

**Town of Mount Desert
SelectBoard Meeting Minutes
Meeting Room, Town Hall
6:300 PM, March 2, 2020**

Board Members present were Chair John Macauley, Rick Mooers, Matt Hart, Martha Dudman, and Wendy Littlefield.

Town Manager Durlin Lunt, CEO Kimberly Keene, Treasurer Kathy Mahar, Public Works Director Tony Smith, and Town Clerk Claire Woolfolk were in attendance.

Members of the Public were also present.

I. Call to order at 6:30 p.m.

Chair Macauley called the Meeting to order at 6:29PM.

II. Public Hearing(s)

A. May 4 & 5, 2020 Annual Town Meeting Proposed Warrant Articles for Appropriation of Funds, Ordinance Amendments, and Ordinances

The Public Hearing was opened. Chair Macauley asked for public comment. There was no public comment.

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, closing the Public Hearing. Motion approved 5-0.

The Public Hearing was closed.

III. Minutes

A. Approval of Minutes from February 24, 2020 meeting

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval of the February 24, 2020 Minutes as presented. Motion approved 4-0-1 (Hart in Abstention).

IV. Appointments/Recognitions/Resignations

None presented

V. Consent Agenda *(These items are considered routine, and therefore, may be passed by the Selectmen in one blanket motion. Board members may remove any item for discussion by requesting such action prior to consideration of that portion of the agenda.)*

None presented

VI. SelectBoard Reports

No SelectBoard reports were presented.

VII. Unfinished Business

A. Review and Votes on Warrant Articles for May 4 and 5, 2020 Annual Town Meeting
Town Attorney Andy Hamilton was present by phone for a review of the Warrant Article status.

Proposed Articles removed from the Warrant include:

- Zoning Board of Appeals

- MD365 Boundary Line Agreement
- Lighting was pulled on the recommendation of the Sustainability Committee.

Article Progress includes:

- Article 6, a sewer ordinance Attorney Hamilton worked on with the Public Works Director. The SelectBoard has acted on this Article.
- Article 7, a Special Amusement Attorney Hamilton worked on with the Town Clerk. The SelectBoard has acted on this Article.
- Articles 8 through 11 are Land Use Zoning Ordinance amendments and recommended for approval by the Planning Board as appropriate.
- Articles 17 through 21 have been acted on by the SelectBoard.
- Articles 33 through 35 have been acted on by the SelectBoard.

All Articles on which Attorney Hamilton assisted have been completed and acted on by the Board.

Article 36: *To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 200 through 221 General Government – Governing Body (Board of Selectmen), Municipal Management, Town Clerk, Registrar, Elections, Planning Board, Finance, Treasurer, Tax Collector, Assessment, Code Enforcement, Unallocated Funds, Human Resources, and Technology for the 2020-2021 Town Budget. (Board recommends \$1,480,221.00).*

Town Manager Durlin Lunt noted this Article required a re-vote, as the amount in the Article has decreased by \$1,000, with the new total reflected in the proposed Article. Manager Lunt noted the numbers are final, as far as the Town is concerned. The amount could be changed at Town Meeting.

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, to recommend Article 36 for passage as presented. Motion approved 5-0.

Article 47: *To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 851 Libraries, Village Improvement Societies, Recreation, and Public/Social Service Agencies for the 2020-2021 Town Budget.*

Mr. Mooers recommended that based on the information provided and the presentations of the third-party representatives, that Libraries receive \$35,500.00, Recreation receive \$88,000.00, Village Improvement Societies receive \$61,000.00, and Public/Social Service Agencies receive \$120,207.00. These figures reflect a reduction of \$3,700.00 in Public/Social Services Agencies, based on removing those groups who failed to provide a representative to explain the request, and also a reduction of \$5,000 for the Village Improvement Societies to reflect omission of the increase requested by the Seal Harbor Village Improvement Society. Last year the request was raised by \$5,000, and this year the request has again risen by \$5,000. It was noted the increase is necessary to cover the cost of employee health insurance. Mr. Mooers felt it was not the responsibility of the citizens of Mount Desert to subsidize health insurance. Such a benefit should be paid for through an employee's salary.

Mr. Mooers' suggested sum totals \$304,707.00.

The third-party requesters who failed to provide a representative include the American Red Cross requesting \$1,500.00, Northern Light Homecare requesting \$1,200.00, and SPCA of Hancock County requesting \$1,000.00. The Northeast Harbor Ambulance Service was not in attendance as they had a required training that night. For this reason, their request would not be deleted.

1 Discussion ensued regarding whether the Seal Harbor VIS requested increase would be to cover
2 health insurance increases or public bathroom supplies.

3
4 Mr. Mooers reiterated he could not vote for the increase. The Town is being asked to subsidize
5 what is essentially a Town position that includes mowing town property and maintaining a town
6 beach. The increase should be funded through the Village Improvement Society.

7
8 Northeast Harbor Village Improvement Society member Jerry Suminsby noted the Village
9 Improvement Societies handle the vestiges of what work has not been turned over to the Town for
10 maintenance through the years. Without support, the work will eventually revert to the Town.

11
12 Warrant Committee Member Katrina Carter spoke with the Seal Harbor VIS and found they take
13 care of the fire station, clean the winter sand from the roads, and sweep the boardwalk. She felt
14 Seal Harbor looks better than other areas that are Town-maintained.

15
16 Chair Macauley agreed with Mr. Mooers, however he felt it was too late in the budgeting process
17 to make this change. Further discussion was required for future policy.

18
19 Mr. Suminsby reiterated that the Town's VIS groups are doing work on Town property. Perhaps a
20 conversation should take place with the VIS groups prior to budgeting time. Chair Macauley
21 clarified that the issue at hand was not the work the VIS groups do, but the funding of a salaried
22 position with benefits, and whether it made sense to fund it separately or absorb the position into
23 the Town.

24
25 Warrant Committee Member Carmen Sanford noted the 3rd party request form from the Seal
26 Harbor VIS states *"You will note on the application and on the budget the VIS is requesting a*
27 *grant increase of \$5,000 to help cover rising health insurance costs, as well as the cost of*
28 *employee maintaining and supplying the comfort station at the Seal Harbor Beach."*

29
30 Ms. Dudman noted that the VIS groups in Town do a great job, and the money requested is going
31 into a larger fund to be spent on a number of things. She did not feel the increase was out of line,
32 given the good work the Seal Harbor VIS does.

33
34 Mr. Hart felt there were two issues. The Seal Harbor VIS has a history of regular annual increases.
35 There must be a tipping point at how much they are given each year, and it probably warrants a
36 discussion. Another discussion to have is whether it makes sense to incorporate the position into
37 the Town's Public Works Department. Regarding what the money given is earmarked for is
38 irrelevant if residents believe the money is well spent.

39
40 Ms. Dudman agreed with Mr. Mooers that money should not be approved for groups that did not
41 show for the third-party requests.

42
43 Ms. Littlefield inquired about the increase to the Great Harbor Museum request. Manager Lunt
44 noted it is a public bathroom. Because the building is privately owned, Public Works can't go in
45 to maintain it. Chair Macauley noted this was another issue that needed to be discussed.

46
47 MOTION: Ms. Dudman moved, with Mr. Mooers seconding, to recommend Article 47 for
48 passage, and with the amounts set as follows: Libraries to receive \$35,500.00, Recreation to
49 receive \$88,000.00, Village Improvement Societies to receive \$66,000.00, and Public/Social
50 Service Agencies to receive \$120,207.00, for a total of \$309,707.00. These figures reflect a
51 reduction of \$3,700.00 in the Public/Social Services Agencies requested amount, as the following

1 three agencies will not be included as they failed to represent themselves to request funds:
2 American Red Cross (requesting \$1,500.00), Northern Light Homecare (requesting \$1,200.00),
3 SPCA of Hancock County (requesting \$1,000.00). The amount of the funds recommended for
4 approval totals \$309,707.00. Motion approved 3-1-1 (Mooers Opposing, Hart in Abstention).
5

6 It was agreed that further discussion was required on a number of points brought up in the
7 discussion. Ms. Dudman noted that a new system for third-party notification, such as posting the
8 request form on the website instead of sending it to each organization. Mr. Suminsby suggested
9 providing more information in the request form might curtail long explanations during the
10 meeting.
11

12
13 Pretty Marsh resident Rick Fuerst requested the opportunity to discuss Article 32 regarding Indian
14 Point Road. It was noted the Article has been voted on, but an amount has not been approved by
15 the Board.
16

17 Mr. Fuerst asserted that those who addressed the Board were not representative of all those living
18 in Pretty Marsh. Most of those living in Pretty Marsh did not seem to know the issue had been
19 brought before the SelectBoard.
20

21 The amount of traffic and the rate of speed on the Indian Point Road makes the area unsafe to
22 walk, and few walk there. Widening the road will only make the traffic there worse. The area is
23 rural, and a wide road is not conducive to the area. Those who live in the area will be losing front
24 yard property to such a road widening. Mr. Fuerst pointed out that the Warrant Article is
25 introducing the first step in a project that could cost upwards of three quarters of a million dollars
26 so a handful of people can walk in the area. The cost of construction is extremely high in the face
27 of what benefit it will generate. Spending the money to make the study implies the work is going
28 forward. Mr. Fuerst requested the Article be reconsidered for inclusion in the Warrant.
29

30 Director Smith noted the Article voted on is more than just a concept study and covers design of
31 the road. The amount for the work proposed in the Article is \$65,000.00. Director Smith's had a
32 number of calls from others in the area with concerns similar to Mr. Fuerst's.
33

34 Ms. Dudman noted that when the issue was presented to the Board, she was under the impression
35 it was an outcry from the neighborhood. She hoped if the Warrant goes to Town Meeting that
36 those in opposition would attend to make their arguments against the project. Mr. Fuerst hoped
37 the issue could be headed off prior to the Town Meeting. He felt other avenues could be explored
38 for less money.
39

40 Chair Macauley asked about safety. Director Smith noted that building shoulders would move the
41 ditch further from the travel way, which is a safety benefit. However, the road is acceptable and
42 functional as is. Pretty Marsh resident Clayton Jones noted his house is 20 feet from the road, and
43 his well 8 feet from the road. He's already moved his house back once. There are a number of
44 other houses in the area that will lose yard, trees, and shrubs.
45

46 There are a number of trails in the area that can be walked.
47

48 It was suggested perhaps removing the Article from the Warrant for further discussion.
49

50 MOTION: Mr. Hart moved, with Ms. Dudman seconding, removing Article 32 from the Warrant.
51 Motion approved 4-1 (Mooers in Opposition).

Mr. Mooers stated he was voting in opposition because a decision was made based on one group's presentation, and now another decision is being made based on another group's presentation, and the Article is already approved. At this juncture, Mr. Mooers felt it more appropriate to discuss the issue on the floor of Town Meeting to let the Townspeople decide the issue.

Article 30: *To see if the Inhabitants of the Town of Mount Desert will vote to transfer X thousand dollars from the Undesignated Fund Balance Account #100-38300 to reduce the 2020-2021 tax commitment.*

Manager Lunt and Treasurer Mahar agreed that \$400,000 was an appropriate amount to transfer.

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, to recommend Article 30 for passage and a recommendation of transferring \$400,000 from the Undesignated Fund Balance Account #100-38300 to reduce the 2020-2021 tax commitment. Motion approved 5-0.

Article 31: *To see if the Inhabitants of the Town of Mount Desert will vote to transfer X thousand dollars from the Capital Gains Reserve Account #400-24202 to reduce the 2020-2021 tax commitment.*

Manager Lunt noted no transfer was made last year. He recommended no transfer from Capital Gains as those funds were going to other areas. Treasurer Mahar agreed. There was currently \$300,000 over the established baseline funds, however nearly all of that has been earmarked for other uses.

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, to recommend Article 31 for passage and a recommendation of transferring \$0.00 from the Capital Gains Reserve Account #400-24202 to reduce the 2020-2021 tax commitment. Motion approved 5-0.

Treasurer Mahar felt there was no need to include the article if no money was being transferred.

MOTION: Ms. Littlefield moved, with Mr. Hart seconding, to remove Article 31 from the Warrant. Motion approved 5-0.

Town Clerk Woolfolk noted that Article 49 could not be completed without completion of Articles voted on at this meeting. A meeting would be scheduled to vote on Article 49.

VIII. New Business

A. Winter Spring Inc. d/b/a Colonel's Restaurant 143 Main Street, Northeast Harbor request for Liquor License Renewal

MOTION: Mr. Hart moved, with Ms. Littlefield seconding, approval of Winter Spring Inc. d/b/a Colonel's Restaurant 143 Main Street, Northeast Harbor request for Liquor License Renewal, as presented. Motion approved 5-0.

IX. Other Business

A. Such other business as may be legally conducted
No Other Business was presented.

X. Treasurer's Warrants

A. Approve & Sign Treasurer's Warrant AP2050 in the amount of \$360,401.39

MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, approval and signature of Treasurer's Warrant AP2050 in the amount of \$360,401.39, as presented. Motion approved 5-0.

1 B. *Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP2048,*
2 *AP2049, and PR2018 in the amounts of \$3,241.18, \$3,124.56, and \$106,028.28, respectively*
3 MOTION: Ms. Dudman moved, with Mr. Hart seconding, approval of Signed Treasurer's
4 Payroll, State Fees, & PR Benefit Warrants AP2048, AP2049, and PR2018 in the amounts of
5 \$3,241.18, \$3,124.56, and \$106,028.28, respectively, as presented. Motion approved 4-0-1
6 (Littlefield in Abstention).
7

8 C. *Acknowledge Treasurer's School Board Payroll Warrant 18 in the amount of \$157,159.70*
9 MOTION: Ms. Littlefield moved, with Mr. Hart seconding, acknowledgement of Treasurer's
10 School Board Payroll Warrant 18 in the amount of \$157,159.70, as presented. Motion approved
11 5-0.
12

13 **XI. Adjournment**

14 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, adjournment. Motion approved
15 5-0.
16

17 The Meeting was adjourned at 7:31PM.
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19
20

21 Respectfully Submitted,
22

23 
24 Wendy Littlefield, Secretary
25
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