

**Board of Overseers  
Minutes of the Meeting  
January 20, 2002**

President Ken Vlodek convened the meeting of the Northport Village Corporation Board of overseers on January 20, 2002, at 10:17 AM in the Drinkwater School with Overseers O'Malia, Lightner, Trenholm, Smith, Doucette, Treasurer Handler, and Clerk Lagner present. Also present were Crofoot, Superintendent Fancy, Merolla, Manager Paige, Samway, Phillips, and several other residents.

The minutes of the December 16, 2001, meeting were approved.

The Treasurer's report was approved as follows:

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General Government	
Checking	\$48,074.35
Community Hall	289.75
Money Market	<u>42,360.76</u>
Total Government	<u>90,724.86</u>
Water Department	
Checking	<u>22,451.40</u>
Sewer Department	
Checking	16,158.58
CD721053	19,359.70
Money Market	<u>21,689.43</u>
Total Sewer Dep.	<u>57,207.71</u>

Russ noted that the town of Northport has not been depositing our tax share in a timely manner. This means interest is lost and increases the possibility that checks can be misplaced. He has requested that checks be deposited weekly.

A study is being made of the tax lists, looking for errors and omissions. By comparing the property, water, and sewer users lists, Russ and Elaine Smith hope to create a correct, current data base that can be kept up-dated.

Two checks originally on the warrant have been voided: (1) Fire Island Construction: damage to the culvert should be paid by the contractor causing the damage. Russ will send a letter to Kevin explaining why NVC is withholding payment, with a copy for the clerk to attach to the minutes of Dec. 16, 2001. (2) Belfast Water District, for the bill which Collins paid directly to them. Collins has been notified of this action.

**Resident's Concerns**

Nitzburg: The road has been re-graded to lead the water away from the problem area. Ken will write a letter to Mr. Nitzburg.

**Village Agent**

Plowing: John \_\_\_\_ in Searsport is plowing and sanding for the Village.

Parks bid specs: John Fancy and Bill will give the data to Ken, who will write the specifications.

**Water/Wastewater**

Beverly Crofoot reported on the meeting of the Water/Wastewater Committee.

She noted that water use is up 50 percent since connecting to Belfast.

We have received the papers from Rural Development for the funding. It was pointed out that these loans can be re-financed if a better rate is found.

Funding Documents for wastewater/storm water and roads:

Be it resolved that the Board of Overseers of the Northport Village Corporation approves and accepts in all respects, a proposed loan of \$440,000.00 at an interest rate not to exceed four and three-quarters percent (4.75%) for a period not to exceed twenty-nine (29) years, from the USDA Rural Development (RD) for the purpose of wastewater collection/stormwater system improvements in the village area in accordance with Loan Resolution (Public Bodies) RUS Bulletin 1780-27, and a proposed Grant in the amount of \$230,000.00 in accordance with Grant Agreement RUS Bulletin 1780-12 and the Resolution of the Board of Overseers to authorize the President and the Clerk to execute and deliver all documents, and to take any and all actions necessary to carry into effect such financing, including, but not limited to, Form RD 400-1, Equal Opportunity Agreement, and Form RD 400-4, Assurance Agreement.

RUS Bulletin 1780-27 was presented and voted upon as follows:

Yeas 5 Nays 0 Absent 2

The "Resolution of the Board of Overseers of the Northport Village Corporation" (copy attached) pertaining to the Rural Development Grant was presented and voted upon as follows:

Yeas 5 Nays 0 Absent 2

It was moved to accept the resolution as presented and authorize the officers to execute. **VOTED.**

Funding Documents for water:

Be it resolved that the Board of Overseers of the Northport Village Corporation approves and accepts in all respects, a proposed loan of \$242,000.00 at an interest rate not to exceed four and three-quarters percent (4.75%) for a period not to exceed twenty-nine years, from the USDA Rural Development (RD) for the purpose of construction of a water distribution system in the village area, and add water meters in accordance with Loan Resolution (Public Bodies) RUS Bulletin 1780-27, and a proposed Grant in the amount of \$188,000.00 in accordance with Grant Agreement RUS Bulletin 1780-12 and the Resolution of the Board of Overseers to authorize the President and the Clerk to execute and deliver all documents, and to take any and all actions necessary to carry into effect such financing, including, but not limited to, Form RD 400-1, Equal Opportunity Agreement, and Form RD 400-4, Assurance Agreement.

RUS Bulletin 1780-27 was presented and voted upon as follows:

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The "Resolution of the Board of Overseers of the Northport Village Corporation" (copy attached) pertaining to the Rural Development Grant was presented and voted upon as follows:

Yeas 5 Nays 0 Absent 2

It was moved to authorize the officers to execute the resolution as presented. **VOTED.**

Water meters, read by radio, will cost about \$90,000, plus \$30-40,000 for installation. Meters will have to be disconnected and drained at the end of each season, either by unhooking them and leaving them hanging, or installing a meter pit, at an estimated cost of \$500. The Board must decide who will read the meters, and what billing process to use. The software for billing water customers based on meter readings is expensive, so it may be more expedient to ask the Belfast

Water Company to handle this. Meters will be installed this summer with the new billing system beginning January 2003, and the first bills to be sent in April 2003.

The NVC cannot close on the loans until a pay-back structure is in place. The money must be borrowed on a short-term loan so construction can be completed, then the permanent Rural Development loan will be used to pay back the short-term loan. Closing on the permanent loan is scheduled probably for the 3rd book quarter of 2002, with the first payment due one year from closing. At this time the new rate user fees will not have been in effect for a full year, so sufficient funds must be set aside to cover this situation.

Dirigo is preparing final plans for the Phase I Infrastructure Project bids. Contractors will schedule their own work, which could begin in the spring, (July and August no work) and be completed in the fall.

The Board previously voted to postpone the bids until May in case some discretionary funds became available, which now is unlikely.

It was moved that, in light of the fact that a major need to postpone the bidding does not exist, that we authorize the bidding for this February, or as soon as ready. **VOTED.**

Russ asked that the Bond Counsel, Mike Trainor, charge an hourly rate rather than a flat percentage rate. A commitment letter from the lawyers is requested by Rural Development as to projected legal costs.

It was moved to retain Mike Trainor as Bond Counsel for borrowing for the Phase I infrastructure subject to commitment letter.

Discussion: NVC has a commitment letter for an hourly rate with Eaton-Peabody, (Mike Trainor is included as he is an associate of Eaton-Peabody). Ken will check to see if these letters will satisfy the Rural Development requirement. Therefore, the motion was withdrawn.

The DEP has sent a letter requesting that the wastewater treatment plant be evaluated, with the goal of improving its performance. For a fee of \$2,000.00, Dirigo Engineering will work with John Fancy and the Utility Committee on this.

It was moved to accept the letter and to authorize Dirigo to spend up to \$2,000 on an evaluation of the Wastewater Treatment Plant. **VOTED.**

A person to be the citizen contact during the Phase I Infrastructure Project, and help procure signed easements, is needed. It is necessary to warn people of the unavoidable inconveniences caused by the construction. To be mailed this spring, a preliminary informational letter with a signature line granting an easement might reduce the number of direct contacts necessary. John will ask Dirigo to submit a bid for this initial mailing, and John will also write several articles for the newsletter, one informational, and one about the water meters. Elaine offered to track the responses, and Steve offered to help with the door-to-door contacts. Written complaints should be addressed to the post office box.

### **Ad Hoc-Arsenic Contamination Committee**

Galen Plummer reported that at a meeting with the Northport Town Selectpersons concerning a community block grant, they are very supportive. A figure of \$700,000.00 was discussed. Bryce Matthews with the Midcoast Regional Planning Commission was suggested as a consultant. He is seeking other funding sources.

Bryce Matthews requested that an authorized contact person (the facilitator?) be appointed to deal with the Midcoast Regional Planning Commission.

Ken created a sub committee of the Water/Wastewater Committee, with Todd and Matt as chairmen, to be the contact with the Board, and to decide if a facilitator is needed. The Ad Hoc

committee will still remain active. Ken assured the residents that this was a community problem that affects us all, not just a south shore problem.

Ken suggested we have an open meeting to publicize the situation, but it was decided to postpone a public forum while the committees gather more data.

John reminded the Board that the scope of the project needs to be clarified. Should it include the sewer rebuilding in areas that were dropped from Phase I due to lack of funds, the extension of the water line to the South Shore, the connection to Bluff Road and other locations outside the Village limits- just what should be included?

The following timeline was suggested:

- February 2002: apply for the grant with Midcoast Planning.
- April-May: grant money comes in to hire a facilitator (if recommended).
- June: hire the facilitator. Prepare for meeting. Committees and facilitator work with Dirigo, looked at funding sources to prepare a concrete plan to be voted on. Any Community Block Grant money won't come in until 2003. A second Rural Development 42% grant may also be available after the first of the year.
- July/August: Village meeting.

It was moved that the Board of Overseers is in support of the town of Northport's application for a Community Block Grant for planning purposes for extending the deep water line to the south shore and up to Bluff Road to address the arsenic contamination problem, and that the Board authorizes a Water/Wastewater Sub-Committee to also look at adding back the Phase I Infrastructure Project omissions with the goal of presenting a project to the voters of the Village Corporation in the summer of 2002. **VOTED.**

### **Finance**

Dan Doucette distributed the 2000 audit. He noted that interest rates on the first three bonds are above 6%, while rates today are running 3-4%, and recommends that we re-finance when we borrow money for the next project.

It was moved that Birchcrest be included in the bid for work, to be performed after August 15, 2002, contingent upon authorization by the vote of the Village Corporation, and receipt of a binding written agreement of repayment by each new user. **VOTED.**

Ken says we should have the 2001 audit by the end of March, 2002. The end-of-year 2001 numbers were distributed.

### **Parks**

Tree work is done.

The formation of the garden club will be written up for the newsletter.

### **Information**

It was suggested that the Agenda for the Overseers' Meetings be published on the Website.

### **Recreation**

A group has met to set up the Community Calendar. It should be ready by April.

### **Safety**

Mary Malone will be hired as lifeguard, working 40 hours per week at \$9.50 per hour, schedule to be arranged. She has given swimming lessons in the past.

Russ has found a back-up person, and this would make it possible to have a life guard 7 days a week, for longer hours.

### **Legal**

Re the suit with Northport, Ellie Lagner's deposition was canceled after 1/2 hour. The Northport lawyer now wishes to depose John Dykstra. Depositions must be completed by April 1. Trial will probably be some time late this summer.

After executive session, it was moved that Blaine Richardson be and hereby is appointed a code enforcement officer for the Northport Village Corporation to enforce, oversee, and administer all aspects of the Northport Village Corporation zoning ordinance adopted on August 20, 2000, and that he take such actions consistent with that ordinance within the geographic limits of the Northport Village Corporation, with the exception of the land within the Northport Village Corporation which are governed by the Town of Northport shore land zone ordinance. **VOTED.**

### **New Business**

Tim Samway requested that we recognize Eldon Pond's significant contribution to Bayside. It was moved that the Board set up a "Distinguished Citizens' Recognition Award" plaque. Award presentations could be made at the Annual Meeting. It was not brought to a vote, but the Board will investigate the form such an award would take for later acceptance.

The meeting adjourned at 2:51 PM.

Respectfully submitted,

Eleanor D. Lagner, Clerk