



MEETING MINUTES FOR THE SPECIAL SELECTMEN /EXECUTIVE COMMITTEE MEETING 07/07/2011

START	END	NEXT MEETING	NEXT TIME	MEETING LOCATION
6:06 PM	6:24 PM	July 16, 2011	9:00 AM	Community Center

ATTENDANCE

EXECUTIVE COMMITTEE:

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

Town Manager: Wayne Fournier
Treasurer: Joe Potts

OLD BUSINESS

	Business Item	BIC
	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 th 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 th but Mr. Zea did tell Mr. Kuiken that he should be able to pay the debt in full on or about May 20 th . 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 th 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 th came and went without payment so the Town attorney was notified to begin the legal process.	
07/07/2011	Mr. Zea had communicated with Wayne that he had received the money he needed to pay the debt and had requested and received the pay-off amount and the information he need to wire the funds to the Town account. Mr. Zea stated that he had no problem paying the principle and the interest but he does object to the legal fees and the late fee. It was determined that this was a BIT issue because the outstanding debt was for the ferry. A motion was made by Mr. Kuiken and seconded by Mr. Donohue to waive the legal fees (\$2695) and the late charge (\$962) if the principle (\$20,240) and interest (\$2228.53) was paid in full in three business days. The motion passed with 5 votes in favor and 0 opposed. Wayne is to notify Mr. Zea by e-mail tonight.	