

BUSTINS ISLAND VILLAGE CORPORATION
Minutes of the Board of Overseers Meeting
November 14, 2010 – 10:00 AM
Freeport Public Safety Building, Freeport, ME

The Board of Overseers met at 10:00 AM at the Freeport Public Safety Building in Freeport, ME on Sunday, November 14, 2010. Those present were: Faith **Baker**, Chairman; Robert **Boone**, Roger **Leland**, Scott **Bonney**, John **Garfield**, Treasurer; Sue **Spalding**, Clerk; and Linda **Sweatt**, Secretary. Also present for the meeting: Charles Johnson, Ron Tozier, Crawford Taisey, Candy Taisey, Lorraine Leland, and Tony Barr. The Chairman declared a quorum and the meeting began at 10:05 AM.

MINUTES

ACTION: A motion was made (Leland), seconded (Boone), and unanimously passed to accept as amended the minutes of the meeting held October 10, 2010.

CORRESPONDENCE

Correspondence Received

10/10/10 from F. Baker to P. Reardon re Permission Granted for Vehicle Request

10/10/10 from F. Baker to J.A. Carrier re Permission Granted for Vehicle Request

10/12/10 from F. Baker to A. Pease and R. Tozier re Approval for Fill Extensions

10/12/10 from F. Baker to J.A. Carrier re Permission for Lawn Tractor Use

10/12/10 from F. Baker and K. Frisbee re Road Maintenance, Excavator Offer

10/12/10 from F. Baker Fwd: From R. Thomas and J. Moreno re Bustins Island Road to Frisbee Property

10/13/10 from F. Baker Fwd: From T. Barr re Frisbee Property, Etc.

10/13/10 from F. Baker re Frisbee Road Report from R. A. Cudlitz, PE

10/15/10 from S. Spalding Fwd: Landscape Committee

10/15/10 from S. Spalding Fwd: Finance Committee

10/15/10 from S. Spalding re Letter to B. Peaslee for Records Copied

10/18/10 from S. Spalding and E. Donovan Fwd: Landscape Committee

10/18/10 from S. Spalding re MMA Legal Notes Aug/Sept. 2010

10/18/10 from B. Cooper Fwd: Road to Lot 166A "Plan"

10/19/10 from F. Baker Fwd: Approval for Fill Extensions

10/20/10 from F. Baker re Freeport Dispatchers Being Honored

10/20/10 from F. Baker Fwd: Revised Off-season Meeting Notice

10/22/10 from S. Spalding re MMA Legal Notes 10/2010

10/22/10 from S. Spalding re MMA re Advisory Boards

10/22/10 from S. Spalding re Right to Know Refresher

10/25/10 from F. Baker Fwd: From R. Taisey re Library Rot

10/27/10 from S. Spalding re MMA – Cave People

11/01/10 from F. Baker to S. Spalding re Board of Overseers Report for *the Store Porch*

11/01/10 from M. Hohn re Planning Board Meeting Notice and Agenda 11/6/10

11/07/10 from C. Martens re Approved Minutes September 6, 2010 Planning Board Meeting

11/07/10 from R. Tozier re Letter Regarding Frisbee Property Work Done

11/07/10 from Straight Edge Construction re Adult Library Contract Partial Payment Request

11/08/10 from F. Baker re Storm Damage Last Night

11/09/10 from F. Baker re Post Storm Report

11/10/10 from F. Baker and L. Taisey re Chipping on Bustins

11/10/10 from F. Baker re BIVC Board of Overseers Meeting Sunday, Nov. 14, 2010

11/10/10 from F. Baker Fwd: From R. Thomas re Bustins Island

10/15/10 and 11/10/10 from F. Baker and L. Sweatt re Final Minutes for Board of Overseers Meetings 9/05/10 and 9/25/10

11/12/10 from F. Baker re Jeff Leland Letter Resigning from the Zoning Board of Appeals

11/12/10 from R. Tozier re Invoice for Final Work on FEMA

11/12/10 from F. Baker Fwd: From C. Martens re Ross' Address of Rosemary's Concerns

CLERK'S REPORT – Sue Spalding

Sue stated that she had no report at this time.

TREASURER'S REPORT – John Garfield

John distributed copies of the Treasurer's Check Register Report for 10/01/2010 through 10/31/2010, Actual Year to Date Spending period ending 10/31/2010, Combined Balance Sheet as of 10/31/2010, Treasurer's Talking Points dated 14 Nov. 2010, and the BIVC Policy on Treasurer's Authority and Disbursement Practices. John requested the Board to approve the Policy on Treasurer's Authority and Disbursement Practices noting that is only a "written order or direction" for the treasurer to legally make payments. He stated that he had appointed F. Kastenholz and S. Colburn as Deputy Treasurers. R. Leland noted that this policy was for the treasurer's protection and should be affirmed annually.

ACTION: A motion was made (Leland), seconded (Bonney), and unanimously voted to approve the Policy on Treasurer's Authority and Disbursement Practices as written.

John presented the Register Report for 10/01/2010 through 10/31/2010 and commented on certain items.

ACTION: A motion was made (Baker), seconded (Leland), and unanimously voted to authorize the payment of checks written and submitted by the Treasurer in the Treasurer's Register Report dated 11/13/2010 for the period 10/01/2010 through 10/31/2010.

John mentioned that he had paid K. Adams \$2200 and thought she was still owed money, of which he would like to take care. The Board agreed that K. Adams was owed another \$400. He also stated that the honorary stipend of \$500 for D. Stager had not been paid for 2008 or 2010.

ACTION: A motion was made (Leland), seconded (Baker), and unanimously voted to authorize the payment of \$400 to K. Adams to complete the payment for the 2010 year.

ACTION: A motion was made (Cooper), seconded (Boone), and unanimously voted to authorize the payment of \$1000 to D. Stager in payment for \$500 for 2008 year and \$500 for the 2010 year.

John also mentioned the outstanding bills totaling \$5040 from Lionel Plante Assoc. for two loads of processed base material and Island Transport for 18 cubic yards of processed base material for about \$2600. C. Johnson did state that the island did receive

the two loads from L. Plante which should be paid. John will request a corrected bill from Island Transport. Also, the FEMA work has been completed by R. Tozier. R. Tozier stated that the bill he submitted on 11/12/10 for \$1750 was for barging not FEMA work. It was requested that R. Tozier submit a bill for the final FEMA payment. John also mentioned the bill dated 11/07/10 submitted by Straight Edge Construction, Inc. was for partial payment for the Adult Library Contract.

ACTION: A motion was made (Baker), seconded (Leland), and unanimously voted to authorize the Treasurer to pay \$5040 to Lionel Plante for the processed base material.

ACTION: A motion was made (Cooper), seconded (Baker), and unanimously voted to authorize the payment of \$1750 to Ron Tozier for barging dated 11/12/10.

ACTION: A motion was made (Cooper), seconded (Bonney), and unanimously voted to authorize the payment of \$640 to Straight Edge Construction, Inc. for partial payment of the library work dated 11/07/10.

John reviewed the Actual Year to Date dated 10/31/2010 and the Combined Balance Sheet as of 31 October 2010.

ACTION: A motion was made (Baker), seconded (Leland), and unanimously voted to accept the Treasurer's Report dated October 31, 2010.

ASSISTANT SUPERINTENDENT'S REPORT – Crawford Taisey

Vehicles – Crawford reported that a new gas cap was put on the Dodge truck and it has been drained and winterized. The island gas tank is now down to one quarter. The tractor will be taken off the island when R. Tozier's barge is ready. The new power rake is on the island.

Dock – Crawford stated that the old float debris has been cleaned up. Some boards had to be added to the ways for the new float because the inside cross member of the old float was higher. Crawford requested putting down gravel on the property from the ways to the road because it is very wet there.

Roads – Crawford stated there was still work to be done and he had worked on the drainage on the roads. The ditches must be cleaned out. A discussion ensued concerning the ditches along the west side near the Ralph, Hendry, Martens properties with care in the disposal of the debris material. R. Leland suggested putting the debris material on his property in the Resource Protection area and R. Tozier stated he could do that with R. Leland's permission. B. Cooper will get permission from the Ralphs, Hendrys and Martens to clean out the ditches and possibly refund money for materials put on other individuals' properties. R. Boone requested to proceed with this project and at this time put the debris material on R. Leland's property.

SUPERINTENDENT'S REPORT – Charles Johnson

Charlie reported on the November 8th storm damage. Trees which had dropped on BIVC property around T.J. Martin's, by Brewer's, an oak by Hunziker's, and the stump dump area have been cleaned up and chipped.

CEO REPORT – Ron Tozier

Ron informed the Board that in December 2010 the State will go to State Residential Code but there may be an exemption where you have a Code Officer.

Ron stated that R. Taisey, C. Taisey and C. Johnson efficiently took care of this last storm work.

OTHER BUSINESS

Appointments

E. Donovan and L. McElwee recommend Doug Arthur for the Landscape Committee because he has already worked on the shoreline clean up and believe he will share his expertise.

ACTION: A motion was made (Baker), seconded (Bonney), and unanimously voted to appoint Doug Arthur as a member of the Landscape Committee for a term ending October 31, 2013.

The Planning Board recommended Jeff Leland as an associate member. Jeff has resigned from the Zoning Board of Appeals.

ACTION: A motion was made (Baker), seconded (Boone), and unanimously voted to move Warren Barrows from an associate member to a regular member of the Planning Board for a term ending October 31, 2015.

ACTION: A motion was made (Baker), seconded (Boone), and voted with four in favor and one abstention to appoint Jeff Leland as an associate member of the Planning Board for a term ending October 31, 2012.

ACTION: A motion was made (Baker), seconded (Leland), and unanimously voted to appoint Tony DEBruyn as a full member of the Zoning Board of Appeals for a term ending October 31, 2011.

Library Wall – C. Taisey has removed the siding, window and door on the back wall. He had to replace a whole sill due to rot and ant infestation. So the back deck and stairs had to be removed. He discovered that the corner posts and studs by the D. Pease room should be replaced and pressure treated sills be put on. He recommended getting it completely fixed. R. Leland requested from C. Taisey an estimate for the remaining work which must be done.

Frisbee Access Issue – R. Tozier as CEO had written a report concerning the preparation of the Frisbee lot for the general purpose for building. Discussion ensued concerning access to this property. R. Tozier, who concurred with the R. Cudlitz, PE report, discussed the problems with the road access on the Hendry side versus the Thomas side. It was suggested that C. Taisey approach R. Taisey concerning an easement for a restricted access to the owner rather than BIVC road access.

Farewell to Freeport Dispatchers – F. Baker attended the Farewell Celebration and gave cards to thank the Freeport dispatchers for their services to Bustins Island. She stated that three of the Freeport dispatchers will be working at the Brunswick dispatch office.

B. Cooper mentioned that the Planning Board is working on details for a needed CUP hearing for any contractor who has vehicles on Resource Protection or General Purpose land.

COMMITTEE REPORTS

Boat Committee – No report.

Brewer Cottage – No report.

By-Laws Review Committee – No report.

Finance Committee – No report.

Harbor Master – No report.

Landscape Committee – No report.

Parking Advisory – F. Baker will continue to attend the Freeport Traffic and Parking Committee meetings.

Planning Board – The proposed meeting dates are February 5, 2011, March 26, 2011 and April 30, 2011.

Public Safety Committee – As of early October the dispatch transferred from Freeport to Brunswick.

Water Commissioner – The initiative to meet with the state regarding our public well situation should be taken.

Zoning Board of Appeals – No report.

PUBLIC COMMENT

Tony Barr commented that the roadway on the Thomas side would be more easily accessible to the Frisbee property. He questioned the timber harvesting on Kastenholz property. He stated that everyone will see a giant hole because of the downed trees from the storm damage and this will create more water problems.

Ron Tozier stated his concern regarding the Taisey subdivision if taken out of Resource Protection.

Sue Spalding mentioned that the Freeport Fire Fighters volunteered to go through screening for sudden cardiac arrest.

Ron Tozier stated as a general comment that the island is being used more off season than ever before. R. Leland stated the Board's official position is that the island is closed down.

ADJOURNMENT (1:15 PM) and FUTURE MEETING SCHEDULE

Saturday, December 4, 2010 – 10:00 AM at the Freeport Public Safety Building in Freeport, ME

Sunday, January 9, 2011 – 10:00 AM at the Freeport Public Safety Building in Freeport, ME

Sunday, February 6, 2011 – 10:00 AM at the Freeport Public Safety Building in Freeport, ME

Sunday, March 6, 2011 – 10:00 AM at the Freeport Public Safety Building in Freeport, ME

EXECUTIVE SESSION

ACTION 1:15 PM: A motion was made (Baker), seconded (Cooper), and unanimously voted to go into Executive Session in accordance with 1 M.R.S.A. Section 405(6)(A) to consider and discuss the appointment and compensation of the Bustins Island Superintendent for 2011 and in accordance with 1 M.R.S.A. Section 405(6)(D) to discuss the labor negotiations (if needed). Chairman Baker requested that Crawford and Candy Taisey remain for the Executive Session.

ACTION: A motion was made (Baker), seconded (Cooper), and unanimously voted to come out of Executive Session at 2:37 PM.

ACTION: A motion was made (Baker), seconded (Boone), and voted 4 – 1 abstain (Cooper) to vote by written ballot for Superintendent services for the year 2011. Written ballots were cast and it was voted 4 – 1 to contract Straight Edge Construction, Inc. as Superintendent for the year 2011.

The meeting adjourned at 2:45 PM.

Respectfully submitted,

Linda E. Sweatt
Board Secretary