

Minutes of the Meeting of the Board of Commissioners
Fishers Island Ferry District
January 7, 2019

Commissioner Ahrens at the Fishers Island Community Center called a meeting of the Board of Commissioners of the Fishers Island Ferry District (“the Ferry District”) to order on January 7, 2019 at 4:30 PM.

Commissioners Heather Burnham, William Bloethe and Peter Rugg were present. Also in attendance were Geb Cook, Gordon Murphy, RJ Burns and Deanna Ross. Diane Hansen was present via telephone. Commissioner Dianna Shillo was absent. There were no members of the public present.

Commissioner Ahrens established that a quorum was present. Everyone in attendance pledged allegiance to the flag.

Housekeeping

RESOLUTION 2019 - 001

It is RESOLVED to elect Andrew Ahrens as Chairman of the Board of Commissioners of the Fishers Island Ferry District for the year 2019.

Moved by: Commissioner H. Burnham
Seconded by: Commissioner P. Rugg
Ayes: W. Bloethe, H. Burnham and P. Rugg
Nays: None
Abstained: A. Ahrens

Correspondence/Public Comment – Mr. Cook reported that two letters of correspondence were received. Mr. Cook received a letter from Ms. Midred Perringer expressing dissatisfaction with the treatment she received by Mr. Murphy when attempting to renew her Fishers Island resident ferry card. Mr. Murphy reported that Ms. Perringer received her new card. Discussion ensued among the BOC regarding the current requirements set to confirm residency and has acknowledged many gray areas. The BOC has requested management to review the criteria and seek legal opinion regarding the qualifications of residency and return with recommendations. Mr. Cook will respond to Ms. Perringer.

A letter was received by Bob Rogers requesting fare abatement for upcoming medical treatments requiring frequent daily travel. The BOC has agreed and Mr. Cook will respond to Mr. Rogers.

Warrants

RESOLUTION 2019 - 002

RESOLVED, that the Board of Commissioners of the Fishers Island Ferry District hereby approves the Warrant dated January 7, 2019, in the amount of \$21,837.13.

Moved by: Commissioner P. Rugg
Seconded by: Commissioner A. Ahrens
Ayes: A. Ahrens, W. Bloethe, H. Burnham and P. Rugg
Nays: None

RESOLUTION 2019 - 003

RESOLVED, that the Board of Commissioners of the Fishers Island Ferry District hereby approves the Warrant A dated January 7, 2019, in the amount of \$10,000.00.

Moved by: Commissioner P. Rugg
Seconded by: Commissioner H. Burnham
Ayes: A. Ahrens, W. Bloethe, H. Burnham and P. Rugg
Nays: None

Traffic Update - Mr. Cook updated the BOC. 2018 Passenger and Vehicles were up 4,321 and 358 respectively from previous year 2017. 2018 commercial vehicles were down 142 from 2017. Commissioner Burnham reported that it has been brought to her attention by several people that occasionally when there are two people in a car, the crew member is handed two full tickets and instead of splitting both round trip tickets, the passengers gets 1 full ticket in return. Discussion ensued and the BOC believes that this defeats the purpose of the two way ticketing system and that every round trip ticket should be split. Mr. Burns will advise the crew to split all round trip tickets.

Freight Rates - The BOC will review, discuss and vote on the new proposed freight rate changes at the working session of the next BOC meeting on January 22, 2019. The new effective date has been changed to February 15, 2019. Management has agreed to notify the public of on the Fishers Island website and post the new freight rates on the FIFD bulletin board and website.

2019 BOC Goals - Mr. Murphy reported that in the past, management and the Board have compiled a list of yearly goals. The Finance Committee has already discussed some with management. Commissioner Rugg stated that in the past, fundamentally it has been executing on the budget and what was planned in the budget to get done for that year. The BOC and management will discuss the 2019 goals and begin prioritizing at the next BOC meeting working session.

Management Reports

MU/RP Updates - Mr. Burns updated the BOC. Munnatawket arrived at Goodison Shipyard today for its new engine install. Mr. Burns will be visiting the shipyard on Wednesday with the project manager and the shipyard co-owner to review the specs and walk through and discuss any other questions they may have. Mr. Burns did report that as with any project, there is potential for growth including bottom paint, shaft bearings and one or two new shafts. Mr. Cook pointed out that Goodison is \$40,000 less than Thames Shipyard. Munnatawket is expected to return in two months from date of delivery. Commissioner Rugg asked Mr. Burns if the captains will be able to easily shift between the Munnatawket with new controls and the Race Point with old controls. Mr. Burns responded that there will be an adjustment period and has built in time for the captains to learn and get comfortable with the new controls. The transmission company, Twin Disc will be spending an entire day with the captains and engineers for mandatory training.

Race Point is back in service. While there was no real demand for the larger boat, extra time was taken for needed housekeeping and maintenance. The major work in the engine room has been completed and the bilge pump was cleaned out.

Mr. Burns will be attending an open house at the school this Thursday to answer any questions or concerns with parents and students. The student shadowing program is going well and that student Ian Tirabassi has expressed interest in working for the FIFD in the summer.

Mr. Burns and Mr. Haney are working on coordinating all the training for 2019 including first aid, hazardous material handling, forklifts, etc.

Mr. Burns regretfully informed the BOC that 14 year veteran crew member Eddie Bridgeman is at home receiving home hospice care. The BOC thanks Eddie for his years of service.

Free Passage - Management has provided the numbers for the 2018 free passages including Our Lady of Grace with 66 passengers and 56 vehicles, St. John's with 11 passengers and 10 vehicles, Union Chapel with 41 passengers and 31 vehicles, NY State Police with 88 passengers and 81 vehicles, and Church of the Rock with 39 passengers and 34 vehicles. Discussion ensued and there was agreement among board members that Church of the Rock has not had a congregation in some time. Mr. Cook will address with Mr. Karl Eiriksson. Discussion also ensued regarding the NY State Police. Management is uncertain if Cross Sound Ferry provides free passage to NYSP. There was general consensus that turnover of the State Troopers is much more frequent than in the past years; however acknowledges the benefit of the NYSP on Fishers Island. Management and the BOC acknowledge that this is a sizable amount and wishes for the TOS to be made aware.

Property Management Agreement/Property Tax - Mr. Cook and Mr. Murphy updated the BOC. The FIFD has yet to receive a tax bill from the TOS. Management was made aware of the tax bill via attorney Finnegan who asked why the bill was not paid. The TOS sent the bill to Mr. Finnegan. Mr. Murphy pointed out that nobody from the TOS Assessors office reached out to the FIFD. Discussion ensued regarding the TOS taxing their own property that the FIFD manages. At this time, management has been seeking legal advice and nothing has been resolved.

Passenger Ferry - Mr. Cook updated the BOC. After speaking with the broker who is now requesting a check, the purchase and sale agreement has been modified with a now prospective closing date of February 15, 2019. The Finance Committee and management are continuing to work on the analysis that will be presented to the BOC at the next working session on January 22, 2019.

Legal

RESOLUTION 2019 - 004

WHEREAS, the Board of Commissioners of the Fishers Island Ferry District ("BOC") authorized a refundable \$10,000 deposit to , Kirby Perkins Construction, Inc. ("Seller") for the sale of a twenty passenger U. S. Coast Guard certified ferry boat for the purchase price of \$500,000; and

Whereas the Seller has requested that the check be held in escrow with Sparkman & Stephens LLC ("S&S") during the thirty (30) day due diligence period.

NOW, THEREFORE BE IT RESOLVED, that the BOC wishes to amend its Resolution 2018-243 by authorizing its Manager to make a refundable \$10,000 deposit to S&S at the time of execution of the Vessel Purchase and Sale Agreement.

Moved by: Commissioner P. Rugg

Seconded by: Commissioner A. Ahrens

Ayes: A. Ahrens, W. Bloethe, H. Burnham and P. Rugg

Nays: None

RESOLUTION 2018 – 243

WHEREAS, the Board of Commissioners of the Fishers Island Ferry District (“BOC”), in accordance with the provisions of the Enabling Act of the Fishers Island Ferry District, has the authority and duty to control and supervise ferry operations; and

WHEREAS, the BOC has identified the need to provide the residents and taxpayers of the District with passenger only trips New York and Connecticut; and

WHEREAS, the BOC has received a proposal from Kirby Perkins Construction, Inc. (“Seller”) for the sale of a twenty passenger certified ferry boat for the purchase price of \$500,000, with a refundable deposit of \$10,000 and a thirty (30) day due diligence period.

NOW, THEREFORE BE IT RESOLVED, that the BOC authorizes and directs Ferry Manager Geb Cook to execute the Vessel Purchase and Sale Agreement subject to review and approval of District Counsel and the Town Attorney; and be it

FURTHER RESOLVED that the Ferry District is authorized to make a refundable \$10,000 deposit to the Seller at the time of execution of the Vessel Purchase and Sale Agreement.

Moved by: Commissioner Burnham

Seconded by: Commissioner Ahrens

Ayes: A. Ahrens, W. Bloethe, H. Burnham and D. Shillo

Nays: None

Insurance - Mr. Murphy believes that insurance needs to be part of the Property Management Agreement. Discussion ensued regarding the FIFD liability of properties that the TOS Highway Department uses including The Highway Barn and the Salt Shed. Further discussions to follow.

Theater - Mr. Murphy reported that the electric issue has not been resolved and Mr. Cook has received no response from the Public Utility Commission. Discussion ensued. All present expressed lack of understanding in how the Theater, with very minimal equipment, could create a surge of that proportion. The BOC has agreed to refuse payment of the January bill of \$2400 at this time. Mr. Murphy stated that the Friends of the Fishers Island Theater, Inc. are looking to have another agreement for the summer. Mr. Cook has agreed to call the PUC again. Management and the BOC wish to publicize an article on the Fishers Island Website to make the public aware of the issue.

Road to Transfer Station - Mr. Murphy reported that he spoke with the TOS Highway Department regarding the condition and poor drainage of the road leading to the transfer station. Superintendent Or-

lando stated he would look into the matter on his next visit to Fishers Island. Mr. Murphy reported that the road is owned by the TOS. Management and the BOC will write a letter to the Highway Department addressing the matter.

Other - Commissioner Rugg reported that he spoke with Mr. Frank Sinatra regarding the possibility of hiring a lobbyist firm to assist in moving the Enabling Act forward. Discussion ensued. Commissioner Rugg has agreed to inquire further and reach out to several lobbyist firms, as well as, Mrs. Mere Doyen regarding lobbyists at the town level.

Settlement:

RESOLUTION 2019 -005

WHEREAS, the District was presented with a claim by Z&S Fuel Services, Inc. for the sum of \$152.40 as reimbursement for freight damage on 12/6/18 while the battery was being transported as freight on the M/V Munnatawket; and

WHEREAS, the Board of Commissioners of the Fishers Island Ferry District has determined that it is in the best interests of the District to resolve this claim to avoid the expense and uncertainties of litigation;

Therefore be it RESOLVED, that the Board of Commissioners of the Fishers Island Ferry District approves the settlement of this claim, and directs management to make payment of the settlement amount of \$152.40 subject to the approval of District Counsel and the Southold Town Attorney.

Moved by: Commissioner H. Burnham

Seconded by: Commissioner W. Bloethe

Ayes: A. Ahrens, W. Bloethe, H. Burnham and P. Rugg

Nays: None

HR

RESOLUTION 2019 -006

Whereas Civil Service is retiring the Clerk title;

Therefore it is RESOLVED that Sarah Freeman be appointed Cashier (FIFD) with effect January 17, 2019 and be released from her current title, Clerk, at the end of business January 16, 2019. Her wage rate remains the same at \$12.50 per hour.

Moved by: Commissioner W. Bloethe

Seconded by: Commissioner P. Rugg

Ayes: A. Ahrens, W. Bloethe, H. Burnham and P. Rugg

Nays: None

Executive Session

At 17:50, the following resolution was proposed: RESOLVED, that the Commission move into Executive Session for the purpose of discussing personnel matters.

Moved by: Commissioner H. Burnham
Seconded by: Commissioner A. Ahrens
Ayes: A. Ahrens, W. Bloethe, H. Burnham and P. Rugg
Nays: None

At 18:26, the following resolution was proposed:

RESOLVED, That the Commission exit from Executive Session and resume Public Session.

Moved by: Commissioner A. Ahrens
Seconded by: Commissioner P. Rugg
Ayes: A. Ahrens, W. Bloethe, H. Burnham and P. Rugg
Nays: None

Next Scheduled Meeting – Tuesday, January 22, 2019 at 4:30 pm with a 3:30 pm working session at the Island Community Center.

Adjournment

There being no further business to discuss, and on motion made by Commissioner P. Rugg, seconded by Commissioner A. Ahrens, the meeting was adjourned at 6:27 pm.