

**Minutes of the Meeting
of the Board of Commissioners
of the Fishers Island Ferry District
August 7, 2012**

A meeting of the Board of Commissioners of the Fishers Island Ferry District was called to order on Tuesday, August 7, at 4:33pm by Commissioner Brooks at the Fishers Island Community Center.

Present were Commissioners: Brooks, Burnham, Edwards, and Rafferty.
Commissioner Herrick was present via video-conference and therefore was ineligible to vote.
Present was Assistant Manager, Gordon Murphy.
Seven members of the public were present.

Commissioner Brooks opened the meeting and declared a quorum present. He invited the public to make any brief comments relevant to the agenda.

Deb Shillo asked that the list of open items from the previous meeting be reviewed by the board. Items that are completed should be removed and the remaining items should be assigned to individuals to complete. Commissioner Brooks suggested the items be added to Commissioner Rafferty's work list.

Paul Giles stated he noticed on the web page that Commissioner Rafferty took minutes for the special meeting held on July 21, 2012. Was there a vote on the temporary suspension of the manager? Commissioner Rafferty stated "I am not prepared to comment" in addition the actions were all according counsel's direction.

RESOLUTION 1:

Minutes of the meeting held on July 17, 2012 were reviewed and minor changes were made, a motion was presented to accept the minutes as amended.

MOVED by Commissioner Rafferty

SECONDED by Commissioner Burnham

Ayes: All

Nays: none

RESOLUTION 2:

Minutes of the special meeting held on July 24, 2012 were reviewed; a motion was presented to accept the minutes.

MOVED by Commissioner Rafferty

SECONDED by Commissioner Burnham

Ayes: All

Nays: none

Election update:

The fire house is secured to host the election; counsel will be available telephonically during election. Commissioner Brooks asked how many candidates are there. Mr. Murphy responded two, Robert Wall and Peter Rugg.

Audit update: Mr. Murphy reported we are nearing the end of the audit. We have a meeting scheduled for this week to go over preliminary items and they are very minor. Finish up on GASB45 is scheduled for this week. Once the GASB45 material is to the pension consultant the audit will finish up.

Property management: Two tenants continue to have issues; Mr. Murphy is having trouble getting the tenants' attention because of the summer season. One tenant is delinquent on their rent. Commissioner Brooks directed Mr. Murphy to advertise for the rental of the annex space.

Some work has been done on the theater. Commissioner Brooks asked if attendance is up or down. Mr. Murphy stated that July's social calendar was crowded, but attendance was in line with 2011. Other events are being booked to find out what the public desires.

Nina Schmidt's rental property, Mr. Murphy did a walk thru. Went fine, windows need work. Commissioner Brooks asked about the garage behind the building. Mr. Murphy stated that it should not be knocked down. The area around the structure should be cleared out.

Town Fathers Meeting update: The Ferry will pick up and return the town staff.

Warrants:

RESOLUTION 3:

A list of outstanding obligations of the District were reviewed and discussed. All invoices were declared to abide by the Procurement Policy. At the conclusion of the discussion, a resolution was made to pay the outstanding obligation of: **\$366,365.70** as represented in vouchers dated August 7, 2012.

MOVED by Commissioner Edwards

SECONDED by Commissioner Rafferty

Ayes: All

Nays: none

Update to the public: Commissioner Herrick suggested that there is a need to send out an update to the public. Items to be covered in the update would be schedule changes, operations manager, advertise the annex space rental, feedback about the schedule coordinating with the trains. Commissioner Herrick is going to draft the communication. The other commissioners will send items to Commissioner Herrick.

Correspondence:

Mr. Dan Gillan, the school coach, emailed regarding the visiting team rates for the upcoming season. Commissioner Edwards stated, Mr. Gillan was to provide a report from last season. The section from the November 15, 2012 minutes was read. “The Board approved a motion to allow up to twelve (12) members per team and two (2) coaches to attend athletic competitions for the magnet student rate of \$8.00 per person. Commissioner Edwards requested that Dan Gillian make an effort to schedule an equal numbers of events for the girls’ teams as for the boys – Mr. Gillan agreed. Mr. Wyrofsky was asked to keep a record of the number of tickets sold in this manner and the policy will be reviewed in six (6) months.” Mr. Murphy was instructed to contact Mr. Gillan requesting the report. The board will review this at a future meeting.

Off peak schedule: Commissioner Edwards prepared a schedule option. Conversation ensued. Commissioner Herrick spoke to the rates changing on May and June 15th. Conversation as to when the rates change. Make it consistent. Edwards 2nd Wednesday as a suggestion. Asked Paul Giles, the 15th always moved. Herrick suggested always the Wednesday after Labor Day. 2nd Wednesday of June was suggested by Edwards. Schedule change, 2nd wed in May for rate change. Thru the 1st wed after Labor Day.

RESOLUTION 4:

Resolved, that the Off Peak Schedule for the period beginning September 6, 2012 through June 15, 2013, a copy of which is attached to these minutes be and is hereby approved.

MOVED by Commissioner Edwards
SECONDED by Commissioner Rafferty
Ayes: All
Nays: none

Resolution suggestion - Peak vs. Off Peak Schedule: to be presented at the next meeting.

Whereas it is the desire of the Commission to cause seasonal changes to schedules and prices to fall during the middle of the week so as to minimize disruption to operations; and

Whereas the Commission desires to establish and promulgate predictable patterns of operational scheduling and pricing for the public;

Now therefore be it:

Resolved, that until further notice, it is the intention of the Commission to cause future changes to occur more or less as follows :

Peak vs. Off Peak Schedule:

- (i) The Off Peak Schedule shall end on the second Wednesday of June and the Peak Season Schedule shall commence on the ensuing Thursday; and
- (ii) The Peak Season Schedule shall end on the first Wednesday of September following Labor Day, and the Off Peak Schedule shall commence on the ensuing Thursday; and

Summer Rates vs. Winter Rates

- (i) Winter Rates shall end on the second Wednesday in May, and Summer Rates shall commence on the ensuing Thursday; and
- (ii) Summer Rates shall end on the first Wednesday of September following Labor Day and Winter Rates shall commence on the ensuing Thursday.

Insurance:

Mr. Murphy suggested a subcommittee (two commissioners) for Finance, Audit, and Insurance, to work with management and third parties to present to the Board. Commissioner Rafferty volunteered.

Commuter Ferry: Commissioner Herrick will chair the project.

Grant Writer: Commissioner Edwards spoke to an individual he is not ready to report yet. A conference call could be set up with this candidate to discuss this with the Board next week. Commissioner Edwards will forward the writer's web site to the Board. Commissioner Edwards will see if the candidate is available Wednesday 15, 2012, after 5pm. A special meeting will be called.

North Dock Ramp Repair: Commissioner Brooks asked Commissioner Edwards for a report; Commissioner Edwards reported ramp work needs to be rebid. A conference call is planned on the same day as the grant writer. Conversation ensued.

Advertise for Managers Position: Commissioner Rafferty reported on the search process for a new manager. Margo Larson of KardasLarson has been contacted. The conversation will continue in Executive Session.

Policy review: Mr. Murphy stated there is no hard and fast policy for Commercial Vehicles regarding the twenty-five minute rule. He was under the impression that the rule was for all traffic. Commissioner Burnham recommended that management make a policy with the following: that if a commercial makes a “bump and run” reservation the twenty five minute rule is waived. The vehicle must be at the boat 10 min before the boat leaves. Conversation ensued.

RESOLUTION 5:

A 10-minute rule for staging is in effect for all commercial vehicles that have a reservation to return to the mainland on the same ferry they arrived on. The Captain has the right to waive this rule providing the ferry can depart Fishers Island on time.

MOVED by Commissioner Edwards

SECONDED by Commissioner Rafferty

Ayes: All

Nays: none

Commercial traffic going stand-by from New London was tabled.

At 5:50pm Commissioner Brooks proposed that the Commission moved to Executive Session for the purpose of discussing: (i) personnel, and (ii) legal matters.

Motion by Commissioner Rafferty

Seconded by Commissioner Burnham

Ayes: All

Nays: none

Motion to exit Executive Session was made by Commissioner Edwards

Seconded by Commissioner Burnham

The Commission adjourned Executive Session at 6:45pm and reconvened.

RESOLUTION 6:

RESOLVED, that, effective June 6, 2012, the District appoints Stephanie Jaworowicz as a seasonal part-time purser.

RESOLVED, that, effective June 7, 2012 at 23:59 p.m., the District terminates the employment of Stephanie Jaworowicz as a seasonal part-time purser.

MOVED by Commissioner Rafferty

SECONDED by Commissioner Edwards

Ayes: All

Nays: none

RESOLUTION 7:

Resolved, that the District hereby retains Kardas Larson Human Resources Solutions, of Niantic Connecticut, to assist the Commission in retaining a new Manager for the District, all pursuant to the terms of the Kardas Larson proposal, dated August 7, 2012, (“Proposal”) reviewed by the Commissioners; and

Resolved Further, that the Chairman be and is hereby authorized and instructed to execute and deliver the Proposal by and on behalf of the District and in general to secure the professional services of Margot Larson of Kardas Larson at the rate of \$110 per hour all as outlined in the Proposal.

MOVED by Commissioner Rafferty

SECONDED by Commissioner Burnham

Ayes: All

Nays: none

RESOLUTION 8:

Whereas, the Fishers Island Habitat Committee (“HC”, now a Sub-Committee of the Fishers Island Conservancy) has completed extensive studies of habitat management and brush control on Airport Lands, and presented the District with detailed studies of cost effective and environmentally sensitive methods of land management and native grass restoration, all of which appear to be consistent with EPA and FAA regulations; and

Whereas the HC has recommended a multi -year protocol for maintenance of the Airport Lands, copies of which have been received and evaluated by the Commissioners (“Plan”), and

Whereas, the HC has asked for \$10,000 annually to complete the Plan for a period of several years; and

Whereas the HC appears to be uniquely qualified to provide sophisticated environmentally sensitive, cost effective maintenance of Airport Lands;

Now therefore be it:

Resolved, that the HC be and is declared a sole source provider of the Plan consistent with Guideline Number 7 of the District Procurement Policies; and

Resolved Further, that the HC be and is awarded a contract for maintenance of Airport Lands in the amount of \$10,000 consistent with the Plan for 2012; and

Resolved Further, that the foregoing maintenance contract notwithstanding, the District shall be responsible for mowing and maintenance of all lands within 12 feet of any runway, or other airport paved surface, buildings, improvements or electrical installations.

Moved by Commissioner Rafferty
Seconded by Commissioner Burnham
Ayes: Commissioners Brooks, Burnham, and Rafferty
Abstained: Commissioner Edwards
Nays:

The Board will take under consideration a letter from Don Brown requesting housing. We, the Board, would like to thank Dave Burnham for his twenty years of service and dedication.

The next regular meeting will be held on Tuesday, August 17, 2012 at 6:00 pm in the Fishers Island Community Center. (Budget meeting)

There being no further business to discuss, and on motion made by Commissioner Edwards, seconded by Commissioner Burnham and unanimously adopted, the meeting was adjourned at 6:52 pm.

Deborah Shillo
Board Secretary

**Minute Extract of the Special Meeting
of the Board of Commissioners
of the Fishers Island Ferry District
November 20, 2012**

Commissioner Rafferty reported that he had reviewed the audio tapes for board meetings held on July 24, 2012, August 7, 2012 and August 28, 2012 and he found that audio recordings differed from the approved minutes. As such he requested the following amendments:

July 24, 2012

WHEREAS, a review of the audio recording of the minutes of the meeting of July 24, 2012 reveal that the written minutes as approved and posted to the District website were posted (in part) in error; and

WHEREAS, the Commissioners wish to correct the minutes to reflect the record as actually recorded;

NOW THEREFORE, BE IT RESOLVED, that the unnumbered resolution appearing on page two of the minutes of the meeting of July 24, 2012 between Resolution 3 and Resolution 4 be amended to read as follows:

“RESOLVED, that the Commission move into Executive Session for the purpose of discussing the employment history of certain employees as well as legal matters involving attorney client privilege.

Moved: Commissioner Rafferty (at 19:34 hours)

Seconded: Commissioner Herrick

Ayes: Brooks, Burnham Edwards, Herrick and Rafferty

Nays: None”

August 7, 2012

WHEREAS, a review of the audio recording of the minutes of the meeting of August 7, 2012 reveal that the written minutes as approved and posted to the District website were posted (in part) in error; and

WHEREAS, the Commissioners wish to correct the minutes to reflect the record as actually recorded;

NOW THEREFORE, BE IT RESOLVED, that the unnumbered resolution appearing on page five of the minutes of the meeting of August 7, 2012 between numbered Resolution 5 and numbered Resolution 6 be amended to read as follows:

“RESOLVED, that the Commission move into Executive Session for the purpose of discussing the employment history of certain employees as well as legal issues involving attorney client privilege.

Moved: Commissioner Rafferty (at 5:50PM)

Seconded: Commissioner Burnham

Ayes: All

Nays: None”

August 28, 2012

WHEREAS, a review of the audio recording of the minutes of the meeting of August 28, 2012 reveal that the written minutes as approved and posted to the District website were posted (in part) in error; and

WHEREAS, the Commissioners wish to correct the minutes to reflect the record as actually recorded;

NOW THEREFORE, BE IT RESOLVED, that the unnumbered resolution appearing on page one of the minutes of the meeting of August 28, 2012 prior to numbered Resolution 1, be amended to read as follows:

“RESOLVED, that the Commission move into Executive Session for the purpose of discussing the employment history of certain employees and how that might lead to candidates for replacement of a commissioner.”

Moved: Commissioner Rafferty (at 4:51PM)

Seconded: Commissioner Edwards

Ayes: All

Nays: None”

RESOLUTION:

Resolved, that the minutes for the meetings dated July 24, 2012, August 7, 2012 and August 28, 2012 be and are hereby amended as indicated in the preceding paragraphs:

Moved: Commissioner Rafferty

Seconded: Commissioner Edwards

Ayes: All

Nays: None

Abstain: Commissioners Rugg as he did not attend the meetings