

MINUTES OF THE ANNUAL TOWN MEETING
Town of Frye Island, Maine

OCTOBER 6, 2007

The meeting was held at the Frye Island Community Center on High Point Drive

Jeffrey Diercks, an engineer from CDM, presented a PowerPoint presentation explaining the recent water distribution study CDM performed prior to the meeting. The presentation was followed by a question and answer session.

The Town Meeting was called to order at 9:15 AM by Wayne Fournier, Town Clerk

Article 1: To vote by written ballot to choose a moderator to preside at said meeting.

A motion was made by John Nun and seconded by Steve Kaplan to nominate Joe Potts as Moderator. There were no other nominations.

Grace Morin and Bobbie Aranyi were sworn in as ballot clerks by Lisa Kerrigan, Deputy Town Clerk

There were five (5) votes cast for Joe Potts

Joe Potts was sworn in as Moderator by Lisa Kerrigan, Deputy Town Clerk.

A motion was made by Oleg Svetlichny and seconded by Ed Charrette to adopt the following procedures for the meeting:

1. To utilize the Maine Moderator's Manual in the conduct of business,
2. To follow the guidelines established by MMA for Town Meetings & Elections,
3. To incorporate the vote of the Board of Island Trustees into the Town Meeting flow of business when appropriate, and
4. To limit the discussion of any person to no more than 3 minutes per issue.
5. To allow Board members and Town officials to speak at the meeting.

The Motion passed unanimously.

Wayne noted that an article to elect the SAD 6 School Board Representative had inadvertently been left off the warrant. In accordance with 20-A MRSA Section 1254(3), the Board of Selectmen will make that appointment at its next scheduled meeting. Oleg Svetlichny was the only registered candidate.

Article 2: To vote by written ballot to elect one person to a one year term to the Board of Selectmen. (To fulfill the term left vacant by Mr. Kuikens resignation).

Names in Nomination
Phil Perry

There were no additional nominations from the floor.

A motion was made by Ed Charrette and seconded by Grace Morin to elect Phil Perry to the one year term. Mr. Perry was elected unanimously. The Town Clerk cast one ballot for Mr. Perry.

Article 3: To vote by written ballot to elect one person to a three year term to the Board of Selectmen.

Names in Nomination
Mark Thomas

There were no additional nominations from the floor.

A motion was made by Harry Zea and seconded by John Crosby to elect Mark Thomas to the three year term. Mr. Thomas was elected unanimously. The Town Clerk cast one ballot for Mr. Thomas.

The Town Meeting was placed in Recess - the BIT Meeting was called to order.

Article 4: To vote by written ballot to elect one person to a three year term to the Board of Island Trustees.

Names in Nomination
Bruce Nisula

There were no additional nominations from the floor.

A motion was made by Oleg Svetlichny and seconded by Dick Norris to elect Bruce Nisula to the three year term. Mr. Nisula was elected unanimously. The Town Clerk cast one ballot for Mr. Nisula.

Article 5: To see if the registered voters of the Town of Frye Island will vote to appropriate \$154,592 from municipal revenues; and raise and appropriate from property taxes \$794,406 for municipal services and \$1,076,458 for non-municipal services for 2008. (This total for municipal services includes \$74,024 which will be deposited into the “water reserve” for the purpose of updating the municipal water system).

A motion was made by Harry “Chip” McCarty and seconded by Oleg Svetlichny to place article 5 before the BIT voters. Town Manager Wayne Fournier presented the proposed 2008 budget. He also provided the status of the reassessment process indicating that it was not known if it would be incorporated in the 2008 or 2009 budget, the budget presented assumed that it would not be incorporated, if it is, the estimated tax rate presented would be adjusted appropriately for the 2008 tax bills. Article 5 passed unanimously

The BIT Meeting was placed in recess - the Town Meeting was reconvened

A motion was made by Betsy Gleysteen and seconded by Grace Morin to place article 5 before the Town voters. There was no further discussion and Article 5 passed unanimously.

The Town Meeting was placed in Recess - the BIT Meeting was called to order.

Article 6: To see if the Voters of Frye Island will vote to raise and appropriate the sum of \$7000.00 to be used for the July 4th fire works display and other expenses associated with the 10th birthday celebration of The Town of Frye Island. (Approval of this article will increase the tax rate by 6.84 cents per \$1000 of property value).

A motion was made by Kathy Potts and seconded by Dave Treacy to place article 6 before the BIT voters. Following a brief discussion, article 6 passed unanimously.

The BIT Meeting was placed in recess - the Town Meeting was reconvened

A motion was made by Carl Hommel and seconded by Phil Perry to place article 6 before the Town voters. There was no further discussion and Article 6 passed unanimously.

The Town Meeting was placed in Recess - the BIT Meeting was called to order.

Article 7: To see if the Voters of Frye Island will vote to raise and appropriate the sum of \$2000.00 to be used for improving the beach and swimming areas on Frye Island. (Approval of this article will increase the tax rate by 1.95 cents per \$1000 of property value).

A motion was made by Kathy Potts and seconded by Harry Zea to place article 7 before the BIT voters. Wayne and Nancy Donio, chair of Beach Committee presented the article. Carl Hommel asked if FII should pay for beach improvements by selling a lot. Joe Potts, FII President responded to Mr. Hommel. Following the discussion, article 7 passed unanimously.

The BIT Meeting was placed in recess - the Town Meeting was reconvened

A motion was made by Jim Reali and seconded by Ed Charrette to place article 7 before the Town voters. There was no further discussion and Article 7 passed unanimously.

The Town Meeting was placed in Recess - the BIT Meeting was called to order.

Article 8: To see if the Voters of Frye Island will vote to establish semi annual tax payments for 2008. The first payment of ½ the taxes owed to be due and payable on December 31st 2007 and the second half to be due and payable on June 30, 2008.

Article 9: To see if the Voters of Frye Island will vote to set the highest interest rate allowed by law for all overdue taxes.

Article 10: To see if the Town will vote to authorize and direct the Selectmen and Treasurer, at their discretion, to sell by sealed bid or public auction and convey by quit-claim deed, any real estate acquired from tax sources by the Town, or to convey the property to the prior owner upon payment in full of all taxes, interest and charges incurred by the Town. Selectmen reserve the right to reject any and all bids.

Article 11: To see if the Town will vote to authorize the Selectmen and the Treasurer, on behalf of the Town and any of the Town's departments, to accept gifts, real estate, donations, and other funds, including trust funds that may be given or left to the Town, and to grant the Selectmen the further authority to expend such sums of money as they deem necessary from these donations or for their designated purposes. These expenditures may be reflected outside of the Town's approved budget.

Article 12: To see if the Town will vote to authorize the Selectmen and the Treasurer to accept and expend, on behalf of the Town, any Federal or State funds received in the form of grants during its fiscal year.

Article 13: To see if the Town will vote to authorize the Selectmen to expend such sums of money as they deem necessary from the Designated Reserve Funds for their designated purposes. These expenditures may be reflected outside of the Town's approved budget.

The moderator suggested that articles 8 through 13 be considered together as they are generic articles that are on the warrant every year.

A motion was made by Oleg Svetlichny and seconded by Pat Karpacz to place articles 8 through 13 before the BIT voters. Following a brief explanation, articles 8 through 13 passed unanimously.

The BIT Meeting was placed in recess - the Town Meeting was reconvened

A motion was made by Phil Perry and seconded by Grace Morin to place articles 8 through 13 before the Town voters. There was no further discussion and articles 8 through 13 passed unanimously.

The Town Meeting was placed in Recess - the BIT Meeting was called to order.

Article 14: To see if the Town will vote to amend the Land Use Ordinances Chapter 101, Article I, §101-I-14(F) (4), and Article III, §101-III-16 (I) (5) to read as follows:

“In accordance with 30-A, M.S. R.A. Section 2691(3) (F), the Board of Appeals may reconsider any decision reached under this section within 45 days of its prior decision. A request to the board to reconsider a decision must be filed within 10 days of the decision that is to be reconsidered. A vote to reconsider and the action taken on that reconsideration must occur and be completed within 45 days of the date of the vote on the original decision. Reconsideration of a decision shall require a positive vote of the majority of the Board members originally voting on the decision, and proper notification to the landowner, petitioner, Planning Board, Code Enforcement Officer, and other parties of interest including abutters and those who testified at the original hearing(s). The board may conduct additional hearings and receive additional evidence and testimony as provided in this subsection.

Appeal of reconsideration to the Superior Court must be made within fifteen (15) days after the decision on reconsideration”

A motion was made by Harry “Chip” McCarty and seconded by Dave Treacy to place article 14 before the BIT voters. Following a brief explanation, article 14 passed unanimously.

The BIT Meeting was placed in recess - the Town Meeting was reconvened

A motion was made by Jim Reali and seconded by Nancy Perry to place article 14 before the Town voters. There was no further discussion and articles 14 passed unanimously.

The Town Meeting was placed in Recess - the BIT Meeting was called to order.

Article 15: To see if the Town will vote to amend the Land Use Ordinances Chapter 101, Article I, §101-I-11 (E), to read as follows:

101-I-11 Administration and Enforcement

E. Application for Building Permit

1. All applications for building permits shall be accompanied by plans drawn to scale, showing the following:
 - a. The actual dimensions and shape of the lot to be built upon.
 - b. The exact sizes and locations on the lot of buildings already existing, if any.
 - c. The location and dimensions of the proposed building or alteration.

2. The application shall include such other information as lawfully may be required by the Code Enforcement Officer to determine conformance to and provide for the enforcement of this Ordinance.

When determining conformance with the Ordinance the Code Enforcement Officer may require a certified boundary survey for any new construction or change to an existing footprint, to be submitted before construction commences unless based on the Code Enforcement Officer assessment, there is sufficient space and sufficient evidence and accuracy of monuments, e.g. iron pins, pipes and drill holes. Any application not requiring a survey will be confirmed in writing by the CEO.

A motion was made by Phil Perry and seconded by Harry “Chip” McCarty to place article 15 before the BIT voters. Following an explanation by Tim McCarthy, chair of the Board of Appeals, article 14 passed with one vote opposed.

The BIT Meeting was placed in recess - the Town Meeting was reconvened

A motion was made by Kathy Potts and seconded by Oleg Svetlichny to place article 15 before the Town voters. There was no further discussion and article 15 passed with one vote opposed.

The Town Meeting was placed in Recess - the BIT Meeting was called to order.

Article 16: To see if the Town will vote to adopt the 2003 edition of the International Residential Code, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings not more than three stories in height with separate means of egress in the Town of Frye Island; providing for the issuance of permits and collections of fees therefore; repealing all other Ordinances and parts of the Ordinances in conflict.

A motion was made by Dave Treacy and seconded by Grace Morin to place article 16 before the BIT voters. Following a brief discussion, article 16 passed unanimously.

The BIT Meeting was placed in recess - the Town Meeting was reconvened

A motion was made by Jim Reali and seconded by Oleg Svetlichny to place article 16 before the Town voters. There was no further discussion and article 16 passed unanimously.

The Town Meeting was placed in Recess - the BIT Meeting was called to order.

Article 17: To see if the Town will vote to adopt an ordinance known as “The Town of Frye Island Dog Control Ordinance”.

A motion was made by Harry “Chip” McCarty and seconded by Pat Karpacz to place article 17 before the BIT voters. Following a brief discussion, article 17 passed unanimously.

The BIT Meeting was placed in recess - the Town Meeting was reconvened

A motion was made by Jim Reali and seconded by Phil Perry to place article 17 before the Town voters. There was no further discussion and article 17 passed unanimously.

A motion to adjourn the Town Meeting was made by Kathy Potts and seconded by Jim Reali. The motion passed unanimously and the Town Meeting was adjourned at 10:55 AM.

Respectively submitted:
Wayne Fournier, Town Clerk