



# MINUTES FOR THE SELECTMEN /EXECUTIVE COMMITTEE MEETING 06/24/2011

<b>START</b>	<b>END</b>	<b>NEXT MEETING</b>	<b>NEXT TIME</b>	<b>MEETING LOCATION</b>
06:01PM	10:15PM	July 16, 2011	9:00 AM	Community Center

### ATTENDANCE

**EXECUTIVE COMMITTEE:**

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

**Town Manager:** Wayne Fournier  
**Treasurer:** Joe Potts

### PETITIONS FROM THE PUBLIC

Jim O’Conner, 1054 Middle Beach Road, complained about the late night noise in his area and he felt that the Police Department wasn’t doing their job in controlling late night noise. He also felt the Police were not patrolling the beaches as they should, claiming he had never seen a police officer on the beach. Chief Beaulieu responded that when an Islander is annoyed by late night noise, they need to call and report the complaint. The police officers will respond to the complaint as they have in the past. Chief Beaulieu explained that the only way they could prosecute this type of disturbance was to have a formal complaint by some one other than a police officer. He also explained that the majority of the hours budgeted for police coverage were during the evening hours and there were minimal hours for patrolling the beaches, however, if there was a complaint called in, the police officers would respond.

### OLD BUSINESS

	<b>Business Item</b>	<b>BIC</b>
	<b><u>Community Center Handicap Access</u></b>	Wayne
	<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.	
04/02/2011	No Change	
05/14/2011	No Change	
06/24/2011	Wayne reported that he heard from the SOS’s office and they would be reimbursing the Town.	

**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 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
- 04/02/2011 No Change
- 05/14/2011 Wayne was asked to have the plans for the “Ring Road” available for the Ex COM to review for the June meeting.
- 06/24/2011 The Transportation Committee has sent copies of the “Ring Road” drawing out for estimates to determine an order of magnitude cost for this portion of the overall plan. The estimate to complete the “Ring Road” was \$107,000. Joe Potts felt that the expense was unnecessary at this time and more information was necessary to determine the impact on ferry fees if there were more pedestrians and fewer automobiles. Dave Bond stated that the TC had already put in a significant amount of time evaluating the long term impact on the ferry service and if for no other reason but for safety on the access road and on Raymond Cape Road the Ring Road should be considered. It was decided that there should be a Public Hearing to present the potential project to the Islanders for their input. A motion was made by Mr. Kuiken and seconded by Mr. Nun to hold a Public Hearing on Saturday August 6<sup>th</sup>. The motion passed with 6 in favor and 0 opposed.

**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 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.
- 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.
- \* set-up a 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.

04/02/2011

The developers continue to work on the program. A scanner was purchased and sent to the developers for testing. The report is the scanner worked very well. A second scanner has been purchased and sent to Joe Potts for his use. The development of the program appears to be coming together and is expected to be on schedule for the opening. Joe reported that he has been working with the system and has generated a number of questions for the developer but also reported that the developer has been very responsive to his questions and comments.

05/14/2011

The new program was implemented under extremely busy conditions. The software appears to be working very well. The biggest issue remaining is the time delay in the communication with the server. The developer is preparing a new application to run on the Mobil units to remedy this problem. I plan to start accepting new applications for EZ Ride accounts as soon as possible. We still need more experience with the system but we are getting there. Wayne reported that the new application being prepared for the mobil devices was reviewed last week and is a significant improvement over the previous version. There were a few glitches that were being addressed but overall, everything was getting better. There were essentially 2 issues, one being the speed in transmitting and receiving data and in the range of the mobil devices. The new application addressed to some degree both issues. Wayne also reported that he and John Crosby had met with an engineer from Time Warner who was going to prepare an estimate to have T W high speed internet installed at the ferry trailer. His initial estimate was between \$1500 and \$2000. The big advantage to TW is the up-load speed. We should have a firm proposal for the TW install in 2 weeks.

06/24/2011

Wayne explained that the system was working well. There are still issues with the ability to reliably connect to the Internet server through Fairpoint. Wayne has received pricing from Time Warner to install high speed internet. TWC quoted high speed internet, with a static IP, and 2 unlimited phone lines (includes all calls in the US and Canada) the cost would be \$252 / month if we committed to two years. We can get the same high speed internet with a static IP and no

phones for \$169 / mo. with a five year contract. In 2010 we paid Fairpoint \$1197. Based on these costs and the fact that Fairpoint was unavailable a couple of times last week Wayne feels that it would be beneficial to investigate hosting the program internally. The most critical issue in on site hosting is to insure we can maintain security. Wayne will investigate this further. Joe Potts made the comment that because the ferry crews were not documenting the numbers and addresses of the tickets and or ID Cards that wouldn't scan the ferry service had lost \$1000 in revenues in May. Wayne disputed this. The ferry service reported when ID Cards didn't scan and he investigated these and made the appropriate adjustments. Wayne wasn't aware that the old ticket numbers were available on the new system but agreed to establish a system with the ferry service to capture and process the tickets that wouldn't scan.

**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
- 04/02/2011 No Change
- 05/14/2011 No Change
- 06/24/2011 No change...The DEP has been contacted to see if they plan to review the re-vegetation following the winter.

**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 \$1,344.46 in addition to the \$5,000 fine and the \$5,000 escrow that was paid earlier. The \$1,344 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
- 04/02/2011 No Change
- 05/14/2011 No Change
- 06/24/2011 No change...The DEP has been contacted to see if they plan to review the re-vegetation following the winter.

**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
04/02/2011	No Change
05/14/2011	No Change
06/24/2011	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	No Change
04/02/2011	At the request of the ExCom, I checked with our attorney about placing liens on Mr. & Mrs. Zea’s properties on the Island to protect the Island in the event that the properties at 273 Leisure Lane and Ivy Circle were sold. He stated that the note to the Town is only signed by Alison. The debt is personal. To get the ball rolling we would need to formally make demand on her giving her “X” number of days to pay the note in full. Assuming that she did not pay the note balance, we could then file a collection lawsuit against Alison and seek a prejudgment attachment in Maine Superior Court. Under the Note the Town is entitled to recover legal costs. A motion was made by Mr. Kuiken and seconded by Mr. Thomas to advise our attorney to formally make demand on the note with a due date of May 13 <sup>th</sup> 2011. The motion passed with 7 votes in favor, 0 opposed. The ExCom felt that this date would give Mrs. Zea time to get the Island property appraised for additional financing.
05/14/2011	We did not receive the payment due on the 13 <sup>th</sup> but Mr. Zea did tell Mr. Kuiken that he should be able to pay the debt in full on or about May 20 <sup>th</sup> . Wayne explained the legal process if a complaint was filed in Superior Court with an estimate of 6 to 9 months to complete the legal process. A motion was made by Mr. Thomas with a second from Mr. Nun to give Mr. Zea until the end of business on Friday May 27 <sup>th</sup> to pay the debt in full. If payment isn’t received on or before that date, Wayne is to have the Town attorney file the complaint in Superior Court on Tuesday May 31. The motion passed with 7 in favor and 0 opposed.
06/24/2011	Friday May 27 <sup>th</sup> came and went without payment so the Town attorney was notified to begin the legal process. Mr. Zea has been in contact with Wayne on a number of occasions to insure the Town that he should have the funds soon and intends to pay the outstanding debt with interest as soon as he receives the money.

**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
- 04/02/2011 The Town received a letter from the Town attorney stating that Mrs. Leonard would accept the last offer that the ExCom made. The legal aspects of the issue and the potential for litigation were discussed in Executive Session. Following Executive Session, a motion was made by Mr. Thomas and seconded by Mr. Donohue to agree to the final offer with the understanding that the boulders were already removed and would not be replaced. Instead, a sign could be placed on the beach identifying the portion that Mrs. Leonard could use exclusively. The motion passed with 7 votes in favor and 0 opposed. Wayne will notify the Town attorney to finalize and formalize the agreement
- 05/14/2011 The final proposal from the Executive Committee has been transmitted to Mrs. Leonard through her attorney. She had some reluctance about the need to replace the septic system on her own lot if the existing system failed and couldn’t be replaced in the existing footprint. The Code Officer confirmed that in most cases a failed system could be excavated and replaced in its own footprint. This information was relayed to Mrs. Leonard. We have had no additional word from the Leonards.

06/24/2011 No Change

**Use of Frye island Facilities (Beaches) by non-residents Wayne / Marina Committee / DPW****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
- 04/02/2011 No Change
- 05/14/2011 No Change
- 06/24/2011 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
04/02/2011	No Change
05/14/2011	No Change
06/24/2011	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
04/02/2011	The ExCom needs to decide if it wants to spend the money to re-seal and re-stripe the Basketball Court (\$2777) and the Lancaster Loop tennis courts (\$6078). It was decided to table this item until the next meeting so the ExCom could review both sites.
05/14/2011	The consensus of the ExCom was that it is important to maintain the recreational facilities we have and therefore, the basketball court and the tennis courts at Lancaster Loop should be sealed

and restriped. A motion was made by Mr. Thomas with a second from Mr. Nun to appropriate up to \$3,000 from the Island Improvement Reserve to seal and re-stripe the basketball court and up to \$6500 from the Island Improvement Reserve to seal and re-stripe the Lancaster Loop tennis courts. The motion passed with 7 votes in favor and 0 voted opposed.

06/24/2011

We have received an estimate from Vermont Tennis to rebuild the existing courts at the Community Center for \$80,000 - \$90,000 and to replace the courts at a new location for \$90,000 - \$95,000. Test holes were dug at the courts at the Community Center and showed the fill was actually good gravel. There was no sign of water that could be undermining the courts nor were there any signs of decaying stumps. However, there were a number of large boulders exposed. It is believed that the winter frost has been lifting the boulders resulting in the depressions in the courts. We have looked at new locations for the tennis courts including the old recreation area, the old paddock area and a number of locations adjacent to the golf course. It was suggested by the ExCom that we check the feasibility of placing 2 new courts at the recreation beach area. Joe Potts presented a Google earth photo with 2 tennis courts superimposed in the vacant area. John Crosby will dig a couple of test holes to evaluate the geology in that area.

I met with the Recreation Committee and learned that Andrea Sansonetti had resigned as the chair. Those present at the meeting included Betsy Gleysteen, Laura Davis, Pam LaCerte, Bobbie Thomas, Nancy Bishop, and Tom Bishop who is acting Chair until the Committee can be reconstituted. I explained the need for the committee to review all of the recreational facilities on the Island and develop a long term plan for the use of and/or expansion of these facilities before any significant funding could be applied for.

### **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. I ask the ExCom to approve transferring \$12,294.75 from the Water Reserve to the Water System Improvement operating account so that we can pay this invoice.

04/02/2011

The new water line is on site and we hope to be able to get some of the line installed on the north end of Leisure Lane before the Island opens. This could provide better traffic routing on the heavily populated Leisure Lane during the remainder of the installation process.

05/14/2011

Wayne explained that Jeff Snow had accepted a new position and had worked his last day. John had had put together a number of options assuming 40hours per week and a 24 week season. It was estimated that we still have 3 to 4 years left to complete the major portion of the water distribution system. The options included the following:

1. Purchase Jeff Snow's equipment, and hire an operator. With the insurance the cost would be \$90,900 for the first year and then the cost of the operator and the insurance for the remaining years.
2. Ben Knight \$100.00 per hour for 40 hrs per week for 24 weeks = \$96,000
3. Frank Snow - \$140.00 per hour for 40 hours per week for 24 weeks = \$134,400
4. P&K - \$140.00 per hour for 40 hours per week for 24 weeks = \$158,400

After much discussion a motion was made by Mr. Nun with a second from Mr. Thomas to appropriate up to \$60,000 from the Island Improvement Reserve to purchase the Excavator, the tri-axle dump truck and trailer and the loader from Jeff Snow. The funds to be paid back to the Island Improvement Reserve from the Water Reserve at a rate of 1/3 of the purchase price per year for three years. The motion passed with 7 votes in favor and 0 opposed.

06/24/2011 The Town purchased the equipment from Jeff Snow for \$55,000. However, as discussed at the meeting, the bucket was pretty well worn out. We had no luck finding a used bucket so a new one was ordered. The cost of the bucket was charged to this project. We were able to hire an operator and the installation of the new line on the North end of Leisure Lane is in process.

**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. I spoke with Dena on Monday 01/24. She has completed the reconciliation through the end of 2010. She is going to prepare an Excel spreadsheet identifying her findings and the adjustments needed.

04/02/2011 The reconciliation has been done. Dena and Joe Potts are working out the details of the journal entries to finalize the reconciliation for 2010. Following the posting, we will get the reconciliation up to date for 2011.

05/14/2011 Dena McVane visited the Island on Friday May 6<sup>th</sup> to work with Calvin on the reconciliation of the checking account. When she arrived Calvin had completed the process and the account was reconciled. A glitch was discovered in the TRIO reconciliation module in that the adjustments made on May 1<sup>st</sup> to include Aprils credits and debits from external sources actually showed up in May in the reconciliation module. Wayne explained that we are looking into ways to prevent this in the future. Wayne also explained that there were no credit card transactions in April which makes the reconciliation easier. We have implemented some internal procedures which should help improve the reconciliation process. The reconciliation for May will be a good test.

06/24/2011 Wayne reported that the reconciliation for the cash account for May was complete. The accountant assisting the Town was pleased with the process and was in hopes that one more month would be sufficient. Joe Potts had voiced a concern so a meeting will be scheduled with the consultant.

**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 The Treasurer has forwarded a model to all of the ExCom members for review and comment. This

will be discussed further at this meeting

04/02/2011 No Change

05/14/2011 The prospect of developing a three tier ferry pricing structure to be presented at the October Town Meeting was discussed. Resident ticket sales account for approximately 65% of the ferry revenue and, through taxes contribute approximately \$100,000 to the LTTR annually. Therefore, non-resident ticket sales should contribute an additional \$35,000 (35%) to the LTTR. The Treasurer has agreed to develop a draft version of a three tier pricing structure for review at the next meeting.

06/24/2011 The Treasurer had distributed a model of a three tier pricing structure for the ferry for the ExCom to review to determine what if anything should be placed on the warrant for the October town meeting. The consensus of the ExCom was to conduct a public hearing on the three tier pricing system during the budget presentation on Labor Day weekend.

**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.

04/02/2011 An ad has been included in the winter fins for a replacement to fill the position until the next scheduled Town meeting when a new representative can be elected. Mr. Kuiken asked about the ramifications if we were not able to get a representative. In truth, there is not much of a loss as we only have 1 vote of 999 in the weighted voting system in effect. However, it was decided to continue to seek a replacement.

05/14/2011 No Change

06/24/2011 No Change. We will continue to advertise for a volunteer but this item will be closed.

**Store Lease**

**ExCom**

I have heard that Jean Russo is considering selling the store / café and is planning to show the facility to someone as soon as she can get to the Island this spring. The current lease runs to December 31, 2012. This is for information. As the Landlord, the ExCom must provide written consent before the lease can be re-assigned or the operation sub-let to another. This will be tabled until more information is available.

04/02/2011 Wayne spoke with Mr. Russo on Saturday, April 30. He was meeting a perspective buyer then to show him the property. I later heard that he had an offer but I have not heard anything further. Mr. Russo was reminded that anything that affected the lease or the owners had t be approved by the ExCom. Wayne was instructed to notify the store owners of a breach of the lease agreement if the store didn't open by the prescribed date.

05/14/2011 A letter was sent to the store owner notifying them of the breach in the agreement. Mrs. Russo responded with a number of reasons for not advertising the opening but stated that she and others were in the store getting things ready and they served everyone that stopped. Mrs. Russo

06/24/2011 attended the meeting and presented a hard copy (attached) of her position for the record.

**Review proposal to sandblast and paint the pool**

**Admin**

We have received a proposal to clean / sandblast and coat the pool surfaces with an approved coating in accordance with all requirements for the price of \$7,800.00. A motion was made by Mr. Kuiken and seconded by Mr. Thomas to appropriate up to \$7,800.00 from the Island Improvement Reserve for this project. Mr. Kuiken recommended that we review / revise the bid requirements of the purchasing policy. Mr. Thomas requested we get an additional quote for the job. Wayne informed the ExCom that he would try to find the original policy and examples of the bidding processes used by other municipalities. Wayne also mentioned that the decking around the pool was in disrepair and it was suspected that there were leaks in the underground piping to and from the pool. Wayne will see that we get an additional proposal before any work is done. Following the discussion, the motion passed with 7 votes in favor and 0 opposed.

04/02/2011

The ExCom reviewed the 2 proposals to prepare, patch and recoat the pool surface and agreed the original proposal from Limerick Steeplejacks was the lower proposal. The second proposal was from H.D. Edgerly for \$9880. The ExCom discussed the fact that there were leaks in the existing pool system because it is necessary to continually provide make-up from the Town water system to maintain the level when the pool is in operation. It is not known whether the leakage is through cracks in the pool itself or in the piping to and from the pool. However in order to expose the piping it would be necessary to excavate the pool deck. Costs to replace the pool deck ranged in price from a low of approximately \$10,000 for an artificial grass surface to a high of almost \$30,000 for a brushed concrete surface. The ExCom agreed to repair and repaint the pool surface this year in hopes that the leak might be in the pool. If not this can be reconsidered next year.

05/14/2011

Limerick Steeplejacks was awarded the bid to sandblast and paint the pool. They have begun the work but have not finished. However, they did do a lot of patching and sealing on the inside of the pool. We hope to be finished by July 1<sup>st</sup>, weather permitting. This item will be closed

06/24/2011

**Review proposal to replace deck on the mainland ferry ramp**

**ExCom**

We have received a report from Gagnon Engineering indicating the net strength of the ramp deck is suspect and should be replaced. We also have a proposal from Bancroft Engineering to supply the labor and materials to rebuild the deck. The total cost could be as much as \$39,026. If the existing support timbers are reusable, we can deduct \$15,400 from the \$39,026. This item was tabled at this time. We will be requesting additional proposals to complete the work which will probably be scheduled to be done in the fall after the Island closes.

04/02/2011

We have received 2 quotes for the deck replacement; Bancroft at \$25,426 and Cianbro at \$27,800. Both proposals assume that the support timbers do not need to be replaced. If they do there will be an additional \$15,400. This will have to be determined once the decking has been removed. A motion was made by Mr. Thomas with a second from Mr. Nun to appropriate up to \$26,000 from the Ferry Capital Reserve to replace the decking on the mainland Gantry and up to \$15,400 to replace the timbers if necessary. The motion passed with 7 votes in favor and 0 opposed.

05/14/2011

Completion of this project has to wait until the Island closes and will take a couple of weeks to complete.

06/24/2011

A contract has been signed awarding the job to Bancroft. They plan to begin as soon as the gantry is available in the fall.

**Employee Handbook**

**Wayne / ExCom**

Mr. Kuiken raised some questions about safety policies and employee policies and questioned if the Town would be prepared for an OSHA inspection. Wayne reported that the Maine Department of Labor had safety jurisdiction over municipalities in Maine and had conducted an unannounced safety inspection in 2009. They did discover some violations but none considered extremely serious and all were corrected. Wayne also reminded the ExCom that a fairly comprehensive Employee Handbook was approved by the ExCom in April of 2010. He agreed to forward a copy to the ExCom and to Joe for inclusion on the web-site. However, it would be a good idea to review the handbook periodically and Wayne will include this on the agenda for the next meeting.

04/02/2011

The employee manual was distributed to the ExCom following the last meeting. A discussion followed concerning the addition of Columbus Day as a paid holiday. A motion was made by Mr. Bond and seconded by Mr. Kuiken to add Columbus Day as a paid holiday. The motion passed with 6 in favor and 0 opposed.

05/14/2011

**Other Old Business**

**Disposition of tax acquired property**

**Wayne**

Mr. Donohue asked about the policy to dispose of tax acquired property. Wayne explained that the policy is on the Frye Island web site with the ordinances. Wayne agreed to check with the Town attorney to clarify the legal requirements if the Town elects to sell tax acquired property and if the Town can place restrictions on the property being sold.

05/14/2011

Wayne spoke with the Town attorney and has distributed his opinion to the ExCom. A discussion followed regarding the undeveloped property at 1627 Ridge Road that was acquired by the Town for unpaid taxes. The consensus of the ExCom was that the Town should consider disposing of this

06/24/2011

property. However, it would have to be stipulated that if the property were to be sold it would have to be sold as an unbuildable property.

### **Warrant Article for Financial Authority**

**J. Potts**

05/14/2011 Mr. Potts presented a warrant article for the October Town Meeting for ExCom review which defined the voting authority of the ExCom. The consensus of the Committee was the more members involved in the voting process the better. Wayne was asked to check with the Town attorney to insure the warrant article as proposed didn't conflict with the Charter or with State statutes.

06/24/2011 Wayne spoke with the Town attorney. It is his opinion, as well as others in his office that this can be done by amending the charter which will not require a charter commission. He suggested a few minor word changes and is preparing the proper protocol to enact this at the next town meeting. It was suggested that additional discussion be held with the attorney to clarify some of his comments. Wayne will schedule a teleconference meeting.

### **Review Frye Island Purchasing Policy**

**ExCom**

05/14/2011 The purchasing policy was last reviewed and approved in 2001; Wayne was asked to review other municipal purchasing policies and make recommendations for the next scheduled meeting.

06/24/2011 A draft copy of the revised Purchasing Policy has been distributed to the ExCom for review. A motion was made by Mr. Thomas and seconded by Mr. Nun to approve the Purchasing Policy as presented with a minor word change. There was no further discussion and the policy was approved with 6 votes in favor and 0 opposed.

### **E-911 Addresses**

**ExCom**

05/14/2011 Wayne explained the recent issue with the E911 addresses and the inconsistencies in the Frye Island road numbering system. The street numbering convention followed by most municipalities is to have odd numbers on one side of the street and even on the other. The unorthodox system generated by the developer of Frye Island has created issues since the introduction of the E911 system. Wayne was asked to review the program the State offers to help communities develop an E-9111 home numbering system.

06/24/2022 Wayne has spoken with the State E911 coordinator. She has sent an E-911 map book which identifies all of the roads on the Island with the number ranges that they have on record. Wayne indicated the first step in the process was to review all of the roads that on the E911 map book for accuracy. Wayne will be reviewing this with Steve Persson and John Crosby.

### **Hokes Bluff Ferry**

**ExCom**

05/14/2011 Recent information indicates that the Hokes Bluff ferry may become available again. Wayne was asked to check with contacts at the State and Federal levels in an attempt to determine the status of the ferry and if funding for the relocation of the ferry might be available.

06/24/2011 I found out that Barbara Donovan is no longer with MEDOT. I spoke with Jackie Potter from Representative Pingree's office. She suggested that I call Sue Moreau. Which I did. She has not returned my call either. Jackie told me that she doubted there would be any funding available to transport the ferry to Maine if it were available. Wayne reported that he had received a phone call from a reporter from the Gadsden Times in Alabama had called him. Apparently South Carolina voted not to accept the ferry because of the cost of required infrastructure and operating costs. Wayne told the reporter that he wasn't sure that the ExCom would approve receiving the ferry either because of transportation costs and the fact that we already had two ferries that were working well. However, there is still no official word on the disposition of the Ferry.

### **New Business**

**Annual Appointments****ExCom**

06/24/2011 See attached. A motion was made by Mr. Nun and seconded by Mr. Thomas to approve the appointees as presented. The motion passed with 6 in favor and 0 opposed. Wayne also asked if the elected officials whose terms expire this year plan to be candidates for re-election. This year there will be 3, Mr. Kuikens term as a selectman expires and he plans to run. Mr. Bond's term on the Executive Committee expires and he plans to run. Mr. Potts' term on the Executive Committee expires and he does not plan to run again.

**Equipment for Recreation Department****ExCom**

06/24/2011 The Recreation Director addressed the ExCom with a request for funding to purchase a new air hockey table and a new bumper pool table for the Recreation Department. The air hockey table costs \$795 and the bumper pool table costs \$749. A motion was made by Mr. Nun and seconded by Mr. Kuiken to appropriate up to \$1600 from the Recreation Reserve to purchase the air hockey table and the bumper pool table for the Recreation Dept. The motion passed with 6 votes in favor and 0 opposed.

**Adopt the Cumberland County Hazard Mitigation Plan****Board of Selectmen**

06/24/2011 Cumberland County has submitted a hazard mitigation plan that needs approval from all of the communities in the county. No motion required, the Selectmen signed the plan.

**Review an abatement request for 237 Island Road****Board of Assessors**

06/24/2011 Mr. & Mrs. Breen purchased the property in 1986 and have used it as a pump back lot since that time. They have created a new deed restricting the lot to a non-buildable pump back lot. Therefore the Assessors Agent has recommended a tax abatement to keep the value of this property consistent with other pump back lots. A motion was made by Mr. Kuiken and seconded by Mr. Nun to approve the abatement request.

**Ordinance governing unsolicited for profit vendors****Wayne**

06/24/2011 I have had a number of questions regarding the ordinance that was passed last year. The ordinance as written prohibits the Island from having a regular farmers market through the high season. I suggest the ExCom consider having this reviewed for reconsideration at the next Town meeting. The policy states that the Board of Island Trustees must vote to authorize a day market. Mr. Sutherland, who is a member of the Planning Board indication that it was the intent to have the Executive Committee of the Board of Island Trustees approve day markets not the whole BIT. It was suggested that Wayne get clarification from the Town attorney.

**Kells Abatement Request****Wayne / Paul**

06/24/2011 For Information.....Mr. Kells has appealed to the Cumberland County Board of Assessment Review regarding the adjusted assessed value of his undeveloped property at 1755 Ridge Road. We submitted the information supporting the adjustment for a meeting scheduled for June 2<sup>nd</sup>. Mr. Kells did not submit the necessary information for the June meeting so the hearing was rescheduled for July 7<sup>th</sup>. Paul White and I plan to attend.

**Approve the Disbursement Policies****ExCom**

06/24/2011 A motion was made by Mr. Nun and seconded by Mr. Thomas to approve the disbursement policies for the expenditure of wages and salaries and for payment of the SAD 6 invoice.

**Disposal of Airboat****ExCom**

06/24/2011 The Town purchased an airboat 2 years ago intended for use in the spring and fall when the ferry is unavailable. It hasn't worked out and hasn't been used. A motion was made by Mr. Thomas and seconded by Mr. Kuiken to put the air boat up for bid with the revenue from the sale going to the Equipment Reserve.

**Funding for Hopkinton MA fire truck****ExCom**

06/24/2011 The ExCom approved the expenditure of \$25,000 for the purchase of a fire truck being traded by Hopkinton Ma. The truck should be ready before the next ExCom meeting. We will need the funds in the next week or so. There will be additional expenses to remove the existing decals and replace them with Frye Island decals.

**Other New Business**

Transfer of Golf Funds

ExCom

06/24/2011 Mr. Thomas requested that the funds in the Liability account for the renovation of the Club House (Account 209-08) be transferred to the Golf Operating Reserve. It was intended that the funds in the liability account be used for the renovations but the expenses were actually taken from the reserve.

**Meeting Minutes:** Approve the minutes of the May 14th Executive Committee meeting. A motion was made by Mr. Kuiken and seconded by Mr. Nun to accept the minutes as presented. The motion passed with 6 votes in favor and 0 opposed.

**Treasurer's Report:**

**Golf Report:**

**Marina Report:**

**EXECUTIVE SESSION**

None

**ADJOURN**

A motion was made by Mr. Kuiken and seconded by Mr. Nun to adjourn the meeting at 10:15PM. The motion passed with 6 votes in favor and 0 opposed.