

Town of Mount Desert
Board of Selectmen
Regular Meeting
Monday, December 18, 2017
Location: Meeting Room, Town Hall, Northeast Harbor

Present were: Chairman John Macauley, Selectmen Rick Mooers and Martha Dudman.

Also present were Town Manager Durlin Lunt, Public Works Director Tony Smith, Treasurer Kathy Mahar, and Harbormaster John Lemoine.

Members of the public were also present.

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

Chairman Macauley called the meeting to order at 6:25 PM.

II. Public Hearing(s)

None Scheduled.

III. Minutes

A. Approval of Minutes from December 4, 2017:

Selectman Mooers noted the December 4 Minutes state the meeting was called to order at 6:01. This was incorrect.

MOTION: Selectman Mooers moved to approve the Minutes with the time the meeting was called to order amended to 6:30 PM. Selectman Dudman seconded the motion. Motion approved 3-0.

IV. Appointments/Recognitions/Resignations

None Scheduled

V. Consent Agenda

A. Department Reports: Public Works

B. Thank you note to Kyle Avila from Curtis Simard

C. The Value of Membership: MMA

D. Renewal of Limited Purpose Aquaculture License Program: VDOY117, EML08

MOTION: Selectman Dudman moved, with Selectman Mooers seconding, approval of the Consent Agenda as presented. Motion approved 3-0.

VI. Selectmen's Reports

Chairman Macauley hoped that a discussion about changing zoning in Otter Creek to include commercial uses could be scheduled prior to the Town Meeting. The issue would have to be discussed at a LUZO Committee meeting.

Chairman Macauley noted that the Board will have to considered the issue of enacting a moratorium on the retail sale of marijuana. Town Manager Lunt noted the Board should try to get a moratorium in by the end of January. The issue would have to go through the Warrant Committee and Public Hearing. The Moratorium set by the State ends at the end

1 of February. The State will try to extend the Moratorium to 2019, but the process of
2 extending may stretch beyond the end of February. The Town's options are to wait, and
3 risk the fact that if the State's Moratorium is not in place, the Town would have to honor
4 any request for a marijuana license request made between February and the next Town
5 Meeting, or enact the moratorium, which could be rendered unnecessary if the State's
6 Moratorium is in place. Additionally, it was noted Mount Desert residents have not been
7 given the chance to comment on the issue.

8
9 Town Manager Lunt hoped to have the issue discussed before the end of January. He felt
10 there was no reason they couldn't do so.

11
12 **VII. Old Business**

13 *None Scheduled*

14
15 **VIII. New Business**

16 *A. Authorize Small Animal Clinic Contract for 2018*

17 MOTION: Selectman Dudman moved, with Selectman Mooers seconding,
18 authorization of the Small Animal Clinic Contract for 2018. Motion approved 3-0.

19
20 *B. Request Jerry J. Michaud to be issued a RWWSTP Check for the 2017 Program.*

21 Town Manager Lunt pointed out the supporting materials for the request were
22 provided to the Board. Mr. Michaud stated that a miscommunication resulted in his
23 not meeting the deadline. He thought the Town required the paperwork before CEO
24 Keene could look at the work. He did not have that paperwork until the end of
25 November. CEO Keene did conduct the inspection, and the work was done prior to
26 the deadline. CEO Keene confirmed she did the inspection on or around December
27 4th. She added that in the past Mr. Michaud has gotten the required work done on
28 time.

29
30 MOTION: Selectman Mooers moved, with Selectman Dudman seconding, that Jerry
31 J. Michaud be issued a RWWSTP Check for the 2017 Program. Motion approved 3-
32 0.

33
34 *C. Request to Authorize a Public Space Special Event Application to the Seal Harbor*
35 *Library Association for event scheduled July 28, 2018*

36 MOTION: Selectman Dudman moved, with Selectman Mooers seconding, approval
37 of the Public Space Special Event Application to the Seal Harbor Library Association
38 for an event scheduled July 28, 2018. Motion approved 3-0.

39
40 *D. Street Light Darkening Request*

41 Town Manager Lunt noted the light in question was across from the Parrish Hall. If
42 approved the Police Department calls Emera who come and paint the lightbulb.

43
44 MOTION: Selectman Dudman moved, with Selectman Mooers seconding approval
45 of the request of street light darkening, as presented. Motion approved 3-0.

46
47 *E. Request for a Private Business to rent the SH Fire Station Meeting Room*

48 This item has been withdrawn.

1
2 F. *Authorize purchase of a 2018 Chevrolet Colorado for the CEO and Assessor Offices*
3 *from Darlings Chevrolet for a purchase price of \$32,279 to be funded though the*
4 *Capital Reserve Accounts #4020700-24283 ~ CEO Truck Reserve in the amount of*
5 *\$28,529 and #4050500-24583~Wastewater Truck Reserve in the amount of \$4,200*
6 *and authorize Public Works Director Tony Smith to execute all necessary documents*
7 *to facilitate the purchase. The current CEO vehicle, a 2008 Ranger XLT, will be*
8 *retained by the Wastewater Department for the value of \$4,200.*

9 MOTION: Selectman Mooers moved, with Selectman Dudman seconding,
10 authorization to purchase a 2018 Chevrolet Colorado for the CEO and Assessor
11 Offices from Darlings Chevrolet for a purchase price of \$32,279 to be funded though
12 the Capital Reserve Accounts #4020700-24283 ~ CEO Truck Reserve in the amount
13 of \$28,529 and #4050500-24583~Wastewater Truck Reserve in the amount of \$4,200
14 and authorized Public Works Director Tony Smith to execute all necessary
15 documents to facilitate the purchase. The current CEO vehicle, a 2008 Ranger XLT,
16 will be retained by the Wastewater Department for the value of \$4,200 as presented.
17 Motion approved 3-0.

18
19 G. *Review of 2018-2019 Budgets: Administration, Marina, and Debt*
20 The Board reviewed the reports they received.

21
22 Selectman Mooers asked about the estimated legal costs for the Town Manager,
23 Planning Department, and CEO. He wondered whether insurance would cover any
24 anticipated court costs. Town Manager Lunt noted that insurance would begin once
25 the deductible was met. He estimated the deductible at between \$5,000 and \$10,000.

26
27 Town Manager noted there will be changes coming to the various budgets due to
28 changes in Personnel policies and retirement plans. He noted the Fire Department
29 was underfunded in some of these policies.

30
31 A Warrant Committee member inquired about a line item of non-classified wages.
32 Manager Lunt noted this was due to new software being implemented for tax
33 collection. Treasurer Mahar noted the Tax Collector receives a stipend for the
34 overtime accrued due to the work she does at tax time, and it is not included in the
35 line item of finance clerk. The Tax Collector position was built into a clerical
36 position.

37
38 It was noted there was a duplicate set of pages in the materials provided.

39
40 Harbormaster Lemoine noted the training budget was for the Harbormaster's
41 Association training. The training occurs at the Maine Maritime Academy.
42 Additionally, Harbormaster Lemoine looks for one additional training for personnel
43 each year. He noted electrical cost is expected to rise, due to the new terminals.
44 Electric tied to the food trucks will be metered and billed to the vendors.

45
46 Harbormaster Lemoine noted he hopes to contract with AC Parsons to continue
47 maintenance on the landscaping. That will raise the cost for landscaping. AC
48 Parsons also handles the landscaping at the Town Offices.

1
2 Town Manager Lunt felt the Town was in good shape regarding debt. It is currently
3 at under 1%. It can go as high as 5%. Treasurer Mahar did not see much change in
4 the figures until 2021. Unless new bonds are introduced, the budget for debt should
5 stay essentially the same.
6

7 **IX. Other Business**

8 Taken out of order (after X. Treasurer's Warrants)
9

10 **X. Treasurer's Warrants**

- 11 A. *Approve & Sign Treasurer's Warrant AP1836 in the amount of \$569,527.48*
12 B. *Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1834,*
13 *AP1835, and PR 1814 in the amounts of \$3,471.06, \$4,588.2, and \$99,435.19, respectively*
14 C. *Acknowledge Treasurer's School Board AP/Payroll Warrant 12, in the amount of*
15 *\$66,707.55*

16 MOTION: Selectman Mooers moved, with Selectman Dudman seconding, approval and
17 signature of Treasurer's Warrant AP1836 in the amount of \$569,527.48 Approval of
18 Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1834, AP1835, and PR
19 1814 in the amounts of \$3,471.06, \$4,588.2, and \$99,435.19, respectively, and
20 acknowledgement of Treasurer's School Board AP/Payroll Warrant 12, in the amount of
21 \$66,707.55. Motion approved 3-0.
22

23 **IX. Other Business**

24 The Board was asked if the Village Improvement Estimates would be a Warrant Article.
25 And would such cost be included in the Debt budget. It was noted the Article for the
26 Bond would be included in this year's Warrant, but the money would be approved for the
27 following year and not in this year's budget. Public Works Director Smith felt there
28 would be an accurate estimate going into this year's Article.
29

30 Further discussion ensued regarding the marijuana moratorium, with the goal of having a
31 moratorium in place by the end of January, in case the State's process creates a gap. The
32 Warrant representatives noted a special Town Meeting would be required. This will also
33 give the voters a chance to discuss it. It was noted the first Warrant Committee meeting is
34 not till January 9th. Manager Lunt noted the Warrant is already written. The Warrant
35 Committee representatives felt the Town would know if someone were to come in.
36 Chairman Macauley asked further, could the Town set licensing fees prior to a Town
37 Meeting vote on the issue. Selectman Dudman noted that fees could be seen as an attempt
38 at obstruction. It was noted there are not license fees for other businesses. Manager Lunt
39 pointed out that this is a different issue than other businesses, and options such as
40 establishing fees are a possibility. The proximity to schools was brought up. Mr. Lunt
41 noted that there is no Town policy currently. Katrina Carter asked if there was any other
42 issues that might be discussed at the meeting, in an effort to encourage residents to
43 participate. Mr. Lunt noted the MMA's recommendation was for the Town to enact a
44 Moratorium. He noted Southwest Harbor will consider a Moratorium in January.
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46 Dates will need to be scheduled as quickly as possible.
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