



## MEETING MINUTES FOR THE ANNUAL TOWN MEETING 10/06/2012 TOWN OF FRYE ISLAND

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

During the registration process 78 Board of Island Trustee voting packets and 20 Town of Frye Island voting packets were issued. This was considerably less than last years 144 & 52 respectively.

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

The Town Meeting was called to order at 9:03 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 to nominate John Crosby as Moderator.

There were no other nominations.

The Clerk called for a minimum of five (5) ballots for Mr. Crosby. There were Ten (10) ballots cast for Mr. Crosby

Mr. Crosby was sworn in as Moderator by Lisa Kerrigan, Deputy Town Clerk.

A motion was made by John Nun and seconded by Rich Purtell 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 (BIT) 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 with 0 voters opposed.

**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

There were no nominations from the floor.

Results of the written vote:

**Mr. Nun received 12 votes. Mr. Nun was elected to a 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 two candidates to three year terms on the Board of Island Trustees Executive Committee

Names in Nomination
H. Robert Sutherland

There were no nominations from the floor.

Results of the written vote:

**Mr. Sutherland received 67 votes. 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 \$100,849 from non-tax municipal revenues for Municipal Services; and raise and appropriate an additional \$891,079 from property taxes for Municipal Services, \$1,288,975 for Non-Municipal Services, and \$244,248 for Designated Reserve Fund Contributions for 2013. The total to be raised by and appropriated from Property Taxes is \$2,325,249.

A motion was made by Nancy Perry and seconded by H. Chip McCarty to place article 4 before the BIT voters.

Town Manager Wayne Fournier presented the proposed 2012 budget. Wayne reviewed the budget summary sheet explained that the budget for the school payment was intentionally left the same as this year knowing that any increase would be covered from the Designated School Reserve.

**Article 4 passed with 2 BIT voters opposed**

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

A motion was made by John Nun and seconded by Laura Crosby to place article 4 before the Town voters. There were no additional questions.

**Article 4 passed with 0 Town voters opposed.**

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

**Article 5:** To see if the Voters of Frye Island will vote to establish semi-annual tax payments for 2013. The first payment of 1/2 the taxes owed to be due and payable on December 31<sup>st</sup> 2012 and the second half to be due and payable on June 30th, 2013.

A motion was made by Laura Crosby and seconded by Steve Kaplan to place article 5 before the BIT voters.

**Article 5 passed with 0 BIT voters opposed.**

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

A motion was made by Ed Charrette and seconded by Bob Sutherland to place article 5 before the Town voters.

There was no further discussion and Article 5 passed with 0 Town voters opposed.

***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 establish a 7% interest rate for all overdue taxes for the 2013 tax year.

A motion was made by Phil Perry and seconded by Laura Crosby to place article 6 before the BIT voters. Wayne explained that the State establishes the maximum annual interest rate that can be charged for delinquent taxes and Frye Island typically recommends that rate; for the 2013 tax year 7% is the highest interest rate allowed.

**There was no further discussion and Article 6 passed with 0 BIT voters opposed.**

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

A motion was made by Lisa Kerrigan and seconded by John Nun to place article 6 before the Town voters.

**There was no further discussion and Article 6 passed with 0 Town voters opposed.**

***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 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. Selectmen reserve the right to reject any and all bids.

A motion was made by Peter Salinger and seconded by Steve Kaplan to place article 7 before the BIT voters.

Wayne was asked why the Town didn't sell any of the tax acquired property. Wayne explained that the Town had a policy not to sell any tax acquired property that was buildable because of the 750 septic system limit imposed by the Court. The present count of existing septic systems and the privately owned lots that could support a septic system was slightly larger than the limit. It is the Towns effort to preserve the expectations of the undeveloped property owners to be able to build someday.

**There was no further discussion and Article 7 passed with 0 BIT voters opposed.**

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

A motion was made by Ed Charrette and seconded by Lisa Kerrigan to place article 7 before the Town voters.

**There was no further discussion and Article 7 passed with 0 Town voters opposed.**

***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 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.

A motion was made by Chip McCarty and seconded by Jackie Atkinson to place article 7 before the BIT voters.

Wayne explained that the Town receives few gifts. However, Frye Island Incorporated (FII) recently donates \$17,000 to the Golf Equipment Reserve, \$17,000 to the Recreation Reserve, and \$40,000 to the Island Improvement Reserve earmarked for the renovations to the Community Center kitchen for which the Town is very grateful. The Executive Committee is mandated to expend these funds for the purpose designated by FII.

**There was no further discussion and Article 8 passed with 0 BIT voters opposed.**

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

A motion was made by John Nun and seconded by Willy Campbell to place article 8 before the Town voters.

**There was no further discussion and Article 8 passed with 0 Town voters opposed.**

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

**Article 9:** To see if 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.

A motion was made by Chip McCarty and seconded by John Nun to place article 9 before the BIT voters.

Wayne explained that the Town typically receives an annual grant from the MEDOT to be used for road repair but has little success when applying for other grants. A question was asked if the Town had a grant writer and Wayne explained that we didn't. However, we have applied for a number of grants for the water system and the ferry service to no avail. The seasonality of the Island and the fact that all of the homes on the Island are second homes makes it very difficult because we do not have students that must be transported to school or residents that must commute to work. It is also difficult to claim hardship with all of the homes being second homes.

**There was no further discussion and Article 9 passed with 0 BIT voters opposed.**

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

A motion was made by Laura Crosby and seconded by John Nun to place Article 9 before the Town voters.

**There was no additional discussion and Article 9 passed with 0 Town voters opposed.**

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

**Article 10:** To see if 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.

A motion was made by Steve Kaplan and seconded by John Nun to place Article 10 before the BIT voters.

Eric Gleysteen questioned if there would be a conflict between Article 10 and Article 11 if they both passed. Wayne explained that there wouldn't be a conflict. Article 13 would just place some restrictions on the approval process.

**There was no further discussion and Article 10 passed with 0 voters opposed.**

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

A motion was made by Bob Sutherland and seconded by Laura Crosby to place Article 10 before the Town voters

**There was no further discussion and Article 10 passed with 0 Town voters opposed.**

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

**Article 11:** To see if the Voters of Frye Island will vote to amend the Town Charter, Article VII, by adding the following as a new "Section 9":

**Section 9. Approval Requirements:** The approval requirements for financial actions related to operational expenses and the expenditure of Reserve Fund monies for the Town of Frye Island, including the Town's Enterprise Operations, are as follows:

1. Any commitment of Unreserved Undesignated Fund Balance assets requires first a majority vote of the Board of Island Trustees, and if approved by that body, a subsequent approval by a majority vote of the Town Voters at a Regular or Special Town Meeting.
2. Any commitment of Designated Reserve Fund Balance assets of \$100,000 and over requires first a majority vote of the Board of Island Trustees, and if approved by that body, a subsequent approval by a majority vote of the Town Voters at a Regular or Special Town Meeting, unless the funds have already been approved by the Town Voters by specific Article on a prior Town Meeting Warrant.
3. If there is an emergency event that requires the commitment of Designated Reserve Fund Balance assets quicker than a Special Town Meeting can be held, then authorization of \$100,000 and over would require first a minimum four vote approval of the seven person Town Executive Committee, and if approved by that body, an approval by a majority vote of the Board of Selectman. Immediately following, a notice of that action must be posted on the Town website and an email sent to those Board of Island Trustees and Town Voters that

have provided their contact information to the Town Office.

4. Any commitment of Designated Reserve Fund Balance assets under \$100,000 requires first a minimum four vote approval by the seven person Town Executive Committee, and if approved by that body, an approval by a majority vote of the Board of Selectman.
5. Approval of the regular Check Warrant will be the responsibility of a majority of the Board of Selectmen. A majority vote of the Executive Committee and the Board of Selectmen is the approval requirement for all other financial items included on their meeting agenda.

The moderator asked for a motion to waive the reading of Article 11 as an effort to save time. A motion to waive the reading of Article 11 was presented by Pete Salinger and seconded by Chip McCarty. The motion passed with 0 BIT voters opposed.

A motion was made by Pete Salinger and seconded by Harry Holgersen to place Article 11 before the BIT voters.

Wayne explained that this was the same article that was approved at last year's town meeting but was nullified because the posted article was amended at the meeting. This article contains the amendment that was offered at last year's town meeting. Amending the Town Charter as this article proposes would formally recognize the whole Executive Committee when voting on financial issues.

**There was no further discussion and Article 11 passed with 0 Town voters opposed.**

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

A motion to waive the reading of Article 11 was presented by Laura Crosby and seconded by Steve Kaplan. The motion passed with 0 Town voters opposed.

A motion was made by Steve Kaplan and seconded by John Nun to place Article 11 before the Town voters

**There was no further discussion and Article 11 passed with 0 Town voters opposed.**

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

**Article 12:** To see if the Voters of Frye Island will vote to replace the "Ordinance to Regulate Parking of Motorized Vehicles, Trailers & Apparatus on Town Roads" with the new version dated October 6, 2012. (Attached)

A motion was made by Jackie Atkinson and seconded by Laura Crosby to place Article 12 before the BIT voters.

Wayne explained that this ordinance was being proposed to include a number of parking situations not covered in the existing ordinance. There was a considerable amount of discussion on the article.

A motion was made by Eric Gleysteen and seconded by Dave Gleeson to amend the proposed ordinance by eliminating paragraph "L", (Trailers and apparatus must not be permitted to be parked on Town Roads after dark.) from the ordinance. The thought being that it was in conflict with paragraph "D". The motion was defeated with 35 BIT voters in favor of the amendment and 45 BIT voters opposed. Because the amendment was defeated by the BIT, it did not proceed to the Town for a vote.

A motion to amend the ordinance as proposed by combining paragraphs "D" & "L" and reorganizing the alpha labeling of the ordinance was proposed by Tim McCarthy and seconded by Dave Bond. The new paragraph "D" to read: *"A vehicle, trailer or apparatus must not be parked on the road for more than 48 hours without movement unless parked in a legal manner as defined by this ordinance."*

**The amendment to the proposed ordinance passed with 2 BIT voters opposed.**

A motion was made by Steve Kaplan and seconded by Chip McCarthy to approve article 12 as amended.

**There was no further discussion and article 12 passed with 0 BIT voters opposed.**

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

**There was no further discussion and Article 12 passed with 0 Town voters opposed.**

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

Article 13: To see if the Voters of Frye Island will vote to provide additional Police and EMS coverage during the entire Frye Island season at a cost of \$81,212. This cost is in addition to the \$80,633 presently budgeted for Police coverage. Approval of this article will increase the tax rate approximately \$0.71 per \$1000 of assessed value.

A motion was made by Steve Kaplan and seconded by Chip McCarty to place Article 12 before the BIT voters.

Wayne explained that the retirement of Paul & Ruth Ann Bourque from the Frye Island Volunteer Fire Department left some gaps in the immediate response coverage during emergency medical incidents. He went on to explain that the primary coverage was provided by the Town of Raymond Rescue Service and they did an excellent job as did the volunteers in the fire department when they were available. The purpose of this article is to provide first response service when volunteer Fire Fighters / EMS personnel are not available and until Raymond Rescue services can get to the Island. It was felt that filling the gaps in coverage with Police / EMS personnel rather than hiring full time EMS personnel would provide additional police patrols when not needed as first responders. Wayne mentioned that the Executive Committee decided that the need and expense to provide this coverage should be determined by the voters. Fire Chief Persson said that the Fire Dept had never missed a call since we have been a Town, and that Raymond Rescue was only 6.3 miles away and they could be here in 15 minutes. He also said that some members of the FD were upset that the Town was considering paying additional police officers for providing first response coverage in their absence while they did it for free. There was additional discussion from the floor, both pro and con.

Following the discussion, the Moderator asked unanimous consent to conduct the vote on article 13 by written ballot. Hearing no objections the BIT vote was conducted by written ballot. A yes vote would approve article 13, and a no vote would disapprove article 13.

The written vote of the Board of Island Trustees was as follows:

Yes: 40

No: 38

The article passed and was forwarded to the Town Voters.

There was no further discussion.

Again, the Moderator asked unanimous consent to conduct the vote on article 13 by written ballot. Hearing no objections the Town vote was conducted by written ballot. A yes vote would approve article 13, and a no vote would disapprove article 13.

The written vote of the Town was as follows:

Yes: 8

No: 12

**Article 13 failed to pass.**

A motion to adjourn the Town Meeting was made by Steve Kaplan and seconded by Chip McCarty. The motion passed unanimously and the Town Meeting was adjourned at 11:53 PM.

Respectively submitted:

Wayne Fournier, Town Clerk