

MEETING MINUTES FOR THE SELECTMEN/EXECUTIVE COMMITTEE MEETING

6/12/2010 MEETING DATE: May 15, 2010 ...9:00A.M. Frye Island Community Center

START	END	NEXT MEETING	NEXT TIME	PREPARED BY
0904	1118	June 12	9:00 AM	Wayne & Nancy Fournier

ATTENDANCE

EXECUTIVE COMMITTEE:

- Mark Thomas - Selectman
- Jim Kuiken – Selectman
- John Nun – Selectman
- Bruce Nisula
- Joe Potts (Absent)
- Dave Bond
- Bob Sutherland (By Teleconference)

- Town Manager:** Wayne Fournier
- Treasurer:** Joe Potts (Absent)
- Recording Secretary:** Nancy Fournier
- Guests: Ron Cedrone
- Dick Norris

PETITIONS FROM THE PUBLIC

- Dick Norris – Presented a proposal to have a USS Jason Dunham day on Frye Island to honor the men and women serving in the Navy aboard the Guided Missile Destroyer. (See attached)

EXECUTIVE SESSION: to discuss legal issues with Town attorney

A motion was made by Mark Thomas and seconded by John Nun to adjourn to Executive Session to discuss the possibility of litigation with the Town Attorney. The Committee was joined in Executive Session by Town attorney Lawrence Clough via teleconference. Return from Executive Session Reconvene regular meeting..

OLD BUSINESS

EMS Agreement with Raymond

The Town of Raymond generated a proposal to provide EMS Services to Frye Island. The agreement included a flat \$15,000 covering the first 15 calls in a season with additional charges on a cost per call basis for all call in excess of 15. In addition it called for Frye Island to reimburse Raymond Fire and Rescue for consumable materials used on calls to Frye Island and to assume insurance liability while Raymond F&R is on the Island. While the Executive Committee felt the \$15,000 annual cost was livable, the reimbursement of supplies and the insurance issues needed clarification. In addition, the Town of Raymond has stated that the present cost per call for service is approximately \$1000, the EC would like to review the documentation supporting this cost. Wayne has relayed this information to Denis Morse, Raymond Fire Chief, and was told that Denis understood the questions and would provide clarification. This has not been received as yet. The \$15,000 for the 2009 payment has been set aside as a 2009 payable expense and will come from the 2009 budget. The 2010 payment has been budgeted.

02/06/10

Wayne will contact Denis Morse to get this resolved before the 2010 season.

04/03/2010

Wayne has had a discussion with Don Willard, Raymond Town Manager and has sent an email to Denis Morse identifying the areas of concern. Waiting a reply. Wayne was instructed to determine the best arrangement for the Town and approve the agreement.

05/15/2010

I have contacted Denis Morse and Chief Persson to schedule a meeting. Denis was going to be away and will contact me when he returns to finalize the agreement. A meeting has been scheduled for Thursday May 20th with the Town of Raymond to finalize the agreement.

Community Center Handicap Access

Wayne

08/09/08

No action is to be taken at this time on handicapped access and/or service to be provided to the handicapped while alternatives to a very expensive alteration (ie a ramp from Recreation Lane into the office area.) are being investigated.

02/06/10 Handicap access to the Community Center has been completed. There was a proposal to add a handicap ramp from Recreation Lane to the Town Office for approx. \$60,000. No action was taken. All of the handicap requirements imposed by the State have been completed. The State still owes Frye Island \$2800 as their share of the project costs. Wayne will continue to try to get that money. The suggestion to provide handicap access to the Admin Office has been addressed by making arrangements with those people needing assistance to meet them at an acceptable location to conduct business. The administration portion of this item is closed

004/03/10 Wayne has emailed Katharine Moore at the Secretary of States office inquiring about the lack of payment. As of this date there has been no response. Wayne will continue to try to get the reimbursement from the State

05/15/2010 Wayne has attempted to contact the Secretary of States office to no avail. However, we have learned that there is still money available for these projects and a fax was sent to the State requesting reimbursement of our expenses. An e-mail from the Secretary of State's office confirmed that the request has been forwarded to the person responsible for the payment of these reimbursements.

Conceptual Plan for Willis Property – Transportation Committee

Wayne/Transportation Committee

10/18/08 Dave Bond (for Transportation Committee) – Handed out copies of draft concept for development of the property; presented highlights of the concept. Discussion by all. Joe said he would post the draft to the Island Web Page. The EXCOM members agreed that the Transportation Committee has done an excellent job and that work needed to proceed. They also agreed that the town should meet with Raymond Town officials to keep them informed and ask for their comments. MOTION by John Nun to authorize expenditure of up to \$10K from the Island Improvement Reserve for continuation of plans for development of the Willis property, second by Jimmy Kuiken – UNANIMOUS.

12/13/08 to 05/16/09 No Change

06/27/09 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.

07/25/09 No Change

08/29/09 There was a long discussion during which it became readily apparent that there is enough to keep the Transportation Committee busy for some time. Summary of comments:

- Carve out a piece; determine a minimum amount of construction to solve safety and parking problems.
- Develop a forecast consistent with island build out from the current <500 homes.
- Spread costs out over an extended period (who pays?, include O&M). Emulate the Water Reserve Approach. Continue to look at grants.
- Give priority to peaks. Look at other ways to handle peak periods.
- Consider tapping the Island Improvement Fund, currently >\$300K.
- Consider raising prices of ferry tickets.
- The key is a *Long Range Plan* with interim *Short Term Plans*. Must be integrated into the Town Comprehensive Plan.

The Town Manager and the Transportation Committee were asked to cooperate with the Planning Board in developing plans to move ahead.

09/26/09 to 12/05/09 No Change

The Town was invited to attend workshops on completing the applications for federal funding by Representative Chellie Pingree's office. John Crosby and Dave Bond attended. We have filed another application for funding for the park and ride facility. The application was received and we were invited to meet with Representative Pingree's office to discuss the project and answer questions. This was scheduled for February 5th. Dave Bond presented Frye Island's Park and Ride project at this meeting and answered questions from Ms. Pingree's staff. Staff members from Congresswoman Pingree's Maine and Washington offices were present at the meeting. Dave said the presentation was video taped and will be available on Ms. Pingree's web site at a later date. He also felt that the presentation was viewed favorably but that doesn't mean that our application will be approved. The Executive Committee had a considerable discussion about the needs of the Town and the timing of those needs. Dave Bond, as chair of the Transportation Committee, indicated that determining those needs and the plan to phase the project would be worked on by his committee as soon as the members could meet on the Island.

02/06/10

04/03/10 No Change, Waiting to hear about our application

05/15/2010

Dave Bond reported that it appears that our request for funds has been forwarded, with a number of other applications, to the federal government. Dave also reported that Brian Nisula has agreed to chair the Transportation Committee again.

Ferry Electronic Ticketing System

Joe

Prior to 12/08 Information not included – not considered necessary as it is prior to decision to issue RFP

12/13/08 Joe Potts went through the RFP history and indicated that he had incorporated comments that he received. He raised the question of whether we wanted to incorporate this in FY 09, with the dismal economic forecasts, at the potential costs involved (\$20 – 23K in original form going up to an estimated \$30 – 35K with credit cards added). Mark Thomas recommended that we continue the process and clarify schedule of implementation when we are further into the process. John Nun asked if the Bob Russo approach could continue in parallel at no cost. Wayne said that effort was on hold; that they would be provided a copy of the RFP, giving them a formal chance to respond to the ferry system improvement. MOTION by Nun to have Town Manager release the RFP, second by Thomas – UNANIMOUS.

02/07/09 The Town received two responses to the RFP but one of those was not responsive to the requirements and Wayne is evaluating the one responsive proposal, provided by ICS. Joe Potts recommended that the Board authorize Wayne to proceed through the Planning Phase followed by a decision to proceed further through the design phase. MOTION by Mark Thomas to authorize expenditure of an additional \$25,000 from the Ferry Capital Reserve to complete the Design Phase of the Ferry Revenue/Data Collection System; contract award contingent on IC Solutions providing sufficient information to the Town Manager that projected costs to completion (including installation, testing, training and 1st year warranty support) will not exceed \$30,000 and that they have the capability to service and maintain the system, second by John Nun, further discussion: Jimmy Kuiken requested that Wayne advise the Board of IC Solutions response to the motion conditions; Wayne to resend the ICS proposal to Board members – UNANIMOUS (Dave Bond was opposed.).

03/07/09 No Change

04/04/09 Wayne said that he had received a 2nd proposal too late for consideration from Acute Technologies [worked last year with Bob Russo]. He would like to meet with the Board and/or the System Committee to show what he could do for \$25 – 35K. Joe Potts said he felt that ICS was reputable and could probably provide a useful system at some lower price than quoted. He recommended that a committee of Joe, John Crosby, Wayne, and Betsy Gleysteen meet with these two vendors to feel out what could be done. There are sufficient funds within those already authorized to possibly reimburse the vendors for any expenses incurred to support such a meeting.

05/16/09 Wayne provided an update on the progress of the project – Meetings were held with each of the bidders to explore reducing bid costs and still providing a system that met the intent, if not the specific details, of the RFP. Both bidders were very responsive. After the meetings a list of written questions was provided to each of the bidders with responses expected by 1 Jun 09.

06/27/09 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.

07/25/09 to Ferry E – Ticketing / Data collection project: We selected Acute Technology LLC. from Vermont to develop the software and provide the hardware we need to implement the E-Ticket system at a cost of \$22,450. They have begun the development process and anticipate having the system up and running by may 15th of next season. (Manager’s Report)

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09/26/09 to 10/03/09 No Change (Manager’s Report not attached to minutes)

10/17/09 E-Ticketing: Expect conversion to start 15 May 2010. (Manager’s Report)

12/05/09 Acute Technologies has completed the programming for the new e-ticket system. They have conducted some alpha testing of the system and we are now planning a webinar session so that the committee can review and test the system as well. We are still on target for beta testing and "go live" this spring. (Manager’s Report)

02/06/2010 A “Web-Review” with James Thompson of Acute Technologies, the developer, and representatives from Frye Island was held on Thursday February 4th. The attendees from Frye Island were Joe Potts, John Crosby, Betsy Gleysteen, Ronnie Ilich and Wayne Fournier Joe explained that he was a little bit disappointed that we were unable to operate the system but the screens that would be used were shown, and the developer committed to addressing a number of issues that were identified. Acute will develop a flow chart explaining

the functions of all of the system users and distribute it to the committee by the end of February. In addition, he will send Joe the software and a hand held scanner shortly thereafter so that Joe can insure all of the scenarios have been addressed and identify corrections and / or additions. We are on schedule to implement the system this spring when the Island opens. It was suggested that instructions to the Islanders be prepared for inclusion in the Winter News Letter and a hand out be available for the Islanders as they arrive at the ferry terminal when the season opens. Wayne and the committee will see that his happens assuming the information is available at the time the News Letter is published.

04/03/10

Joe Potts has received the information and equipment he requested and is working with Acute Technologies to test the system. He has generated a list of items that needs to be addressed by the Executive Committee. Joe gave the committee an update on the system and reviewed "Table 2".

Table 2. Issues for the Town of Frye Island to Resolve (

Item #	Description of Issue	Resolution
Tuesday - March 30, 2010		
1	Printed on the paper ferry ticket are the words "Ticket is refundable at Town Office". Should the time period for refund be limited to a fixed number of months, e.g. twelve months?	The words describing refund ability should be removed from the ticket.
2	Should the ability to use a ferry ticket expire after a defined period of time?	A prepaid ticket will expire 18 months after the purchase date; if the ticket price increases during that 18 month period, a credit on a replacement ticket can be obtained at Town Office only.
3	Should the Island purchase an ID laminating machine that will be able to laminate the paper ID card image into a pouch sleeve for a credit card size item?	The Town currently has a laminating machine; Wayne will coordinate the production of credit card size IDs from the paper output from the eTicket system.
4	Does the EZ-Ride ID card need to have a photo of the customer?	No photo will be utilized on the IDs
Wednesday - March 31, 2010		
5	Should existing Complimentary Ferry tickets only be converted to paper Complimentary Ferry bar-coded tickets or could there be an option for a \$15 credit be given on an EZ-Ride account for each ticket?	Any old Comp. ferry tickets can be exchanged in the Town office for bar-coded Comp. tickets.
Thursday - April 1, 2010		
6	What should the penalty be for passing an EZ-Ride ID or Employee ID to someone other than the issued individual for passage on the FI Ferry?	No penalty defined; owner is responsible for all usage.
7	What should be cost be to replace an EZ-Ride ID or Employee ID that was lost?	\$10 cost to issue a replacement ID.
8	Can the ferry mate ticket collection be simplified to automatically record the time the ticket is taken instead of forcing the mate to enter the run time?	Ferry mate does NOT have to enter run time; system should automatically record date & time of the transaction; goal is to simplify Mates HHT interaction.
Saturday - April 3, 2010		
9	Who will be the initial users of the EZ-Ride accounts during the initial period when the system is installed (prior to public availability)?	The members of the BoS/EC and the Ferry eTicket committee are encouraged to open and use an EZ-Ride account as soon as

		possible.
10	What will be the schedule for the initial rollout of the eTicket system?	9am 4/23 start selling bar-coded tickets and taking initial applications for EZ-Ride accounts (see Item #9 above) in the Town office; 4/27 1pm start installation of ferry mate system; 4/28 start using HHT by ferry mates for bar-coded tickets; 4/30 10am start using HHT for EZ-Ride ferry passage.
11	Is the logo currently being used on the eTickets and IDs OK?	No; the Frye Island logo in B&W form should be provided to the developer to replace current logo

05/15/2010

Joe Potts spent a couple of weeks testing the equipment and software while at home and then continued that effort when he arrived on the Island in late April. The developer brought the new computer for the ferry trailer, and installed the equipment in the trailer so that ferry crew training and additional debugging could continue. Joe has identified a number of issues and has conveyed them to the developer. He also had the developer on site for a couple of days during the week of May 2nd. Additional issues were identified with the system; many of them were corrected on site but some will be corrected at the developer's office. We are making good progress but there is still some work to be done to insure the system is functioning accurately and consistently. I would guess that we are looking at June before we will be ready to start issuing ID Cards and implementing the system. We still plan to start with a few select few Islanders.

DEP

**273 Leisure Lane
Erosion issues**

During the Summer of 2007 Mrs. Alison Zea was issued a permit by the Department Of Environmental Protection (DEP) to remediate the erosion that had occurred on her property at 273 Leisure Lane. The work was to be performed by First Coast Realty Development Corp. a company owned by Mrs. Zea and her husband using geo-cell technology. The intent being to correct the erosion problems that had occurred over the years and to build a summer residence on the lot. This project led to violations of Frye Island's Shoreland Zoning Ordinance and Land Use Ordinance. In addition, the DEP also issued a notice of violation claiming that the permit to accomplish the erosion remediation was not completed correctly. Mrs. Zea and the DEP were not able to resolve the issues and the DEP has filed a complaint with the Superior Court. The case has not been resolved. The Town is not directly involved in this action but it is doubtful the issues that the Town has with the violations on lot 273 will be resolved until the Court case is decided.

02/06/2010

There has been no change

04/03/10

No change

05/15/2010

No Change, I have called the DEP for an update but have not heard anything yet.

**273 Re-vegetation
Issues**

Executive Committee / Wayne

In June, 2007, Mrs. Alison Zea, owner of 273 Leisure Lane, was issued a Notice of Violation by the Frye Island Code Enforcement Officer for excessive vegetation removal on lot 273 which violated the Town's Shore Land Zoning Ordinance. Through the summer of 2008 representatives from Frye Island, and the Department of Environmental Protection met with a designer from O'Donal's Nurseries to develop a re-vegetation plan that was approved by all parties including Mr. and Mrs. Zea in September 2008. It was understood that Mr. Zea would complete the re-vegetation plan as soon as possible in the spring of 2009 and no later than June 23rd. This was not accomplished.

02/06/2010

On June 14th 2008, an Administrative Consent Agreement was signed by Mrs. Zea requiring, in part, the following:

- Mrs. Zea submit a plan for the e-vegetation of lot 273 to the Town for approval.
- Following written approval of the plan, acquire an estimate for the plants and the labor to re-vegetate the lot and pay that estimated cost to the Town to be held in an account and disbursed to the contractors based on approved progress
- Proceed with due diligence to re-vegetate the lot and maintain, in perpetuity, the plantings

- Submit a contribution in the amount of \$10,000 to the Town. \$5,000 to be held in an account and returned to Mrs. Zea upon completion of the re-vegetation project if completed within 1 year and \$5000 to be retained by the Town for other storm water or mitigation projects as approved by the Selectmen. To Date, none of the re-vegetation has been done.

04/03/10

Mr. Zea called me on Thursday, March 11 and indicated that he had re-organized his financial situation and would be correcting all of the issues very soon. He did need to have a bank representative review 273 Leisure Lane and I made arrangements with Chief Beaulieu to get the bank representative to the Island. Chief Beaulieu reported that he had a couple of discussions with Mr. Zea's representative and scheduled 2 trips to the Island. Both were cancelled, one because of the weather and the other by Mr. Zea's representative.

05/15/2010

I spoke with Mr. Zea on May 6th and stated that he had finally closed with his bank and would be paying the outstanding debt within 60 days. During that phone conversation, Mr. stated that he was close to a settlement with the DEP and as soon as that was finalized he would complete the replanting; he also indicated that the financial arrange he had required that he remedy the issues at 273 Leisure lane within 60days or face forfeiture of the funds.

The DEP has suggested that we initiate a law suit against First Coast realty and the Zea's to apply pressure to get this done or face a fine which could be substantial. It is approaching 3 years since the notice of violation was issued. Wayne was instructed to contact Mr. Zea, either by phone or letter, and inform him that if there has been no action in the 60days that the Town, following the recommendation of the DEP, will initiate legal action.

**273 Leisure Lane
Set-Back Violation**

Executive Committee / Wayne

During the fall of 2007 Mrs. Zea was granted a permit to install the foundation and the septic system for a future home at 273 Leisure Lane. This permit allowed the foundation and septic only, no dwelling could be built until the re-vegetation issue was resolved. In February of 2008, a Notice of Violation was issued to Mrs. Zea, as owner of the property, identifying the Frye Island Code Officers belief that the foundation was in violation of the set back requirements of the Town's Land Use Ordinance. More specifically, the foundation was thought to be in violation of the 50' setback requirement from Leisure lane and the 15' side line set back from the northerly lot line. In addition, there was a suggestion that there might also be a violation of the 100' set back from Sebago Lake. A certified plan from Sebago Technics that Mrs. Zea submitted confirmed the road and the side line setbacks but confirmed that the lake side wall of the foundation was just at the 100' mark and therefore not in violation. Mrs. Zea initially applied to the Board of Appeals for a waiver of the set back violations but later withdrew the application. Withdrawal of this application removed her rights to any further appeal and requires the violations be corrected.

02/06/2010

In July 2009 the Executive Committee formed a sub-committee including Mark Thomas, John Nun and Dave Bond to meet with Mr. Zea to negotiate a settlement for the outstanding issues. On July 29, 2009 an agreement was signed by Mrs. Zea agreeing to the following:

- First Coast Realty would pay the outstanding ferry fees in full (\$20,240)
- Purchase and install the plants required by the approved plan, dated in September 2008. Following satisfactory installation the Town would pay for the installation up to the \$5000.00 the Town is holding in escrow. If the installation is less than the \$5000 the remaining amount will be returned to Mrs. Zea. If the installation is more than \$5000 Mrs. Zea would have to pay the remaining amount.
- To correct the set back violations identified in the NOV dated February 18, 2008. Following acceptable correction the Town would reimburse the \$5000 contribution being held in escrow.

Should any of the plantings be damaged as a result of any work required by the DEP, Mrs. Zea would be responsible for their replacement. To date nothing has been corrected.

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First Coast Realty / Mr. & Mrs. Zea outstanding ferry fees

Executive Committee / Wayne

First Coast Realty Development and Mr. and Mrs. Zea accumulated \$20,240 in ferry fees during a very short period of time in the fall of 2008. Mr. and Mrs. Zea have agreed to pay the town the outstanding debt in full. This was documented in a Promissory Note signed by Mrs. Zea on September 26th 2009. In this note Mr. and Mrs. Zea agreed to pay interest at an annual rate of 9.00% on any and all of the balance that remained unpaid after October 26th 2009 until it was paid in full.

2/06/10 Wayne reported that he spoke with Mr. Zea on February 5, 2010 and was told that the funding was in place and the Town should receive the payment with interest by the 1st week in March 2010.

04/03/10 Mr. Zea called me on Thursday, March 11 and indicated that he had re-organized his financial situation and would be correcting all of the issues very soon. He did need to have a bank representative review 273 Leisure Lane and I made arrangements with Chief Beaulieu to get the bank representative to the Island. Chief Beaulieu reported that he had a couple of discussions with Mr. Zea's representative and scheduled 2 trips to the Island. Both were cancelled, one because of the weather and the other by Mr. Zea's representative

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Beach Nine

Wayne

During the summer of 2009 the office received a complaint that the owners of 328 Island Road were improperly using the access to Beach 9 as a drive way and preventing Islanders from parking in that area. Consequently, the Town paid to have the Beach 9 property surveyed to determine the lot lines. This did establish the proper lot lines between lots 328 and the beach 9 area. In addition, it identified the fact the owners on 247 Leisure, the Leonard family, the abutters on the southerly side of beach nine had improperly claimed a portion of beach 9 as their own. When notified of this, Ms. Patti Leonard informed me that that piece of land had been given to her family by the developer of the Leisure Living many years ago. Absent any written documentation of that fact; I informed her I would not accept her contention that the Leonard family owned the land. I was then informed that the family intended to file a claim for adverse possession. I discussed this with the Town attorney and notices to prevent adverse possession were issued to the owners on both 238 Island Road and 247 Leisure Lane. I have met with the owner of 238 Island Road and they have accepted the results of the survey and have agreed not to prevent the use of the beach 9 parking area. The owners of 247 Leisure Lane do not accept the results of the survey and plan to file a claim of adverse possession. The Town attorney has submitted a number of documents explaining the Towns position that adverse possession would not apply but the appearance is that they are not accepting this. We attempted to meet with the family and their attorney last fall but they were unable to schedule a trip to Maine. The Leonard's installed some boulders a few years ago to mark the section of the beach they are claiming as there own

02/06/2010 Wayne will be asking the Town attorney to send a letter to the Leonard's attorney stating that it is our intention to remove the boulders when the Island opens this spring. If this doesn't prompt further action on their part we will remove the boulders. The Committee concurred with this action.

04/03/10 I asked the Town attorney to prepare the letter. On Friday March 12 he called saying that Ms. Leonard's attorney had called him requesting a mediation meeting. He is trying to set it up for the last week in April. The meeting has been scheduled for **Tuesday, May 11, at 1:00 p.m.**

05/15/2010 A meeting was held on May 11th with the Town attorney, Ms. Leonard's attorney, and a mediator to discuss the encroachment issues. No settlement was reached at the mediation session. The Leonard family insisted that they had acquired a portion of the beach 9 area by *adverse possession*. They further stated, by E-mail through their attorney, that they would file a trespassing complaint if we attempted to remove the boulders that they placed there in 2004. The BoS / EC adjourned to Executive Session to discuss the issue with the

Town Attorney. Following the Executive Session, the BoS / EC concurred that the Town would defend ownership of the section of Beach 9 the Leonard family claims to own by *adverse possession* should the Leonard family decide to take their case to the Maine Superior Court. In the mean time, and until decided differently by Court action, Frye island / Frye Island Inc. assumes ownership of the Beach 9 property as defined by the plan compiled by Main - Land Development Consultants, Inc. dated in August 2009 and the original plan developed by Leisure Living .

Water System Pilot Study

Wayne /Mark / John Crosby

02/06.3010 Wayne reported that we had a proposal, estimated to be in the \$5K, range to perform an analysis and a pilot study of our potable water system in an effort to increase efficiencies and save money. Mark suggested that before se do a pilot study we meet with the safe drinking water division at the State to identify exactly what they require of our system. Wayne mentioned that we have always complied with the water testing requirements of the State and have never had a failed test. Wayne will send the test reports that he has electronically to Mark and will schedule a meeting with the State as soon as all parties are available.

05/15/2010 No Change

Maine DOT Ferry Proposal

Wayne, John Crosby, Transportation Committee

04/03/2010 The Maine DOT has identified a small ferry capable of carrying 3 vehicles and 45 passengers. They proposed the possibility of the State purchasing the ferry and leasing it to Frye Island. Wayne will contact the DOT to get more details for the meeting. The committee agreed that the possibility of getting this ferry should not be dismissed but a lot more information was necessary before any decision could be made.

05/15/2010 We have received some of the physical information on the ferry including the fact that design specs are available and stability tests were performed. We are still trying to determine transportation costs and what restrictions would be placed on the Island if the State was able to get the ferry.

Long Term Transportation Reserve

Mr. Kuiken, Executive Committee

04/03/2010 Mr. Kuiken would like to discuss the possibility of transferring some of the money in the Ferry Capital Reserve into the Long Term Transportation Reserve. It was decided to table this item until a later meeting.

05/15/2010 No Change, will be addressed during budget process.

NEW BUSINESS

Complaint of noise from new ferry engines

Wayne, John Crosby

05/15/2010 We have received "informal" complaints from residents of the Raymond Cape Road about the noise from the new engines on the Ellie Corliss. The State Game Warden has also received some complaints and actually approached both ferries last Sunday but didn't think there was excessive noise. The new engines have different mufflers and one of the engines does sound a little louder so we have asked the manufacturer for the proper muffler. The one initially installed was supplied because at the time it was the only one available.

Review the results of the revaluation of the undeveloped lots.

Paul White / Executive Committee

05/15/2010 The value of the unimproved lots on the Island has been questioned for a number of years. Therefore, Paul White was asked to conduct a study of these lots and identify what action, if any, should be taken to bring the value of these lots in line with the value applied to the improved lots .Paul recruited Bob Konczal, a licensed assessor and a principal in Atlantic Property Services to assist in this study. They reached a conclusion and Paul presented their recommendations to the Committee at the meeting (See the attached report). The Committee approved their recommendations. A motion was made by John Nun and seconded by Jim Kuiken to have Paul White adjust the factors in the real estate program for all of the unimproved lots in accordance with the recommendations determined by Paul and Bob Konczal. The motion passed with all in favor. Paul will revise the factors necessary so the new values will be ready for the 2011 budget / tax process. We will notify, by letter, all of the owners of unimproved lots of the change in value with an estimate of the impact it will have on their 2011 taxes.

Review Abatement for Wes & Deborah Anthony, 374 leisure Lane

Closed

05/15/2010 The property owner contacted the Assessor prior to the 185 day period to inspect the property when the Island reopened in the Spring. An inspection of the property resulted in the dwelling data changing from a 1-3/4 story to 1-1/2 story structure and a garage was eliminated. This change resulted in an abatement amount of \$318.10. A motion was made by Jim Kuiken and seconded by John Nun to approve the abatement request as presented. The Selectmen, acting as the Board of assessors approved the motion.

Review abatement for Tom & Nancy Bishop, 1900 Independence Way

Closed

05/15/2010 The property owner contacted the Assessor prior to the 185 day period to inspect the property when the Island reopened in the Spring. An inspection of the property resulted in the dwelling data changing from a

1- 1/2 story to 1 story structure with a 1/2 finished attic. This change resulted in an abatement amount of \$701.13. . A motion was made by Jim Kuiken and seconded by John Nun to approve the abatement request as presented. The Selectmen, acting as the Board of assessors approved the motion.

Review impact of recent school budget election

Closed

The proposed school budget was validated by referendum vote on May 4. This budget for FY 2010 – 2011 resulted in a decrease in Frye island’s school payment of \$36,941.41 (2.9719%). For the 2010 year we budgeted \$1,275,208 and will actually pay 1,224,560 meaning that we have over budgeted by \$50,648. When added to the existing balance in the School operations Reserve will leave a balance of \$96,268.98. It was suggested that all of the reserve accounts be reviewed during the budget process to determine if maximum amounts should be established.

05/15/2010

Approve Liquor License for Frye’s leap Store and Cafe

Closed

The Board can waive the need for a public hearing because Frye’s Leap has operated for more than 5 years with no formal complaints. A motion was made by Jim Kuiken and seconded by John Nun to approve the liquor license application. The motion passed with all in favor.

05/15/2010

OTHER NEW BUSINESS

MEWARN

Closed

Wayne introduced MEWARN to the committee and suggested the Town join the organization. MEWARN is a mutual aid organization formed by a number of Water / Wastewater utilities in Maine formed to assist each other in times of emergency. There is no obligation, financial or otherwise, in being a member. The ability to assist members in need would be determined when called. There is no downside to being a member. The Board approved joining the organization.

05/15/2010

Sebago Lake Proposal – Phase II

Wayne / John Crosby

Wayne introduced an e-mail received on May 13th from Betty Williams regarding the potential of receiving some grant money to help finance 3 projects on Frye Island.

1. Leisure Road – beaches #3, 4 & 6 for a total cost of \$12000. The grant can pay 60% or \$7200 and the town/public works would be responsible for the 40% or \$4800
2. Sunset Road – Improvements include ditches, turnouts, check dams and a level lip spreader. Total cost \$1800. Grant pays \$1080. Town/public works pays \$720
3. Ferry Landing Area – add surface material, grade, and pave over 20,000 square feet. Total Cost \$35,000. Grant pays \$21000. Town pays \$14,000.

I will also mention that for #1 & #2 listed above it is very likely that Public Works could weave this work in to the regular schedules and therefore the 40% can be labor and machinery. For #3, I would foresee, since that involves some pavement, the town/public works would need to provide cash match to help pay for the asphalt.

Mr. Bond asked if the quote for the paving included properly preparing the base of the site to be paved. Review of the quote determined that this was included but there was an increase in the cost of asphalt and the project cost should be increased to \$38,900. Wayne will change the cost of this item in the letter sent to Ms. Williams. She will submit the application for the grant which has to be submitted by June 1, 2010. It is probable that these construction projects would be done in the second year of the project (2012) which would allow for time to budget the Towns portion. Wayne suggested that the Towns share could come from the Island Improvement Reserve if the Committee approved. The Committee approved submitting the letter to Ms. Williams requesting inclusion in the grant request.

05/15/2010

Foreclosures

Closed

Wayne reported that the following lots had passed the automatic foreclosure date for delinquent 2008 taxes:

- 806 Beach View Drive
- 1986 Twin View Circle
- 909 paddock Circle
- 1627 Ridge Road

05/15/2010

REPORTS

Meeting Minutes – 04/03/2010

05/15/2010

Jim Kuiken moved and John Nun seconded approving the minutes as presented. Approved

Treasurer’s Report

05/15/2010

Joe Potts, Treasurer, was absent but the Committee accepted the report Joe had furnished without discussion.

Golf Report

05/15/2010

Mark explained that the State Fire Marshals Office had recently inspected the club house as a result of the expansion. Once the report is received the corrections will be scheduled.

Marina Report

05/15/2010

No Report

Adjourn Meeting: A motion was made by Jim Kuiken and seconded by John Nun to adjourn the meeting at 11:18. The motion passed with all in favor.

Attachments follow:

USS Jason Dunham Day on Frye Island

Planning is underway to host the officers and crew of the USS Jason Dunham on Frye Island during a Saturday in mid to late July or early August. Your views and interests in taking part would be appreciated.



This destroyer is presently completing construction and outfitting at the Bath Iron Works, prior to sailing in October to its home port in Norfolk, VA. The ship's officers and crew will be spending the summer in the Bath area, most of them far from their families, and would, no doubt, enjoy a day discovering the beauty, hospitality, and warmer inland water (!) of Frye Island. We welcome your feedback.

Ideas for the day presently include a welcome and softball game in the late morning, a barbecue lunch, and informal recreation in the afternoon, including swimming, boating, golf, basketball and tennis. We also hope to be able to close the day by inviting small groups of sailors (two to four people) to the homes of Island families for supper and relaxation.

We would like to hear from those interested in participating, through offering boat rides, partnering in golf or tennis, taking some sailors home for supper, or contributing a pot luck dish for the noon lunch. Let us know of ideas you may have for the conduct of the day, and if you would like to help organize the event or help with the program itself. Please e-mail us at office@fryeisland.com, with a copy to DickNorris@aol.com, or visit the office directly.

Atlantic Property Services

210 Beech Ridge Road
Scarborough, ME 04074
robert_konczal@yahoo.com
371-1588 (c) - 839-6351 (h)

To: Paul White, Assessor
Town of Frye Island

Re: report/recommendations regarding land valuation adjustments on Frye Island

Date: 4/8/2010

Hello, Paul:

The following is a summary of my analytical process and recommendations -

Assignment:

It is perceived that interior lots on Frye Island are under-assessed, especially vacant lots, relative to the island as a whole. The goal was to study sales and arrive at a suggested valuation adjustment.

Process:

- remotely download data from Trio assessing software
- obtain and analyze current Trio pricing model/schedule
- stratify and analyze sales to discern patterns of valuation
- consider options within Trio to create equalizing adjustments

Findings:

Vacant lots in neighborhoods 1,4,5,6, and 7 seem to have an average sales ratio around 31%, compared to all other properties at about 68%. This obviously warrants an adjustment.

Recommendations:

- create a list of properties to be adjusted
- adjust both primary and secondary lot values using the 'influence' field, according to the following schedule:
 - a. factor neighborhoods 1, 5 and 6 by 2.8;
 - b. factor neighborhood 4 by 1.8,
 - c. factor neighborhood 7 by 2.4.

(See attached Excel spreadsheet for supporting summary statistics. By changing the X factor on the spreadsheet to a different desired ratio, different adjustment factors can be automatically generated)

It must be remembered that we had limited sales data to work with, so subsequent sales may warrant a revision in the future. Nonetheless, the assessor is charged by law with using what market evidence is available. I hope that this analysis has been of assistance. If you need help with further explanation, please feel free to contact me.

Best Regards,


Bob Konczal, CMA # 521

**Town of Frye Island
Assessment Adjustment/ Abatement
Tax Year: 2010**

To: Wayne Fournier - Tax Collector

The Assessor has adjusted the taxes assessed against:

Wes & Deborah Anthony
374 Leisure Lane
Tax Map 62 Lot 374

Adjusted amount:

Real Property: 14,700 x \$.02164 (mil rate) = \$318.10

Total Abatement amount = **\$318.10**

Fact: Property owner contacted Assessor's Agent prior to the 185 day period to request an inspection of the property when the Island opened (see attached).

A review of the property cards was completed and a correction was made as follows:

The dwelling data was changed from a 1/3/4 story to a 1 ½ story and the garage was eliminated.

Date of Adjustment: May 8, 2010

Prepared by Assessor's Agent RJW

Approved by Selectmen/ Assessors

Mon D. Brown
[Signature]
James L. Knicker

**Town of Frye Island
Assessment Adjustment/ Abatement
Tax Year: 2010**

To: Wayne Fournier - Tax Collector

The Assessor has adjusted the taxes assessed against:

Tom & Nancy Bishop
1900 Independence Way
Tax Map 60 Lot 1900

Adjusted amount:

Real Property: 32,400 x \$.02164 (mil rate) = \$701.13

Total Abatement amount = **\$701.13**

Fact: Property owner applied (see attached) for an abatement on Nov. 16, 2009. An inspection of the property was completed on May 8, 2010.



A review of the property cards was completed and a correction was made as follows:

The dwelling data was changed from a 1 ½ story to a 1 story with a ½ finished attic.

Date of Adjustment: May 8, 2010

Prepared by Assessor's Agent PW

Approved by Selectmen/ Assessors



James L. Keck