



## MEETING MINUTES FOR THE ANNUAL TOWN MEETING 10/12/2013 TOWN OF FRYE ISLAND

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

Prior to the meeting Town Manager Wayne Fournier discussed the status of a few projects the Town was involved in:

- Feasibility study with the Town of Standish to identify possible alternatives to remaining in SAD 6
- The ability to use Credit/Debit Cards and E-Checks through a program with MuniPay should be available before the first of the year.
- Investigating a service from Honeywell called "Instant Alert" which would allow the Town to notify interested Islanders of anticipated issues.
- Update on the Ring Road project.
- Notified Islanders that the advertisement for the Town Managers position has been added to the MMA web-site and the Town web-site.

During the registration process 145 Board of Island Trustee voting packets and 74 Town of Frye Island voting packets were issued. Prior to the meeting, 27 Islanders registered to vote.

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

The Town Meeting was called to order at 9:08 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 Wayne Fournier, Town Clerk.

A motion was made by John Nun and seconded by Steve Amero 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
<b>Betsy Gleysteen</b>
<b>Celeste Beaulieu</b>

There were no nominations from the floor.

Results of the written vote:

**Betsy Gleysteen received 28 votes. Celeste Beaulieu received 41 votes. Celeste Beaulieu was declared the winner and 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
<b>Gary Donohue</b>
<b>Betsy Gleysteen (Write in Candidate)</b>

Betsy Gleysteen was nominated from the floor by Theresa Gibson, seconded by Jackie Atkinson.

**Gary Donohue received 81 votes. Betsy Gleysteen received 60 votes Gary Donohue was declared the winner and 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 **\$107,065** from non-tax municipal revenues for Municipal Services; and raise and appropriate an additional **\$782,665** from property taxes for Municipal Services, **\$1,502,613** for Non-Municipal Services, and **\$234,248** for Designated Reserve Fund Contributions for 2013. The total to be raised by and appropriated from Property Taxes is **\$2,518,449**.

**Nancy Donio requested clarification on the 2013 date. Wayne identified the Typo and 2013 in the article should have been 2014.**

A motion was made by Richard Norris and seconded by David Bond to place article 4 before the BIT voters.

Town Manager Wayne Fournier presented the proposed 2014 budget. Wayne reviewed the budget summary sheet that identified the dollar change as well as the % change in the 2014 proposed budget. Mr. Gleysteen asked about the reduction in the Reserve contribution and what increased in the operating budget. Wayne explained that money had been added to the budget for the Town Manager transition and the EMS coverage for the high season.

**Article 4 passed the BIT vote with a large majority.**

***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. A motion was made by Betsy Gleysteen and seconded by Theresa Gibson to vote by written ballot. The motion passed with greater than 7 voters in favor; therefore the vote on the budget was conducted by written ballot. The moderator identified the ballot to be used for the vote. Wayne, when asked, explained that if the budget failed the Town would utilize the previous budget, 2013 until a new budget could be passed.

**Article 4 passed with 40 Town voters in favor and 21 opposed.**

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

**The moderator asked for unanimous consent to group article 5 through 10 together and vote on them as a block. There was opposition.**

**It was proposed that articles 5 through 9 be considered as a block which passed by unanimous consent.**

**A motion was made by Betsy Gleysteen to waive the reading of articles 5 through 9 and place them before the BIT voters as a block. The motion was approved with 0 BIT voters opposed.**

**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.

**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.

**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.

**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.

**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.

**Articles 5 through 9 passed the Bit voters with 0 opposed.**

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

**A motion was made by John Nun to waive the reading of articles 5 through 9 and place them before the Town voters as a block. The motion was approved with 0 Town voters opposed.**

**Articles 5 through 9 passed the Town voters with 0 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 in accordance with the amended Town Charter, Article VII, Section 9. These expenditures may be reflected outside of the Town's approved budget.

A motion was made by John Nun and seconded by H Chip McCarty to place Article 10 before the BIT voters. Wayne explained that the requirements of the amended charter were added to this warrant article which included the entire Executive Committee in financial votes and limited the appropriations to \$100,000 without Town approval unless in an emergency situation.

**There was no further discussion and Article 10 passed with 0 BIT 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 direct the executive committee to digitally video or audio record all Executive Committee meetings (other than closed executive sessions allowed by law), all special town meetings, all public hearings, and all town meetings and post digital recordings within 14 business days to the town website. If passed, this will become effective in 2014.

A motion was made by Nancy Donio and seconded by Rebecca Limauro to place Article 11 before the BIT voters.

Following a brief discussion, an amendment to article 11 was proposed by Betsy Gleysteen to read: *To see if the voters of Frye Island will direct the executive committee to digitally video or audio record only Executive Committee meetings (other than closed executive sessions allowed by law), special town meetings, public hearings, and all town meetings and post digital recordings within 14 business days to the town website. If passed, this will become effective in 2014.*

**There was no further discussion and the amended Article 11 passed with 60 BIT voters in favor and 53 BIT voters opposed.**

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

A motion was made by Gary Donohue and seconded by Bobbie Aranyi to place the amended article 11 before the Town voters.

**There was no further discussion and the amended Article 11 passed with 23 Town voters in favor and 22 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 appropriate an additional amount of \$37,500 over and above the authorized budget to provide EMS coverage during the pre-season (island opening until on or about June 15<sup>th</sup>) and the post-season (on or about Sept 15 until island closing). Approval of this article will increase the tax rate by \$0.35 per \$1000 of value. (Example: \$100,000 property cost an additional \$35.00 per year).

**A motion was made by Nancy Donio and seconded by Bob Travis to place article 12 before the BIT voters.**

Wayne explained that during the 2013 season EMS coverage was provided by certified police officers and per diem EMT's during the high season but there was no scheduled coverage during the pre and post seasons. This article would provide the funds to contract per diem EMT's during those times when no coverage was available.

**Following the discussion Article 12 passed with 4 BIT voters opposed.**

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

**A motion was made by Bob Sutherland and seconded by Lew Stone to place article 12 before the Town voters.**

**There was no further discussion and Article 12 passed with 4 Town voters opposed.**

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

**Article 13:** To see if the Town will vote to authorize an expenditure of up to \$ \$150,000 to construct a new Municipal Office Building on Town owned land on Fairway Lane and to authorize up to \$150,000 of such amount to be raised by the issuance of general obligations bonds and/or notes of the Town, with the bonds and notes to have such dates, maturities, denominations, interest rate(s) and other details (including provisions that the bonds may be subject to call for redemption with or without premium) as said Municipal Officers shall determine?

(Total estimated debt service of \$183,262.50 of which the maximum principal amount is \$150,000 and estimated interest thereon at rates ranging from 3.00% to 4.00 %, depending on the year of maturity, over 10 years is \$33,262.50)

**The Board of Selectmen / Board of Island Trustees Executive Committee recommend approval of this warrant article.**

**Financial Statement**

The issuing of bonds by the Town of Frye Island is one of the ways in which the Town borrows money for certain purposes. The following is a summary of the bonded indebtedness of the Town of Frye Island as of the date of this referendum election:

Bonds Now Outstanding and Unpaid:	\$307,280.51
Interest to be repaid on Outstanding Bonds:	\$29,325.24
Total to be repaid on Bonds Outstanding:	\$336,605.75

Additional Principal Amount of Bonds Authorized But Not Yet Issued: \$0.00

Total Additional Bonds to Be Issued If Article 13 Is Approved By Voters:	\$150,000
Estimate of Potential New Interest on such Additional Bonds	<u>\$ 33,262.50</u>
Total Additional Bonds to Be Issued & Estimated Interest If Approved By Voters:	\$183,262.50

When money is borrowed by issuing bonds, the Town must repay not only the principal amount of the bonds but also interest on the bonds. The amount of interest to be paid will vary depending upon the rate of interest and the years to maturity at the time of issue. The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimates made of the costs involved, including varying interest rates, the estimated cost of interest on the bond amount to be issued and the total cost of principal and interest to be paid at maturity.

/s/ \_\_\_\_\_  
Treasurer, Town of Frye Island

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

A motion was made by Betsy Gleysteen and seconded by Jackie Atkinson to construct the new municipal building as proposed but to pay for it from the undesignated fund balance. The amendment as proposed failed the BIT vote with only 27 in favor.

A motion was made by Nancy Donio and seconded by Dave Bond to borrow the money for the construction of the new municipal building but to make the payments for the loan from the undesignated fund balance.

**The amendment to article 13 passed with 3 BIT voters opposed.**

**Article 13, as amended passed with 1 BIT voter opposed**

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

**There was no further discussion and Article 13 as amended, passed with 0 Town voters opposed.**

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

**Article 14:** To reserve Frye Island Incorporated lots 1601/1602 as a future beach. (Proposed by FII Board of Directors and approved by Stockholders)

A motion was made by Nancy Donio and seconded by Nancy Perry to place Article 14 before the BIT voters.

Wayne explained that 1601 & 1602 Ridge Road had been reserved for additional beaches. This had been approved for this purpose by the FII Board of Directors, the FII stockholders and the TFI Executive Committee but neither the BIT nor the Town had an opportunity to vote on this. Wayne also explained that FII intended to gift a number of undeveloped properties to the Town through article 15 but if the BIT and the Town voted to reserve 1601 & 1602 for beaches FII would remove them from the list of lots to be gifted and retain ownership of those properties.

**There was no further discussion and Article 14 passed with the majority in favor and 3 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 15 before the Town voters.

**There was no further discussion and Article 14 passed with the majority in favor and 0 Town voters opposed.**

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

**Article 15:** To see if the voters of Frye Island will vote to accept the gift from the stockholders of FII of 266/268 undeveloped lots, the final number reflecting the outcome of the vote on Article 14, and a full listing of said lots attached in Exhibit A.

This is with the provision that a Land Management Committee, responsible to the Executive Committee, be formed to oversee the effective future use of said lots, and that membership of this committee include a maximum number of seven. (Proposed by FII Board of Directors and approved by Stockholders)

A motion was made by Nancy Donio and seconded by Ed Charrette to place Article 15 before the BIT voters.

Wayne explained that with the passage of Article 14, 266 lots would be gifted to the Town if this article is approved.

**Following a brief discussion, article 15 passed with the majority in favor and 1 BIT voter Opposed.**

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

A motion was made by Laura Crosby and seconded by Chip McCarty to place Article 15 before the Town voters.

**There was no further discussion and Article 15 passed with the majority in favor and 1 Town voter opposed.**

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

**Article 16:** To see if the Town will approve the new ordinance entitled “Town of Frye Island Solid Waste Ordinance” as proposed by the Planning Board. If passed, this Ordinance will become effective in 2014.

A motion was made by Chip McCarty and seconded by Nancy Donio to place Article 16 before the BIT voters.

**Article 16 passed with the majority in favor and 2 BIT voters opposed**

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

A motion was made by Tally Sutherland and seconded by John Nun to place Article 16 before the Town voters.

**Article 16 passed with the majority in favor and 2 Town voters opposed**

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

**Article 17:** To see if the Town will approve amending the Sign Ordinance portion of the Land Use Ordinance. If passed, this Ordinance, as amended, will become effective in 2014.

A motion was made by Nancy Donio and seconded by Chip McCarty to place article 17 before the BIT voters.

Wayne explained that there was a conflict between the Deed Covenants created by the developers of Frye Island and the Town Ordinances. The Deed Covenants prohibit business and “For Sale” / “For Rent” signs but the Town Ordinance allows them. In an effort to make the two documents consistent a proposed amendment to the ordinance to prohibit business and for sale / for rent was prepared. After this article was placed on the warrant we found out that the Federal Courts have determined that for sale / for rent signs cannot be prohibited. Therefore this article cannot be approved as presented. The Moderator explained the options available to address this article. It was decided that the article should be withdrawn. A motion was made by Nancy Donio and seconded by Chip McCarty to withdraw the motion placing it before the BIT. The withdrawal was approved by unanimous consent.

**Article 18:** To see if the voters will appropriate up to \$20,000 from the Long Term Transportation Reserve to continue the process to acquire the required permits for the Ring Road project located on Frye Island property on the Raymond Cape Road. There is currently \$388,690 in the Long Term Transportation Reserve. This will leave \$360,690 in the Reserve.

A motion was made by Chip McCarty and seconded by Laura Crosby to place Article 18 before the BIT voters. Wayne explained that at the public hearing held recently on the Ring Road project he was asked to estimate how much more money would be needed to continue the permitting process. At the time he estimated \$13,000 to \$15, 000. Shortly after the hearing he was informed by the Town attorney that the Friends of Raymond Cape had appealed a recent Superior Court decision to dismiss its complaint to the Maine Supreme Court. The estimate for the legal staff to prepare briefs and present the case to the Court if required was \$5000.00. Consequently, Wayne increased the estimate to complete the permitting process to \$20,000 instead of the previously estimated \$13,000 - \$15,000. During the development of the warrant, a proposed warrant article was provided through the citizen’s petition process. This warrant



article limited the appropriation to \$15,000. The Executive Committee decided to present both articles to the Bit / Town voters for consideration. Therefore, Articles 18 & 19 are both on the Warrant. If Article 18 is approved there would be no need for Article 19. The 2 Articles (18 & 19) would not be added together as someone asked.

A question was asked if these warrant articles were necessary in light of the fact that Article 10 gave the Executive Committee the authority to approve this appropriation. Wayne explained that she was correct but the Executive Committee felt that, because of the controversial nature of this project, it would be better to have the additional appropriation presented at the Town meeting.

**Following a considerable amount of discussion, a vote was called on Article 18. Article 18 passed with 45 BIT voters in favor and 37 opposed.**

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

A motion was made by Tally Sutherland and seconded by Vic Solimini to place Article 18 before the Town voters.

**There was no further discussion and Article 18 passed with 26 Town voters in favor and 15 opposed.**

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

**Article 19:** (This article submitted by Citizen Petition): To see if the voters of the town of Frye Island will vote to appropriate the sum of money not to exceed \$15,000 for an fees, services, and materials related to the permit(s) application process for the property located at Cape Road and Quarry Road, Map/Lot 002/011& 070/006, Raymond, Maine (commonly referred to as the Ring Road/Park and Ride project).

The financial impact of this appropriation is not to exceed \$15,000.

A motion was made by Dave Bond and seconded by Tally Sutherland to table Article 19 in light of the passage of Article 18.

**The motion to table Article 19 passed with the majority in favor and 8 BIT voters opposed.**

**Because this Article was tabled by the BIT voters it did not go to the Town voters for ratification.**

**Article 20:** (This article submitted by Citizen Petition): To see if the voters of the Town of Frye Island will establish an Ad Hoc Selection Committee comprised of no fewer than two Town Voter volunteers and no fewer than two Board of Island Trustee volunteers to work in conjunction with the Executive Committee to select a new Town Manager. Duties shall include but are not limited to reviewing resumes, participating in interviews, reviewing recruiting methods, and ranking candidates. No applicants or town employees may be a member of the Ad Hoc Selection Committee.

The financial impact of establishing this Committee is no more than \$250.00 for expenses.

A motion was made by Nancy Donio and second by Tim McCarthy to place Article 20 before the BIT voters.

**Following a discussion Article 20 failed to pass the BIT vote with 25 BIT voters in favor and the majority opposed**

**Because this article failed to pass the BIT, it was not forwarded to the Town voters for ratification.**

**Article 21:** To see if the Town will approve an additional appropriation to install “Cedar Shake” style vinyl siding on the Administration Building / Store. In August the Executive Committee appropriated up to \$35,000 from the Island Improvement Reserve to replace the windows in the upper level of the Town Office / Store and to apply vinyl siding. This is to be funded from existing reserves and not from taxes. The existing quote included vinyl “clapboard” style siding. An option in the proposal included the application of “Cedar Shake” style siding instead of the “Clapboard” style siding. The incremental cost for the “Cedar Shake” style siding was \$13,000. If approved, the additional cost would be funded from the Island Improvement Reserve and not from an increase in taxes.

A motion was made by Dick Norris and seconded by Laura Crosby to place Article 21 before the BIT voters.

Mr. Donohue presented Article 21. Wayne explained the repairs that were made to the building last spring.

**The motion passed the BIT with the majority in favor and 10 voters opposed.**

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

A motion was made by Laura Crosby and seconded by Brian Walker to place Article 21 before the Town voters.

**There was no further discussion and Article 21 passed the Town with the majority in favor and 5 opposed.**

A motion was made by Dave Bond and seconded by Harry Johnson to adjourn the meeting at 1:50 PM.

**Unanimous**

Respectively submitted:

Wayne Fournier, Town Clerk