

**Minutes of the Special Meeting
Of the Board of Commissioners
Of the Fishers Island Ferry District
August 28, 2012**

A special meeting of the Board of Commissioners of the Fishers Island Ferry District was called to order on Wednesday, August 28, 2012 at 4:46pm by Commissioner Brooks at the Fishers Island Community Center.

Present were Commissioners: Brooks, Edwards, Rafferty and Wall.

Present was Assistant Manager, Gordon Murphy.

Four members of the public were present.

Public Comment:

Paul Giles: Re appointment for a resignation of Commissioner, if the time is more than one year does it require a special election. Commissioner Brooks stated that legal counsel had advised regarding the appointment. Conversation ensued.

Peter Gaillard: Why was the resignation so close to the election? The Board is not aware of the reason for the resignation.

At 4:51 hours Commissioner Rafferty proposed that the Commission moved to Executive Session for the purpose of discussing: (i) personnel, and candidates for the replacement of commissioner.

Motion by Commissioner Rafferty

Seconded by Commissioner Edwards

Ayes: All

Nays: none

Motion to exit Executive Session was made by Commissioner Rafferty

Seconded by Commissioner Edwards

The Commission exited Executive Session at 5:05 hours

The resignation of Commissioner Herrick was accepted by the Board.

RESOLUTION 1:

Be it RESOLVED, that, effective August 28th, 2012 Peter Rugg be appointed to replace Commissioner Herrick.

MOVED by Commissioner Edwards

SECONDED by Commissioner Rafferty

Ayes: Commissioners Brooks, Edwards, and Rafferty

Nays: Commissioner Wall

Public Comment:

Paul Giles: Stated to the Board, the town did not vote to elect Peter Rugg. He suggested an election next year for two commissioners.

Warrants:

RESOLUTION 2:

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: **\$36,762.22** as represented in vouchers dated August 28, 2012.

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

North Ramp Update:

Commissioner Brooks stated that he spoke with John Cushman, town employee Noah Nadelson CIPFA that a bond could be available for the North ramp repair. The project could start in November 2012; there is an allocation of funds in the 2012 budget.

Professional Service Appointment: The appointment of Alyson Matthews from Lamb & Barnosky at a rate of \$210 per hour to assist in Civil service positions/HR counsel. The Board all agreed.

North Ramp Update Conference Call:

Conference call with Keith Neilson: Mr. Neilson met with the New York D.E.C. last Wednesday to review the scope of the work and presented a plan install a new bulkhead behind the existing bulkhead and a 18-20 foot ramp, 30 foot long, new counter weights and bumper system. The DEC said it could be a modification. The paperwork has been arranged to be processed thru Sherry Ikert. Mr. Neilson is forwarding the application to the board to sign. Mr. Neilson met with board of trustees to obtain an amendment for option B or C. Option C would be preferable and this option would offer about a 40 year life. The NY DEC form is to be filled out and submitted. This is consistent with the waterfront plan. Mr. Neilson believes we are in position to go to bid. US Army Corp of engineers indicated if the scope has not changed we can proceed because the project is being built into land.

They are finalizing the design documents now with Charles Brown. The recommendation is for option C.

The documents are now about 80% complete. The contract could be awarded by Thanksgiving and the work order by November.

Plan A represents installation of an 18 foot wide by 24 foot long ramp. The new bulkhead could be run inside the existing southeast and southwest walls of the ramp well, requiring removal of the northwest wall and the wall beyond that going over the Coast Guard facility. I have shaded the area in where this wall removal will be taken place and it is blue to represent open water. The ramp is shown to scale, along with the new counter weight towers, the counter weights and the bumper piles. Note that this option will also require relocation of the outer dolphin at the port stern of the ferry.

Concept plan B represents an 18 foot wide by 30 foot long ramp and this ramp is set back into the existing drive. The southeast wall is inside of the existing southeast wall of the ramp well which should ease construction options slightly, but requires the ramp to be slid farther to the northwest which crowds the property line and requires dolphin relocation out beyond the property line. The new bulkhead is recessed approximately 6 feet into the existing property which makes room for the new ramp, without exceeding the existing ramp footprint. This keeps the Race Point inside of the critical clearances that was discussed during previous design iterations.

Concept plan C involves the most work because all four of the interior walls of the lift well and the wall running to the Coast Guard will be removed. The new wall will be set back 6 feet into the pavement, allowing the new 18 by 30 foot ramp to occupy the existing ramp footprint. The counter weight towers, counter weights, and bumper piles are shown. This concept does not necessarily require relocation of any of the dolphins.

Conversation ensued.

The Board instructed Mr. Neilson to proceed with the plans and documents. When more is finalized this will go to a vote, possibly at the next meeting September 6, 2012.

Grant Writer: A grant writer is still being perused. A list of grant priorities is to be developed by Commissioner Rafferty.

Captain Matt Lynch was approved to attend a port security class in New Haven. The Board agreed to pay for his mileage and time.

Mr. Murphy reported the new health plan is going forward.

RESOLUTION 4:

Motion to approve the 15 year Longevity at 5% for Jesse Marshall effective September 17, 2012. Mr. Marshall's pay rate would go from \$26.60 to \$27.93.

MOVED by Commissioner Edwards

SECONDED by Commissioner Wall

Ayes: All

Nays: none

RESOLUTION 5:

Be it RESOLVED, that Robert S. Craft will be paid at the rate of \$22.00/hour when working as a Captain and \$11.18/hour when working as a Deckhand, effective August 28, 2012.

MOVED by Commissioner Rafferty

SECONDED by Commissioner Wall

Ayes: All

Nays: none

RESOLUTION 6:

To amend the resolution of August 7th, 2012 appointing Stephanie Jaworowicz as a seasonal part-time purser. It is therefore noted that her hourly rate was \$10.30 per hour.

RESOLVED, that, effective June 6, 2012 the hourly rate was \$10.30 per hour for the employment of Stephanie Jaworowicz as a seasonal part-time purser.

Moved by Commissioner Edwards

Seconded by Commissioner Rafferty

Ayes: All

Nays: None

The next regular meeting will be held on Thursday, September 6, 2012 at 4:45 pm in the Fishers Island Community Center.

Public Comment:

Paul Giles: Clarification on the Minutes of August 7th regarding the manager's termination. There was no vote on Aug 7th - Rafferty responded there was no vote. Mr. Giles was unclear of the date. There was a vote on Tuesday, July 24th, Resolution #4.

Who is the manager of Fishers Island Ferry District, Gordon Murphy is handling the financial and Steve Burke is handling Marine Operations? Are you seeking a manager? The manager's job will be posted on the web page.

Conversation ensued.

There being no further business to discuss, and on motion made by Commissioner Rafferty, seconded by Commissioner Wall and unanimously adopted, the meeting was adjourned at 6:32 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