



BYLAWS OF NORTHPORT VILLAGE CORPORATION
As Amended: August 9, 2022

Citizen's Note and Preamble:

In 1915, the Maine State Legislature approved the Charter of the Northport Village Corporation creating the village, setting forth its rights and obligations to the property owners and public within the geographic limits of the Village, and allowing the Villagers to adopt bylaws consistent with the Charter. These bylaws, as amended, set forth the manner in which meetings and the governance of the Village shall be conducted consistent with the provisions of the Charter.

President

The President of Northport Village Corporation (hereinafter "Village") shall be elected to a three year term by the voters of the Village. The President shall be the chief executive officer of the Village. The President shall have the power, and it shall be the President's duty, to carry out the instructions given at any legal meeting of the Village or the Board of Overseers. This shall include providing for the supervision of employees of the Village and entities providing services to the Village.

The President shall publish in accordance with the public access laws the agenda for each meeting of the Board of Overseers. The President shall appoint the members of such standing and ad hoc committees as advised and recommended by the Board of Overseers.

The President shall not vote at the meetings of the Overseers except in the event of a tie on any pending motion. [See section 9 of the Charter: "The president, if present, shall preside over all of the meetings of the board of overseers, and in the event of a tie shall cast the deciding vote. In the absence of the president, a chairman shall be elected to preside."]

Should any emergency arise in the intervals between the meetings of the Board of Overseers, the President shall have the authority to call emergency meetings of the Board of Overseers. If a quorum cannot be assembled in a timely manner to respond to the circumstances of the emergency, a majority of the Overseers present may allow any absent Overseer to participate from a remote location to be counted toward the establishment of a quorum. The President in such emergencies shall have authority to take only such minimal actions reasonably necessary for the preservation of the corporate

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property, and the preservation of health and safety of the public and private property within Village boundaries.

Chairman

The Overseers shall elect a Chairman from amongst their members at the organizational meeting following the Annual Meeting. In the absence of the President, the Chairman shall have all of the duties and powers of the President to call a meeting and to conduct the meeting in the absence of the President. Otherwise, the Chairman has no other specific duties or authority not possessed by the Overseers acting as a Board.

Treasurer

The Treasurer shall be elected to a three-year term by the voters of the Village. The Treasurer shall have the custody of the money of the Village and shall deposit same in banks authorized by the Board of Overseers. The Treasurer shall be bonded as the Board of Overseers may direct. The Treasurer shall pay out money consistent with the terms and directions of the warrants for payment authorized by the Overseers. The Treasurer shall keep proper books of account, and shall, with the assistance and participation of the Board of Overseers, present at the Annual Meeting the Proposed Budget for the consideration and approval of the villagers. At that Annual Meeting, the Treasurer shall render a report of the financial standing of the Village, including, but not limited to, a statement of income and disbursements. The Treasurer shall submit a report at regular meetings of the Board of Overseers, which report shall state the financial status of the Village with respect to its assets and liabilities and the income and expenditures of the Village.

Deputy Treasurer

The Overseers shall appoint a Deputy Treasurer from amongst their members at the organizational meeting following the Annual Meeting. In the absence of the Treasurer, the Deputy Treasurer shall have all the duties and powers of the Treasurer, including the duty to be bonded as the Board of Overseers may direct until such time as the Treasurer shall return.

Clerk

The Clerk shall be elected for a three-year term by the voters of the Village. In accordance with the Charter of the Village, the Clerk shall be a resident of the State of Maine. The Clerk shall have custody of the Corporate seal and records of meetings of the Overseers and their actions. The Clerk shall see that public notices are posted and placed in local newspapers as requested by the Board of Overseers.

Deputy Clerk

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The Overseers shall appoint a Deputy Clerk at the organizational meeting following the Annual Meeting. In the absence of the Clerk, the Deputy Clerk shall have all the duties and powers of the Clerk. The Deputy Clerk shall be a resident of the State of Maine.

Overseers

A Board of seven (7) Overseers shall be elected annually at the Annual Meeting of the Village. Each Overseer shall be elected for three-year terms. The Overseers are the municipal officers of the Village and shall have general charge of the affairs of the Village and may make and authorize such expenditures for general corporate purposes as they may think advisable or necessary. They shall have power to enter into a contract for supply of utilities and services. They may establish a Police Force and a Fire Department and appoint members of same. They shall render their advice and consent to the President as to who should be appointed to the standing and ad hoc committees of the Village.

A quorum of the Board must be present to conduct any business of the Village. A quorum shall consist of no fewer than four Overseers in attendance at any duly noticed meeting of the Board. The President shall not be counted in determining if a quorum is present. The vote of the Overseers participating by telephone or video shall be recorded as a valid vote on all motions before the Board of Overseers.

Along with the three Village Officers (President, Treasurer, and Clerk), the seven Overseers shall serve three-year terms. Elections shall be as follows:

- Annual Meeting of 2018, election of President and three Overseers to three-year terms (expiring August, 2021) election of the Treasurer to a two year term and two Overseers to a two-year term (expiring August, 2020), and the election of the Clerk and two Overseers to a one-year term (expiring August 2019).

At subsequent Annual Meetings, elections shall be held for those Officers and Overseers whose three-year terms have expired.

Vacancy

[quoting section 16 of the Village Charter]: In the event of the death or resignation of any officer or overseer, [that] place may be filled by vote of a majority of the Board of Overseers, and the new officer or overseer so elected shall hold [that] office until the next annual meeting, or until [a] successor is elected and qualified.

Standing and Ad Hoc Committees

The President of the Village, consistent with the advice and recommendation of the Board of Overseers, shall appoint, from the Board of Overseers, such chairpersons of such committees as are deemed necessary. Committee members shall be drawn from the

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eligible voters and from the households of those eligible voters in the Village. The following committees shall be appointed at the first organizational meeting after the Annual Meeting of the Village:

- A. Utilities Committee. The members of said committee shall be appointed in accordance with the terms and conditions of the Utilities Ordinance duly adopted by the Village, as amended from time to time.
- B. Finance Committee;
- C. Safety Committee;
- D. Infrastructure Committee;
- E. Parks and Trees Committee;
- F. Waterfront Committee;
- G. Governance Committee; and
- H. Communications Committee.

The President shall appoint, with the advice and recommendation of the Board of Overseers, a Nominating Committee no later than June 30 of each year.

The President shall appoint, with the advice and recommendation of the Board of Overseers, a Voter Registration Committee no later than June 30 of each year.

If the Overseers determine that an ad hoc committee ought to be organized and appointed to serve the Village purposes, the President shall appoint, with the advice and recommendation of the Board of Overseers, any such ad hoc committee and identify the terms and conditions of membership thereon.

It shall be the duty and responsibility of each standing and ad hoc committee to publish in accordance with the public notice laws the agendas for any meetings of each said committee.

Meetings

All Meetings of the Overseers or any committee of the Village shall be public meetings and shall be conducted in accordance with the requirements of the 1 Me. Rev. Stat. Ann. §§ 401 et seq. As such, they shall be conducted in person, and open to the public, subject to the limited executive session requirements of the law. These provisions cannot be waived even in the event of emergency meetings permitted above.

The Board of Overseers shall meet no less frequently than once a month, with the exception that the Board may determine whether a meeting will be necessary in December. At the first Organizational Meeting of the Overseers after the Annual Meeting, the Overseers shall identify and declare the day of the week when such meetings will usually occur so as to assure a quorum at all meetings. Additional or Special meetings may be called at any time with notice by the Board of Overseers, or in the event of an emergency as set forth above

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All notices of all meetings of the Overseers shall be posted in accordance with the requirements of the laws of the State of Maine. At a minimum, the notices shall be posted in four (4) conspicuous places within the territorial limits of the Village. All notices shall identify the purpose and agenda items known at the time of posting.

Annual Meeting

In accordance with the State authorized charter for the Village, the Annual Meeting of the Village shall be held on the second Tuesday of August of each year within the territorial limits of the Village at a time and place to be designated by the Overseers. Seven (7) days prior to such meeting, the President and Clerk, or either of them, shall cause notices to be posted in four (4) public places within the territorial limits of the village, and in a newspaper of general circulation in the geographic area of the Village, the notices stating the time and place of such meeting. A warrant shall be posted seven (7) days prior to the Annual Meeting alerting voters as to specific issues to be voted upon.

“At all meetings of the corporation a moderator shall be chosen in the same manner and with the same powers as in town meetings.” [Charter, sec. 14]

The Overseers shall add items to the Warrant for the Annual Meeting if presented with a written petition signed by at least fifteen (15) persons authorized to vote at the Annual meeting, no later than 30 days prior to the Annual Meeting. Such citizen initiated warrant items shall be identified as such on the Warrant.

Registration of Voters

The Overseers, with the assistance of the Voter Registration Committee, shall schedule an opportunity for villagers to register to vote at the Annual Meeting. Such opportunity shall be publicly noticed by posting in four (4) conspicuous places in the Village. The Voter Registration Committee shall assure that prior to such opportunity, a current list of registered voters shall be obtained from the Town of Northport. On the day of the annual meeting, the Registration Committee shall accept new registrations beginning at least one hour prior to the start time of the Annual Meeting.

Prevention of Fires

The Board of Overseers shall have power to make regulations regarding any explosive or illuminating substance, which said Overseers judge to be dangerous to the lives or safety of the citizens. The Board of Overseers may also prescribe penalties for breach of such regulations, not in excess of the penalties permitted by statute. The Overseers shall have power to prescribe rules and regulations for the prevention of fires, with authority to purchase from time to time, as may be needed, supplies for existing apparatus to prevent fires.

Police Officers

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The Board of Overseers may appoint and fix the compensation of the police officers. Such appointment shall be in writing, signed by a majority of the Overseers, and recorded by the Clerk, and shall not exceed one year. The Overseers shall have power to remove any police officers so appointed when they deem that the interests of the village require such removal.

Village Agent

The Board of Overseers shall have the power to appoint and fix the compensation of a Village Agent, who preferably (but not necessarily) should be a permanent resident within the territorial limits of the village. The Village Agent shall act under the direction of the Overseers as defined by the Village Agent's contract with the Village, or as modified at the periodic meetings of the Overseers. Between meetings the Village Agent's work shall be directed by the President, or Chairman in the absence of the President.

Wharfmaster

The Board of Overseers shall appoint annually a Wharfmaster, who shall perform all of the duties regarding and shall have the authority with respect to the Wharf and waterfront property of the Village set forth in any waterfront regulations and rules duly adopted by the Overseers.

Tree Warden

The Board of Overseers shall appoint annually a Tree Warden whose duty is the oversight, management, and preservation of all trees and shrubs on Village property including the trees and shrubs in the Village rights of way. The Tree Warden shall report regularly to the Overseers the status of the care of the trees, Villagers' concerns regarding the same, and the Tree Warden's recommendations for protection and preservation of the trees and shrubs.

First adopted: 1915

Further amended: 1973, 2002, 2012, 2022