



MEETING MINUTES FOR THE SELECTMEN/EXECUTIVE COMMITTEE MEETING

MEETING DATE: April 3, 20109:00A.M.

START	END	NEXT MEETING	NEXT TIME	PREPARED BY
0906	1216	May 22	9:00 AM	Wayne Fournier

ATTENDANCE

EXECUTIVE COMMITTEE:

- Mark Thomas - Selectman
- Jim Kuiken – Selectman
- John Nun – Selectman
- Bruce Nisula
- Joe Potts
- Dave Bond
- Bob Sutherland

- Town Manager:** Wayne Fournier
- Treasurer:** Joe Potts
- Recording Secretary:** Nancy Fournier

PETITIONS FROM THE PUBLIC

- None

OLD BUSINESS	BIC
Permit Fee Schedule – Road Usage Fee	Closed
02/16/08	MOTION by Mark Thomas to reduce the Road Usage Fee from \$1000 to \$500, second by Phil Perry. After short discussion MOTION was withdrawn for further discussions at the April 08 meeting. Phil Perry requested Wayne get a Town attorney and/or MMA (may only involve Wayne resurrecting past discussions with MMA and attorneys) reading on the legalities involved in setting the amounts of these fees.
04/15/08	Wayne had discussions with our attorney about the issue. The attorney recommended we table further actions pending a court decision on the fee suits.
05/17/08	Discussions were deferred to a future TBD meeting pending a court decision on the outstanding fee suits.
06/13/08 to 12/05/09	No Change
02/06/2010	A \$1000 fee was enacted as part of the Building Permit process for construction vehicles using the Island Roads. This fee was questioned by two Islanders who filed a complaint in Superior Court regarding the high cost of the Building Fees. In addition, some Board members also questioned this fee.. It was decided to table any further action until the Court ruled. Prior to the Court reaching a decision, both Islanders dropped their cases. It should be determined if the Board intends to retain this fee, reduce it or drop it totally. Both parties have dropped their complaint against the Town. Wayne will determine what the road fee should be with a justification for the amount and present it at the next meeting.
04/03/2010	I have reviewed the costs to maintain the roads with the Director of Public Works. Using these figures and assuming there are presently 500 cottages on the Island the cost comes out between \$100 & \$200 depending on the method used to calculate the cost. A motion was made by Jim Kuiken and seconded by Mark Thomas to reduce the fee to \$200.00 The motion passed unanimously. Wayne will adjust the fee schedule.

Employee Handbook

Closed

- 05/17/08 Wayne asked for comments from the Board on the draft Employee Handbook provided in April. Most had not had opportunity to review in detail but all felt that, at a cursory review, it was well done. Bob DeFelice (author) and John Crosby said that it had been done specifically for the ferry service but it will not be hard to revise it to include all town employees. Bruce Nisula had a specific comment which had already been corrected. Mark Thomas requested a legal review, particularly about the roles of the BOS vs. the town managers. Board requested further revision to include all town employees, further review and submission to the BOS for approval.
- 06/13/09 No Change
- 06/14/08 Wayne reported that he is updating the draft Handbook to include all Town operations and that he will get a legal review before providing it to the Board.
- 07/09/08 to 09/27/08 No Change
- 10/18/08 Question by Jimmy Kuiken, response by Wayne: The [June] Ferry Operations Policy has been expanded to include all Town operations and is under legal review by the Town attorney.
- 12/13/08 to 2/805/09 No Change
- 02/06/10 Wayne will take the recently approved "Personnel Policy" and incorporate it into the Employee Handbook.
- 04/03/10 The recently approved "Personnel Policy has been incorporated into the Employee Handbook and distributed to the BoS / EC for review. The portion of the hand book that referred to the Ferry Service was removed from the body of the handbook and will be maintained as an addendum. A motion was made by Dave Bond and seconded by Bruce Nisula to approve the "Town of Frye Island Employee handbook" as revised with the additions that were inadvertently omitted in the distributed draft.

EMS Agreement with Raymond

Wayne

- The Town of Raymond generated a proposal to provide EMS Services to Frye Island. The agreement included a flat \$15,000 covering the first 15 calls in a season with additional charges on a cost per call basis for all call in excess of 15. In addition it called for Frye Island to reimburse Raymond Fire and Rescue for consumable materials used on calls to Frye Island and to assume insurance liability while Raymond F&R is on the Island. While the Executive Committee felt the \$15,000 annual cost was livable, the reimbursement of supplies and the insurance issues needed clarification. In addition, the Town of Raymond has stated that the present cost per call for service is approximately \$1000, the EC would like to review the documentation supporting this cost. Wayne has relayed this information to Denis Morse, Raymond Fire Chief, and was told that Denis understood the questions and would provide clarification. This has not been received as yet. The \$15,000 for the 2009 payment has been set aside as a 2009 payable expense and will come from the 2009 budget. The 2010 payment has been budgeted.
- 02/06/10 Wayne will contact Denis Morse to get this resolved before the 2010 season.
- 04/03/2010 Wayne has had a discussion with Don Willard, Raymond Town Manager and has sent an email to Denis Morse identifying the areas of concern. Waiting a reply. Wayne was instructed to determine the best arrangement for the Town and approve the agreement.

Community Center Handicap Access

Wayne

- 08/09/08 No action is to be taken at this time on handicapped access and/or service to be provided to the handicapped while alternatives to a very expensive alteration (ie a ramp from Recreation Lane into the office area.) are being investigated.
- 02/06/10 Handicap access to the Community Center has been completed. There was a proposal to add a handicap ramp from Recreation Lane to the Town Office for approx. \$60,000. No action was taken. All of the handicap requirements imposed by the State have been completed. The State still owes Frye Island \$2800 as their share of the project costs. Wayne will continue to try to get that money. The suggestion to provide handicap access to the Admin Office has been addressed by making arrangements with those people needing assistance to meet them at an acceptable location to conduct business. The administration portion of this item is closed
- 004/03/10 Wayne has emailed Katharine Moore at the Secretary of States office inquiring about the lack of payment. As of this date there has been no response. Wayne will continue to try to get the reimbursement from the State

Conceptual Plan for Willis Property – Transportation Committee

Wayne/Transportation Committee

10/18/08	Dave Bond (for Transportation Committee) – Handed out copies of draft concept for development of the property; presented highlights of the concept. Discussion by all. Joe said he would post the draft to the Island Web Page. The EXCOM members agreed that the Transportation Committee has done an excellent job and that work needed to proceed. They also agreed that the town should meet with Raymond Town officials to keep them informed and ask for their comments. MOTION by John Nun to authorize expenditure of up to \$10K from the Island Improvement Reserve for continuation of plans for development of the Willis property, second by Jimmy Kuiken – UNANIMOUS.
12/13/08 to 05/16/09	No Change
06/27/09	Discussion – Improvements to the Willis property were considered not to be “shovel ready” as required by the proposed grant so the grant application was submitted for ferry improvements per previous recommendations by the Transportation Committee. The application was forwarded by State to Federal. Joe Potts said he felt that we might have put the “cart before the horse” in that we do not seem to have a plan on what we really need vs what we might want over the long run. Wayne agreed to set up a meeting for the EXCOM with the Transportation Committee to discuss the issue.
07/25/09	No Change
08/29/09	There was a long discussion during which it became readily apparent that there is enough to keep the Transportation Committee busy for some time. Summary of comments: <ul style="list-style-type: none">• Carve out a piece; Determine a minimum amount of construction to solve safety and parking problems.• Develop a forecast consistent with island build out from the current <500 homes.• Spread costs out over an extended period (who pays?, include O&M). Emulate the Water Reserve Approach. Continue to look at grants.• Give priority to peaks. Look at other ways to handle peak periods.• Consider tapping the Island Improvement Fund, currently >\$300K.• Consider raising prices of ferry tickets.• The key is a <i>Long Range Plan</i> with interim <i>Short Term Plans</i>. Must be integrated into the Town Comprehensive Plan. The Town Manager and the Transportation Committee were asked to cooperate with the Planning Board in developing plans to move ahead.
09/26/09 to 12/05/09	No Change
	The Town was invited to attend workshops on completing the applications for federal funding by Representative Chellie Pingree’s office. John Crosby and Dave Bond attended. We have filed another application for funding for the park and ride facility. The application was received and we were invited to meet with Representative Pingree’s office to discuss the project and answer questions. This was scheduled for February 5 th . Dave Bond presented Frye Island’s Park and Ride project at this meeting and answered questions from Ms. Pingree’s staff. Staff members from Congresswoman Pingree’s Maine and Washington offices were present at the meeting. Dave said the presentation was video taped and will be available on Ms. Pingree’s web site at a later date. He also felt that the presentation was viewed favorably but that doesn’t mean that our application will be approved. The Executive Committee had a considerable discussion about the needs of the Town and the timing of those needs. Dave Bond, as chair of the Transportation Committee, indicated that determining those needs and the plan to phase the project would be worked on by his committee as soon as the members could meet on the Island.
04/03/10	No Change, Waiting to hear about our application

Substance Abuse Policy

Closed

- 12/05/09 Substance Abuse Policy/Drug Testing: The Board of Selectmen /Executive Committee concurred to develop a procedure to include drug testing for all newly hired employees, with provisions to randomly test full time and returning employees, or when probable cause or doubt exists. Action Item: Wayne was instructed to develop the procedures and distribute them to the Committee
- 02/06/10 A substance abuse policy has been prepared but not submitted to the State for approval. The State requires an approved rehabilitation program be included as part of the policy. This is available through the Affiliated Employee Assistance Program. The program costs are \$4.50 per employee per month. This ranges from a low of three during the winter to fifty four in the summer. In addition, there is a \$64.00 charge per person for the initial drug test. To test all of the employees and enroll in the rehab program would cost about \$5080.00 per year. We will need to determine who, if not all employees, should be tested. This expense is not currently budgeted. Wayne was asked to find out if a pre-employment drug test could be done with out having a full substance abuse policy. If so, this could be added to the personnel policy. Wayne will determine this for the next meeting.

04/03/10 We will be able to do pre-employment drug testing with out the need of a rehabilitation program; however we will still need a procedure identifying that process. The procedure has been modified to reflect the changes to pre-employment testing only. Wayne was asked to find out if all re-hired employees had to be tested annually or if only new hires could be tested. The policy, after approval, will not be enacted until all new employees have been informed of the procedure.

Ferry Electronic Ticketing System

Joe

- Prior to 12/08 Information not included – not considered necessary as it is prior to decision to issue RFP
- 12/13/08 Joe Potts went through the RFP history and indicated that he had incorporated comments that he received. He raised the question of whether we wanted to incorporate this in FY 09, with the dismal economic forecasts, at the potential costs involved (\$20 – 23K in original form going up to an estimated \$30 – 35K with credit cards added). Mark Thomas recommended that we continue the process and clarify schedule of implementation when we are further into the process. John Nun asked if the Bob Russo approach could continue in parallel at no cost. Wayne said that effort was on hold; that they would be provided a copy of the RFP, giving them a formal chance to respond to the ferry system improvement. MOTION by Nun to have Town Manager release the RFP, second by Thomas – UNANIMOUS.
- 02/07/09 The Town received two responses to the RFP but one of those was not responsive to the requirements and Wayne is evaluating the one responsive proposal, provided by ICS. Joe Potts recommended that the Board authorize Wayne to proceed through the Planning Phase followed by a decision to proceed further through the design phase. MOTION by Mark Thomas to authorize expenditure of an additional \$25,000 from the Ferry Capital Reserve to complete the Design Phase of the Ferry Revenue/Data Collection System; contract award contingent on IC Solutions providing sufficient information to the Town Manager that projected costs to completion (including installation, testing, training and 1st year warranty support) will not exceed \$30,000 and that they have the capability to service and maintain the system, second by John Nun, further discussion: Jimmy Kuiken requested that Wayne advise the Board of IC Solutions response to the motion conditions; Wayne to resend the ICS proposal to Board members – UNANIMOUS (Dave Bond was opposed.).
- 03/07/09 No Change
- 04/04/09 Wayne said that he had received a 2nd proposal too late for consideration from Acute Technologies [worked last year with Bob Russo]. He would like to meet with the Board and/or the System Committee to show what he could do for \$25 – 35K. Joe Potts said he felt that ICS was reputable and could probably provide a useful system at some lower price than quoted. He recommended that a committee of Joe, John Crosby, Wayne, and Betsy Gleysteen meet with these two vendors to feel out what could be done. There are sufficient funds within those already authorized to possibly reimburse the vendors for any expenses incurred to support such a meeting.
- 05/16/09 Wayne provided an update on the progress of the project – Meetings were held with each of the bidders to explore reducing bid costs and still providing a system that met the intent, if not the specific details, of the RFP. Both bidders were very responsive. After the meetings a list of written questions was provided to each of the bidders with responses expected by 1 Jun 09.
- 06/27/09 Wayne provided an update on the progress of the project – Both bidders were responsive and a decision was made to award to Acute Systems based on cost. MOTION by John Nun to authorize expenditure of up to \$30K from the Ferry Reserve to complete development and installation of the Ferry Revenue/Electronic Data System, second by Mark Thomas – UNANIMOUS.

07/25/09 to Ferry E – Ticketing / Data collection project: We selected Acute Technology LLC. from Vermont to develop the software and provide the hardware we need to implement the E-Ticket system at a cost of \$22,450. They have begun the development process and anticipate having the system up and running by may 15th of next season. (Manager’s Report)

08/29/09 We selected Acute Technology LLC. from Vermont to develop the software and provide the hardware we need to implement the E-Ticket system at a cost of \$22,450. They have begun the development process and anticipate having the system up and running by may 15th of next season. (Manager’s Report)

09/26/09 to 10/03/09 No Change (Manager’s Report not attached to minutes)

10/17/09 E-Ticketing: Expect conversion to start 15 May 2010. (Manager’s Report)

12/05/09 Acute Technologies has completed the programming for the new e-ticket system. They have conducted some alpha testing of the system and we are now planning a webinar session so that the committee can review and test the system as well. We are still on target for beta testing and "go live" this spring. (Manager’s Report)

02/06/2010 A “Web-Review” with James Thompson of Acute Technologies, the developer, and representatives from Frye Island was held on Thursday February 4th. The attendees from Frye Island were Joe Potts, John Crosby, Betsy Gleysteen, Ronnie Ilich and Wayne Fournier Joe explained that he was a little bit disappointed that we were unable to operate the system but the screens that would be used were shown, and the developer committed to addressing a number of issues that were identified. Acute will develop a flow chart explaining the functions of all of the system users and distribute it to the committee by the end of February. In addition, he will send Joe the software and a hand held scanner shortly thereafter so that Joe can insure all of the scenarios have been addressed and identify corrections and / or additions. We are on schedule to implement the system this spring when the Island opens. It was suggested that instructions to the Islanders be prepared for inclusion in the Winter News Letter and a hand out be available for the Islanders as they arrive at the ferry terminal when the season opens. Wayne and the committee will see that this happens assuming the information is available at the time the News Letter is published.

04/03/10 Joe Potts has received the information and equipment he requested and is working with Acute Technologies to test the system. He has generated a list of items that needs to be addressed by the Executive Committee. Joe gave the committee an update on the system and reviewed “Table 2”.

Table 2. Issues for the Town of Frye Island to Resolve (

Item #	Description of Issue	Resolution
Tuesday - March 30, 2010		
1	Printed on the paper ferry ticket are the words "Ticket is refundable at Town Office". Should the time period for refund be limited to a fixed number of months, e.g. twelve months?	The words describing refund ability should be removed from the ticket.
2	Should the ability to use a ferry ticket expire after a defined period of time?	A prepaid ticket will expire 18 months after the purchase date; if the ticket price increases during that 18 month period, a credit on a replacement ticket can be obtained at Town Office only.
3	Should the Island purchase an ID laminating machine that will be able to laminate the paper ID card image into a pouch sleeve for a credit card size item?	The Town currently has a laminating machine; Wayne will coordinate the production of credit card size IDs from the paper output from the eTicket system.
4	Does the EZ-Ride ID card need to have a photo of the customer?	No photo will be utilized on the IDs
Wednesday - March 31, 2010		
5	Should existing Complimentary Ferry tickets only be converted to paper Complimentary Ferry bar-coded tickets or could there be an option for a \$15 credit be given on an EZ-Ride account for each ticket?	Any old Comp. ferry tickets can be exchanged in the Town office for bar-coded Comp. tickets.

Thursday - April 1, 2010		
6	What should the penalty be for passing an EZ-Ride ID or Employee ID to someone other than the issued individual for passage on the Frye Ferry?	No penalty defined; owner is responsible for all usage.
7	What should be cost be to replace an EZ-Ride ID or Employee ID that was lost?	\$10 cost to issue a replacement ID.
8	Can the ferry mate ticket collection be simplified to automatically record the time the ticket is taken instead of forcing the mate to enter the run time?	Ferry mate does NOT have to enter run time; system should automatically record date & time of the transaction; goal is to simplify Mates HHT interaction.
Saturday - April 3, 2010		
9	Who will be the initial users of the EZ-Ride accounts during the initial period when the system is installed (prior to public availability)?	The members of the BoS/EC and the Frye eTicket committee are encouraged to open and use an EZ-Ride account as soon as possible.
10	What will be the schedule for the initial rollout of the eTicket system?	9am 4/23 start selling bar-coded tickets and taking initial applications for EZ-Ride accounts (see Item #9 above) in the Town office; 4/27 1pm start installation of ferry mate system; 4/28 start using HHT by ferry mates for bar-coded tickets; 4/30 10am start using HHT for EZ-Ride ferry passage.
11	Is the logo currently being used on the eTickets and IDs OK?	No; the Frye Island logo in B&W form should be provided to the developer to replace current logo

273 Leisure Lane
Erosion issues

DEP

During the Summer of 2007 Mrs. Alison Zea was issued a permit by the Department Of Environmental Protection (DEP) to remediate the erosion that had occurred on her property at 273 Leisure Lane. The work was to be performed by First Coast Realty Development Corp. a company owned by Mrs. Zea and her husband using geo-cell technology. The intent being to correct the erosion problems that had occurred over the years and to build a summer residence on the lot. This project led to violations of Frye Island's Shoreland Zoning Ordinance and Land Use Ordinance. In addition, the DEP also issued a notice of violation claiming that the permit to accomplish the erosion remediation was not completed correctly. Mrs. Zea and the DEP were not able to resolve the issues and the DEP has filed a complaint with the Superior Court. The case has not been resolved. The Town is not directly involved in this action but it is doubtful the issues that the Town has with the violations on lot 273 will be resolved until the Court case is decided.

02/06/2010

There has been no change

04/03/10

No change

273 Re-vegetation
Issues

Executive Committee / Wayne

In June, 2007, Mrs. Alison Zea, owner of 273 Leisure Lane, was issued a Notice of Violation by the Frye Island Code Enforcement Officer for excessive vegetation removal on lot 273 which violated the Town's Shore Land Zoning Ordinance. Through the summer of 2008 representatives from Frye Island, and the Department of Environmental Protection met with a designer from O'Donal's Nurseries to develop a re-vegetation plan that was approved by all parties including Mr. and Mrs. Zea in September 2008. It was understood that Mr. Zea would complete the re-vegetation plan as soon as possible in the spring of 2009 and

no later than June 23rd. This was not accomplished.

02/06/2010

On June 14th 2008, an Administrative Consent Agreement was signed by Mrs. Zea requiring, in part, the following:

- Mrs. Zea submit a plan for the e-vegetation of lot 273 to the Town for approval.
- Following written approval of the plan, acquire an estimate for the plants and the labor to re-vegetate the lot and pay that estimated cost to the Town to be held in an account and disbursed to the contractors based on approved progress
- Proceed with due diligence to re-vegetate the lot and maintain, in perpetuity, the plantings
- Submit a contribution in the amount of \$10,000 to the Town. \$5,000 to be held in an account and returned to Mrs. Zea upon completion of the re-vegetation project if completed within 1 year and \$5000 to be retained by the Town for other storm water or mitigation projects as approved by the Selectmen. To Date, none of the re-vegetation has been done.

04/03/10

Mr. Zea called me on Thursday, March 11 and indicated that he had re-organized his financial situation and would be correcting all of the issues very soon. He did need to have a bank representative review 273 Leisure Lane and I made arrangements with Chief Beaulieu to get the bank representative to the Island. Chief Beaulieu reported that he had a couple of discussions with Mr. Zea's representative and scheduled 2 trips to the Island. Both were cancelled, one because of the weather and the other by Mr. Zea's representative.

273 Leisure Lane
Set-Back Violation

Executive Committee / Wayne

During the fall of 2007 Mrs. Zea was granted a permit to install the foundation and the septic system for a future home at 273 Leisure Lane. This permit allowed the foundation and septic only, no dwelling could be built until the re-vegetation issue was resolved. In February of 2008, a Notice of Violation was issued to Mrs. Zea, as owner of the property, identifying the Frye Island Code Officers belief that the foundation was in violation of the set back requirements of the Town's Land Use Ordinance. More specifically, the foundation was thought to be in violation of the 50' setback requirement from Leisure lane and the 15' side line set back from the northerly lot line. In addition, there was a suggestion that there might also be a violation of the 100' set back from Sebago Lake. A certified plan from Sebago Technics that Mrs. Zea submitted confirmed the road and the side line setbacks but confirmed that the lake side wall of the foundation was just at the 100' mark and therefore not in violation. Mrs. Zea initially applied to the Board of Appeals for a waiver of the set back violations but later withdrew the application. Withdrawal of this application removed her rights to any further appeal and requires the violations be corrected.

02/06/2010

In July 2009 the Executive Committee formed a sub-committee including Mark Thomas, John Nun and Dave Bond to meet with Mr. Zea to negotiate a settlement for the outstanding issues. On July 29, 2009 an agreement was signed by Mrs. Zea agreeing to the following:

- First Coast Realty would pay the outstanding ferry fees in full (\$20,240)
- Purchase and install the plants required by the approved plan, dated in September 2008. Following satisfactory installation the Town would pay for the installation up to the \$5000.00 the Town is holding in escrow. If the installation is less than the \$5000 the remaining amount will be returned to Mrs. Zea. If the installation is more than \$5000 Mrs. Zea would have to pay the remaining amount.
- To correct the set back violations identified in the NOV dated February 18, 2008. Following acceptable correction the Town would reimburse the \$5000 contribution being held in escrow.

Should any of the plantings be damaged as a result of any work required by the DEP, Mrs. Zea would be responsible for their replacement. To date nothing has been corrected.

04/03/10

Mr. Zea called me on Thursday, March 11 and indicated that he had re-organized his financial situation and would be correcting all of the issues very soon. He did need to have a bank representative review 273 Leisure Lane and I made arrangements with Chief Beaulieu to get the bank representative to the Island. Chief Beaulieu reported that he had a couple of discussions with Mr. Zea's representative and scheduled 2 trips to the Island. Both were cancelled, one because of the weather and the other by Mr. Zea's representative

**First Coast Realty /
Mr. & Mrs. Zea
outstanding ferry
fees**

Executive Committee / Wayne

First Coast Realty Development and Mr. and Mrs. Zea accumulated \$20,240 in ferry fees during a very short period of time in the fall of 2008. Mr. and Mrs. Zea have agreed to pay the town the outstanding debt in full. This was documented in a Promissory Note signed by Mrs. Zea on September 26th 2009. In this note Mr. and Mrs. Zea agreed to pay interest at an annual rate of 9.00% on any and all of the balance that remained unpaid after October 26th 2009 until it was paid in full.

2/06/10

Wayne reported that he spoke with Mr. Zea on February 5, 2010 and was told that the funding was in place and the Town should receive the payment with interest by the 1st week in March 2010.

04/03/10

Mr. Zea called me on Thursday, March 11 and indicated that he had re-organized his financial situation and would be correcting all of the issues very soon. He did need to have a bank representative review 273 Leisure Lane and I made arrangements with Chief Beaulieu to get the bank representative to the Island. Chief Beaulieu reported that he had a couple of discussions with Mr. Zea's representative and scheduled 2 trips to the Island. Both were cancelled, one because of the weather and the other by Mr. Zea's representative

Beach Nine

Wayne

During the summer of 2009 the office received a complaint that the owners of 328 Island Road were improperly using the access to Beach 9 as a drive way and preventing Islanders from parking in that area. Consequently, the Town paid to have the Beach 9 property surveyed to determine the lot lines. This did establish the proper lot lines between lots 328 and the beach 9 area. In addition, it identified the fact the owners on 247 Leisure, the Leonard family, the abutters on the southerly side of beach nine had improperly claimed a portion of beach 9 as their own. When notified of this, Ms. Patti Leonard informed me that that piece of land had been given to her family by the developer of the Leisure Living many years ago. Absent any written documentation of that fact; I informed her I would not accept her contention that the Leonard family owned the land. I was then informed that the family intended to file a claim for adverse possession. I discussed this with the Town attorney and notices to prevent adverse possession were issued to the owners on both 238 Island Road and 247 Leisure Lane. I have met with the owner of 238 Island Road and they have accepted the results of the survey and have agreed not to prevent the use of the beach 9 parking area. The owners of 247 Leisure Lane do not accept the results of the survey and plan to file a claim of adverse possession. The Town attorney has submitted a number of documents explaining the Towns position that adverse possession would not apply but the appearance is that they are not accepting this. We attempted to meet with the family and their attorney last fall but they were unable to schedule a trip to Maine. The Leonard's installed some boulders a few years ago to mark the section of the beach they are claiming as there own

02/06/2010

Wayne will be asking the Town attorney to send a letter to the Leonard's attorney stating that it is our intention to remove the boulders when the Island opens this spring. If this doesn't prompt further action on their part we will remove the boulders. The Committee concurred with this action.

04/03/10

I asked the Town attorney to prepare the letter. On Friday March 12 he called saying that Ms. Leonard's attorney had called him requesting a mediation meeting. He is trying to set it up for the last week in April. The meeting has been scheduled for **Tuesday, May 11, at 1:00 p.m.**

2010 Ferry Schedule

Closed

02/06/10

Wayne presented the 2010 ferry schedule. Jim Kuiken identified an error in the second ferry operation on some days in July and August. These errors were corrected. Dave Bond questioned the April 30th opening date. Wayne stated that standard policy had been to open the last Friday in April and close the first Monday in November, weather permitting. It was suggested that the opening be moved up a week to Friday April 23rd. Wayne said that he could do this on a tentative basis determined by the weather and access to the Island. Joe Potts mentioned that an earlier starting date may affect the implementation of the E-Ticket system but we could work around it. Wayne will publish the schedule with the adjusted starting date.

04/03/10

The changes were made to the schedule and it has been posted on the Frye Island web site

2010 Liquor License for Leisure Lounge**Closed**

02/06/10 Wayne explained that the Maine Liquor Laws allowed Municipal Officials to waive the public hearing to renew a liquor license if the facility had been in business for 5 years or more with no complaints. A motion was made by John Nun and seconded by Mark Thomas to waive the public hearing and approve the application for renewal of the liquor license for the Leisure Lounge at the Golf Course. The Executive Committee vote was unanimous. Wayne will complete the application and submit it to the State for approval prior to the season opening.

04/03/10 The license application has been completed and sent to the State for approval.

Transfer funds from Golf Operating Reserve to Golf Equipment Reserve**Closed**

02/06/10 Mark Thomas explained the golf cart situation at the Golf Course and the fact that some of the carts were getting older. The Golf Committee plans to establish a policy to annual upgrade the golf cart fleet. We presently have 10 and the Committee would like to get to 12. Therefore, the plan is to purchase 3 used (2-3 years old) golf carts this spring and sell the oldest one. Going forward, the Golf Committee plan is to purchase one used cart every year and sell the oldest one. This will keep the fleet at 12 and insure the oldest one is no more that 14 – 15 years old. A properly maintained golf cart should easily last 15 years. Mark recommended that \$11,000 be transferred from the Golf Operating Reserve to the Golf Equipment Reserve for the purpose of purchasing 3 used golf carts. A motion was made by Mark Thomas and seconded by John Nun to make this transfer of funds and authorize the purchase of three used golf carts. The Executive Committee vote was unanimous. Joe Potts will provide the documentation to accomplish this transfer.

04/03/10 The funds have been transferred.

Winter News Letter / Annual Report**Closed**

02/06.3010 Wayne reported the winter news letter / annual report would be completed around the last week in March and notice of its posting on the web site would be provided to property owners. Wayne requested reports from the previous 1st selectman, the Treasurer, the Marina Committee Chair and the Director of Golf to include in the news letter.

04/03/10 The winter news letter / annual report has been distributed via electronic mail..

Water System Pilot Study**Wayne / Mark / John Crosby**

02/06.3010 Wayne reported that we had a proposal, estimated to be in the \$5K, range to perform an analysis and a pilot study of our potable water system in an effort to increase efficiencies and save money. Mark suggested that before we do a pilot study we meet with the safe drinking water division at the State to identify exactly what they require of our system. Wayne mentioned that we have always complied with the water testing requirements of the State and have never had a failed test. Wayne will send the test reports that he has electronically to Mark and will schedule a meeting with the State as soon as all parties are available.

04/03/10 This will be evaluated when we are able to get to the Island.

New Business**2010 Census****Closed**

04/03/10 Congresswoman Pingree's office called and indicated that the Census would be performed for Frye Island up until Memorial Day which will give us the opportunity to provide the Census with a population.

Summer Meeting Schedule**Closed**

04/03/10 The following meeting schedule was approved: May 15, June 12, July 24, August 21, September 18, October 23, and December 4. Additional meetings would be scheduled for the budget and if other issues arose.

04/03/10

WPME / WPXT TV Infomercial

Closed

The Lakes Region Chamber of Commerce has an arrangement with WPME / WPXT TV to run infomercials about local area businesses. Chief Beaulieu attended the meeting on behalf of the Island. He reported that there was a \$3600.00 charge for each community / business to participate. The EC will have to decide if Frye Island should participate. **The committee declined this opportunity realizing there was no obvious advantage for the Town**

04/03/2010

Maine DOT Ferry Proposal

Wayne, John Crosby, Transportation Committee

The Maine DOT has identified a small ferry capable of carrying 3 vehicles and 45 passengers. They proposed the possibility of the State purchasing the ferry and leasing it to Frye Island. Wayne will contact the DOT to get more details for the meeting. **The committee agreed that the possibility of getting this ferry should not be dismissed but a lot more information was necessary before any decision could be made.**

04/03/2010

General Assistance Appendices A, B, C

Closed

The State requires that each Municipality approve the appendices that establish the General Assistance maximums for each area of the State and each category of assistance. The forms will be emailed to each committee member. **A motion was made by Jim Kuiken and seconded by Mark Thomas to approve appendices A, B, & C. The motion passed unanimously.**

04/03/2010

Long Term Transportation Reserve

Mr. Kuiken, Executive Committee

Mr. Kuiken would like to discuss the possibility of transferring some of the money in the Ferry Capital Reserve into the Long Term Transportation Reserve. **It was decided to table this item until a later meeting.**

04/03/2010

REPORTS

Meeting Minutes – 02/06/2010

04/03/2010 **A motion was made by John Nun and seconded by Bob Sutherland to approve the minutes**

Treasurer’s Report

04/03/2010 The latest treasurer’s report was presented by Joe Potts

Golf Report

04/03/2010 **Mark Thomas requested that the advertiser of the tee markers be listed in the “vendor” column of the golf financial report.**

Marina Report

04/03/2010 No report

EXECUTIVE SESSION:

04/03/2010 A motion was made by Mark Thomas and seconded by John Nun to go into executive session at 11:14 to discuss personnel issues and potential litigation issues.

Returned from Executive Session: Potential litigation issues regarding the Beach 9 area were discussed. Also, an employment agreement for John Crosby was discussed. The committee approved the agreement with revisions with 6 for and 1 opposed. Wayne was instructed to revise the draft and provide it to the Committee for final review.

1215

Adjourn Meeting:

1216 A motion was made by Joe Potts and seconded by Dave Bond to adjourn the meeting. It was approved unanimously.