

**MINUTES OF THE ANNUAL TOWN MEETING
OCTOBER 10, 2009**

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

During the registration process 107 Board of Island Trustee voting packets and 25 Town of Frye Island voting packets were issued.

Laura Crosby and Rebecca Limauro were sworn in as ballot clerks
by Lisa Kerrigan, Deputy Town Clerk

The Town Meeting was called to order at 9:00 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 Oleg Svetlichny to nominate Joe Potts as Moderator. There were no other nominations.

There were eight (8) votes cast for Joe Potts
Joe was sworn in as Moderator by Lisa Kerrigan, Deputy Town Clerk.

A motion was made by John Nun and seconded by Dave Treacy 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,
4. To limit the discussion of any person to no more than 3 minutes per issue and
5. To allow Board members and Town officials to speak at the meeting. The motion passed unanimously.

Article 2: To vote by written ballot to elect one person to a three year term to the Board of Selectmen

Names in Nomination
John Nun
Betsy Gleysteen

Betsy Gleysteen was nominated from the floor by James Kuiken. Betsy accepted the nomination.

Results of the written vote:
Mr. Nun.....14 Votes Ms. Gleysteen9 Votes
Mr. Nun was elected to the three year term.

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

Article 3: To vote by written ballot to elect one candidate to a three year term on the Board of Island Trustees Executive Committee

Names in Nomination
Jim O'Connor
H Bob Sutherland

There were no additional nominations from the floor.

Results of the written vote:

Mr. O'Connor.....40 Mr. Sutherland.....62
Mr. Sutherland was elected to a three year term.

Article 4: To see if the Board of Island Trustees and the voters of the Town of Frye Island will vote to appropriate **\$112,899.00** from non - tax municipal revenues; and raise and appropriate an additional **\$843,537.00** from property taxes for municipal services and **\$1,408,272.00** for non-municipal services for 2009. *(This total for municipal services includes \$74,024.00 which will be deposited into the "Water Reserve Fund" for the purpose of updating the municipal water system).*

A motion was made by Dave Treacy and seconded by H. Chip McCarty to place article 4 before the BIT voters. Town Manager Wayne Fournier presented the proposed 2010 budget. A discussion followed during which Joe Potts, in response to a question and acting as Treasurer, explained that all of the financial records including the reserve funds were on the Frye Island web site in detail. Following the discussion, Article 4 passed the BIT unanimously

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

A motion was made by John Nun and seconded by Oleg Svetlichny to place article 4 before the Town voters. There was no further discussion and Article 4 passed unanimously.

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

Article 5: To see if the Board of Island Trustees and the Voters of Frye Island will vote to raise by taxes and appropriate an additional \$8,946.00 to provide police coverage 7 nights per week during the "high season".

A motion was made by Nancy Donio and seconded by pat Karpacz to place article 5 before the BIT voters. Nancy Donio explained her fears this past summer when someone attempted to get into her home after mid-night and there was no police coverage scheduled on the Island that evening. Following additional discussion, article 5 passed with one (1) negative vote.

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

A motion was made by Dave Treacy and seconded by John Nun 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 Board of Island Trustees and the Voters of Frye Island will vote to raise by taxes and appropriate an additional \$8,750.00 to have police coverage during the winter.

A motion was made by Nancy Perry and seconded by John Nun to place article 6 before the BIT voters. Chief Beaulieu explained that this additional coverage might not prevent additional burglaries during the winter season; it would prevent the high numbers experienced during the 2008 / 2009 winter. A brief discussion followed. Article 6 passed unanimously.

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

A motion was made by Dave Treacy and seconded by John Nun 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 Board of Island Trustees and the Voters of Frye Island will vote to authorize the establishment of a **Long Term Transportation Capital Reserve Fund**. Funds accrued in this reserve to be designated for long term capital improvements to the Ferry Service.

A motion was made by Mike Kaplan and seconded by Phil Perry to place article 7 before the BIT voters. Following a discussion, Article 7 passed unanimously.

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

A motion was made by John Nun and seconded by Oleg Svetlichny 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 Board of Island Trustees and the Voters of Frye Island will vote to raise by taxes and appropriate the sum of \$105,724.00 to be used to fund the **Long Term Transportation Capital Reserve Fund**.

A motion was made by John Nun and seconded by Phil Perry to place article 8 before the BIT voters.

It was explained that the Transportation Committee had done a lot of work identifying long term requirements of the ferry system including establishment of a "Park and Ride" facility on the mainland, and renovation / replacement of the ferries and the gantries. Though the details of the changes have not yet been established, the consensus is the costs will be in the millions. It was also realized by everyone present that without the ferry service property values would be fractions of present values. Board members Nun, Kuiken and Bond stated that hopefully these expenditures were a number of years away, but the magnitude of the costs requires the Town to start saving now. Following this discussion, Article 8 passed the BIT with four (4) voting in the negative.

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

A motion was made by John Nun and seconded by Dave Treacy to place Article 8 before the Town voters. There was no further discussion and Article 8 passed unanimously.

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

A motion was made by Nancy Donio and seconded by Dick Norris to place Article 9 through Article 14 before the Board of Island Trustees together rather than individually. Articles 9 through 14 are the generic articles that appear on every warrant.

Article 9: To see if the Board of Island Trustees and the Voters of Frye Island will vote to establish semi-annual tax payments for 2010. The first payment of 1/2 the taxes owed to be due and payable on December 31st 2009 and the second half to be due and payable on June 30, 2010.

Article 10: To see if the Board of Island Trustees and the Voters of Frye Island will vote to set the highest interest rate allowed by law for all overdue taxes.

Article 11: To see if the Board of Island Trustees and the Voters of Frye Island will vote to authorize and direct the Selectmen and Treasurer, at their discretion, to sell by sealed bid or public auction and convey by quitclaim 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. The Selectmen reserve the right to reject any and all bids.

Article 12: To see if the Board of Island Trustees and the Voters of Frye Island 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 13: To see if the Board of Island Trustees and the Voters of Frye Island 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 14: To see if the Board of Island Trustees and the Voters of Frye Island 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.

There was no discussion and Articles 9 through 14 passed the BIT vote unanimously.

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

A motion was made by John Nun and seconded by Dave Treacy to place Article 9 through Article 14 before the Town voters together rather than individually. There was no discussion and Articles 9 through 14 passed unanimously.

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

Article 15: To see if the Board of Island Trustees and the Voters of Frye Island will vote to amend the Town Land Use Ordinances to incorporate the following Maine State Department of Environmental Protection requirement for docks.

Land Use Standards

Town of Frye Island Cumberland County State Of Maine

Chapter 101 – Ordinance for Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of Sebago Lake or Within a Wetland.

GENERAL REFERENCES

State Of Maine, Chapter 1000: GUIDELINES FOR MUNICIPAL SHORELAND ZONING ORDINANCES

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Section 101–III–17. Definitions:

Piers, Docks, Wharves, Bridges and Other Structures and Uses extending over or beyond the normal high-water line or within a wetland:

A. **Temporary:** Structures which remain in or over the water for less than seven (7) months in any period of twelve (12) consecutive months.

B. Permanent: Structures which remain in or over the water for seven (7) months or more in any period of twelve (12) consecutive months.

101-1 Title.

Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of Sebago Lake or Within a Wetland.

101-2 Purpose.

To replace bulleted (numbered) language in “Town ordinance 101–III–15.C” with language in “101-3 General Rules” of this document, thus allowing the town of Frye Island to comply with State Mandated Regulations, which became effective July 1st 2009, without making them more restrictive for our town.

101-3 General Rules.

- (1) Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.
- (2) The location shall not interfere with existing developed or natural beach areas.
- (3) The facility shall be located so as to minimize adverse effects on fisheries.
- (4) The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock or wharf in Sebago Lake shall not be wider than six feet for non-commercial uses.
- (5) No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of Sebago Lake or within a wetland unless the structure requires direct access to Sebago Lake or wetland as an operational necessity.
- (6) New permanent piers and docks on Sebago Lake shall not be permitted unless it is clearly demonstrated to the Planning Board that a temporary pier or dock is not feasible, and a permit has been obtained from the Department of Environmental Protection, pursuant to the Natural Resources Protection Act.
- (7) No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of Sebago Lake or within a wetland shall be converted to residential dwelling units in any district.
- (8) Except in the General Development Districts and Commercial Fisheries/Maritime Activities District, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of Sebago Lake or within a wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure.

NOTE: New permanent structures, and expansions thereof, projecting into or over Sebago Lake shall require a permit from the Department of Environmental Protection pursuant to the Natural Resources Protection Act, 38 M.R.S.A. section 480-C. Permits may also be required from the Army Corps of Engineers if located in navigable waters.

A motion was made by Oleg Svetlichny and seconded by David Treacy to place article 15 before the BIT. Following an explanation by Steve Kaplan, Chair of the Planning Board, and a brief discussion, article 15 passed with unanimously.

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

A motion was made by John Nun and seconded by Dave Treacy to place article 15 before the Town voters. There was no further discussion and article 15 passed unanimously.

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

Article 16: To see if the Board of Island Trustees will vote to incorporate the following changes to the Frye Island Ferry Service User Rates for the 2010 season:

	Heavy Equipment Trailers		
	One Rear Axle	100.00	50.00
	Two Rear Axle	150.00	100.00
	Three Rear Axle	200.00	150.00
T	Dual Wheel Pick-Up	60.00	30.00

A motion was made by H. Chip McCarty and seconded by Dave Treacy to place article 16 before the BIT voters. It was explained that the large construction trailers were not addressed in the previously approved fee schedule and at the Ferry Department’s request these were being presented for approval at this meeting. The Ferry Department also felt that adjusting the dual wheeled pick-up fee down more appropriately addressed the size of this type of vehicle. A brief discussion followed and Article 16 passed unanimously.

By Charter, the Board of Island Trustees establishes ferry fees and therefore it is unnecessary for the Town to vote on this article.

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

A motion to adjourn the Town Meeting was made by David Treacy and seconded by John Nun. The motion passed unanimously and the Town Meeting was adjourned at 11:54 AM.

Respectively submitted:

Wayne Fournier, Town Clerk