

BUSTINS ISLAND VILLAGE CORPORATION

Minutes of the Board of Overseers Meeting

October 7, 2012 – 9:00 AM

Approved November 10, 2012

The Board of Overseers met at 9:05 AM at the Brewer Cottage on Bustins Island, ME on Sunday, October 7, 2012. Those present were: Robert **Boone**, Chairman; Faith **Baker**, Pat **LaFleur**, and Ken **Barrows**. Other officers/appointees present were Sue **Spalding**, Clerk; Tony **DeBruyn**, Treasurer; Linda **Sweatt**, Secretary; Crawford **Taisey**, Superintendent; Tanya **Sweatt**, BAC Chairman; and Janice **Boyko** representing the Historical Society.

MINUTES

- (1) **ACTION: A motion was made** (Baker), seconded (Barrows), and unanimously voted to postpone revisions for the acceptance of the minutes for the meeting held September 2, 2012.

PUBLIC COMMENTS

No public comment.

ADMINISTRATIVE ASSISTANT’S REPORT - Pat LaFleur

Pat informed the Board of the following:

- (1) Information regarding the off-season meetings has been posted on the web site and at the Freeport Town Hall.
- (2) Bustins Annual Report written by F. Baker has been sent to Freeport and she will forward copies to the Board members.
- (3) Reminded members of the fall letter from the Board for the “Bustins Buzz”. R. Boone will take care of this.
- (4) Boat Manager Contract must be prepared by the Board with T. Sweatt’s input.
- (5) All Committee and Board appointments and reappointments are ready for approval.
- (6) K. Barrows reminded to complete the Right to Know certification.

Pat and S. Spalding met with visitors from MacMahan Island, who are interested in how our island is run as they contemplate changing their form of government. Their taxes are paid to Georgetown but they are also billed an additional assessment to run the island. They requested a copy of our Annual Budget. Pat will send them a copy.

CLERK’S REPORT – Sue Spalding

Sue discussed the need for the BIVC stationary to have the real address of P.O. Box 22, South Freeport, Me 04078. F. Baker will look into the cost of new stationary. Sue

stated the need of the Cloud to unload files, of which there are many. T. DeBruyn will help Sue move the BIVC files to a cloud service.

Sue received the Certificate of Insurance for Straight Edge Construction.

TREASURER'S REPORT – Tony DeBruyn

Tony submitted an official copy of the Corporate Certificate of Resolution from TD Bank to be passed and signed accordingly.

- (2) ACTION: A motion was made** (Baker), seconded (Barrows), and unanimously voted to pass the Corporate Certificate of Resolution from TD Bank as follows: RESOLVED, that the Financial Institution named above, at any one or more of its offices or branches, be and it hereby is designated as a Financial Institution of and depository for the funds of this Corporation, which may be withdrawn on checks, drafts, advices of debit, notes or other orders for the payment of monies (including electronic orders) bearing the signature of, or as otherwise authorized by, any one (1) of the following officers, employees or agents of this Corporation (Agents), whose signatures are shown as Anthony A. DeBruyn, Treasurer and Judith L. Hayes, Deputy Treasurer.
- FURTHER RESOLVED, the Agents, whose names and signature appear above, are hereby authorized to open and maintain a deposit account or accounts of the Corporation with the Financial Institution, subject to the terms and conditions in the applicable Account agreement(s), as may be amended from time to time.
- FURTHER RESOLVED, that the Financial Institution is hereby directed to accept and pay without further inquiry any item or payment order drawn against any of the Corporation's accounts with the Financial Institution bearing the signature of or as otherwise authorized by any such Agents even though drawn or endorsed to the order of any Agent signing or tendered by such Agent for cashing or in payment of the individual obligation of such Agent or for deposit to the Agent's personal account, and the Financial Institution shall not be required or be under any obligation to inquire as to the circumstances of the issue or use of any item signed, or payment order authorize, in accordance with the resolutions contained herein, or the application or disposition of such item or the proceeds of the item.
- FURTHER RESOLVED, that any one of such Agents is authorized to endorse all checks, drafts, notes and other items payable to or owned by this Corporation for deposit with the Financial Institution, or for collection or discount by the Financial Institution, and to accept drafts and other items payable at the Financial Institution.
- FURTHER RESOLVED, that the Bank is authorized to conduct Debit Card/ATM Card transactions in accordance with Financial Institution's Visa Debit Card Application and Agreement for Businesses.
- FURTHER RESOLVED, that the above named agents are authorized and empowered to execute such other agreements, including, but not limited to, special depository agreements and arrangements regarding the manner, conditions or purposes for which funds, checks or items of the Corporation may be

deposited, collected, or withdrawn and to perform such other acts as they deem reasonably necessary to carry out the provisions of these resolutions.

FURTHER RESOLVED, that the authority hereby conferred upon the above named Agents shall be and remains in full force and effect until written notice of the revocation thereof shall have been delivered to and received by the Financial Institution at the location where an account is maintained and Financial Institution has had a reasonable period of time to act upon such notice.

Tony distributed the Register Report for 9/1/2012 through 10/3/2012. He noted the check to Hanover Insurance for over \$13,800 of which \$4500 was payment for insurance for all the vehicles and the remaining \$9000 plus paid the insurance for all the buildings and docks. The payment of \$366 to MEMIC was for Workman's Comp. Insurance. Tony informed the Board that he would have the Verizon Wireless phone service turned off, as well as the weather service for the boat and the fire service.

(3) ACTION: A motion was made (Baker), seconded (Boone), and unanimously voted to authorize the payment of checks written and submitted by the Treasurer in the Register Report dated 10/3/2012 for the period 9/1/2012 through 10/3/2012.

Tony also distributed the BIVC Fiscal Year 2012-2013 Balance Sheet, 2012-2013 Funds Activity, and the Statement of Revenues, Expenditures and Transfer for Fiscal Year 2012-2013. Tony mentioned the 2006 transfer of \$50,000 from the Casco Fund to the Reserve Fund. He intends to return \$25,000 to the Casco Fund now.

(4) ACTION: A motion was made (Barrows), seconded (LaFleur), and unanimously voted to authorize the Treasurer to transfer \$25,000 from the Reserve Fund to the Casco Fund.

While looking at the Statement of Revenues, Expenditures and Transfers, Tony mentioned that the insurance expense was up because of Workman's Comp. payments, 2/3 of the legal fund had been spent and the ferry revenue was up. He reminded the Board that \$80 per day was being collected for commercial use of the tractor. He also reminded the Board that \$5000 was in the budget approved at the Annual Meeting for a new pump requested by the Public Safety Committee.

(5) ACTION: A motion was made (Baker), seconded (Boone), and unanimously voted to accept the Treasurer's Report dated October 3, 2012.

CEO REPORT – Ron Tozier

Ron Tozier was not in attendance.

SUPERINTENDENT'S REPORT – Crawford Taisey

Community House Sanitary Facilities – Crawford presented the architectural drawing submitted by Reid Tozier for extending the Community House porch 25 feet and building an 8 ft. by 8 ft. room for the necessary handicapped accessible sanitary facility.

Public Float – Crawford stated that the float will be taken out the week of November 11th, weather and tide dependent.

Gravel – Gravel to be put on the roads should be arriving October 19th.

Cutting, Grinding and Chipping – Crawford stated that the dead tree on the corner of the Brewer property will be cut, ground and chipped as part of the estimate previously given.

Transfer Station – The Quarterly Annual DEP Transfer Station documents will be completed and submitted by F. Baker. Crawford will give her the paper work for 2012.

Honey Wagon – Crawford suggested notifying people about the disposal rules of outhouse waste and having a sign made.

Community House – All solar battery terminals at the Community House are being replaced.

Historical Society Building – Crawford received a couple of estimates for the building repairs to be discussed later.

Hunting Requests – Crawford was asked about hunting on Bustins. There is a “No discharge of fire arms without permission” policy. F. Baker will put up an appropriate sign.

CORRESPONDENCE

9/03/12 Letter from S. Spalding re Commending the Adams family’s care of her dog, Lilly.

9/04/12 from C. Martens re Submitting Tenting Amendment to Mike Morse of the DEP.

9/05/12 from T. DeBruyn re Signed Safe Deposit Box Authorization at Key Bank in Yarmouth.

9/05/12 R. Boone called Mike Morse re Normal High Tide/ Maximum Spring Tide is the same as Highest Annual Tide, so we do not have to revise the zoning ordinance. He advised that we should rename our Resource Protection District to prevent confusion with the State definition.

9/05/12 from B. Cooper correspondence with State Fire Marshall re Fireworks Ordinance.

9/06/12 Email from P. LaFleur re L. Larrabee representing islanders requesting police services.

9/06/12 Phone call from Chief Schofield re Endorsement of Ron Tozier as Constable.

9/06/12 Phone call from C. Taisey re Reid Tozier will draw plans for Community House extension for \$200. Crawford recommends this.

9/07/12 Email from P. LaFleur and L. Larrabee re on-island police presence.

9/08/12 Email from P. LaFleur re kegs across from Community House at Drew wedding.

9/09/12 Email from R. Boone to Charlie Drew citing disappointment of kegs outside the Community House.

9/11/12 Phone call from L. Larrabee re Constable.

9/13/12 Email from C. Martens re John Garfield resigned from the Planning Board.

9/15/12 Email from R. Taisey re Quotes for stump grinding (\$1150) and Community House battery terminals (\$615).

9/20/12 Email from B. Cooper re Revised BAC Charter.

9/21/12 Email from B. Cooper re C. Richardson will allow BIVC limited use of the well on A57 with stipulations.

9/25/12 Phone call from C. Taisey re R. Taisey wants to take stump grinder off island.

9/25/12 Email from F. Baker re Seeking Motor Vehicle and Large Equipment Permit renewal applications from P. Reardon, Tozier Group and R. Taisey.

9/25/12 Email from C. Martens re CUPs for Dugan and Reardon.

9/27/12 Email from K. Barrows re Dealing with Difficult People Seminar.

9/27/12 Phone call from F. Baker re Will submit Transfer Station Permit info; Solid waste sub-committee?

9/28/12 Email and Phone call between C. Martens and Kevin Petrie re Planning Board membership.

10/1/12 US Mail from L. Larrabee re Petition for Constable.

10/2/12 Email from J. Mellecker re Support of L. Larrabee's Petition.

10/2/12 Phone call from Nick Stone from MacMahan Island re Considering other forms of government.

10/3/12 Email from P. Kastenholz re 3AM Disturbance.

10/3/12 Email from P. LaFleur to K. Anania re Job Descriptions.

10/4/12 Email from T. Sweatt re Sunday 8AM ferry scheduled.

10/4/12 Email from Sue Nourse of the Freeport Police Dept. re Disturbance.

10/4/12 Email from C. Martens re Planning Board minutes and Sunday meeting.

10/5/12 Letter from J. Silberman re Renegotiating Historical Society building repairs.

10/6/12 F. Baker received from P. Reardon Motor Vehicle and Large Equipment Permit.

Email correspondence received is stored by the Board Chairman.

OLD BUSINESS

Dogs Policy – R. Boone presented a proposed revision of the Board's Dogs Policy approved August 7, 2011. Due to a number of incidents involving dogs this year, a discussion ensued regarding the policy and the revisions. P. LaFleur recommended that dogs be kept on a short leash while aboard the Lilly B. Board members agreed that dogs should be kept off the Public Float until the boat is unloaded. L. Sweatt recommended better dissemination of this information because this Dogs Policy is important for everyone.

(6) ACTION: A motion was made (LaFleur), seconded (Barrows), and unanimously voted to accept the revised Dog Control Policy Version 1.3.

Constable – Having received a petition regarding the need for a constable, the Board was informed that a constable would need 40 hours of training and would be allowed to deputize islanders. Ron Tozier has been approached about the position and has indicated he is interested. F. Baker understands the concerns of the islanders regarding their safety and she said the Board has always tried to protect islanders. P. LaFleur suggested that

any complaint against an individual should name the individual in said complaint. The Board will review the duties and responsibilities of the constable. F. Kastenholz suggested L. Larrabee be informed of the Board's work on the constable issue, which should help to address his letter.

Off-season Meeting Schedule – R. Boone presented the Off-season Meeting Schedule to all and having no changes made, this schedule is at the end of these minutes. It was noted that if any meeting is cancelled or rescheduled, it will be noted on the BIVC web site. F. Baker will notify Freeport of these meeting dates.

Sign Transfer Station Form – F. Baker and C. Taisey will complete and submit the Transfer Station form, the Annual Report to the DEP, the quarterly, and annual non-hazardous waste transport manifests. C. Taisey was advised by Bill Butler that we only need to send in a manifest for when we actually transport non-hazardous waste for that quarter.

NEW BUSINESS

Motor Vehicle and Large Equipment Permits – F. Baker presented the Motor Vehicle and Large Equipment Permit renewals from P. Reardon for Island Crew and R. Taisey for Stump and Grind.

- (7) **ACTION: A motion was made** (Baker), seconded (LaFleur), and unanimously voted to approve the Motor Vehicle and Large Equipment Permit for Pat Reardon.
- (8) **ACTION: A motion was made** (Baker), seconded (LaFleur), and unanimously voted to approve the Motor Vehicle and Large Equipment Permit for Stump and Grind.

Troublesome Tree – C. Taisey reported that a silver maple is leaning toward the Schoolhouse should be taken down. He requested permission to take down this tree at no charge to the island.

- (9) **ACTION: A motion was made** (Barrows), seconded (Baker), and unanimously voted, that pending a visual review by the Board, to grant permission for the removal of the silver maple tree in danger of falling on the Schoolhouse at no charge to the island.

Appointments/Reappointments – P. LaFleur presented the list of appointments/reappointments for positions and memberships to Boards and Committees.

- (10) **ACTION: A motion was made** (LaFleur), seconded (Baker), and unanimously voted to reappoint each of the following for a one year term: Rob Taisey as Harbormaster, Andy Spalding as Assistant Harbormaster, Jim and Kim Ryan as Brewer Cottage Advisors, and Laura Vitali as Water Commissioner.

(11)ACTION: A motion was made (LaFleur), seconded (Baker), and unanimously voted to reappoint to the Road Committee Crawford Taisey, Bill Cooper and Rob Boone for a one year term.

(12)ACTION: A motion was made (LaFleur), seconded (Baker), and unanimously voted to appoint to the Public Safety Committee: Ken Barrows and Jeff LaFleur as full members for a term to expire in 2015, Lesley Taisey as an alternate member for a term to expire in 2015.

(13)ACTION: A motion was made (LaFleur), seconded (Baker), and unanimously voted to reappoint to the Zoning Board of Appeals: Tim Baker and Frank Kastenholz as full members for a term to expire 2015.

(14)ACTION: A motion was made (LaFleur), seconded (Baker), and unanimously voted to appoint to the Boat Advisory Committee: Tanya Sweatt and Dave Dickison as full members for a term to expire in 2015, Lois Dennett as an alternate member for a term to expire in 2015, and Jim Boone as an alternate member for a term to expire in 2014.

(15)ACTION: A motion was made (LaFleur), seconded (Baker), and unanimously voted to appoint to the Landscape Committee: Patrice Kastenholz as a full member for a term to expire in 2015 and Pam Canu as a full member for a term to expire in 2013.

(16)ACTION: A motion was made (LaFleur), seconded (Baker), and unanimously voted to reappoint to the Finance Committee: Roger Leland as a full member for a term to expire in 2015 and Fred Bohem as an associate member for a term to expire in 2015.

(17)ACTION: A motion was made (LaFleur), seconded (Baker), and unanimously voted to appoint to the Planning Board: Dave Gosnell as a full member for a term to expire in 2017 and Kevin Petrie as an associate member for a term to expire in 2014.

Review Projects List –

Historical Society Building – J. Boyko stated that the Historical Society would like to work in partnership with the BIVC to replace the windows on the water front side of the building. The Society is considering a few fund raising ideas. C. Taisey is waiting for a quote for this work from Ben MacDonald but he did get a quote for the cost of a window which would be the same as the upstairs window which was replaced last year. The approximate cost for the window and trim would be \$523 and the island should pay for the windows using the island discount. C. Taisey stated that the labor cost per window would be approximately \$240. F. Baker suggested the Historical Society could apply for a grant to receive money from the Bustins and Bay Foundation. S. Spalding suggested selling the old windows to a salvage company in Portland. C. Taisey also

informed the Board that until repairs are completed on the northeast wall around the vent, items should be moved away from this vent area. C. Taisey will secure the vent. The Board will continue the discussion about this work.

Playground Equipment – P. LaFleur stated there is a need for more playground equipment possibly next to the Community House. The Board suggested the CABI work on this.

South Freeport Parking – F. Baker mentioned a parking situation on Park Street in South Freeport whereby signs with “No Parking, We Tow” had been placed. A Freeport police officer spoke to people on the street to remove the signs. She will continue to monitor any parking issues.

COMMITTEE REPORTS

Boat Advisory Committee – T. Sweatt told the Board that Captain Abe apologized profusely for forgetting the scheduled 8 AM boat this morning.

The Committee is in the process of looking at the Captain’s Handbook and the Deckhand’s Handbook. A copy of the Deckhand’s Job Description was found and Lesley is presently working on this. She reminded the Board that the current Boat Manager Contract must be terminated as of December 1st as standard procedure. F. Baker will look at this contract and the previous termination letter written by R. Leland.

Tanya had a conversation with P. LaFleur to discuss advertising for boat captains and deckhands but the first step would be appointing a boat manager for the beginning of 2013. The BAC will have a formal review for the Boat Manager. Tanya had a discussion with K. Anania because there were many questions regarding contracted, employees, hourly workers, and salaried workers. Tanya recommended K. Anania review employee matters with the Board. The recommendation for Boat Manager will not be put forth until hiring legalities and all questions concerning contract versus employee have been answered clearly. R. Boone suggested K. Anania from KMA be invited to put on a workshop at 9 AM prior to the November 10th meeting and Tanya was requested to attend. Tanya recommended having a list of everyone the Board pays for services, active employees, contracts, job descriptions, and W9 paying services. She recommended the Board consider having an employment lawyer.

Tanya stated that a snapshot of the season would show it was a good learning year, procedures were cleaned up, and there was better accountability. T. DeBruyn stated that the new financial control worked out very well.

Brewer Cottage Advisors – All outside window trim has been painted white by K. Ryan, J. Ryan and T.J. Martin. C. Taisey suggested the purchase of a stainless steel deep well pump for the well on the Brewer property. The water is down 35 feet. The well should be made useable for the public.

Finance Committee – No report at this time.

Harbormaster – No report at this time.

Landscape Committee – No report at this time.

Planning Board – No report at this time.

Public Safety Committee – J. Abramson reported that the oxygen tank will be replaced and the AID will be stored. M. McElwee has assessed the Emergency Room equipment.

Roads Committee – No report at this time.

Water Commissioner – No report at this time.

Zoning Board of Appeals – No report at this time.

ADJOURNMENT (1:13 PM)

FUTURE MEETING SCHEDULE

Saturday, November 10, 2012 – 9:30 AM at the Freeport Safety Building, Freeport, ME

Saturday, December 15, 2012 – 9:30 AM at the Freeport Safety Building, Freeport, ME

Saturday, January 12, 2013 – 9:30 AM at the Freeport Safety Building, Freeport, ME

Saturday, February 9, 2013 – 9:30 AM at the Freeport Safety Building, Freeport, ME

Saturday, March 16, 2013 – 9:30 AM at the Freeport Safety Building, Freeport, ME

Saturday, April 13, 2013 – 9:30 AM at the Freeport Safety Building, Freeport, ME

Sunday, May 26, 2013 – 9:00 AM at the Brewer Cottage, Bustins Island, ME

Respectfully submitted,

Linda E. Sweatt
Board Secretary