

**Minutes of the Meeting  
of the Board of Commissioners  
of the Fishers Island Ferry District**

A meeting of the Board of Commissioners of the Fishers Island Ferry District was called to order on **Tuesday, October 4, 2011** at 1:45 pm by Commissioner Brooks at the New London Ferry Terminal meeting room.

Present were Commissioners: Brooks, Burnham, Edwards, Herrick and Rafferty. Eleven members of the crew were present as well as Nick Daukas, Tom Marian and Peggy D from the auditing committee, Nina Schmid, Reynolds DuPont Jr, and Catherine Edwards.

Commissioner Brooks opened the meeting and declared a quorum present.

Minutes of the meeting held on September 6, 2011 were reviewed and amended according to Commissioner Rafferty's suggestions. There were amendments to item #3 in Old Business, item #3 in New Business and the Public Comment section. The minutes were approved with the changes.

Moved by Commissioner Edwards

Seconded by Commissioner Herrick

Ayes: Brooks, Burnham, Edwards, Herrick and Rafferty

Minutes of the Special Executive Session Meeting held on Thursday, September 8, 2011 were reviewed and approved.

Moved by Commissioner Edwards

Seconded by Commissioner Brooks

Ayes: Brooks, Burnham, Edwards, Herrick and Rafferty

Nays: none

Minutes from the meeting held on September 20, 2011 were reviewed and amended. There were amendments to items #1 and #4 in Correspondence, item #2 in Old Business and item #1 in New Business. The minutes were approved with the amendments.

Motion by Commissioner Rafferty

Seconded by Commissioner Burnham

Ayes: Brooks, Burnham, Edwards, Herrick and Rafferty

Nays: none

A list of outstanding obligations of the District were reviewed and discussed. A resolution was made to pay the outstanding obligation of: **\$41,097.15** as represented in vouchers **#1815 through #1844** dated October 11, 2011 by:

Moved by Commissioner Rafferty

Seconded by Commissioner Herrick

Ayes: Brooks, Burnham, Edwards, Herrick and Rafferty

Nays: none

Commissioner Brooks verified that the \$5,000.00 reimbursed to Joseph Henderson fulfilled the Ferry District's obligation to the Habitat Committee for the year 2011. Commissioner Rafferty asked Mark Easter what the repair to the New London Terminal from Tropical Storm Irene entailed – Mr. Easter replied that there had been some undermining along the parking lot and that it had been repaired by filling the area with concrete. Commissioner Rafferty inquired as

to the damage claim from the Karpel Clinic Van which Mr. Easter replied had occurred in June or July and was the fault of the crew. Commissioner Rafferty verified that the contract with Advantech Consulting had been altered – Ms. Schmid replied that it was a good move; Mark Easter replied that the charge had occurred due to a major power problem in which the server was out of commission and had caused problems with internet reservations.

### **Correspondence**

1. The Commissioners reviewed the letter from Joe Henderson of the Habitat Committee in which he thanked the Ferry District for their annual \$10,000.00 donation to maintain the Parade Ground and Airport. Mr. Henderson referred to the Fire District's interest in clearing the kudzu vines from the gun emplacement at the Parade Ground. Catherine Edwards explained that the Fire District had agreed to pay \$4,000.00 toward the removal of the kudzu vines in two installments – one to be paid now and the other to be paid in the spring of next year.

### **Old Business**

1. Ms. Schmid informed the Board that there was no news on the North ramp repairs but that she would keep the Commissioners informed.
2. The 2012 Budget Hearing is scheduled for Saturday, October 8<sup>th</sup> at 3pm at the Community Center. The Board requested that John Cushman supply the September numbers by the meeting time.

### **New Business**

1. There was discussion about the hiring of Richard Jenkins as a part-time deckhand. Mark Easter presented a letter to the Board dated September 28, 2011 in which he supported hiring Mr. Jenkins. A resolution was passed to hire Richard Jenkins as a part-time deckhand at the rate of \$10.29 per hour effective October 13, 2011.  
Moved by Commissioner Rafferty  
Seconded by Commissioner Burnham  
Ayes: Brooks, Burnham, Edwards, Herrick and Rafferty  
Nays: none
2. A resolution was passed approving John Morgan for a 5 year longevity increase of 3%.  
Moved by Commissioner Herrick  
Seconded by Commissioner Rafferty  
Ayes: Brooks, Burnham, Edwards, Herrick and Rafferty  
Nays: none  
Commissioner Rafferty thanked Mr. Morgan for his hard work and consistent performance.
3. The Commissioners discussed Mark Easter's request to attend the PVA Meeting in Boston, Ma on November 9-10, 2011. Mr. Easter requested the funds for himself and Steve Burke to attend the meeting. Mr. Easter believes that the meeting is a cost effective way to keep abreast of what is going on in the maritime industry. Commissioner Brooks suggested that two (2) other captains should attend the meeting also – Mr. Easter is concerned about the logistics in running the ferry if four captains are absent at one time. Commissioner Edwards suggested that the Safety Officer and Training Officer should attend with Mr. Easter and Mr. Burke. Commissioner Rafferty would like to give Mr. Easter a budget and let him decide who should attend.

4. Commissioner Brooks verified that a letter had been sent to Reynolds DuPont Jr. expressing the Board's gratitude for the offer of legal council if the Town ever decides to impose property taxes on the Ferry District for property which the District manages for the Town.
5. Ms. Schmid expressed concern about the status of the liability package. Commissioner Rafferty informed the Board that he had met with Randy Carnahan and that he was very pleased with Mr. Carnahan. Commissioner Rafferty had asked Mr. Carnahan about the cost of increasing the liability coverage from the current \$10 million to possibly \$15 million or \$20 million – the cost is approximately \$1000 annually per \$1 million increase in coverage. Commissioner Rafferty is not unhappy with the current \$10 million in coverage but would like the rest of the Board to examine the options of increase. This topic will be placed on the next meeting's agenda.
6. Ms. Schmid asked the Board if anyone would like to attend the ICB meeting this Saturday to represent the Ferry District – Commissioner Brooks agreed to attend.
7. Commissioner Edwards inquired again as to why the approved minutes were not on the website yet. Ms. Schmid replied that she and Mr. Doherty will check with the company that manages the website.

### **Public Comment**

Ben Burdick, a member of the crew, inquired as to where he should use the name tags given him by Mark Easter as he only has a couple of Ferry District shirts on which his name is already embroidered. Mr. Burdick informed the Board that he does not have a winter jacket and would like one if possible. Mark Easter explained that the name tags given Mr. Burdick today were for now and future use since a new uniform system will begin in January. Mr. Burdick then asked the Board why there is no salary range or ladder for part-time employees – Nick Daukas replied that there is a salary range for part-time employees as provided in the HR study. Mr. Burdick requested to see the part-time employee ladder – Commissioner Rafferty asked Mr. Daukas to provide the employees with the ladder which his HR firm was paid to create and if necessary sit down and explain it to the employees with questions. Mr. Daukas stated that the COLA plan was already in effect which determines pay increases. Commissioner Brooks stated that the Board had looked at the ladder in the last six (6) months but had not approved it – they will continue to work on it.

Ray LeFevre asked about the ladder progression for full-time ticket and freight agents – he had asked about the same topic in the past and received no response. Commissioner Brooks responded that the Board is still working on developing this ladder also. Commissioner Edwards stated that he thought Mr. LeFevre had been moved up to the minimum pay according to the ladder system suggested by the HR firm. Commissioner Brooks will investigate further.

Captain Jesse Marshall requested that the Board consider adding another step in the captain's ladder. Commissioner Brooks replied that nothing is 100% and that the ladder system is an ongoing process still. Captain Marshall questioned the legality according to NYS Civil Service Law of the language in the new employee handbook concerning the "at will" employee. Commissioner Brooks deferred the response to Nick Daukas who replied that the terminology had been approved by the Ferry District's current attorney, Rich Zuckerman. Captain Marshall replied that he does not believe that it complies with NYS Civil Service Law as was suggested by the District's previous legal counsel – Commissioner Brooks stated that the Board will check with their attorney again to verify. Commissioner Rafferty agreed with Commissioner

Brooks in that the Board will consult with Mr. Zuckerman and get an answer for Captain Marshall.

Captain John Morgan inquired as to why the Commissioners had made a resolution denying free guest ridership for family and friends of full-time employees. Commissioner Rafferty replied that there was a lot of confusion about the past policy and that the Board thought that guests may be a distraction for safety reasons. He continued that the Board strives for fairness for all employees and that employees are already paid at or above the current market value without considering health care and other benefits. Commissioner Rafferty stated that he believes that the Board made a good decision and that the new policy is reasonable – he also stated that the new policy had been approved unanimously by the Board. Commissioner Brooks asked Captain Morgan if he believed that guests would be a distraction in the event of an emergency while on board – Captain Morgan replied that guests would not be a distraction to him. Commissioner Brooks stated that he had requested for Mr. Doherty to investigate the possibility of a Family Day for ferry employees, but Mr. Easter replied that is not what the employees want. Mr. Easter stated that he believes it is acceptable to have friends and family aboard since the “captain is accountable for his vessel.” Commissioner Brooks requested that Mr. Easter provide the Board with a policy concerning guest ridership that he feels is appropriate. Ms. Schmid reminded the Board that the audit saw free guest ridership as lost revenue. Commissioner Edwards stated that when he joined the Board he believed the policy to be that only full-time employees, priests and state police were allowed free ridership although he has found out recently that spouses and children of employees were also allowed to ride for free. Reynolds DuPont stated that free guest ridership is a “PR compensation not a benefit compensation” and that this was always a nice fringe benefit and gesture from the Board to let family ride for free. Commissioner Edwards expressed that he sees it primarily as a safety issue. Commissioner Brooks informed those employees present that if they had issue with the new policy that they should tell Mr. Easter and have him present it to the Board. Commissioner Herrick stated that she does not believe that it costs the Ferry District anything and that she looks forward to changing the policy in the future.

Engineer John Paradis asked when handbook policies will be discussed. Commissioner Brooks requested that Nick Daukas discuss the policies with employees at the handbook presentation scheduled for next week – Mark Easter will schedule the appropriate amount of time to answer all questions.

Reynolds DuPont inquired as to the status of Mr. Doherty’s impending retirement and whether the Board had begun the process by which to find a replacement since it is a lengthy process from his experience. Commissioner Brooks responded that the Board had begun the process to replace Mr. Doherty.

The Board and employees in attendance presented Reynolds DuPont with a life preserver signed by many past and present employees. Mr. DuPont responded that it was a pleasure to serve on the Board for 35 years and that it was possibly the most rewarding thing that he had done in his life.

The Board entered into Executive Session at 2:55 pm to discuss personnel.

Motion by Commissioner Brooks

Seconded by Commissioner Herrick

The Board returned from Executive Session at 4:45 pm.

The next meeting, the Annual Budget Hearing, is scheduled for Saturday, October 8, 2011 at 3 pm at the Community Center.

The meeting adjourned at 4:46 pm.

Motion by Commissioner Rafferty

Seconded by Commissioner Burnham