



Bustins Island Village Corporation

Established 1913

MINUTES
Meeting of the Board of Overseers
May 8, 2024 @ 7:00PM
Via Zoom

**Minutes to be posted on website in lieu of zoom recording*

In Attendance:

Overseers: Mandy Meyer, Chris Zook, Craig Allard, Bob Canu, Ali Bushman

Jason Sweatt (Treasurer), Phil Taisey (CEO & Island Superintendent), Ken Barrows (Island Administrator), Emma Bushman (Secretary), David Garfield, Andy Spalding, Jason Roberts, Matthew Rowe, and Jayne Rowe

I. Acceptance of Minutes of April 10, 2024 meeting

A. Motion to accept the April 10, 2024 meeting minutes

- 1. Mandy Meyer - Yes*
- 2. Ali Bushman - Yes*
- 3. Craig Allard - Abstain (joined late)*
- 4. Bob Canu - Yes*
- 5. Chris Zook - Yes*

B. April 10, 2024 meeting minutes are approved

II. Treasurer's Report Review, Vote Register Report

A. Motion to approve the Register Report as of 5/8/24 in the amount of \$72,997.50

- 1. Mandy Meyer - Yes*
- 2. Ali Bushman - Yes*
- 3. Craig Allard - Abstain (joined late)*
- 4. Bob Canu - Yes*
- 5. Chris Zook - Yes*

B. Register Report as of 5/8/24 in the amount of \$72,997.50 is approved

III. Old Business

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- A. Lilly B Engine/Launch – Bob
 - 1. Ready for the season and in the water
 - 2. Still waiting for \$8,000 government grant
- B. Website Launch with Spring Letter – Jason
 - 1. Jason is working to switch over the domain names (will still be bivc.net)
 - 2. Elected/Appointed Officials Bio
 - 3. Will be adding
- C. Voter Registration Process 2024 - Mandy
 - 1. Still in progress
- D. Jason Roberts - Erosion Committee
 - 1. Update from April Visit
 - a) Discussion regarding photos of island erosion
 - b) Important for islanders to evaluate erosion themselves as well
 - 2. Road to Steamer Dock & other Hot Spots
 - a) The area near the tidal pool (on the road towards the steamer dock) is especially in danger
 - (1) Permit is not required to proceed with repairs
 - 3. Protocol for Storm Clean up Wood Splitter - Jason Roberts/Phil
 - 4. Discussion regarding erosion control procedures and next steps

IV. New Business

- A. Harbor Master - Mooring Area, Mooring Registration and By Laws Enforcement-Andy Spalding
 - 1. <https://bivc.net/docs/Bylaws/By-Laws%202023-08-05.pdf>
 - 2. Looking to gain clarity regarding regulations on mooring placement/boat size
 - 3. Discussion regarding mooring placement/boat size concerns and guidelines
 - 4. BIVC is looking to clarify things going forward
- B. Jeff Whiting E Bike Registration 2024 Season
 - 1. Looking to re-register for 2024 season
 - 2. Will need to fill out online registration form
- C. CEO & Alt CEO/LPI Oath and docs
 - 1. Discussion regarding CEO details
 - 2. Phil has a conflict of interest due to his contract work on the island, deputy CEO would need to certify in these cases
 - 3. *Motion to approve requested compensation to Barbara Skelton for role of Alternate CEO and API with a salary of \$100 per month*
 - a) *Mandy Meyer - Yes*

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- b) *Ali Bushman - Yes*
- c) *Craig Allard - Yes*
- d) *Bob Canu - Yes*
- e) *Chris Zook - Yes*

4. *Motion is approved*

D. New Fire Hoses - Safety Committee - future budget/expense

- 1. Need new fire hoses due to wear/tear on old ones
- 2. Around \$2500/hose

E. Revisit lines of communication - Bustins Broadcast, Bustins News, CABI Announcements, Social Media Announcements

- 1. Discussion regarding island communication

F. Any other new business

V. Island Administrator Report

A. Monthly Admin Task List

- 1. <https://docs.google.com/spreadsheets/d/1Qm8ZplEkMGSOprUn3gTriJH6nD8bNMdT/edit#gid=239883277>

B. Starlink/WiFi Update

C. Grant Update

- 1. Still waiting

D. Brush Pick up season 2024 (? for Spring Letter)

- 1. What to do with Storm Debris Protocol
- 2. Around \$8000 cost
- 3. Pat Reardon has recently purchased a chipper, may be able to use his
- 4. Looking to implement more regular brush pickups (possibly every other week)
- 5. Would need to determine who would be hired to do so, not currently in anyone's job description
 - a) Matthew will consider

E. 2024 Season Start Plan - Ken

- 1. Discussion regarding 2024 season start plan
- 2. Everything is looking good to go

VI. Appointed Officials, Employee & Committee Reports

A. Superintendent's Report - Phil

- 1. Large Item Trash PickUp Protocol (Spring Letter)
- 2. Public float is hooked up
- 3. Did some roadwork on the hill in front of the Dugan's cottage

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4. Working with the fire committee to fix some electrical issues
 5. Fire pond pumps have been put in place
 6. Looking to take apart the stage at the Community House for new curtains
 7. Inspected underside of steamer dock
- B. Boat Advisory Committee
 - C. Brewer Cottage Advisor
 - D. By-laws Review Committee
 - E. Code Enforcement Officer
 - F. Harbormaster
 - G. Landscape Committee
 - H. Planning Board
 1. BIVC.net Email Address request
 - I. Public Safety Committee
 - J. Water Commissioner
 - K. Webmaster
 - L. Zoning Board of Appeals
- VII. Correspondence of Note
- VIII. Running Action Items Review
- IX. Public Comment
- A. David Garfield:
 1. Concerns regarding off-season meeting announcements
 - a) Announcements were implemented during Covid
 - b) Moving forward we will just have meetings posted on the meeting calendar located on the BIVC website
 2. Concerns regarding new website
 3. Concerns regarding Zola on old website
 4. Concerns regarding documents currently getting posted on website as PDFs
 - B. Matthew Rowe:
 1. Request for well schedule
 2. Inquiry regarding truck driver phone
- X. Next Meeting Saturday, June 15th at CH
- XI. Executive Session
- XII. Adjourn

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(VII.) Correspondence of Note -

4/11/24 - email Kent Nelson via Ken Grant Decisions in May

4/11/24 - email & phone calls Mandy pertaining to CEO/Alt CEO & LPI

4/11/24 - email Sue Spalding on upload of Clerk files 1992-2023 on shared BIVC Drive

4/14/24 - email Jason Sweatt online liability form test for tractor

4/14/24 - email from Ben MacDonald via Ken no tracks on golf course this Spring Bohem septic project canceled (removing from running action list)

4/16/24 - Starlink Service via Ken

4/19/24 - email David Garfield on meeting minutes posting and Ferry Schedule 2024

4/22/24 - email SmartProcedure via Emma public record request (2nd email) - Mandy responded stating our employee contact info is on website

4/22/24 - emails via Ali and Matt Rowe on Truck/Trash job description & contract

4/28/24 - email Jeff Whiting ebike renewal 2024 season

4/28/24 - email Bob Canu about old engine disposal & proof

4/28/24 - email Andy Spalding Harbor Master about Bustins Mooring Field (see New Business)

5/6/24 - email Steve Crane/Jim Boyko Fire Hose Replacements

5/6/24 - email Ken USPS needs copy of our Insurance for Lilly B carrier

(VIII.) Running Action Items

-Cave Work, J. Woods maps - Ali

-Brush Pick Up Service Reenacted, Large Trash Pickup 2024, Chemical Disposal

-Gasoline Storage/Transport

-Post Office Underpinnings/Drainage – Craig

-Grant Updates - Ken

-Possible New Island Vehicles

-Superintendent Truck / Gator – Phil

-Lawn Mower

-Fire Truck - Ken

-Solar Upgrades on BIVC Buildings – Mandy

-Set up Meeting/Visit with Squirrel Island / Debbie Kerr – Mandy

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2024 Proposed Annual Meeting Items

Sponsor

2024 Schedule for Board of Overseers:

Saturday, June 15, 2024	10:00AM	Bustins Island, ME
Saturday, July 6, 2024	10:00AM	Bustins Island, ME
*Saturday, July 20, 2024	10:00AM	Bustins Island, ME
Saturday, August 3, 2024	Annual Meeting	Community House
**Sunday, August 4, 2024	10:00AM	Bustins Island, ME
Saturday, September 14, 2024	10:00AM	Bustins Island, ME

*Meeting held for Annual Meeting Prep If needed

**Post Annual Meeting Recap

- On island meetings may be held at either the Community House, Brewers Cottage or School House

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<https://bivc.net/docs/Bylaws/By-Laws%202023-08-05.pdf>

Article XXI HARBOR USE AND MOORING REGULATIONS (as adopted August 4, 2007)

I. Purpose The purpose of this ordinance is to provide for the just and orderly operation of all activities in and around the marine facilities, the mooring areas of Bustins Island, Maine, and the immediate surrounding waters. II. Authority This ordinance is adopted pursuant to the authority granted by Title 38 M.R.S.A. section 1 et seq. as amended and the Home Rule provisions of the Constitution of the State of Maine. III. Definitions For this Article only, the following terms shall have the meaning herein designated unless a contrary meaning is required by context or is specifically prescribed: A. Harbor Master: A person appointed by the Board of Overseers to administer and enforce this ordinance. B. Assistant Harbormaster: A person appointed by the Harbor Master to assist the Harbor Master in the administration and enforcement of this ordinance. C. Mooring Area: Any part of the harbor limits in which one (1) or more moorings are located. D. Resident: A person owning, or having a beneficial interest in a trust, corporation, or limited partnership or renting property on Bustins Island. E. Transient Vessel: A vessel whose intended stay does not exceed five (5) days. IV. Harbor Limits and Thruway By-Laws as amended through August 5, 2023 BL-12 of 20 A. Bustins Island harbor limits shall be that area surrounding Bustins Island between mean high tide and a distance of three hundred (300) yards offshore. (Except for the throughway provisions below, those waters adjacent to Little Bustins Island and Sow and Pigs Island shall be exempt from these regulations for the residents and invited guests of those two islands.) B. The Harbor Master shall maintain a thruway of at least seventy-five (75) feet in width, extending from the Bustins Island float through the mooring area on the south side of the Island to the end of the harbor limits past Little Bustins Island and may, with the approval of the Board of Overseers, designate additional throughways as safety may require. V. Rules of Harbor Use A. Bustins Island Float and Steamer Dock. The use of the Float and the Dock is restricted to the Bustins Island Ferry and to the residents of Bustins Island and their invited guests. Use of the float by non-residents is allowed only with permission of the Harbor Master and/or the Island Superintendent. 1. The intended use of the Bustins Island Float is solely for the loading and unloading of vessels, and for the mooring of skiffs. No skiff or gear shall be stored on the float for more than one tide. Tie-ups at the float shall be limited as follows: a. Face: Restricted for use of the Bustins Island Ferry and for the loading and unloading of passengers and freight by other vessels. b. Rear: For the tie-up of skiffs under twelve (12) feet. c. Sides: For the overflow tie-up of skiffs under twelve (12) feet. For the temporary tie-up of By-Laws as amended through August 5, 2023 BL-13 of 20 vessels over twelve (12) feet, limited to fortyfive (45) minutes. 2. The intended use of the Steamer Dock is for the loading and unloading of freight and materials and for the occasional loading and unloading of passengers, subject to the following restrictions: a. Material shall not be stored on the Steamer Dock without the permission of the Harbor Master and/or the Island Superintendent. b. Vessels or skiffs shall not be left unattended. B. Operation of Vessels Vessels shall be operated within the Bustins Island harbor limits in a reasonable manner so as not to endanger persons or property or to cause excessive wash. In no case should speed exceed five (5) knots while operating within the mooring or accepted anchorage areas. C. Moorings and Outhauls 1. For municipal use, the Bustins Island Village Corporation shall have priority on selection of mooring and outhaul locations. 2. Residents may place moorings and outhauls at will, provided that said moorings

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and out hauls comply with the priority guidelines in Sub-Section C.1 above and as set out below. Non-resident moorings and out hauls may be placed upon registration with and the approval of the Harbor Master. Transient vessels may anchor at will, subject to the approval of the Harbor Master. Within space-available limits, requests for a particular location or area shall be approved by the Harbor Master in the following order of priority: a. Resident shorefront owners for locations immediately adjacent to frontage. b. Resident pleasure vessel owners. c. Resident pleasure vessel owners with multiple locations. By-Laws as amended through August 5, 2023 BL-14 of 20 d. *Resident rental mooring owners. e. Resident commercial vessel owners. f. Non-resident pleasure vessel owners. g. Non-resident commercial vessel owners. (*Private mooring rental requires prior written approval of Harbormaster and US Army Corps of Engineers.) 3. Any person using the Island facilities or the mooring areas shall assume all risk of damage or loss to his person or property. The Bustins Island Village Corporation shall not be responsible for any loss resulting from fire, theft, or an act of God; or for any damage of any kind to persons or vessels operating within the mooring areas or using said facilities. D. Outhauls: Outhauls may be placed by residents without registration or fee but shall be placed so that the outhaul lines and the vessels attached thereto do not interfere with navigation through the mooring area or to existing or approved docks and/or moorings and the vessels normally tied thereto. Placement of outhauls shall be in accord with the priorities of Sub-Section C.2 above. E. Registration: All moorings shall be registered with the Harbor Master. 1. Residents or designated family members of residents shall be entitled to register up to four (4) moorings. A separate specific boat owned by the resident shall be listed for each of these moorings except that one mooring may be designated and labeled as a guest mooring. Guest moorings may not be rented. Harbor Master may assign unoccupied guest moorings to transient vessels. 2. Non-Residents shall register moorings with the Harbor Master. 3. Each registration application shall be on a form provided by the Harbor Master. By-Laws as amended through August 5, 2023 BL-15 of 20 4. Mooring ball markings: All mooring balls shall be white with a blue horizontal stripe and shall be clearly marked and visible at high tide with either the mooring owner's name, the vessel's name as it appears on the mooring registration or the mooring number assigned by the Harbor Master. 5. The Harbor Master may remove from the anchorage area moorings that do not comply with this ordinance except that a grace period for existing moorings will extend through July 31, 2008. 6. The Harbor Master shall keep a harbor plan showing at least the location of all moorings and all thruways through them. F. Waiting List: In the event that there be multiple requests for the same mooring site, the Harbormaster shall maintain a waiting list on a first-come-firstserved basis within the priorities established in SubSection C.2 above. VI. Restrictions The following restrictions shall apply to the mooring area: A. The operation of Jet ski-type vessels is prohibited within the mooring area. B. No vessel involved in the towing of a person or persons on water skis, surfboards, aqualungs or similar device shall be permitted within the mooring area except for the purpose of entering or exiting the landing area. C. No person shall discharge, allow to be discharged, or spill sewage, garbage or other waste matters from watercraft within the mooring area. D. Lobster cars and work floats may be located in the harbor area with permission of the Harbor Master. Lobster buoys shall not be located in a thruway. E. Aquaculture in the harbor area requires a Conditional Use Permit from the Planning Board. By-Laws as amended through August 5, 2023 BL-16 of 20 F. Pier construction requires a Conditional Use Permit from the Planning Board and the Harbor Master shall advise the Planning Board on the merits of such pier construction. VII. Enforcement The Harbor Master of Bustins Island shall administer the rules of Harbor Use and Mooring Regulations, as set out herein, governing the marine facilities and mooring areas of Bustins Island. Said Harbor Master shall be appointed by the Board of Overseers for a term of not less than one year. The duties and responsibilities of the office are

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to be as prescribed by Title 38, M.R.S.A., and such additional duties as may be required to administer and enforce the provisions of this ordinance within the authority granted by law.

VIII. Penalties for Violations A. Violations of any of the provisions of this ordinance shall be deemed a civil violation for which a fine of not less than \$25.00 nor more than \$250.00 shall be adjudged. Said fines shall be enforceable by the Harbor Master or any other law enforcement officer with jurisdiction in the Town of Freeport. Each day a violation continues shall be considered a separate offense. B. Other violations of the laws of the State of Maine shall be penalized as provided in Title 38 M.R.S.A., Sect. 1 thru 285. IX. Appeal Persons aggrieved by the decisions of the Harbor Master may appeal to the Board of Overseers. Such appeal shall be made in writing and all decisions of the Board of Overseers shall be considered final.