



MEETING MINUTES FOR THE SELECTMEN /EXECUTIVE COMMITTEE MEETING 12/04/2010

START	END	NEXT MEETING	NEXT TIME	MEETING LOCATION
0905	10:34	01/29/2011	9:00AM	Tele-conference

ATTENDANCE

EXECUTIVE COMMITTEE:

Mark Thomas - Selectman
 Jim Kuiken - Selectman
 John Nun - Absent
 Gary Donohue
 Joe Potts
 Dave Bond
 Bob Sutherland

Town Manager: Wayne Fournier
Treasurer: Joe Potts

PETITIONS FROM THE PUBLIC

None

OLD BUSINESS

<u>Business Item</u>	<u>BIC</u>
<p><u>Community Center Handicap Access</u></p> <p style="text-align: center;">Prior to 09/18/2010, see September 18, 2010 meeting minutes.</p> <p>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</p> <p>10/23/2010 Wayne spoke with Tina Means at the Secretary of States office. She said they are short handed and have been very busy with the coming elections but we will get reimbursed but she won't be able to take care of it until after the elections are over. However, she sent a form for Frye Island to do a self evaluation of the ferry trailer as a voting place. This has to be done before the November elections. There was no action taken on this item.</p> <p>12/04/2010 Wayne reported that he will have to resend some of the information to the State but with the recount on the casino question, it is doubtful a decision will be made before the end of the year.</p>	<p>Wayne</p>

Conceptual Plan for Willis Property - Transportation Committee

Wayne/Transportation Committee

Prior to 09/18/2010, see September 18, 2010 meeting minutes

09/18/2010 The Transportation Committee met on September 11th. A draft copy of the plan including the "ring road" only has been submitted by Land Services Inc. but it has not been estimated yet. Correspondence from MEDOT indicated that they would be more inclined to assist in the funding of a Park & Ride facility than they would in the purchase or upgrade of a ferry. They also would like a visit to our facility to review our operation. John Crosby is trying to schedule this.

10/23/2010 We received notification from MEDOT indicating they have reviewed our project for a "Park & Ride" facility and have determined that we did not qualify for the grant. The specific grant program they were considering requires that an eligible project demonstrate a reduction in emissions, a reduction of vehicle miles traveled and connectivity to other modes of passenger

transportation such as carpooling, vanpooling and fixed route passenger services. Additionally, the traffic and pedestrian safety issues raised relate specifically to a local road, as opposed to a state or federally classified road which would fall under the department's responsibility.

12/04/2010 No Change – Nothing is being done at this time

Ferry Electronic Ticketing System

Joe / Wayne

Prior to 09/18/2010, see September 18, 2010 meeting minutes.

09/18/2010 We have received a proposal for \$6000 to complete an analysis / peer review of the existing ferry ticketing system. This review would be conducted by Starlit Software located in Raymond Maine and would be completed in time to present the findings / recommendations to the ExCom at the October 23rd meeting. I request that up to \$6000 be appropriated from the Ferry Reserve to conduct this Peer Review. A motion was made by John Nun and seconded by Dave Bond to appropriate up to \$6000 from the Ferry Capital Reserve to fund this project. The motion passed with 6 votes in favor.

10/23/2010 John Thomas from Starlit Software presented the results of the review of the eTicket system. In summary, while there were some areas of the system that were acceptable, it was felt that it would be easier and we would have a better system if the program was re-written starting with an appropriate and secure frame and building the desired program from that. A motion was made by Jim Kuiken and seconded by Mark Thomas to engage Starlit Software to re-write the eTicket software at a cost not to exceed \$50,000. A proposed contract was presented but there were questions. It was decided that the original RFP should be the framework for the new contract with a supplemental clarifying the expected plan. Joe will forward his thoughts to Wayne and Wayne will work with Starlit to prepare a contract for the work to be performed. Once a new contract is developed, Wayne will circulate it to the ExCom for review before approving it. Wayne was instructed to pay the outstanding invoice of \$2700 for Acute Technologies and attempt to get documentation of system design and operating manuals.

12/04/2010 A contract has been signed with Starlit Software to re-write the software program for the electronic ticketing system. A letter has been sent to Acute Technology terminating the contract with them. Starlit Software reports the following progress:

- * completed initial database design and system architecture work.
- * configured a development site (web address and database)
- * configured a source code repository, and setup to deploy to the development server when changes are committed
- * built a skeletal application (aka "scaffolding") containing rudimentary implementation of many data entities (users, accounts, transactions, etc.) that the system will manage.
- * setup basic security subsystem
- * started work on the administration site (view list of "Contacts")
- * started work on the rider account site ("My Account")

With much of the basic framework for the application in place, we are now focused on building out specific functionality. We have not spent any time on look and feel (such as color schemes, etc.) and will probably do that very late in the process.

273 Leisure Lane Erosion issues

DEP

Prior to 09/18/2010, see September 18, 2010 meeting minutes.

09/18/2010 The Landscaping Company will plant the required blueberry bushes as soon as they are available at the nursery. The final 25' will not be finished until a later date after the house is built.

10/23/2010 The landscape company, Clement Bros., has completed the re-vegetation of zone 1. This includes the planting of the blueberry bushes as well as the installation of the weed control under the rip-rap; and exposing the toe boulders which the DEP required. The Code Enforcement Officer has approved the re-vegetation but this still requires DEP approval. Wayne met with Mike Morse and Jeff Kalinich from the DEP on Wednesday October 20 to review the progress at 273 Leisure Lane. While they did identify a few remaining issues, they were pleasantly surprised with the progress. They said they would relay there concerns to the DEP attorney handling the case. On Friday

Wayne spoke with Mr. Zea. He said he had spoken with the attorney from the DEP and they agreed to wait until spring to see how everything survived the winter before doing anything more. John Thompson, Frye Island CEO has inspected the area and felt that the re-vegetation satisfied the Town's requirements.

12/04/2010 No Change

273 Leisure Lane - Re-vegetation Issues

Executive Committee / Wayne

09/18/2010 The Landscaping Company will plant the required blueberry bushes as soon as they are available at the nursery. The final 25' will not be finished until a later date after the house is built.

10/23/2010 The re-vegetation of zone 2 is complete with the exception of 25 feet around the foundation. This is required and will be completed once the construction of the home is finished. I am still holding \$1344.46 in addition to the \$5,000 fine and the \$5,000 escrow that was paid earlier. The \$1344 is in the liability account to be paid after the final 25 feet are re-vegetated. Wayne spoke with Mr. Zea on Friday October 24th and was told that Mr. Zea had hoped to get a building permit this fall so that construction on the house could begin early but he was unable to. This will be done in the spring.

12/04/2010 No Change

273 Leisure Lane Set-Back Violation

Executive Committee / Wayne

Prior to 09/18/2010, see September 18, 2010 meeting minutes.

09/18/2010 The foundation has been cut and all but one of the pieces has been removed. The final piece on the corner of the westerly wall remains for fear that removing it would damage the portion of wall that is to remain. Mr. Zea has indicated that he has contracted with a company to rebuild the foundation and will remove the remaining piece at that time. We still need to see the as built drawings to confirm the foundation is in compliance with the set backs.

10/23/2010 No Change

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

Executive Committee / Wayne

Prior to 09/18/2010, see September 18, 2010 meeting minutes.

09/18/2010 Mr. Zea has confirmed that he is getting his finances organized and will be paying the ferry fee soon.

10/23/2010 When speaking with Mr. Zea on Friday October 22, Wayne was told that he should be able to pay at least some of the outstanding ferry debt in a couple of weeks.

12/04/2010 No Change – I will be contacting Mr. Zea prior to the meeting to get the latest information. I have left messages for Mr. Zea but have not received a return call. I will report if he calls before the meeting.

Beach Nine

Wayne

Prior to 09/18/2010, see September 18, 2010 meeting minutes.

09/18/2010 The ExCom discussed the legal correspondence from the Town attorney and the Leonard's attorney in executive session. To date, no agreement has been reached on a resolution; however, the Executive Committee is committed to resolving this issue.

10/23/2010 The ExCom adjourned to Executive Session to discuss the legal aspects of the encroachment onto the public area of Beach 9 and the claim of 'Adverse Possession' filed by the Leonard family. Following the Executive Session, a motion was made by John Nun and seconded by Mark Thomas to recommend to Frye Island Incorporated that an easement be granted to the Leonard family for the existing portion of the septic system and the parking area that was on Frye Island Inc property but to grant no concessions on the beach area. Furthermore, any future rebuild of the septic or parking area had to be in the same exact footprint of the existing system or on Leonard property, there could be no further encroachment onto FII property allowed. The motion passed

with 6 in favor. Mr. Kuiken abstained. Wayne was instructed to notify the attorney of this position and to have the boulders removed by the time the Island closed.

12/04/2010 The boulders have been removed, we have not heard anymore from Mrs. Leonard's attorney at this time

Maine DOT Ferry Proposal

Wayne, John Crosby, Transportation Committee

Prior to 09/18/2010, see September 18, 2010 meeting minutes.

09/18/2010 The Naval Architect is still working on the plans. We have still heard nothing from MEDOT or the Federal Highway Commission.

10/23/2010 The report from the Naval Architect is available. And has been forwarded to the ExCom. Wayne reported that an updated report has been received by the Transportation Committee but the Committee has not had a chance to review and comment yet. Once that report is finalized Wayne will send it to the ExCom. There has been no additional information from the MEDOT.

12/04/2010 I have attached the final report from the Naval Architect. We have not heard anything from the MEDOT; apparently no decisions have been made by the Federal Highway Administration.

Use of Frye island Facilities (Beaches) by non-residents

Wayne / Marina Committee / Public Works

Prior to 09/18/2010, see September 18, 2010 meeting minutes.

09/18/2010 Wayne met with Nancy Donio, Chair of the Beach Committee. She will be preparing her recommendations for the beach signage. This probably won't happen until next season.

10/23/2010 Nancy Donio has recommended new signs to reflect the Beach Ordinance and relocating the signs when installed to be more visible. Wayne will work with Public Works to address this recommendation.

12/04/2010 No Change

Health Insurance Rates

Wayne / Executive Committee

07/31/2010 Wayne reported that he had a brief discussion with the representative from the Maine Municipal Employee Health Trust (MMEHT) and was informed that the health insurance rates for next year would increase 12% and the dental rates were increasing 5%. Wayne is going to schedule a meeting with the representative to discuss available options.

08/21/2010 No Change

09/18/2010 No Change, Wayne is still trying to get additional quotes on supplying medical insurance.

10/23/2010 Wayne has looked into this, as have a number of other municipalities, and the cost and benefits offered by the MMEHT are competitive with all other plans available. However, there are options available that should be discussed with the possibility of modifying the personnel policy. A summary of the MMEHT plan is attached. This issue will be addressed at a later meeting.

12/04/2010 No Change

Tennis Courts

John Crosby / Wayne

07/31/2010 Brian Riley spoke on the disrepair of the tennis courts at the Community Center and the fact that the courts at Lancaster Loop were oriented east - west which makes it very difficult for the better players to use these courts because of the sun. Apparently, the courts were originally oriented north-south but at some point were changed. The Committee asked Wayne and John to review the courts and the available options and report to the Committee.

08/21/2010 Vermont Tennis was contacted to review and evaluate our tennis courts. It was their opinion that it would not be cost effective to re-orient the courts at Lancaster Loop. They felt that they should be resealed and re-striped, but left as they are. In their opinion these courts would be fine for the majority of the people. Their proposal to seal and stripe these courts is \$5,047 plus \$3,300 to remove and reset the fence on the Highpoint Drive side.. The courts at the Community Center are a different story. They need to be dug out and replaced. We have a price from Frank Snow to rebuild these courts for \$77,870. This proposal does not include the sealing and striping. Vermont

Tennis has provided a quote of to do the sealing and striping for \$6078. They will be providing a quote to replace the courts as well. The old courts at the Recreation Area were checked and it was determined that those courts would not be worth trying to resurrect. The Recreation Commission has suggested converting those courts into a volleyball / bocce / horseshoe area. I have asked Ken Thurston for a proposal to clear that area. In addition, the basketball court should be resealed and repainted. Vermont Tennis will include this for \$2777 if they are on Island to do the other work. The ExCom asked if it would be wiser to build new courts at a different location, possibly the old recreation area or the golf course. A possible use for the Community Center courts could be for skate boarding. Wayne was asked to have the Recreation Commission develop a long term plan for recreational facilities.

09/18/2010 Wayne met with Andrea Sansonetti, chair of the Recreation Commission. I asked her to work with the Commission to develop a "mission statement" and to develop a long term plan for all of the recreation facilities. She said she would work on this; most likely via e-mail over the winter. I also suggested that she contact Brian Riley for his input into the Tennis facilities on the Island. It was suggested that those interested in tennis form a committee to pursue means of funding improvements to the tennis facilities.

10/23/2010 No Change

12/04/2010 No Change

Purchase 3" water distribution pipe for Leisure Lane

Executive Committee

10/23/2010 We would like to purchase the pipe for Leisure Lane before the Island closes this year so that it will be available as soon as the Island opens next spring. We have a proposal for the pipe of approximately \$29,000 for enough 3' pipe to complete Birch Road to the intersection of Leisure Lane (near the Marina) and all of Leisure Lane, including the north end, to Sunset. Wayne reported that there was presently a shortfall of approximately \$5000 in the existing water line replacement account but approximately \$29,000 remaining in the reserve account. A motion was made by John Nun and seconded by Mark Thomas to move the remaining money in the reserve account to the expense account. Following the discussion, it was decided to move \$5000 to the existing operating account and to establish a phase 4 account and transfer the remaining \$24,000 to the phase 4 account. John Nun made that a motion seconded by Mark Thomas. The motion passed with 7 in favor.

12/04/2010 The piping for the next phase has been ordered and delivered to the Island. The supplier has agreed to accept 1/2 of the payment this year and the remainder next year after the new budget is in affect. The expense detail for phase 3 of the water line replacement shows a negative balance of -\$4,812.28. I request that we transfer an additional \$4,812.28 from phase 4 to phase 3 to balance this account. A motion was made by Mark Thomas and seconded by Jim Kuiken to transfer \$4,812.28 from phase 4 of the water line replacement project to phase three. Following a discussion and explanation, the motion passed unanimously.

NEW BUSINESS

Checking account reconciliation

Wayne / Joe Potts

12/04/2010 We have found an accounting firm, Purdy Powers & Company that will assist the Town in the checking account reconciliation process.

Funding for the Long Term Transportation Reserve

ExCom

12/04/2010 The Executive Committee held a discussion about the funding options for the Long Term Transportation Reserve. Mark Thomas presented the thought that 35% of the trips on the ferry are made by non-Islanders but the LTT Reserve is funded solely by Island property taxes. It was his thought that the ferry fees should be adjusted in some way so that the non-islanders contribute to the LTT Reserve as well. There was a considerable amount of discussion on the possible options. The Treasurer volunteered to develop a Model to evaluate changes in ferry ticket pricing to create possible methods to provide funding to the LTT reserve and to provide a way to give FI property owners a ferry ticket discount unique to them. The ExCom agreed

that the Treasurer should develop the model and have the model available by the January 2011 meeting.

Abatement Request for Kerry Kells – 1755 Ridge Road

Board of Assessors

12/04/2010 Mr. Kells has applied for an abatement of his taxes for the lot because of the increase applied to undeveloped lots this year. Paul White, Assessors Agent, has recommended that this abatement be denied. The Board of Assessors reviewed the abatement application from Mr. Kells. A motion was made by Mark Thomas and seconded by Jim Kuiken to deny the abatement application. Mr. Thomas and Mr. Kuiken voted to deny the abatement request therefore the application is denied.

Abatement request for Martin-Jackson – 895 Sunset Road

Board of Assessors

12/04/2010 Ms Martin – Mr. Jackson have applied for abatement on the land value of their property at 895 Sunset Road. This is a developed lot and the value has not been adjusted. The land value is consistent with other developed property on Sunset Road. Paul White has recommended that this abatement be denied. The Board of Assessors reviewed the abatement application from Ms Martin / Mr. Jackson. A motion was made by Mark Thomas and seconded by Jim Kuiken to deny the abatement application. Mr. Thomas and Mr. Kuiken voted to deny the abatement request therefore the application is denied.

Island Status

Information Only

12/04/2010 A very heavy wind blew through the Island during the weekend of November 6th Both CMP and Fairpoint responded to repair the storm damage. The repairs to the rudder stuffing boxes / packing glands on the Ellie Corliss have been completed and the ferry is back in service. The pontoon boat has been pulled and is now in the pit on the mainland. The pontoons are leaking and will be repaired by Specialty welding in Naples will repair it for the next season. Public Works has installed and wired a new pole for an additional island camera next to the gantry, this will give line of site all the way up the road. Peter Salinger will provide and install camera. All of the damaged boards on the slipways have been repaired and new boards have been installed at the bottom of the island gantry. Dock World of Maine has installed the new pilings at the island slipway to support the existing pilings that were broken. Ken Gardner has been volunteering at the golf course and has completed all of the trim (door and windows) he has also installed all of the new door locks that he donated. All of the locks have been re-keyed. All of the street and cottage connections have been made to the new water line on Ridge Road. The entrance to the Marina was dredged as allowed by the 10 year permit issued by the DEP. Everyone is now off the Island and it is secured for the winter. Dave Bond reported that he had been to the Island recently with John Crosby and Police Chief Rod Beaulieu. Both CMP and Fairpoint had been to the Island to complete repairs from the November storm and the power has been restored to the Island. The Island has been secured for the winter, the ferries have been laid up and the bubblers have been installed around the ferries. Chief Beaulieu will patrol the Island on an unannounced, random schedule using the aluminum boat for access.

OTHER NEW BUSINESS

1627 Ridge Road – Tsopanides Property

Wayne / ExCom

12/04/2010 Wayne reported that he received a phone call and an e-mail from Mr. Timothy Tsopanides regarding the family property on Ridge Road. The Town took the property for none payment of taxes. Because of serious family medical issues, the property taxes were forgotten but Mr. Tsopanides would like to pay the outstanding taxes and fees to reacquire the property for his family. The outstanding taxes amount to \$7713.74. A motion was made by Mark Thomas and seconded by Jim Kuiken to allow Mr. Tsopanides to reacquire the property by paying the outstanding taxes in full plus any and all fees necessary to restore ownership to Ms. Tsopanides. The motion passed unanimously.

Capital Project Financial Status

Joe Potts / ExCom

12/04/2010

- Joe Potts presented a summary of the capital project finances. There were two items in the report with negative balances. The first was the overrun of phase three of the water line replacement which was addressed in a previous agenda item. The second was a \$274 overrun in the Golf Course Lounge improvements. The ExCom agreed to appropriate \$274 from the Golf Operating Reserve to balance the account. The actions presented by the Treasurer in the following table were approved:

Project # and Name	Balance	Proposed Action
63-2 - CC Roof Replacement	1,483.93	Close, return excess to Resv
65-2 - Water Line Ext Phase 3	(4,812.28)	Close, transfer \$ from 65-3
65-3 - Water Line Ext Phase 4	22,000.00	2011 hold over
65-9 - Raise Lake Water Inlet	2,104.17	Close, return excess to Resv
66-1 - Barcode Rev System	3,036.41	Close, transfer \$ to 66-6
66-22 - Cape Parking Lot	3,017.00	2011 hold over
66-34 - Ferry-Two New Engines	8,001.78	Close, return excess to Resv
66-45 - HB Ferry Analysis	250.00	Close, return excess to Resv
66-6 - eTicket System Phase 2	49,974.49	2011 hold over
67-2 - Lounge Expansion	592.01	2011 hold over
67-4 - Buy 3 Used Golf Carts	1,400.00	Close, return excess to Resv
67-5 - Buy Greens Mower	0.00	Close, return excess to Resv
67-6 - PS/Lounge Improvements	(273.65)	Close, transfer \$ from Golf Opns

Meeting Minutes: Minutes for meeting of October 23, 2010. A motion was made by Jim Kuiken and seconded by Mark Thomas to accept the minutes as presented. The motion was approved unanimously.

Treasurer's Report: There were no additional questions regarding the treasurers' report.

Golf Report: Mark reported that the annual golf meeting would be held in February.

Marina Report: Dave reported that the entrance to the Long Beach Marina had been dredged by accordance with the 10 year DEP permit.

EXECUTIVE SESSION

None

ADJOURN

A motion was made by Mark Thomas and seconded by Jim Kuiken to to adjourn the meeting at 10:34. The motion was approved unanimously.