



# MEETING MINUTES FOR THE SELECTMEN /EXECUTIVE COMMITTEE MEETING 01/29/2011

<b>START</b>	<b>END</b>	<b>NEXT MEETING</b>	<b>NEXT TIME</b>	<b>MEETING LOCATION</b>
0904		04/02/2011	9:00 AM	Tele-conference

### ATTENDANCE

<b>EXECUTIVE COMMITTEE:</b> Mark Thomas - Selectman Jim Kuiken - Selectman John Nun - Selectman Gary Donohue Joe Potts Dave Bond Bob Sutherland	<b>Town Manager:</b> Wayne Fournier <b>Treasurer:</b> Joe Potts
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### PETITIONS FROM THE PUBLIC

None

### OLD BUSINESS

<u>Business Item</u>	<u>BIC</u>
<b><u>Community Center Handicap Access</u></b> <b>Prior to 09/18/2010, see September 18, 2010 meeting minutes.</b> 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 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. 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. 01/29/2011 Wayne has sent the additional information the State requested and is now waiting a response.	Wayne

<b>Conceptual Plan for Willis Property - Transportation Committee</b>	Wayne/Transportation Committee
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**Prior to 09/18/2010, see September 18, 2010 meeting minutes**

09/18/2010 The Transportation Committee met on September 11 <sup>th</sup> . 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

01/29/2011 No Change

### Ferry Electronic Ticketing System

Joe / Wayne

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

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 23<sup>rd</sup> 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.

09/18/2010

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.

01/29/2011

Starlit has been working on the development of the system. In an effort to make the ferry portion of the program as user friendly for the mates I have put them in contact with Ronnie Ilich for her input. A number of questions have arisen about the fees that should be charged when an individual appears at the mainland terminal with a vehicle costing \$50.00 if a ticket is purchased in the office and \$100.00 if purchased on the mainland. If they have 1 - \$15 ticket are they entitled to the \$50.00 rate? What if they have 2 or 3 tickets? One thing that has to be changed is that all of the fees must be evenly divisible by the base ticket price. We realize that a lot of this will be remedied when and if everyone has an account but they should be considered when developing the next fee schedule and should be discussed at this meeting to identify the policy to be followed by the ferry crew.

**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
- 01/29/2011 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 24<sup>th</sup> 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
- 01/29/2011 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
- 12/04/2010 No Change
- 01/29/2011 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.

01/29/2011

We have been informed by Mr. Zea that his closing has been delayed until mid February and he will not be able to make any payment until then.

### **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

01/29/2011

No Change

### **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.

01/29/2011

We have heard that the ferry was awarded to a community in South Carolina. We still have not heard officially from the Maine DOT or the Federal Highway Administration so it was suggested that this item remain on the agenda until we are officially notified.

### **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

01/29/2011

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

01/29/2011

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

01/29/2011

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 ½ 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.

01/29/2011 The piping was purchased and delivered to the Island before the Island closed. One half of the cost of the pipe (\$14,294.75) was paid in December 2010. The second half of the cost of the pipe remains outstanding. A motion was made by Jim Kuiken and seconded by John Nun to transfer up to \$75,000 from the Water Reserve to the Water Improvement Operating account. The motion was approved with 7 votes in favor and none opposed. This money will be transferred as needed to pay invoices and expenses.

### 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.

01/29/2011 Dena McVane from Purdy Powers has been to the winter office a few times to work on the checking account reconciliation and plans to resume her effort the last week of January. She is through July, 2010 and hopes to be able to finish when she returns at the end of this month. She has reached the same conclusion that we did in that the difficulty in the reconciliation process is the timing involved with processing of the credit cards transactions. We have discussed a couple of possible internal changes to the way we process these transactions to make the reconciliations easier but will wait until she is finished before we develop any procedures. Wayne spoke with Dena on Monday 01/24. She has completed the reconciliation through the end of 2010 and is going to prepare an Excel spreadsheet identifying her findings and the adjustments needed. It was agreed by the ExCom that Dena should be retained as long as necessary to insure the reconciliations are done on a monthly basis and in a timely manner. The ultimate goal is to be able to complete them in a timely manner in house.

### 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.

01/29/2011 Treasurer, Joe Potts, had submitted a ferry price schedule model that included a three tier price structure prior to the Meeting for all ExCom members to review. The model also showed projected ferry revenue based on the variables in the model. Joe also submitted a list of 13 questions relative to the implementation of the rate structure which was reviewed for clarification. The members of the ExCom were asked to answer the questions based on their opinion of the implementation of the rate structure and submit them to Joe by the end of February to assist in further development of the rate structure model. There was a considerable discussion whether the rate structure should consist of two or three tiers. No decisions were made at this time but the consensus of the ExCom was that a new rate structure should encourage Islanders to establish an EZ Ride account. The ExCom will continue to work on this to be ready to present a

warrant article to the Board of Island Trustees at the next Town Meeting.

## NEW BUSINESS

### Appoint new Representative to the Board of RSU 6

ExCom

01/29/2011 Oleg Svetlichny has resigned his position on the RSU School Board. The ExCom will have to appoint a replacement until a new representative can be elected at the next Town Meeting. It was decided to run an ad in the Winter News letter to see if there were any interested candidates.

### Presentation by Tom Zenovic from Merrill Lynch

ExCom

01/29/2011 Mr. Zenovic attended the meeting by teleconference to present investment options to the ExCom. The Town presently has approximately \$2 million invested in CD's and or Structured CD's through Merrill Lynch that have been set-up to mature over a number of years to maximize their yield. Mr. Zenovic presented 2 different FUNDS, Blackrock - GNMA and ING - GNMA that the Town could invest in. These FUNDS, similar to mutual funds, invest primarily in Government National Mortgage Association mortgage backed securities. Following Mr. Zenovic's presentation the ExCom discussed the risks involved if investing Town money into these FUNDS. Even though it was determined that the risk is minimal, the ExCom elected to wait until the next structured CD's are available which is expected sometime this spring. We have experienced higher interest rates with the structured CD's than expected if invested in the 2 GNMA Funds with no risk to the principal. In the mean time, approximately \$100,000 in basic CD's will mature at the end of February and another \$100,000 in October which will be held in a money market account until the structured CD's are available.

### Review and approve the 2011 ferry schedule

ExCom

01/29/2011 The proposed ferry schedule was reviewed. The ExCom decided to try to open the Island on Friday April 22 as long as the Ferry crews were able to prepare the ferries for operation and the Public Works crews could prepare the Island. Wayne will make a note on the ferry schedule and advise Islanders in the Winter News to check on the Frye Island web site to confirm the opening or travel at their own risk.

**Meeting Minutes:** The meeting minutes of the 12/04/2010 meeting were approved.

**Treasurer's Report:** Treasurer, Joe Potts presented the un-audited 2010 year end reports showing all Funds finishing in the black including the Golf Course and the Ferry Service. Joe also presented a Fund Balance report identifying the balance in the Unreserved-Undesignated Fund with projections for future years.

**Golf Report:** Mark Thomas reported the Golf Committee's annual winter meeting would be held on the weekend of February 12<sup>th</sup>.

**Marina Report:** There was no Marina Report at this time.

## EXECUTIVE SESSION

01/29/2011 A motion was made by Jim Kuiken and seconded by John Nun to adjourn to Executive Session at 12:02 PM to discuss personnel matters. The motion was approved with 7 votes in favor and none opposed. The Executive Committee returned from Executive Session at 12:57 PM

01/29/2011 A motion was made by Jim Kuiken and seconded by John Nun to approve a one year agreement with Police Chief Beaulieu to include a 2.5% increase in salary for 2011. The motion was approved with 7 votes in favor and none opposed. The proposed agreement has been forwarded to Chief Beaulieu.

01/29/2011 A motion was made by Jim Kuiken and seconded by Mark Thomas to provide a 2.5% increase in

salary for Town Manager Wayne Fournier retroactive to January 1, 2011. The motion was approved with 7 votes in favor and none opposed.

**ADJOURN**

01/29/2011 A motion was made by John Nun and seconded by Jim Kuiken to adjourn the meeting at 12:57 PM. The motion was approved with 7 votes in favor and none opposed.