

**Town of Mount Desert
SelectBoard Meeting Minutes
Meeting Room, Town Hall
6:30 PM, March 16, 2020**

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

Members of the Public were also in attendance.

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

Chair Macauley called the meeting to order at 6:30PM.

II. Public Hearing

A. Dawnland LLC d/b/a Jordan Pond House 2928 Park Loop Rd, Seal Harbor request for Liquor License

B. Northeast Lobster Co. LLC d/b/a The Nor' Easter 10 Huntington Rd, Northeast Harbor request for Liquor License and Special Amusement Permit

Chairman Macauley opened the Public Hearing for Items A and B.

Resident Dan McKay, abutter to the Nor' Easter Restaurant, voiced his concern regarding the Special Amusement Permit being applied for. The Special Amusement Permit allows for one or more vocalists and instrumentalists with amplification. Mr. McKay pointed out the restaurant sits among a residential neighborhood. He reminded the Board of past protests over a Special Amusement Permit for the restaurant's previous owners, and noted the previous owner agreed to refrain from having music outside the building so as not to disturb the neighbors. Mr. McKay requested similar limits on this permit.

Mr. Hart reported that he received an email from neighbor Ken Schmidt who also voiced concern regarding exterior music and requested the Board limit exterior noise.

Owner of the Nor' Easter Ronnie Musetti was in attendance. Mr. Mooers remembered that the Board approved a single acoustic guitar with no amplification on the deck of the restaurant during the lunch time hours and limited amplified music to within the confines of the restaurant for the previous owner.

Mr. Musetti acquiesced to these limitations.

There was no further discussion.

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

The Public Hearing was closed.

MOTION: Mr. Hart moved, with Mr. Mooers seconding, to take Items IX. A and B out of order.
Motion approved 5-0.

III. Post Public Hearing

A. *Dawnland LLC d/b/a Jordan Pond House 2928 Park Loop Rd, Seal Harbor request for Liquor License; action if necessary*

B. *Northeast Lobster Co. LLC d/b/a The Nor' Easter 10 Huntington Rd, Northeast Harbor request for Liquor License and Special Amusement Permit; action if necessary*

It was deemed No Action was necessary for Items III A or B, as both issues were voted on in Item IX.

No Action was taken.

IV. Minutes

A. *Approval of minutes from March 2, 2020 meeting*

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval of the March 2, 2020 Minutes, as presented. Motion approved 5-0.

V. Appointments/Recognitions/Resignations

None presented

VI. 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.)*

A. *Department Reports: Highway Department*

B. *Hancock County Commissioners Special Meeting Minutes of February 18, 2020*

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, approval of the Consent Agenda as presented. Motion approved 5-0.

VII. Selectmen's Reports

None presented.

VIII. Unfinished Business

A. *Finalize and Sign Warrant for Annual Town Meeting May 4 & 5, 2020*

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, Finalization and Signature of the Warrant for the Annual Town Meeting May 4 & 5, 2020, as presented. Motion approved 5-0.

IX. New Business

A. *Dawnland LLC d/b/a Jordan Pond House 2928 Park Loop Rd, Seal Harbor request for Liquor License*

MOTION: Ms. Littlefield moved, with Mr. Hart seconding, approval of Dawnland LLC d/b/a Jordan Pond House 2928 Park Loop Rd, Seal Harbor request for Liquor License, as presented. Motion approved 5-0.

B. *Northeast Lobster Co. LLC d/b/a/ The Nor' Easter 10 Huntington Rd, Northeast Harbor request for Liquor License and Special Amusement Permit*

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval of Northeast Lobster Co. LLC d/b/a The Nor' Easter 10 Huntington Rd, Northeast Harbor request for Liquor License and Special Amusement Permit, limiting the Special Amusement Permit to a single, non-amplified acoustic guitar on the deck during the daytime hours, and no amplified music allowed outside the building, but amplified music allowed inside the building, as presented and discussed by the Board. Motion approved 5-0.

C. *Request BOS approval for payment of \$10,000 to the State of Maine, to be paid from*

1 Assessor's CIP reserve account #4020600-24211, which has a current balance of
2 \$10,528.8

3 MOTION: Mr. Mooers moved, with Ms. Dudman seconding, approval for payment of \$10,000
4 to the State of Maine, to be paid from Assessor's CIP reserve account #4020600-24211, which
5 has a current balance of \$10,528.80, for the 2020 Aerial Photography project, as presented.
6 (amended April 6, 2020 to include the reason for the expenditure)

7
8 Assessor Avila noted assessments are typically done every four years.

9
10 Motion approved 5-0.

11
12 *D. Process of administering a straw poll concerning the possibility of a middle school at the*
13 *annual town meeting*

14 Town Manager Lunt reminded the Board that they agreed to do such a poll. The poll is not part
15 of the Warrant.

16
17 Manager Lunt suggested options such as making it part of a vote when residents go to the polls,
18 or the issue could be introduced on the floor of Town Meeting for discussion. Ballots could be
19 passed out to residents as they come to the meeting. The issue is not a Town Meeting issue. The
20 School would count the ballots.

21
22 Ms. Dudman felt that while the issue is not on the Warrant, there may be some in attendance
23 without knowledge of the issue. Discussion would be helpful.

24
25 Manager Lunt would speak to Moderator Bill Fern about how to engage in discussion on the
26 floor.

27
28 Mr. Hart concurred with Ms. Dudman. Some additional information would be of benefit to the
29 residents. He wondered if discussion time could be limited in length, as the issue is not part of
30 the Warrant. Ms. Dudman liked the idea of a written ballot. Chair Macauley felt a school
31 representative would be good to have on hand for questions.

32
33 Manager Lunt suggested the Town print up the question on a ballot, and after discussion residents
34 can drop their ballots off to be counted.

35
36 MOTION: Ms. Dudman moved, with Mr. Hart seconding, to have a straw poll question
37 regarding a middle school at the Town Meeting in ballot form for discussion. Motion approved
38 5-0.

39
40 It was felt that how the results are posted should be decided upon by the school. Manager Lunt
41 would be in touch with the school to determine the mechanics of the vote.

42
43 *E. Request to Authorize a Public Space Special Event Application to the Parish of St. Mary &*
44 *St. Jude Church Picnic scheduled September 13, 2020 – Suminsby Park*

45 MOTION: Mr. Hart moved, with Ms. Dudman seconding, authorization of a Public Space
46 Special Event Application to the Parish of St. Mary & St. Jude Church Picnic scheduled
47 September 13, 2020 – Suminsby Park, as presented. Motion approved 5-0.

48
49 *F. Request from the Northeast Harbor Ambulance Committee to change the date of their road*
50 *race fundraiser from late August to August 8, 2020*

1 It was noted this change was an effort to put more time between this event and the marathon, and
2 possibly attract more participants.

3
4 MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of the request from the
5 Northeast Harbor Ambulance Committee to change the date of their road race fundraiser from
6 late August to August 8, 2020, as presented. Motion approved 5-0.

7
8 *G. Follow up discussion Memo: Pandemic Flu Preparations and Planning*

9 Police Chief Willis felt it was time to close the Town Office to the public and put in place a plan
10 for how to continue serving the public. Additionally, Chief Willis believed it was time to activate
11 the Town's Emergency Plan. Only the five SelectBoard members and Fire Chief Bender have the
12 authority to activate the plan.

13
14 Chief Willis requested the SelectBoard activate the Emergency Plan. Additionally, Chief Willis
15 asked the Board to activate the Emergency Operations Center at the lowest level (Level 3). Level
16 3 consists of merely monitoring the situation. Activation will allow Town Staff to meet and
17 devise a plan on how to deliver services to the public. Manager Lunt is in touch with other Town
18 Managers, and Chief Willis is watching other Town's reactions to the emergency.

19
20 At this time, closure duration is being considered. A number of places are opting for two weeks
21 closures. Chief Willis believes this is not enough time.

22
23 Town Manager Lunt felt the closure should include all municipal buildings, and not just the Town
24 Office. It was acknowledged the political process will most likely be disrupted to varying extent.
25 Legal Staff will have to be consulted on how to proceed in a legal fashion, under the limitations
26 of closure. Chief Willis hopes the meeting will result in a plan for delivering municipal services
27 that's consistent across all departments. The plan would be brought back to the SelectBoard for
28 final approval. Chief Willis was unsure how long creating such a plan will take.

29
30 Board representation is not required at the staff planning meeting, however Board Members are
31 welcome to attend the meeting being held the following day at 8:30AM.

32
33 MOTION: Mr. Mooers moved, with Ms. Dudman seconding, activating the Town of Mount
34 Desert's Emergency Management Plan to afford the Department Heads and other Municipal
35 Officials the flexibility they need to convene their contingency plan meeting to look at closing
36 some or all of the Town's facilities and for the purpose of developing an Emergency Operations
37 Plan, in an effort to reduce the potential spread of the COVID-19 virus.

38
39 Once activated, the Emergency Management Plan remains in place until the emergency is over.
40 At tomorrow's meeting, public information messages will be created as well. The Board will
41 approval all such messages.

42
43 Motion approved 5-0.

44
45 Ms. Littlefield inquired whether this would require the Fire Department to go to 24/7 coverage.
46 Firefighter Tom Wallace agreed it may necessitate 24/7 coverage for Fire and Ambulance.
47 Firefighter Wallace felt the Ambulance Service might approach the Board for additional funds to
48 support a second person on 24/7 duty.

49

1 Chief Willis reported the goal of the meeting tomorrow was to develop a Continuity of
2 Operations Plan for each department. This will cover things like retaining coverage. Many of the
3 details with regard to the various departments would be addressed and brought before the Board.

4
5 Chief Willis felt that after tomorrow's meeting, the Town should have an idea of how operations
6 will look moving forward and a better idea of when the Board should convene to take action.

7
8 MOTION: Mr. Mooers moved, with Mr. Hart seconding, implementation of the Emergency
9 Action Plan at Level 3. Motion approved 5-0.

10
11 The Board assured Chief Willis that the Departments would get what they needed.

12
13 Chief Willis stated that with the implementation of Emergency Action Plan at Level 3 all
14 Municipal Buildings will be closed to the public, effective the following morning. the Town will
15 create a plan to ensure the continuance of Municipal Services to the public.

16
17 Manager Lunt noted another item to be voted on was a proposed Quarantine Plan. Manager Lunt
18 read the policy: *The Town's Policy will be to adhere to CDC guidelines related to travel and*
19 *self-quarantine; specifically the Town will require employees who have traveled to countries with*
20 *a Level 3 Travel Health Notice to stay home for a period of fourteen calendar days from the time*
21 *the employee left the area. The Town will also require employees who are symptomatic (cold or*
22 *flu symptoms and/or cough or have a fever) to remain home.*

23
24 It was clarified that employees would be required to stay home for a period of fourteen calendar
25 days. Manager Lunt noted that employees falling into these categories will be paid.

26
27 Mr. Lunt felt it possible that a special pay code might be necessary, rather than using accrued
28 Sick Leave. Ms. Littlefield noted the schools are recommending tracking these types of costs.

29
30 MOTION: Ms. Dudman moved, with Mr. Hart seconding, to implement the proposed Quarantine
31 Plan which states: *"The Town's Policy will be to adhere to CDC guidelines related to travel and*
32 *self-quarantine, specifically the Town will require employees who have traveled to countries with*
33 *a Level 3 Travel Health Notice to stay home for a period of fourteen calendar days from the time*
34 *the employee left the area. The Town will also require employees who are symptomatic (cold or*
35 *flu symptoms and/or cough or have a fever) to remain home."* As presented and amended.
36 Motion approved 5-0.

37
38 It was clarified that the plan created by Staff at tomorrow's meeting will be voted on by the
39 Board. An Emergency SelectBoard Meeting will most likely have to be scheduled.

40
41 Manager Lunt has been in contact with Moderator Ferm regarding how to proceed in light of
42 potential quarantine at the time of the Town Meeting. A decision on whether Town Meeting can
43 occur can hopefully be made by the first Board Meeting in April, and notice given to the public in
44 ample time at that point. Moderator Ferm suggested, in the event Town Meeting cannot occur,
45 opening the Town Meeting and electing a Moderator. The Moderator can then postpone the
46 Town Meeting to a date uncertain. It was uncertain whether the elections would be held at this
47 time.

48
49 **X. Other Business**

50 **A. Such other business as may be legally conducted**

51 There was no Other Business.

XI. Treasurer's Warrants

A. Approve & Sign Treasurer's Warrant AP2053 in the amount of \$337,691.48

MOTION: Ms. Littlefield moved, with Mr. Hart seconding, approval and signature of Treasurer's Warrant AP2053 in the amount of \$337,691.48, as presented. Motion approved 5-0.

B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP2051, AP2052, and PR2019 in the amounts of \$74,906.96, \$31,321.69, and \$108,210.75, respectively

MOTION: Mr. Mooers moved, with Mr. Hart seconding, approval of signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP2051, AP2052, and PR2019 in the amounts of \$74,906.96, \$31,321.69, and \$108,210.75, respectively, as presented. Motion approved 4-0-1 (Littlefield in Abstention).

C. Acknowledge Treasurer's School Board AP/Payroll Warrants 10 and 19 in the amounts of \$63,656.71, and \$81,152.16, respectively

MOTION: Mr. Mooers moved, with Mr. Hart seconding, acknowledgement of Treasurer's School Board AP/Payroll Warrants 10 and 19 in the amounts of \$63,656.71, and \$81,152.16, respectively, as presented. Motion approved 5-0.

XII. Adjournment

MOTION: Mr. Mooers moved, with Mr. Hart seconding Adjournment. Motion approved 5-0.

Meeting adjourned at 7:02PM.

Respectfully Submitted,



Wendy Littlefield, Secretary