.

Currently, we have a one- year contract ending in September 2023. Thorough discussion ensued regarding one or two day pick-up in the summer and perhaps eliminating trash pick-up off-season. It was agreed that twice weekly in the summer and once weekly in the off-season was important, as we are now a year round community. Also, getting an estimate for a three- year contract was preferred which would have a set budget amount for the next three years.

Jeffrey W. moved, seconded by Fred Lincoln, to do an RFP for three years for trash pick-up assuming the status quo, which is year-round, with twice pick-up in the summer and once weekly in the off-season. Voted: Unanimous.

Janae N will work with the office staff to get RFP to the newspaper for publication to open bids in May or June. Per Wendy H. opening bids in May would be better from a 2024 budgeting standpoint.

Treasurer's Report – Wendy Huntoon

Wendy H. referred the Overseers to her report circulated prior to the meeting and available on NVC and Bayside Maine.com websites. Warrants were sent out last week.

The updated Warrant Policy was also distributed prior to the meeting. No major changes were made other than taking off vendors we no longer use as well as adding on some new vendors. Wendy H. recommended that the Overseers approve the updated Warrant Policy.

Brady B. recommended adding additional language: *“Warrants may be executed in two or more counterparts, each of which together shall constitute one and the same instrument.”*

Jeffrey W. moved, seconded by Brady B., to accept the updated Warrant and Payment Policy as amended. Voted: Unanimous.

Judy Rohweder (Bayview Park) is postponing work/replacement of her seawall until the fall. She is requesting return of her \$10,000 deposit.

Judy M. moved, seconded by Vicky M., that NVC return Judy Rohweder's \$10,000 deposit, given the fact that the project didn't proceed as permitted. Voted: Unanimous.

Janae N. will write a letter to Judy Rohweder returning her \$10,000 deposit and informing her that a new application will need to be submitted for a future project.

Additional Items not included in the Treasurer's Report:

Accounting priorities: Clean up of 2023, apply 2020 journal entries, clean up 2021 and prepare for the 2021 Audit, clean up 2022 and then separate the departments into individual QuickBook Online Accounts.

Celine B. had a concern regarding Reserves and if they are being added to and how much and how they are "fed". It was decided to address this subject in the planned Budget Workshops. The next Workshop is scheduled for April 29.

Wendy H. reminded the Overseers that \$100K has been earmarked to pay down the cost of the seawall bond and that up to 9 months is needed in order to cover operating costs until tax revenue is received in September.

President's Report – Janae Novotny

Recommendation to approve submitted Community Hall Requests

Janae N. referred the Overseers to the requests distributed prior to the meeting. Noted that some of the requests from Bayside Arts extend their requests until 10:30 p.m. All events in the Community Hall are to end at 10:00 p.m. Also, the Northport Food Pantry has not been asked to contribute the \$200 for their event "Fill the Hall".

Vicky M. moved, seconded by Judy M., to approve all submitted Community Hall Requests with the caveat that all events end at 10:00 p.m. Voted: Unanimous.

Judy M. moved, seconded by Celine B., that NVC waive any community hall application fees for the Northport Food Pantry. Voted: Unanimous

Seeking legal opinion regarding NVC's ability to impose short-term rental/occupancy fees

Janae N. – Legal Fees budgeted for this year remain available. A legal opinion would let us know if this is an option for the NVC.

Brady B., moved, seconded by Jeffrey W., that we seek a legal opinion regarding the ability to levy Short Term Rentals occupancy fees in general and a proposal for review not to exceed what is currently budgeted. That upfront research be done to get a sense of the cost. Voted: Unanimous.

Village Park Usage

There have been concerns from Villagers regarding personal items being left in public parks, in this case, Merrithew Square. Janae N. would like to have a clear understanding what our guidelines/rules are for use in all Village Parks. A healthy discussion ensued.

Per Judy M. villagers need to seek permission prior to placing items in all parks. Per NVC's "**Policy for Preservation of Public Land**" passed May 9, 2022: *"The Overseers may grant conditional approval for the installation of certain removable items, such as benches or gardens, subject to conditions as set out by the Board of Overseers. Such approval is in the sole discretion of the*

Board of Overseers and may be withdrawn at any time, whether or not the conditions of installation have been satisfied”.

Per Brady B. the appropriate approach concerning items in Merrithew Square and other Parks would be to first bring it to the Parks & Trees Committee who will then present it to the Overseers for their consideration.

Finance Committee – Fred Lincoln

Fred L. referred the Overseers to his report distributed prior to the meeting. The Committee is looking at the shared expenses between the three Departments: Sewer, Water & General. He will be talking with Chuck Applebee for his input and perspective from the Utilities Department to develop a possible rental fee.

Capital Planning Process/Approach: The Finance Committee would like to have a more formalized approach to promote the accuracy and forecasting current and future anticipated major projects. The Committee wants the Overseers to keep in mind what NVC needs to plan for and have a more formal schedule of those annual events so we can budget for them properly and not have any surprises arise so we can be proactive instead of reactive.

Governance Committee – Judy Metcalf

The Committee has met twice since the last Overseers meeting and there are two action items for consideration.

Page 10 of the NVC Zoning Ordinance has been revised, inspired by the guidance and input of Northport’s CEO, Tupie Rooney and how we define pervious versus impervious in the context of parking spaces regarding grass area, gravel driveways and affect on lot coverage calculations. This particular revision, if approved today, needs to be put out for a Public Hearing for these proposed changes on Memorial Day Weekend. We will have to advertise twice for the Public Hearing in the Republican Journal and post on our bulletin boards. The meeting cannot be advertised closer than seven days prior to the Hearing.

Brady B. moved, seconded by Vicky M., to approve the changes to Page 10 of the Zoning Ordinance and schedule the Public Hearing for Memorial Day Weekend. Voted: Unanimous

A redlined version of Page 10 of the existing Zoning Ordinance will be put out to the public prior to the Public Hearing.

Revised “Application for Use of Village Property for Construction Activity” & “License and Indemnification Agreement”.

Changes to License and Indemnification Agreement include: Start & end dates for projects must be defined by the owner; projects cannot be started between May 15 through October 15; policy of public liability insurance increased from \$500,00 to one million dollars.

Judy moved, seconded by Brady B., that the “Application for Use of Village Property for Construction Activity” and the related “License and Indemnification Agreement” be approved for presentation to the villagers who want to use any public property. Voted: Unanimous

Utilities – Jeffrey Wilt

The Utilities Trustees met on Friday, March 14. There were no exceedances during February and March. Under the new leadership of Chuck Applebee, and with consultation from Bill and Fernie Barton, there has been a change in how our the system is utilized; now using all three trains all the time.

Chuck A. has submitted two grants for: 1) Climate Adaptation Planning and) Fiscal Sustainability Planning. These grants will help us determine the useful life of all of our equipment. Waiting for the DEP to make an award.

In submitting a grant application to the state, we must include a medium household income survey for NVC. We last completed such a study in 2011. Best practice dictates completing an income study every 5 years. In planning for future Utility Department budgets, we must include funds for regular household income surveys. For recent grant applications census data was used, which puts NVC at a disadvantage for grant scoring.

The Utilities Trustees voted to extend the moratorium on new sewer connections another six months. A moratorium can only be done in six-month periods. They will be holding a Public Hearing on April 29 via Zoom and the Community Hall. Judy M. will publish the appropriate documents for a Public Hearing. That Hearing will be followed by a special meeting of the Utilities Trustees to further discuss the continuation of the moratorium. With the new leadership of Chuck A., operations are being handled differently and the Trustees need more time to see the impact of these decisions.

The Trustees also voted to change the time of any future meetings for the Friday before the Overseers meeting to 1:00 p.m. from 2:30 p.m.

Infrastructure Committee – Celine Bewsher

Attended a meeting of the MidCoast Council of Governments, which is a government funded organization providing assistance to municipalities such as advisory work, access to grants, grant guidance, succession planning, review of grants and applications for feedback, etc. Membership for the basic package is \$1.25 per resident. She will coordinate with MOCOG to attend a future Overseers' meeting for a presentation by them.

A Northport resident has reached out to Northport's Town Manager, James Kossuth, regarding grant writing. The Committee will explore to see if there are other experienced grant writers in Bayside who would be willing to volunteer their time for grant writing for future Bayside projects.

Contacted Heather Seiders of the Boat Facilities Program, Maine Department of Agriculture, Conservation and Forestry. With help from Bill P. we have submitted a grant pre-application with a brief description of damage to the wharf and the replacement for the two floats. The max grant is \$100,000 with a 25% match from the grantee. We are waiting for an inspection to determine whether NVC qualifies to submit a grant application.

Have reached out to Chris Mayo from the State Department of Transportation regarding "Small Harbor Improvement Grants" availability and to Doug Beck at the State Land Water Conservation Fund regarding grant opportunities and waiting to hear back from both.

Parks & Tree Committee – Vicky Matthews

Johanna & Morgan Knott (Auditorium Park) are having an addition put on their house and have requested permission to take down a tree half on their property and half on Village property. It will interfere with their construction project. The Knott's have agreed to pay for the removal of the tree.

Vicky M. moved, seconded by Celine B., to give the Knott's permission to remove the tree at their expense, with the understanding that the Tree Committee will replace the tree in a different location sometime in the future. Voted – Unanimous

Vicky M. referred the Overseers to the proposal and design from Steve Kazilionis, distributed prior to the meeting, to develop a garden at the lower portion of Upper Bayview Park adjacent to George Street. Thorough discussion ensued. It was decided that no action would be taken as presented. The Board referred the proposal back to the Parks & Tree Committee to further delineate size, species and scope of the proposed garden.

Safety Committee – Michael Tirrell

Working with the lifeguards on scheduling for this summer. The Safety Committee will be meeting within the next two weeks.

Waterfront – Brady Brim-Deforest – No report

Communications Committee – Michael Tirrell – No report

Technology Committee – Brady Brim-Deforest

Brady B. recommended approval of “NVC Privacy Policy” and “Terms of Use Policy” distributed prior to the meeting.

Jeffrey W. moved, seconded by Michael T., to approve the two policies as stated above. Voted: Unanimous.

Town Liaison – Jeffrey Wilt

The Town of Northport is thick into the process of their Budget. He and Janae have been attending Budget Meetings. Dialogue has been very positive.

Public Comments

Alma Homola (11 Park Row) stated the Tree and Parks Committee already had specific discussion regarding species of each plant the Kazilionis plan presented.

Executive Session

The Overseers retired to Executive Session at 12:00 noon and returned to public session at approximately 12:05 p.m.

Jeffrey W. moved, seconded by Judy M., to approve the Personnel Committee’s recommendation to increase the Office Assistant position from 15 hours per week to 20 hours per week. Voted: Unanimous.

The meeting was adjourned at approximately 12:06 p.m.

Respectfully submitted by

Maureen (Beanie Einstein), Clerk

And

Janae Novotny, President