

**MINUTES OF THE SELECTMEN/EXECUTIVE  
COMMITTEE MEETING  
TOWN OF FRYE ISLAND  
JUNE 27, 2009**

The meeting was conducted at the Community Center.

The meeting was called to order at 09:00 AM by John Nun.

SELECTMEN: John Nun, Mark Thomas, Jimmy Kuiken.

BIT EXECUTIVE COMMITTEE: Bruce Nisula, Joe Potts, Bob Miner, Dave Bond, John Nun, Mark Thomas, Jimmy Kuiken.

TOWN MANAGER: Wayne Fournier

TREASURER: Joe Potts

John Nun requested that discussions on any item be held to a maximum of 15 minutes if no decisions were desired or expected at the meeting. Any further discussions should be expected to be tabled until later meeting(s). John Nun also reminded the Public that their time to speak was during Petitions from the Public; that other discussions by the Public during the remainder of the meeting were to be at the request of the Committee members. This "rule" would be loosely enforced at this meeting because the agenda had not been available for Public perusal prior to the meeting. Wayne will make the agenda for future meetings available prior to the meeting and the "rule" will be strictly enforced. This all to reduce the time expended at these meetings.

**PUBLIC HEARING**

There were no public hearings.

**PETITIONS FROM THE PUBLIC**

Tom Bishop requested that he be considered for appointment as chair of the Recreation Committee (Members of Town committees and their chair person(s) are not currently appointed by the EXCOM, rather, they are established and elected by their own constituents, in coordination with the Town Manager.) Wayne said that the subject would be brought up at the 28 June meeting of the Recreation Committee; that such a position might be advantageous at budget time. No further action by the EXCOM at this time.

## OLD BUSINESS

### 1. Project Updates (see Attachment A, Manager's Report):

- **Water Line Installation:**

Discussion on re-routing traffic via Leisure Lane around the installation work on Sunset; decision not to do so.

- **Ferry Funding Project:**

Discussion – Improvements to the Willis property were considered not to be “shovel ready” as required by the proposed grant so the grant application was submitted for ferry improvements per previous recommendations by the Transportation Committee. The application was forwarded by State to Federal. Joe Potts said he felt that we might have put the “cart before the horse” in that we do not seem to have a plan on what we really need vs what we might want over the long run. Wayne agreed to set up a meeting for the EXCOM with the Transportation Committee to discuss the issue.

### 2. Discuss Ferry Revenue /Electronic Data System:

Wayne provided an update on the progress of the project – Both bidders were responsive and a decision was made to award to Acute Systems based on cost.

MOTION by John Nun to authorize expenditure of up to \$30K from the Ferry Reserve to complete development and installation of the Ferry Revenue/Electronic Data System, second by Mark Thomas – UNANIMOUS.

### 3. Mini-Training – Project Accounting:

Joe Potts provided a training handout and walked the EXCOM members through the process of posting and pending transactions in the TRIO reports. He uses that process to attempt to maximize the Town return on deposits by not moving monies to checking until they are needed.

### 4. Other Old Business:

None.

## NEW BUSINESS

### 1. Frye Island Off-Season Security:

Off-season coverage last year cost the town approximately \$11K using the constable plus police support. Wayne has already set up Police coverage up to 20 hours per week for \$7K. The major issue remaining is how the police will get to-from the island during the marginal ice period(s). Wayne has looked at and

discounted electronic monitoring. He is still looking into an airboat as a possibility. Bob Miner requested this avenue not be closed until some future meeting. Other issues include communications. Board discussed implications of conflict of interest between private enterprise by town employees; this will be further looked into. Joe suggested that we use the FINS to provide close-up security tips to islanders.

## **2. Approval of Disbursement Policies:**

MOTION by John Nun to approve renewal of updated disbursement policies provided by the Treasurer, second by Jimmy Kuiken – UNANIMOUS.

## **3. Approval of the General Lease with Frye Island, Inc:**

MOTION by John Nun to approve the General Lease with FII from 1 July 2009 thru 30 June 2010, second by Mark Thomas – UNANIMOUS. Lease signed by John Nun for the Town and Joe Potts for FII.

## **4. Establish Capital Project for Leisure Lounge Expansion:**

MOTION by Mark Thomas to authorize capital expenditure of \$30,100 from the Sue Nisula - Memorial Fund Liability Account (1-206-02) and the Lounge Building Fund Liability Account (3-209-08) for the Leisure Lounge kitchen/bath expansion, second by Jimmy Kuiken – UNANIMOUS.

## **5. Discuss Expectations for 2010 Municipal & Enterprise Budgets:**

Discussion was led by Wayne. Last year we under estimated by \$45K; we ended up with \$44K in the SAD-6 Operating Reserve which was created last year. This year the state evaluation is down 1.84%; the school budget is no-change for 2009-2010. County is projected no change for 2010. While there are still some unknowns it appears that we may be looking at a break even year. For future planning we have only had one new start application so far this year; we do not expect more than one or two more, maybe none. Dave Bond brought up the issue of reimbursements between Town accounts for services performed by/for various other departments. There was a short discussion on the merits and shortfalls associated with more strict inter-departmental accounting; all concurred that we should continue to operate as we do now and Wayne would look at starting something this next budget cycle.

**6. Annual Appointments:**

MOTION by Mark Thomas to approve the Town nominations presented by Wayne with exceptions (Delete Marge Hommel on Planning Board, add Ed Charrette as Municipal Health Officer (subject to verification by Wayne, Change John Schutz to primary on Board of Appeals, Change Bill Trenchard to alternate on Board of Appeals)(see Attachment C), second by John Nun – UNANIMOUS.

**7. Other New Business:**

- **Approve Funding for Phase 2 Water System:**

MOTION by Jimmy Kuiken to authorize expenditure of up \$75K from the Phase 2 Water Reserve to continue installation of new water lines, second by Mark Thomas – UNANIMOUS.

**REVIEWS and REPORTS**

**1. Meeting Minutes:**

Minutes of 16 May meet had not been received by EXCOM members; Nun to resend for review; approval deferred to next meeting.

MOTION by Jimmy Kuiken to provide (Wayne) minutes of the 30 May 2009 Town meeting for approval, second by Nun – UNANIMOUS.

**2. Treasurers Report (See Attachment B):**

Joe to attend training classes on 29 July on Payroll and 1099, Wayne talk to Joe for possible Calvin attendance.

Account reconciliation still has errors; credit card charges are the difficulty. This is a bookkeeping issue, not a “loss of funds” issue.

**3. Golf Report:**

Good news: Rain has helped Tees 1, 7 to establish.

Bad news: Revenues are down, probably due to bad weather. Start on Leisure Lounge kitchen has been delayed due to weather.

Next meeting 28 June 2009.

**4. Marina Report:**

The next meeting will be held on 28 June 2009.

MOTION by John Nun to adjourn at 12:10 PM, seconded by Jimmy Kuiken –  
UNANIMOUS.

Respectfully submitted,

John B. Nun  
First Selectman

Attachment A: Manager's Report, May 16, 2009

Attachment B: Treasurer Report May 16, 2009

Attachment C: Appointments

**Attachment A**  
**Managers Report**  
**June 27, 2009**

1. **Derek Yates Fee Complaint:** Mr. Yates filed a motion to dismiss the complaint with prejudice and the court granted the dismissal. This is the last issue we had before the courts.
  
2. **Water System Upgrade:** The second phase of the water line installation is progressing despite the weather. We have completed Independence Way to White Way and White Way to Sunset. We had hoped to run the new line east on Sunset to Leisure Lane and west on Sunset to Highpoint before the weekend of July 4<sup>th</sup> but we lost a number of days because of the rainy weather so I am not sure we will make it.
  
3. **Discretionary Ferry Funding Program:** When we formed what became the "Transportation Committee" to assess the Island infrastructure it was determined that their primary focus would be the ferry service. The committees charge at the time was to review the current use of the ferry, anticipate changes in the demographics, if any, as the Island grew to 750 homes, and to project the needs of the ferry system to serve the increased population, both short and long term. We started looking at two parallel paths. One path included looking at the existing ferries and whether to purchase a new ferry or to modify the existing ferries. We contracted a naval architect to evaluate the two ferries we now have and to project the remaining useful life. He felt that we could expect about 15 years more use assuming there were no major changes. We also asked him to determine if we could add about 3 feet to each side of the ferry's decks which would accommodate the existing loading patterns but afford more safety. We also asked if the ferries could be lengthened by approximately 20 feet to increase the capacity of the ferries. He reported that we could do one or the other or both. Modifications would also include relocating the wheelhouse outboard and raising the wheel house, repowering the ferries, installing new hydraulic steering, and completely replacing the existing electrical and control wiring. We would also replace any structural members and / or plating that were identified as deteriorated. The second parallel path was to develop plans for a park and ride facility on the Willis lot. This would include parking for automobiles and golf carts and a new ferry terminal that could also serve as the winter office. Safety issues on the Cape Road and the access road were major consideration in the plan. In 2007 we learned of the "Ferry Boat Discretionary Funding Program" sponsored by the Federal Highway Commission and we worked to get an application in for the 2008 awards. We were told that our application had been forwarded to Washington DC but I am not sure that it even got through the MEDOT. Our intention was to get financing for the park and ride facility because the

assumption was that we had 10 to 15 years to address the ferries. This year we learned of the ARRA, "American Recovery and Reinvestment Act". One stipulation of this act was it had to be "shovel ready" when and if funding is granted. We prepared an application for an ARRA grant but focused on the modifications to the ferries in order to satisfy the "shovel ready" requirement. We have a proposal from the naval architect to develop the plans and specs to modify the ferries and a budgetary estimate from Cianbro complete the project. This estimate includes widening and lengthening the ferries, repowering the ferries installing new steering system, rewiring etc. There If the funding becomes available and if the Town determines to do this, Cianbro would pull one of the ferries and put it on the access road this fall, build an enclosure over the ferry and work on it through the winter. The application for funding was completed, thanks to the hard work of John Crosby, Dave Bond and Richard Flowerdew, and submitted to the MEDOT. This time, thanks to the persistence of the above mentioned people, our application was passed on to the Federal Highway Administration along with 5 other Maine projects. It is now undergoing the review / evaluation process. We will hear sometime in July if we are going to get any financial assistance.

4. **Ferry E – Ticketing / Data collection project:** We have two vendors that have submitted revised proposals to develop a web based e-ticketing program. The review committee met to discuss the proposals and generated additional questions that the vendors have responded to. We will be meeting on Thursday to select a vendor.
  
5. **Lot 273:** Mr. Zea informed me that he had hired a contractor to install the plants required by the approved re-planting plan and the project would be completed either the last week in May or the first week in June. The planting did not take place and as of June 14<sup>th</sup> 2009, the Administrative Consent Agreement was in default. The BoS / EC must now decide on the next step. The Town could use the \$10,000 we received from Mr. & Mrs. Zea to purchase and install the plants in accordance with the approved plan. However, the violations the DEP is pursuing regarding the remediation of the banking should be resolved before any replanting is undertaken. It is my understanding that resolution of this problem has been referred to the Attorney Generals office.

Mr. Zea also stated that we will be receiving a letter from his attorney identifying his position on the setback issues with Lot 273. I have not yet received the letter. Mr. Zea has waived his right to a Board of Appeals variance on this issue. His only option at this time is to bring the foundation into compliance.

6. **Ferry Fees:** Mr. Zea called and said for health reasons he would not be able to attend the meeting scheduled for May 23<sup>rd</sup> but he hoped to be here

around the middle of June. He called me last week and we have scheduled the meeting for Friday June 26<sup>th</sup>.

7. **Labor Department Inspection:** I met with the Department of Labor to discuss the violations we had received an extension on. For the most part everything was acceptable. We still have a few issues with training and Hepatitis "B" vaccinations for some of our volunteer fire fighters. The difficulty we have is their availability. All of the people on the roster are not always on the Island so it takes awhile to get them through the program. It is a fact that we have little control over but I am not sure the Dept of Labor will accept the reason for the delays.
8. **Golf Course Club House addition:** The septic tank had to be relocated before the new construction could begin. The tank has been purchased and was installed last week.
9. **Break-Ins:** Additional evidence has been discovered since the Island opened which has been forwarded to the State Crime lab for analysis. The investigation continues to proceed quite favorably. Chief Beaulieu continues to work with the District Attorneys Office to identify the perpetrators and get a conviction. The case is now being prepared for prosecution.

**Attachment B**  
**Treasurer Report**  
**June 27, 2009**

Attached for your information are the May 2009 Town Financial Reports.

Wayne will be providing comments on the noticeable deviations from budget. Here are a few items that I will be following up on with Calvin to make adjusting entries in June;

1. R05-1-50 --- An amount of \$2,229.50 was booked to this account as a part of the sale of the red dump truck to Jeff Snow. I had instructed Calvin in my P88 posting advisory to book the money received directly from the sale of the red truck to the Equipment Reserve Fund (not a revenue account). I will release another posting advisory to Calvin to reverse this amount out of the revenue account and into the reserve account, and to direct him to post second half payment from Jeff Snow to the reserve account directly.
2. E65-1-75-10 --- Two amounts \$287.04 and \$349.00 were incorrectly booked to this currently unused capital account. As soon as I find out from John Crosby what these PWD expenses entries covered, I will issue a posting advisory to change the booking.
3. R71-2-06 --- The reserve posting triggered by the contra-revenue account for the April ferry revenues was not initiated by me in May as it should have been; the amount was \$2,726. I will be initiating a posting advisory in June which will capture that April amount when the May \$11,650 amount is posted to the Ferry Capital Reserve Fund.
4. E15-8-30-30 --- The payment of the 2006 & 2007 for Raymond Emergency Services was temporarily booked to a 2009 expense account. I will get directions from our auditor on how it should be booked in Trio to come out of the "Fund Balance", and at that time I will issue a posting advisory to rebook the expense.

**Monthly  
Financial  
Summary  
- May  
2009**

Department	YTD Actual	YTD Budget	Difference to Budget	Notes
<b>Town Operations</b>				
<b>01 - General Government</b>				
Revenue	2,179,029	2,178,652	377	
Expenses	155,165	127,772	(27,393)	
<b>05 - Public Works (includes Water, Roads and Trash)</b>				
Revenue	5,110	7,623	(2,513)	
Expenses	171,295	177,995	6,700	
<b>15 - Public Safety Expenses</b>				
Police Dept	15,694	20,424	4,730	
Fire Dept	14,516	12,615	(1,901)	
Emergency	15,903	0	(15,903)	1
<b>20 - Recreation</b>				
Revenue	0	0	0	
Expenses	1,144	10,425	9,281	
<b>40 - Non-Municipal (includes SAD 6, Cumberland County and Water Bond repayment)</b>				
Expenses	468,586	468,717	132	
YTD Expenses	842,303	817,948	(24,355)	
YTD Net Income	1,341,835	1,368,327	(26,491)	
<b>Enterprise Operations</b>				
<b>71 - Frye Island Ferry Operations</b>				
Revenue	15,964	13,139	2,825	
Expenses	49,556	58,418	8,862	
YTD Net Income	(33,592)	(45,279)	11,687	
<b>73 - Frye Island Golf Club</b>				
Revenue	11,448	12,896	(1,448)	
Expenses	22,663	24,529	1,866	
YTD Net Income	(11,215)	(11,634)	419	
<b>83-2 - Frye Island Yacht Club - Equity Operation</b>				
Revenue	1,745	2,140	(395)	
Expenses	3,866	5,015	1,149	
YTD Net Income	(2,121)	(2,875)	755	
<b>83-4 - Frye Island Yacht Club - Rental Operation</b>				
Revenue	5,700	2,341	3,359	
Expenses	3,984	5,000	1,016	
YTD Net Income	1,716	(2,659)	4,375	

Notes: (1) This expense should have come out of the "Fund Balance" as approved by the Town Voters at the 5/23/09 Special Town Meeting; it is temporarily booked as a 2009 Expense until clear direction is given by the Town Auditor.

<b>Reserve Fund Summary</b>			
<b>Reserve Fund Name</b>	<b>Posted</b>	<b>Pending</b>	<b>Net</b>
<b>1 - General</b>			
300-10 Capital Funds Reserve	38,996.66	0.00	38,996.66
300-20 Water Reserve	116,483.24	0.00	116,483.24
300-40 Recreation Reserve	4,836.12	0.00	4,836.12
300-50 Equipment Reserve	4,341.17	6,000.00	10,341.17
300-60 Public Safety Reserve			
	Fire		
	Department Partition	0.00	58,981.04
	Police		
	Department Partition	0.00	2,538.17
300-64 Fire Department Operations Reserve	0.00	0.00	0.00
300-70 Island Improvement Reserve	310,306.27	27,515.00	337,821.27
300-80 Revaluation Reserve	2,259.57	0.00	2,259.57
300-85 School Operations Reserve	0.00	0.00	0.00
Unreserved Undesignated Fund Balance	352,922.00	(27,608.31)	325,313.69
<b>Total</b>	<b>891,664.24</b>	<b>5,906.69</b>	<b>897,570.93</b>
<b>2 - Special Revenue/Grants</b>			
296-01 Due To/From	7,341.74	0.00	7,341.74
<b>Total</b>	<b>7,341.74</b>	<b>0.00</b>	<b>7,341.74</b>
<b>3 - Enterprise</b>			
300-03 Golf Operations Reserve	58,226.31	21,160.00	79,386.31
300-04 Golf Equipment Reserve	13,556.28	0.00	13,556.28
300-06 Yacht Club Equity Reserve	28,250.99	11,387.00	39,637.99
300-12 Ferry Capital Reserve	211,727.61	(15,624.00)	196,103.61

300-13 Ferry Operations Reserve	98,569.86	(2,019.00)	96,550.86
<b>Total</b>	<b>410,331.05</b>	<b>14,904.00</b>	<b>425,235.05</b>

<b>Table 2. Investment Summary</b>			
<b>Account Name</b>	<b>Working</b>	<b>Investments</b>	
<b>Liquid Accounts</b>			
1-110-00 Gorham Savings - Ckg	166,530.98		
1-110-12 Merrill-Lynch Investments		1,327,274.43	
1-110-33 Gorham Savings - Sav		398,340.95	
1-145-10 Stock Equity Prin Fin		6,281.22	
<b>Sub-total</b>	<b>166,530.98</b>	<b>1,731,896.60</b>	
<b>Reserve Allocation</b>			
<b>Totals</b>		<b>Posted</b>	<b>Pending</b>
1 - General		891,664.24	5,906.69
2 - Special Revenue/Grants		7,341.74	0.00
3 - Enterprise Reserve Funds		410,331.05	14,904.00
<b>Sub-total</b>		<b>1,309,337.03</b>	<b>20,810.69</b>
<b>Total</b>		<b>422,559.57</b>	<b>(20,810.69)</b>
<b>Net - Other Monies Held in Savings / Investment</b>			<b>401,748.88</b>

\*\*\*\*\* **Notes** \*\*\*\*\*  
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Online Town  
information can be

1. found at:

Trio Journal Entries: <http://www.fryeisland.com/local/trio/>

Public Financial

Information: <http://www.fryeisland.com/tdoc/financial.htm>

Beano Money in Key

2. Bank Savings:

1,594.81

As of

12/31/08

## Attachment C - APPOINTMENTS

Office	Individual	(term ends)	New Appointee
Town Manager	Wayne Fournier	2009	
Town Clerk	Wayne Fournier	2009	
Registrar of Voters	Wayne Fournier	2009	
Tax Collector	Wayne Fournier	2009	
Town Treasurer	Joe Potts	2009	
Code Enforcement Officer	John Thompson	2009	
Plumbing Inspector	John Thompson	2009	
Electrical Inspector	Paul White	2009	
Tax Assessors Agent	Don & Tim Alexander	2009	
Animal Control	John Crosby	2009	
Road Commissioner	John Crosby	2009	
Municipal Health Officer	Ed Charette	2012	
Board of Selectmen	Mark Thomas	2010	
	Jim Kuiken	2011	
	John Nun, Ch	2009	
Executive Committee	Bob Miner	2009	
	Mark Thomas	2010	
	Joe Potts	2011	
	Bruce Nisula, Ch	2010	
	Jim Kuiken	2011	
	John Nun	2009	
	Dave Bond	2011	
School Board Rep.	Oleg Svetlichny		
Fire Chief	Steve Persson	2009	
Chief of Police	Rod Beaulieu	2009	
Planning Board	Bob Sutherland	2009	
	Ed Johnson, V Ch	2010	
	Ron Cedrone, Alt	2009	
	Steve Kaplan, Ch	2010	
	David Treacy	2011	
	Sam Donio	2010	
Board of Appeals	Bobbie Aranyi	2011	
	Rich Kaplan	2011	
	Tim McCarthy, Ch	2010	
	John Gardner	2010	
	Bill Trenchard, Alt.	2009	
	John Schutz,	2010	
Frye Island Inc. Board of Directors	David Lowe		
	Ed Charrette		
	Jacque Ossi		
	Joe Potts, Pres.		

Nancy Donio, Sec.  
Neill Bovaird