

MINUTES
Overseers Meeting
August 21, 2011

Present:

President: Josiah Huntoon	Overseers: Marge Brockway
Village Agent: William H. Paige	Ned Lightner
Village Clerk: Maureen Einstein	Denis Wang
Treasurer: Bill Cressey	Lee Houghton
Distribution Operator: William E. Paige	Judy Metcalf
	Steve Kazilionis

Visitors: Blair Einstein, Dick Brockway, Bob Smith, Blair Einstein, Shirley Rand, Judy Rohweder, Cindy Bravo.

Meeting called to order at 9:00 a.m. by President Huntoon.

Organizational Meeting

President Jo Huntoon called the meeting to order at 9:00 AM.

The first order of business was the appointment of a secretary for the meeting. Judy Metcalf nominated William Cressey. Seconded by Steve Kazilionis. Elected by voice vote.

Jo Huntoon asked if all overseers were willing to continue their current committee assignments. All agreed to continue their current assignments. Steve Kazilionis moved to recommend that the President re-appoint all committee chairs. Denis seconded the motion. Approved. Committee assignments are:

Denis Wang: Personnel
Lee Houghton: Surface Runoff
Ned Lightner: Safety
Maureen O'Keefe: Communications, Town Liaison
Steve Kazilionis: Finance
Marge Brockway: Facilities

Maureen O'Keefe agreed to continue opening the bank statements.

Jo Huntoon then called for nominations for of Chairperson of the Board of Overseers. Judy Metcalf nominated Marge Brockway. Seconded by Steve Kazilionis. Approved.

Utility Trustees.

Judy Metcalf advised that two terms were expiring: Dick Brockway (citizen slot) and Ned Lightner (overseer slot). After ascertaining that both were willing to continue to serve as trustees, Judy Metcalf moved that the overseers recommend that the president re-appoint both incumbents. Seconded by Denis Wang (as to Dick Brockway) and by Steve Kazilionis (as to Ned Lightner). Approved. President Huntoon then appointed the two incumbents to new terms. The Trustees are:

David Crofoot (Chair) (as of 9/11, one year remaining on at large 2 year term)
Judy Metcalf (as of 9/11, one year remaining on 2 year term)
Denis Wang (as of 9/11, two years remaining on 3 year term)
Ned Lightner (as of this appointment, he is beginning a 1 year term)
Dick Brockway (as of this appointment, he is beginning an at large term of one year).

Meeting Times. President Huntoon asked if the overseers were satisfied to continue meeting on the second Sunday of each month at 9:00 AM. Everyone agreed. Upcoming meetings will be:

September 11
October 9
November 13
December 11 (if needed)

Jo Huntoon then raised the issue of rules for participation in meetings. The rule is only qualified NVC voters are entitled to speak. A maximum of five minutes may be used by any speaker. The overseers may (and routinely do) recognize non-citizens who have business to put before the board.

Judy Metcalf had prepared and distributed several new sections to the Overseers Manual and a new Table of Contents.

Steve moved to adjourn the organizational meeting. Seconded by Judy. Approved by voice vote.

Regular Meeting

Jo Huntoon called the meeting to order at the conclusion of the Organization Meeting.

Denis moved to accept the minutes of the July meeting.
Seconded by Judy
Approved.

Treasurer's Report. Cressey distributed traditional-format reports for general government and the utilities. He mentioned that the tax revenues had been entered too soon and indicated that this would be corrected. He said he had reviewed the reports and did not find anything out of the ordinary. He offered to entertain questions. Dick Brockway asked if the treasurer could comment on the financial health of the Village.

Cressey answered that the Village finances were in excellent condition: the budget has been adequate with small surpluses for the last several years and the Overseers stated goal of accumulating enough reserve cash to cover one year's expenses has almost been met. He stated further that the utilities are also in excellent financial condition: barring any unforeseen circumstances the sewer fees will not need to be raised any time soon. The water fee just covers the expenses.

Steve asked if the salary of the Distribution Operator could be separated from the Village Agent line and separately identified on the reports. Cressey said that this would be done.

Visitors Concerns

Alden Badershall asked, on behalf of Mr. Dean of Bayview Park, for approval to:

- (1) relocate the drainage from the house on the corner of George and Sea Streets so that it doesn't run into the dean foundation,
- (2) Move the Dean cottage into Bayview Park temporarily while a new foundation is built, and
- (3) Install A pipe and drainage field in Bayview Park to receive basement water from the Dean cottage.

He provided a good deal of discussion of the project, answered a number of questions from the overseers and other interested parties, and agreed to provide formal specs and drawings to the Board.

With respect to item (2), Judy Metcalf moved as follows:

that the Village grant a temporary storage and construction easement to Mr. Dean for the purpose of storing the cottage on Bayview Park on terms and conditions consistent with the village's requirements, including the duty of Dean and his contractors to indemnify the village for any damage arising from such storage and the duty to restore the Park after the cottage is removed from it. Consistent with Alden's request the period of storage will be from September 6, 2011 for approximately 4 weeks.

Seconded by Ned Lightner. Approved.

With respect to item (3) Judy Metcalf moved as follows:

that the Village grant an easement appurtenant to the Dean property for the purpose of installing a underground drainage system in Bayview Park as depicted on the drawing to be supplied by Dean's contractor, which drain shall be utterly underground, not visible and which will not be installed in a way to mound or alter the general grade of the Park at all (understood to not interfere with the mowing and lifting the grade only up to approximately 3 inches). Dean's contractor to provide a schematic drawing of the location of the system and the system to be installed in a manner and location that will not infringe upon or interfere with the underground sewer pipes. The easement shall

include the right and obligation to maintain the drain so that it continues to operate in a nondeleterious manner. The easement shall serve as a lien on the Dean property securing the promises of Dean and his successors and assigns to properly maintain the drain and indemnify the village for any claims or damages arises from its installation and maintenance in the Park.

Seconded by Marge Brockway. Approved.

Steve K asked if these motions could be subject to a performance bond from the property owner. Judy M responded that issuing the easements pursuant to a lien on the cottage would satisfy this goal.

With respect to item (1), Judy Metcalf moved as follows:

that the Village grant an easement appurtenant to the Dean property for the purpose of moving the existing drain which runs behind the Dean cottage on and over the village right of way behind the Dean cottage to a location so that it no longer drains under the Dean cottage and instead carries the water to the new drainage area described in vote two above. Such easement shall be subject to and consistent with all the village standards concerning indemnification outlined in similar easements and consistent with the promises and obligations outlined in vote two. The easement shall be solely for the purpose of transporting storm water run off. No gutters, cellar drains, or so-called gray water shall be channeled into the drain.

Seconded by Lee Houghton. Approved.

Peter Stuart asked, on behalf of Alma Homola, for approval

(1) to tie on to the existing village storm drain on Park Row, and

(2) to store the building partially on Village property during the construction of a new foundation.

With respect to item (1), Judy Metcalf moved as follows:

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that the Village grant an easement appurtenant to the Homola property for the purpose of tying into the existing village storm drain located in Ruggles Park. Such easement shall be subject to and consistent with all the village standards concerning indemnification outlined in similar easements and consistent with the promises and obligations outlined in connection niwht the Dean cottage easements. The easement shall be solely for the purpose of transporting storm water run off. No gutters, cellar drains, or so-called gray water shall be channeled into the drain.

Seconded by Marge Brockway. Approved.

With respect to item (2), Judy Metcalf moved as follows:

that the Village grant a temporary storage and construction easement to Ms. Homola for the purpose of storing the cottage on the village property behind her cottage on terms and conditions consistent with the village's requirements, including the duty of Homola and her contractors to indemnify the village for any damage arising from such storage and the duty to restore the village property after the cottage is removed from it. Consistent with Peter's request the period of storage will be from September 6, 2011 for approximately 4 weeks.

Seconded by Marge Brockway. Approved.

Village Agent.

Village Agent Bill Paige raised several issues:

1. Alden should be in touch with Billy before digging in Bayview Park so Billy can make sure Alden knows where the water lines that cross Bayview Park are located.
2. There is a rodent problem in the community hall. Bill was authorized to contract an exterminator to deal with this.
3. Bill needs to order some street signs and get them installed (authorized).
4. Dick will need to redesign the "No Swimming" sign to conform to DEP standards.
5. Bill has a bid for \$750.00 to repair the posts and railing at the end of Clinton Street. (Approved)
6. Miscellaneous items
 - a. Two more benches will be placed in Auditorium Park.
 - b. Peter is working on repairing the light at the end of the dock.
 - c. We need to re-gravel the parking lot in Merrithew Square the last week of September.
 - d. Per Lee Houghton, Bill will get the storm drain covers painted with heavy-traffic yellow paint and also paint lines on the roads to indicate the locations of the storm drains. (Motion to approve: Lee. Second: Denis. Approved)
 - e. Bill has developed a plan to address water washout on Clinton Street
 - f. Catch basins have been cleaned out.
7. Bill asked if he should put the snow plowing contract out to bid. The overseers asked him to prepare the specs for them to review at the September meeting.
8. Judy Metcalf asked about the library job. Bill said the roofs have been shingled, as has the roof of the building on the Bluff Road. Bill then presented three bids for the remaining parts of the library job and the boat float ramp. Marge opened the bids.

After discussion, Judy Metcalf moved to accept the R&R Building & Painting bid for the library work (including benches) at \$2,620. Seconded by Steve K. Approved.

The Overseers rejected both bids for the boat float ramp because it appeared that the bidders did not understand the scope of the work. Bill was asked to write up a new RFP document and give it to both bidders so they could resubmit.

9. For the resurfacing of the basketball court, Bill received a bid for \$4,970 from Marriner's (plus \$300 for loaming and seeding). This was better than the previous bid received for the same work. Judy Metcalf moved to accept this bid. Seconded by Lee Houghton. Approved.

Visitors Concerns (Part 2)

Dick Brockway said that someone had expressed concern about how the boat floats were attached to that wharf.

Bob Smith and others expressed concern about the quality of police coverage this year. There was considerable discussion. Ned assured Bob and the other concerned citizens that the safety committee has taken steps to work effectively with the Waldo County Sheriff's department to improve policing in the village. He assured the citizens that the safety committee was taking their concerns seriously and that a thorough review of this year's experience would be conducted.

President Huntoon agreed that this was a matter for the committee to address and asked the committee to conduct a survey of public opinion.

Cindy Bravo asked for an update on the two possible encroachment situations that she had raised in a previous meeting. Judy Metcalf explained that informal measurements had confirmed that encroachments likely existed in both cases and that the Overseers, after discussing various aspects of the situations had decided to offer both property owners non-exclusive licenses for the use of the properties in question. Subsequently a storm destroyed the stairs on one of the subject properties so this was rendered moot.

Judy Rohweder expressed concern about cars parked on Bay Street blocking the way and preventing emergency vehicle access to Bayview Park. Bill Cressey added that if the boulders and benches at the top of Bayview Park (along George Street) could be moved slightly, this would permit an alternate route for emergency vehicles if needed. The issue was referred to the safety committee.

Mr. Webster asked for an update on the issue of the Mulberry Tree in Bayview Park. Lee, Denis, and Ned had done a site visit and suggested moving the tree to a location 10' to the east of where the old Mulberry tree had been. Mr. Webster agreed to contribute up to \$150.00 towards the cost of relocating the tree. Lee moved adoption of this solution. Seconded by Marge Brockway. Approved.

Bill Paige asked about the building on the Kelly lot on Main Street, which he said looks to be 20-24 inches closer to the road than previously, and Judy suggested he ask the CEO if a permit should have been required for this work.

Cindy Bravo raised the issue of a pile of dirt and a parked truck on the right of way at the extension of Cross Street. Judy Metcalf offered to speak with the property owner.

Communications and Town Liaison

Two issues had been raised by the Selectmen.

- (1) We need to get the word out about the dangers of Hog Weed and make sure people don't try to deal with plants themselves.
- (2) The issue of Bay Street parking was raised by selectmen (Bay Street is a street subject to maintenance and management by the Town). Two possible solutions offered by the Selectmen would be making it a one-way street or limiting parking to one side of the street. The Overseers agreed that the option of making it a one way street would not be palatable to the villagers. They suggesting recommending no parking on the park side of the street from Maple to Sea Streets. Maureen will take this recommendation to the selectmen.

Facilities

Jo has signed a submerged land lease for the wharf.

Finance

Nothing to report.

Safety

A possible ordinance for no smoking on the dock was discussed and referred to the safety committee. It was asked that the painted line on the dock showing where kids can jump and where they cannot jump be restored, along with a "No fishing on swim float" sign. Finally the issue of dog feces in the parks was raised and Maureen was asked to draft a notice to dog owners and renters to remind the citizens that we have a "pooper scooper" ordinance which carries with it fines for failure to comply. Judy reminded that the ordinance requires that the feces be removed. Merely scooping it into a storm drain or ditch does not satisfy the ordinance.

Surface Runoff

Nothing to report

Utility Committee

The next meeting will be September 9. There have been no violations for quite a long time. The utilities are in a good financial position and DEP relations are excellent. The outfall extension project is on track to start this fall, along with repair of the third series of septic tanks. It is hoped that there may be sufficient funds to accomplish some I&I remediation on Cobe Road as well.

Other Business

The possibility of a fireworks ordinance was raised.

The continuing issues of dinghies and kayaks at the waterfront was raised. The possibility of conducting a survey on storage issues with an eye towards reconciling boater and bather enjoyment of the beach areas. It was suggested that it would be good to consult with Lora Mills on the issue.

The executive Session was deferred

JM Moved to adjourn. Seconded by Denis. Voted. Approx 11:50 AM.