

**BUSTINS ISLAND VILLAGE CORPORATION**  
**Minutes of the Board of Overseers Meeting**  
**September 5, 2010 – 9:00 AM**  
**Brewer Cottage, Bustins Island, ME**

The Board of Overseers met at 9:00 AM at the Brewer Cottage, Bustins Island, ME on Sunday, September 5, 2010. Those present were: Faith **Baker**, Chairman; Bill **Cooper**, Co-Chairman; Robert **Boone**, John **Garfield**, Treasurer; Sue **Spalding**, Clerk; and Linda **Sweatt**, Secretary. Also present for the meeting: Charles Johnson, Ron Tozier, Crawford Taisey, and Nancy Adams. The Chairman declared a quorum and the meeting began.

**MINUTES**

**ACTION: A motion was made** (Baker), seconded (Boone), and unanimously passed to accept as amended the minutes of the meeting held August 8, 2010.

**CORRESPONDENCE**

Correspondence Received

8/11/10 from S. Spalding re Conservation Land

8/11/10 from S. Spalding re from Crawford re Roads

8/16/10 from F. Baker re Bustins/Freeport Annual Dinner Invitation

8/17/10 from F. Baker to Rob Taisey re Your Float on BIVC Ways

8/19/10 from S. Spalding re Coky Barr Request

8/19/10 from P. LaFleur and F. Baker re Freeport/Bustins Dinner

8/20/10 from S. Spalding re MMA Legal Notes

8/20/10 from S. Spalding re Statewide Building Code

8/21/10 from W. Cooper re Letter from R. Leland re Septic System Cleaning

8/23/10 from F. Baker re Letter from the State of Maine Regarding FEMA Project

8/25/10 from L. Larrabee re Next Board Meeting

8/26/10 from D. Jellis re Bustins All-Island Presentation by Deputy Chief Conley

8/27/10 from M. Hohn re Planning Board Meeting Notice & Agenda for 9/6/10

8/30/10 from F. Baker re Thank You from Kim Adams

8/30/10 from F. Baker re Daniel Adams Truck Job Application

8/31/10 from Charlotte Bishop Card re Missed Annual Meeting

9/02/10 from F. Baker re Final Minutes for July 18 & Draft Minutes for Aug. 8

9/02/10 from W. Cooper re JBG & H Reference re Executive Sessions

9/02/10 from F. Baker re Hunting on Bustins

9/05/10 from R. Boone re L. Frisbee Request to Open Up Road

**CLERK'S REPORT** – Sue Spalding

Sue stated that all Committees elect their own Chairpersons and reminded Committees that they have members whose terms are expiring as of October 31<sup>st</sup>. R. Boone's appointment to the Public Safety Committee expires October 31<sup>st</sup> and Jim Boyko would like to be a member.

**ACTION: A motion was made** (Boone), seconded (Baker), and unanimously voted to appoint Jim Boyko to the Public Safety Committee from October 31, 2010 to October 31, 2013.

**ACTION: A motion was made** (Baker), seconded (Boone), and unanimously voted to adopt the resolution and wording of the handout as follows dated August 25, 2010.

WHEREAS, the resolution of the Board creating the Finance Committee did not specifically provide for the appointment of associate members of the Finance Committee to act in place of a regular member unable to act because of a conflict of interest, incapacity, absence or otherwise, and

WHEREAS, the Board has determined that it would be desirable to specifically provide for the appointment by the Board from time to time, if it so elects of one or two associate members of the Finance Committee to act in the event a regular member should be unable to act;

NOW, THEREFORE, the Board hereby adopts the following resolutions:

RESOLVED, that the Finance Committee may have one or two associate members appointed by the Board, each of whom must be a legal voter of the B.I.V.C., shall serve for a three year term and may attend all meetings of the Finance Committee and participate in its proceedings, but may vote only if designated by the Chairman of the Finance Committee to act in the place of a member unable to act; and

FURTHER RESOLVE, that the action heretofore taken by the Board in naming Len Larrabee as an associate member of the Finance Committee is all respects confirmed, ratified and approved.

**ACTION: A motion was made** (Cooper), seconded (Baker), and unanimously voted to remove from the table and consider Len Larrabee as an associate member of the Finance Committee.

**ACTION: A motion was made** (Cooper), seconded (Baker), and unanimously voted to appoint Len Larrabee as associate member of the Finance Committee for a three year term beginning November 1, 2010 through October 31, 2013.

Sue stated that she is running out of secure fireproof storage space and would like to purchase two fireproof four-drawer filing cabinets. Discussion ensued regarding monies available to purchase at least one fireproof filing cabinet.

**ACTION: A motion was made** (Boone), seconded (Baker), two members voted for and one opposed to authorize the Clerk to spend up to \$1500 for a fireproof file cabinet to store BIVC records.

Sue stated that she would check with the State to possibly purchase a used fireproof file cabinet and she will call an electrician to work on the lights for the clerk's office.

#### **TREASURER'S REPORT** – John Garfield

John distributed copies of the Treasurer's Check Register Report for 7/30/2010 through 8/31/2010, Combined Balance Sheet as of 01 Sept 2010, and the Treasurer's Talking Points dated 6 Sept 2010. In discussing the Register Report, John noted this covered the 2010-2011 fiscal year only and that \$100,000 was transferred from the checking account to the CD. Discussion ensued regarding spending on the island vehicles and that road work still needed to be done.

**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 Treasurer's Register Report dated 9/1/2010 for the period 7/30/2010 through 8/31/2010.

#### **ASSISTANT SUPERINTENDENT'S REPORT** – Crawford Taisey

Island Vehicles – Crawford stated that the Dodge truck had a leak from the water tank which was repaired, the heater box needed to be cleaned out, and the brakes were fixed but spotlights need to be replaced. The GMC truck is working well and the North Yarmouth truck is running. The Cliff Island truck brakes were not working and he found the problem and fixed the brakes. Crawford would like to paint over any rust spots on the roof and front of the cab and would like to remove the Cliff truck driver's seat to reupholster it. The insides of the John Deere tractor wheels need to be sandblasted and painted.

Schoolhouse – Crawford stated that he had the materials for the underpinnings and was hoping a volunteer effort could get these repairs done.

Road Work – Crawford had received estimates from Plante Associates and Island Transport for 72 yards of processed gravel for two trips with two trucks and barging for approximately \$5040.

**ACTION: A motion was made** (Baker), seconded (Boone), and unanimously voted to appropriate up to \$5500 for road materials, transportation and labor.

**SUPERINTENDENT’S REPORT** – Charles Johnson

Fencing – Charlie stated that the fencing at Pidges Cove was completed.

Rubber Caps -- Charlie purchased the rubber caps and put them on the Community House chairs.

Electrical for Post Office – Charlie will check on this.

Generator – Charlie mentioned that there was no generator information.

Tractor – Charlie mentioned that the tractor should be barged off for a full service work up and have its wheels sandblasted and repainted.

Community House – Charlie will contact a plumber to complete work to hook up the sink drain to the pipe.

Public Float and Ways – R. Tozier stated the DEP concern about removing the old floats off the ways. The Taisey Brothers will take apart the floats, salvage whatever wood possible and coordinate the use of the trailer for debris removal. They agreed to have this work be completed by September 30<sup>th</sup>.

Library Outside Wall – Charlie stated that the Library Committee will purchase the new Anderson (400 series) window, the new exterior fiberglass door, and pay the labor fees for their installations. The BIVC will pay to repair the southeast side wall and replace the exterior clapboards.

**ACTION: A motion was made** (Cooper), seconded (Baker), and unanimously voted to appropriate \$4000 for the residing and repair of the southeast side of the Adult Library Building contingent upon the Library paying for the costs of the window, door and installation thereof.

F. Baker noted that Charlie has indicated he can now assume all Superintendent responsibilities within his job description. She asked Crawford to now focus on road work under Rob Boone’s direction and to assist Charlie with hauling the public float and any other special projects assigned to him directly for the remainder of the season.

**OTHER BUSINESS**

Use of Solid Fill – F. Baker mentioned the use of the solid fill at the transfer station. Charlie stated that D. Adams had put down some of this fill on the side of the Community House. Charlie mentioned that P. Kastenholz would be interested in purchasing it and he will give her a price of \$50 per yard.

Grader Blade – C. Taisey presented information on a heavier duty grader blade with some hydraulics for better angling and the availability of a used Harley T-6 Power Box Rake for \$4000, which he felt the island needed for better upkeep of the roads. There was much discussion about the costs and uses of the grader blade and the power rake. Board members felt it was important to inspect and see a working demonstration of the equipment.

**ACTION: A motion was made** (Baker), seconded (Cooper), and unanimously voted to appropriate up to \$5000 to purchase a used Harley T-6 Power Box Rake and hydraulic power kit contingent upon island inspection and demonstration.

FEMA Work – F. Baker stated that the final paperwork for the completion of the FEMA work will be signed in order for the BIVC to receive the final FEMA payment.

Truck Driver Position – F. Baker read truck driver, Kim Adam's farewell letter and the application for the truck driver position submitted by Daniel Adams Junior of Fort Worth, Texas.

**ACTION: A motion was made** (Baker), seconded (Boone), and unanimously voted to hire Daniel Adams Junior of Fort Worth, Texas as island truck driver for 2011 for a \$2500 stipend.

Hunting Request – F. Baker received a request for permission to hunt on Bustins with appropriate state licensing from James Gardner of Maynard, MA. S. Spalding cited the Maine Statute that no municipality may regulate hunting. A discussion ensued about safety concerns, deer migration and bow hunting versus hunting with firearms. The Board agreed that while the BIVC cannot regulate hunting, safety is of great concern when it comes to the discharge of firearms because there are increasing numbers of visitors to the island off-season, cottages are in such close proximity to each other and gas tanks are connected to each cottage. Maine state law makes it illegal to discharge a firearm, crossbow or muzzle-loading firearm within 100 yards of a building or residential dwelling without permission from the owner. Our BIVC Bylaws forbid the discharge of firearms without the approval of the Superintendent or the Board. After much discussion, the Board agreed not to give approval for the discharge of firearms for safety reasons.

Equipment/Vehicles permits, noise, etc. This was tabled for discussion at the next meeting.

Annual Dinner – F. Baker was pleased that the dinner went very well. Good food and good relations made for a successful evening.

Seasonal Closing of the Island Roads – The following action was taken.

**ACTION: A motion was made** (Baker), seconded (Cooper), and unanimously voted pursuant to Title 23 MRSA section 2953(2), the Board of Overseers of the Bustins Island Village Corporation hereby order the Bustins Island roads be closed from November 1, 2010 to April 1, 2011.

R. Tozier stated that he has again spoken to the owner of Lot A69 and pictures were taken of the structure being built on a trailer there, which at this time appears to be a boat.

Freeport Town Report – F. Baker will complete the Bustins Island Report for the Annual Town of Freeport Report.

Request – R. Boone presented a request from Lauren and Keith Frisbee for permission to clear cut a BIVC undeveloped road beyond 250 feet of the shoreline. Discussion ensued regarding the appropriate procedure and that the cutting must be done by certain standards which would require a drainage plan. R. Boone will oversee this request.

## **COMMITTEE REPORTS**

**Boat Committee** – No report.

**Brewer Cottage** – No report.

**By-Laws Review Committee** – S. Spalding and B. Cooper are collecting information to review By-Laws regarding noise from construction equipment.

**Finance Committee** – No report.

**Harbor Master** – No report

**Landscape Committee** – No report.

**Planning Board** – Planning Board meeting on September 6<sup>th</sup> at 9 AM.

**Public Safety Committee** – No report.

**Water Commissioner** -- No report.

**Zoning Board of Appeals** – No report.

## **PUBLIC COMMENT**

None at this meeting.

## **ADJOURNMENT (1:32 PM) and FUTURE MEETING SCHEDULE**

Saturday, September 25, 2010 – 10:00 AM at the Brewer Cottage, Bustins Island, ME

Sunday, October 10, 2010 – 9:00 AM at the Brewer Cottage, Bustins Island, ME

Respectfully submitted,

Linda E. Sweatt  
Board Secretary