

BUSTINS ISLAND VILLAGE CORPORATION
Minutes of the Board of Overseers Meeting
September 4, 2011 – 9:00 AM
Approved October 9, 2011

The Board of Overseers met at 9:00 AM at the Brewer Cottage on Bustins Island, ME on Sunday, September 4, 2011. Those present were: Faith **Baker**, Chairman; Bill **Cooper**, Vice Chairman; Robert **Boone**, Roger **Leland**, Pat **LaFleur**, Sue **Spalding**, Clerk; Tony **DeBruyn**, Treasurer; and Linda **Sweatt**, Secretary. Also present for the meeting: Superintendent Crawford Taisey, Tanya Sweatt, Nancy Adams, Kim Adams, Andy Spalding, Jeff Leland, Lesley Taisey, Rob Taisey, Patrice Kastenholz, Frank Kastenholz, Peg DeBruyn, Betty Kirkland, Tony Barr and Tony's friend.

MINUTES

(1) **ACTION: A motion was made** (Baker), seconded (Leland), and unanimously voted to accept as amended the minutes of the meeting held August 7, 2011.

CORRESPONDENCE

8/8 & 9/11 between Tanya Sweatt, Al Spalding and Faith Baker re: Regarding vibrations noticed on the Lilly B

8/08/11 from M. Hohn re: CUP Hearing Notice

8/09/11 from Al Spalding re: Stability Letter to USCG

8/09/11 from Caroline Pelletier from Freeport re: Annual Town of Freeport due Sept. 9

8/10 – 12/11 from F. Baker to Dale Olmstead, Freeport Officials, the Board of Overseers, and Committee Chairs re: Bustins/Freeport Annual Dinner

8/11-15/11 Jean Whiting and F. Baker Fwd Emailing: BIVC Board re: Schoolhouse Work

8/12/11 from T. Sweatt re: Boat Committee pizza party and other Lilly B issues

8/ 19 – 22/11 between Jeff Leland and F. Baker re: Bow hunting

8/21/11 Island Surveys – John Wood re: Island Survey Follow Up Items

8/22 & 23/11 between Tanya Sweatt, Rob Boone and Faith Baker re: Contact Info and Map for the Ferry Captains following Emergency on Bustins

8/23/11 several emails between the Board, Safety Committee and the Boat Manager re: Hurricane Irene

8/23/11 S. Spalding re: Rope Swing – accident on Little Diamond Island

8/25/11 D. Jellis with BIVC Broadcast Email – Hurricane Irene Bustins Plans

8/26/11 from Michael Coyle, new islander re: Email address to add to Broadcast List

8/27/11 F. Baker re: Update on Bustins Preparations for Irene

8/27/11 Broadcast Email: Bustins Hurricane Update re: Hauling of Float and Ferry

8/25 – 28/11 Received numerous emails of thanks for communicating on the hurricane issue

8/28/11 from L. Sweatt and others re: Effects of Storm Irene

8/28/11 from F. Baker Broadcast Email re: Effects of tropical storm

8/28/11 Letter from Jenson Baird Gardner & Henry re: Municipal Client Seminar on Sept. 29, 2011 at the Wyndham Portland Hotel

8/30/11 F. Baker re: Rope Swing Issue from William Dale

8/31/11 from Laura Vitali re: BIVC Wells having Coliform

9/01/11 series of emails to Board, Crawford Taisey, L. Vitali, Dan Jellis, and other professionals re: Posting and Retesting of Wells

9/01/11 from Lyn and Mike McElwee re: Willing to Print and Laminate Well Signs

9/02/11 S. Spalding from Andy Spalding Fwd: Email dated 8/15/11 from J. Clement, Army Corp of Engineers re: Commercial Mooring Application and Application for Special Anchorage.

Email Correspondence Received – stored by F. Baker

CLERK’S REPORT – Sue Spalding

Sue had no report at this time.

ADMINISTRATIVE ASSISTANT’S REPORT - Pat LaFleur

Pat had contacted all Committee Chairs to remind them to submit names for new appointees to be approved by the Board. She questioned the inactive committees. It was suggested that Pat speak to Kim and Jim Ryan about possibly being the Brewer Cottage Advisors.

Pat will remind the Planning Board to submit the changes in the permit fees structure.

Pat stated she has copies of all contracts and job descriptions, exclusive of the boat personnel. She reminded the Board of the following items which had to be attended to: job performance reviews for all boat employees and the closing of Bustins roads as of November 1, 2011.

- (2) ACTION: A motion was made** (Leland), seconded (Cooper), and unanimously voted to close the roads as per the following Order of Closing. Following a public hearing pursuant to Title 23 MRSA section 2953(2), and authorized by the voters of the Bustins Island Village Corporation at their Annual Meeting on August 2, 2008, and voted unanimously by the Board of Overseers at their meeting on the 4th of September, 2011, the undersigned Chair of the Board of Overseers of the Bustins Island Village Corporation, Maine hereby orders all Bustins Island roads closed from November 1, 2011 through April 30, 2012. Signed by Faith C. Baker, Chair, BIVC Board of Overseers.

TREASURER’S REPORT – Tony DeBruyn

Tony distributed the Register Report for 7/28/2011 through 9/1/2011. He noted the receipt of the Freeport tax payment of over \$170,000 and having transferred \$15,000 into the Blue fund.

- (3) ACTION: A motion was made** (Leland), seconded (Boone), and unanimously voted to authorize the payment of checks written and submitted by the Treasurer in the Register Report dated 9/1/2011 for the period 7/28/2011 through 9/1/2011.

Tony also distributed the Balance Sheet for FY 2011-2012, the 2010-2011 Funds Activity and the Statement of Revenues, Expenditures and Transfers for FY 2011-2012 through August 31, 2011. He stated there is presently approximately \$3000 for the mail contract. The mail carriers (boat captains) were paid \$240 per week (\$40 per day for 6 days per week). He also mentioned the payment of \$75 per week to the boat crew for hauling trash.

- (4) ACTION: A motion was made** (Baker), seconded (Leland), and unanimously voted to accept the Treasurer’s Report.

SUPERINTENDENT’S REPORT – Crawford Taisey

Trash Dumpster and Gravel – Crawford stated that the dumpster arrived along with the gravel for the roads. He made note that the dumpster was almost full.

Brewer Barn – Crawford has started the barn clean up. He spoke to Rob Taisey about cutting and chipping a few trees at an estimated cost of \$1200 for this work.

- (5) ACTION: A motion was made** (Lafleur), seconded (Leland), and unanimously voted to contract Rob Taisey not to exceed \$1200 for cutting and chipping trees around the Brewer property.

Trucks – Crawford recommended that the Ford pick-up truck be taken off the island for servicing.

Library – Crawford stated that the upstairs windows been delivered. There is still clean up under the building because leaves should be raked out. Crawford stated that after taking down the two large trees by the library, he found an old well which keeps the area very wet. He recommended diverting this water overflow because this water running through disrupts the footings. F. Baker requested Crawford speak to R. Tozier about this project

Public Ways – Crawford spoke to John Wood to get elevations at that area. John Wood gave the information to Barney Baker for an estimate on plans for new ways.

Also, there are loads of debris and junk at the ways to be cleaned up. The trailer would be filled with this debris and could be barged off by the Tozier barge for \$500 barging round trip.

(6) ACTION: A motion was made (Leland), seconded (Baker), and unanimously voted not to exceed \$1200 to contract Ron Tozier to barge off the trailer loaded with debris.

Post Office Counter – The Historical Society had the post office counter moved into the museum for the BIHS display. The Board wishes to look into this further. R. Leland recommended tabling this for later discussion by a subcommittee.

CEO REPORT – Ron Tozier

Ron was not in attendance.

OLD BUSINESS

Rope Swing – F. Baker communicated with William Dale, who wrote to inform the Board that the use of the rope swing was at the risk of the user and signs must be posted with information “to use at high tide” and at “own risk”. R. Leland recommended reasonably maintaining it with two clear signs and possibly marking the rock area.

Large Trash Removal – Crawford informed the Board that the dumpster was almost full and this trash pick-up was needed.

Postponement of the Freeport/Bustins Annual Dinner – F. Baker stated that the Annual Dinner had to be canceled due to the tropical storm and the lateness in the season.

Anchorage – Andy Spalding as Assistant Harbormaster requested information from the Coast Guard about designing our own anchorage area. He received applications. Rob Taisey, Harbormaster, stated that Freeport maintains an interest and we must be careful how we handle this. R. Boone suggested B. Cooper speak to Bill Dale on this issue. R. Leland suggested speaking to R. Tozier regarding special anchorage done at Chebeague. We have to educate people to put a light on all boats.

Concerning the mooring application for the Lilly B from the Army Corp of Engineers, it was suggested to have Andy Spalding and Rob Taisey do more research on this matter.

School House – F. Baker received a letter from Jean Whiting stating her concerns regarding maintaining the School House as a historical building. J. Whiting stated concerns about the underpinnings and the hole in the back wall of the building. C. Taisey stated that the sills and framing of the building are sound. P. LaFleur suggested the wall be patched and any building needs be taken care of as soon as can be. C. Taisey will patch the back wall at no charge. He stated the Community House generator could be stored inside the building for the winter.

Lights in the Clerk's Office – Rob Taisey spent time finding 24 volt lights. He estimated the pricing for three lights with breaker and installation for two lights in the Clerk's office and one light above the cot in the Emergency Safety Room at \$876.53.

(7) ACTION: A motion was made (Leland), seconded (Boone), and voted with one abstention to contract Assured Solar Energy to install the three lights with breaker as written in the submitted estimate not to exceed \$1000.

Grece Cottage Concerns – This issue was put on hold.

NEW BUSINESS

Wells – Three BIVC wells tested high for coliform. All three wells will be retested and treated as necessary. A notice of closing will be posted at the three wells. Crawford will coordinate with L. Vitali for the retesting.

Review of Hurricane Irene Preparedness – F. Baker thanked all for the help and work in preparing for Irene, which became a tropical storm. Chief Fournier was pleased about our plans and what was done in preparation. F. Baker was pleased with the positive correspondence from islanders.

Bow Hunting Request – A letter was received from Jeff Leland regarding bow hunting and our present deer population. It was stated that we have eleven deer with three bucks. Jeff Leland stated that the bow hunting season is from September through December and the gun hunting season is from October 29th through the end of November. S. Spalding mentioned looking into how other islands handle the hunting season. F. Baker requested that Jeff do bow hunting after the Columbus Day weekend.

Start Discussion with the CABI – F. Baker thanked CABI Officers Peg DeBruyn, Betty Kirkland, and Kim Adams for attending the meeting at the Board's invitation to get a better understanding of the financial responsibilities of both organizations.

Betty Kirkland reminded the Board that the CABI pays for the gas expenses for mowing the golf course and tennis court areas. The Kirkland family continues to volunteer to do the mowing with their personal equipment. She indicated that when the time comes when the Kirkland family no longer volunteers for these tasks, that the CABI cannot support the maintenance of the golf course and the tennis courts. It was determined that the CABI should plan ahead and prepare for the increased cost. All agreed that the CABI should prepare for increases and educate the Islanders as to how

they can contribute to the recreations they most use. The CABI may need to do more additional fundraising.

It was determined that the CABI will continue maintenance of the inside of the Community House and the BIVC will continue to take care of the maintenance of the exterior of the building. The exceptions are that the BIVC is responsible for the kitchen appliances, hot water heater, solar system, lighting inside the building, as well as the generator. The CABI will continue to be responsible for the stereo equipment with the sound system; will clean the building before and after all events; and will keep the kitchen stocked with necessary supplies.

Tony DeBruyn and Roger Leland pointed out that the Board has budgeted \$3000 from the Parks and Recreation budget as a contribution to the CABI to spend as it sees fit.

Betty Kirkland said that the CABI does not charge for events because of surplus funds received from contributors, as a way of giving back to the community. She also said that the Library receives no money from the CABI, only what is donated specifically to the Library by annual contributors.

In addition to the \$3000 contribution, the Board announced that the BIVC will now pay for all seasonal public outhouse cleanings formerly paid for by the CABI.

Tony DeBruyn suggested that the CABI make the community more aware of the current expenses incurred to support all the trips and events sponsored by the CABI each summer. The Board will support their efforts to educate the Islanders about contributing to the CABI.

Refrigerator for the Community House – Dave Guernsey has a used refrigerator he would like to donate to the BIVC. F. Baker told Dave that the refrigerator could be used but if anything went wrong and it was not useable, Dave would be responsible for remove it. C. Taisey will help Dave move this refrigerator to the Community House.

Clearing of the Area Opposite the Ewing Ice Pond – Rob Taisey asked the Board to consider the removal of branches and trees along the road opposite the Ewing Ice Pond to give better access to the fire equipment. T. DeBruyn requested that the Public Safety Committee speak to R. Tozier and the Landscape Committee to look into this request and submit a written proposal to clear this road area with a cost estimate for this work.

New Laws to Recoup Money – Clerk S. Spalding mentioned the new law LD 262 to recoup money for our closed landfill. F. Baker will contact the state about LD 262 and funding available.

Wood Chipping and Removal – Rob Taisey recommended that the Board consider further discussion about what to do with wood and the budgeting for chipping. He mentioned the possibility of a saw mill available for the island's use in the future.

COMMITTEE REPORTS

Boat Advisory Committee – Chairman Tanya Sweatt stated that the Committee has looked into a number of issues. The Free Ridership Log is in place. T. Sweatt and A. Spalding checked out the vibrations of the Lilly B and found out that the boat should be

running at a standard of 2000 to 2100 RPMs to avoid any vibrations. Tanya spoke to Lesley about this and to inform all captains to run the boat at the designated RPMs.

Tanya made up a protocol list of numbers in case of any emergency. She suggested the Public Safety Committee handle the protocol for responding in regards to the Lilly B. The truck driver should be the main emergency responder and should be aware of this contact information. Then the boat captain needs this call list to get immediate information for an emergency. The Lilly B needs a map which shows the water depth information for all the smaller docks which she may need to use. R. Boone will contact the Public Safety Committee to be sure the list of emergency contacts is clear.

Tanya stated that the Lilly B needs new V-berth cushions and deck painting. She distributed the BAC Lilly B Electronics Proposal dated 9/2/2011 with cost breakdown information from L. Berry in her "Lilly B Safety and Maintenance Report for 2011", which was attached to the proposal. She stated the monthly cost for the GPS radio would be \$30 for weather system and chart updates. The Board did see the necessity of taking care of these expenses with the majority of the cost paid by the BIVC and the remaining recommended options be paid from the Jerry Baker Fund.

(8) ACTION: A motion was made (Cooper), seconded (Leland), and unanimously voted to purchase the radar, GPS chart plotter and VHF radio as stated in the proposal for a total of \$4699 to be charged to the BIVC.

(9) ACTION: A motion was made (Cooper), seconded (Baker), and unanimously voted for the purchase of satellite weather info antennae and the heading sensor as stated in the proposal for a total of \$1500 from the Jerry Baker Fund.

Tanya informed the Board that there is a billing book for individuals who owe ridership fees. The BAC is working on revamping the job descriptions for the positions of captain, deckhand, and boat manager. Tanya questioned the boat supervisor position. She requested R. Leland work on a noncompete clause for the new contracts. Tanya found the only mail contract information from 2006. F. Kastenholz will look for any other files with the last mail contract dated 2008 through 2011. Tanya feels that the Board must handle the mail contract.

Tanya stated that Brewers South Freeport Marine will handle the Lilly B maintenance, which was the Boatkeeper's job. L. Berry as boat manager knows the regular schedule for maintenance.

P. LaFleur inquired about the captain's special trips. Tanya stated that the boat captain earns a little extra money by having Captain's Boat Excursions. The CABI pays \$100 for its specials. The CABI and the boat captain work together. There are additional fuel costs but not labor costs.

Tanya handed P. LaFleur the Boat Advisory Committee Roster with an opening for an alternate member.

The Board thanked Tanya for the great job and all her work.

Brewer Cottage – No report.

By-Laws Review Committee – No report. The Board discussed the need for this committee.

(10) ACTION: A motion was made (Cooper), seconded (Leland), and unanimously voted to dissolve the By-Laws Review Committee.

Finance Committee – The Committee met on September 3rd and elected R. Leland as Chairman. The present Committee members are Chair R. Leland, Vice Chair J. Mellecker, associate members L. Larrabee and F. Bohem with Treasurer T. DeBruyn. The Committee is recommending Jason Sweatt and Scott Bonney as full members.

Harbormaster – Rob Taisey discussed the ledge marker situation. Taylor Martens helped Rob to install one of the slalom poles to be bolted into a stainless steel rod bolted into the ledge. He estimates the cost will be under \$500 for the four markers.

Landscape Committee – No report.

Parking Advisor – The Board feels there is no longer a need for this position. F. Baker will monitor the Bustins parking situation.

(11) ACTION: A motion was made (Baker), seconded (LaFleur), and unanimously voted to dissolve the position of Parking Advisor.

Planning Board – B. Cooper stated the CUP hearing will be in the spring. The Planning Board discussed the changes in the fee schedule for permits as 1 % the value of the construction.

Public Safety Committee – R. Boone stated that the Committee will meet September 5th. The plan is to sandblast the old trailer, then paint it and put in new flooring for use as a hose trailer. R. Boone stated that the hurricane preparation was well handled by F. Baker and she was praised for her work.

Roads Committee – No report.

Water Commissioner – L. Vitali will retest the three BIVC wells.

Zoning Board of Appeals – No report.

PUBLIC COMMENT

Tony Barr commented on the fact that the hurricane prompted some tree cutting. He stated that Rob Taisey has a tree hanging over the road which must be taken care of. He questioned when the Honey Wagon would be taken off to be cleaned and he was informed that it was taken off for emptying early in the season. Tony questioned the use of the battery operated vehicle used by Joan Hunziker and he was informed that Joan received permission to use this cart left by B. Ewing for anyone who needs to use it.

Tony stated that he was concerned about the log area and he would speak to R. Tozier, the Freeport Fire Chief and the state regarding the clean-up.

ADJOURNMENT (1:04 PM) and FUTURE MEETING SCHEDULE

Sunday, October 9, 2011 – 9:00 AM at the Brewer Cottage on Bustins Island, ME

Respectfully submitted,

Linda E. Sweatt
Board Secretary