

Town of Mount Desert
Board of Selectmen
Regular Meeting
Monday, February 26, 2018
Location: Meeting Room, Town Hall, Northeast Harbor

Present were Chairman John Macauley, Selectmen Wendy Littlefield, Matt Hart, and Martha Dudman.

Town Manager Durlin Lunt, Tax Assessor Kyle Avila, Fire Chief Mike Bender, Police Chief Jim Willis, Town Clerk Claire Woolfolk, Treasurer Kathy Mahar, and Public Works Director Tony Smith were present.

Members of the public were also present.

I. Call to order at 4:00 p.m.

Chairman Macauley called the meeting to order at 4:00 PM.

II. Old Business

A. *Review and Votes on Warrant Articles for May 7 and 8, 2018 Annual Town Meeting.*
Town Manager Lunt noted there were some Warrants not ready to vote on. The following Warrants were reviewed:

Article 3: To see if non-voters shall be allowed, when recognized, to speak during the 2018 Annual Town Meeting.

MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending passage of Article 3, as presented. Motion approved 4-0.

Article 4: To see if the Inhabitants of the Town of Mount Desert will vote to approve an expenditure of \$500.00 from the Animal Welfare Reserve Account #4040700-24204 to Acadia Veterinary Hospital as a donation for the benefit of the Town of Mount Desert Feral Cat Program.

MOTION: Selectman Dudman moved, with Selectman Littlefield seconding, recommending passage of Article 4, as presented. Motion approved 4-0.

Article 5: Shall an ordinance dated May 8, 2018 and entitled "Town of Mount Desert Alewife Ordinance" be enacted? The ordinance reads, in its entirety, "Regulations for the taking of alewives and blue back herring shall be as follows: For the year July 1, 2018 through June 30, 2019 there shall be no taking of Alewives and Blue Back Herring in the Town of Mount Desert."

MOTION: Selectman Dudman moved, with Selectman Hart seconding, recommending passage of Article 5, as presented. Motion approved 4-0.

Article 17: To see if the Inhabitants of the Town of Mount Desert will vote to authorize the Board of Selectmen to accept Conditional Gifts (MRSA 30-A, §5654), Unconditional Gifts

1 (MRSA 30-A §5655), equipment, proceeds from sale of fire equipment or funds on behalf of
2 the Municipal Fire Department. It is understood that any funds received will be placed in the
3 Fire Equipment Reserve Fund.
4

5 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending
6 passage of Article 17, as presented. Motion approved 4-0.
7

8 **Article 18:** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the
9 Board of Selectmen to lease a portion of the so-called Visitor Center at the Northeast Harbor
10 Marina to the Ticket Booth operators for a term of one (1) year beginning July 1, 2018 under
11 such terms and conditions as the Board of Selectmen, in its sole discretion, deems to be in the
12 best interests of the Town.
13

14 MOTION: Selectman Dudman moved, with Selectman Hart seconding, recommending
15 passage of Article 18, as presented. Motion approved 4-0.
16

17 **Article 19:** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the
18 Board of Selectmen, to lease a portion of the so-called Visitor Center at the Northeast Harbor
19 Marina to the Mount Desert Chamber of Commerce for a term of one (1) year beginning July
20 1, 2018 under such terms and conditions as the Board of Selectmen, in its sole discretion,
21 deems to be in the best interests of the Town.
22

23 MOTION: Selectman Littlefield moved, with Selectman Hart seconding, recommending
24 passage of Article 19, as presented. Motion approved 4-0.
25

26 **Article 20:** To see if the Inhabitants of the Town of Mount Desert will authorize the Board
27 of Selectmen to negotiate and enter into an agreement with the Neighborhood House Club,
28 Inc. for management and maintenance of the municipal swimming pool, under such terms
29 and conditions as the Board of Selectmen, in its sole discretion, deems to be in the best
30 interests of the Town.
31

32 MOTION: Selectman Dudman moved, with Selectman Littlefield seconding, recommending
33 passage of Article 20, as presented. Motion approved 3-0-1 (Hart in Abstention).
34

35 **Article 29:** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the
36 Board of Selectmen to accept and expend on behalf of the Town additional state, federal and
37 other funds (including unconditional gifts of money) received during the fiscal year 2018-
38 2019 for Town purposes, provided that such additional funds do not require expenditure of
39 local funds not previously appropriated.
40

41 MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending
42 passage of Article 29, as presented. Motion approved 4-0.
43

44 **Article 30:** To see if the Inhabitants of the Town of Mount Desert will vote to approve July
45 1, each year, as the date on which all taxes shall be due and payable providing that all unpaid
46 taxes on September 1, of each year, shall be charged interest at an annual rate of 8% (percent)
47 per year. (Tax Club members are exempt within the terms and conditions of the Town's Tax
48 Club Agreement.)

1
2 MOTION: Selectman Littlefield moved, with Selectman Hart seconding, recommending
3 passage of Article 30, as presented. Motion approved 4-0.
4

5 **Article 31:** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the
6 Tax Collector to enter into a standard “tax club” agreement with taxpayers whereby: (1) the
7 taxpayer agrees to pay specified monthly payments to the Town based on the taxpayer’s
8 estimated and actual tax obligation for current year property taxes (real estate and/or
9 personal); (2) the Town agrees to waive interest on timely payments; (3) the Town authorizes
10 the Tax Collector to accept payment of taxes prior to commitment of taxes; (4) the agreement
11 automatically terminates if two consecutive payments are missed and the taxpayer thereupon
12 becomes subject to the same due date and interest rate as other, nonparticipating taxpayers;
13 (5) only taxpayers who are current on their property tax obligations may participate; and (6)
14 interested taxpayers shall apply annually for participation by the date shown on the
15 application, date and application format to be determined by the Tax Collector.
16

17 MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending
18 passage of Article 31, as presented. Motion approved 4-0.
19

20 **Article 33:** To see if the Inhabitants of the Town of Mount Desert will vote to set the interest
21 rate to be paid by the Town for abated taxes that have been paid at the rate of 4% (percent)
22 per year.
23

24 The 4% figure was based on the amount set by the Board of Selectmen for the taxes owed.
25 This figure can’t be below 4%, per State regulations.
26

27 MOTION: Selectman Littlefield moved, with Selectman Hart seconding, recommending
28 passage of Article 33, as presented. Motion approved 4-0.
29

30 **Article 34:** To see if the inhabitants of the Town of Mount Desert will vote to authorize
31 expenditures to pay any tax abatements granted by the Assessor, Board of Assessment
32 Review, or Board of Selectmen together with any interest due thereon from the Town, during
33 the fiscal year beginning July 1, 2018, in an aggregate amount not to exceed the property tax
34 commitment overlay.
35

36 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending
37 passage of Article 34, as presented. Motion approved 4-0.
38

39 **Article 35:** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the
40 Board of Selectmen to dispose by public bid of Town-owned property, other than real
41 property, with a value of ten thousand dollars (\$10,000.00) or less under such terms and
42 conditions as it deems advisable.
43

44 MOTION: Selectman Dudman moved, with Selectman Hart seconding, recommending
45 passage of Article 35, as presented. Motion approved 4-0.
46

47 **Article 36:** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the
48 Board of Selectmen to sell at public auction or by advertised sealed bid, and to convey titles

1 obtained under tax deeds and under deeds of conveyance to the Inhabitants of the Town any
2 land and/or buildings, including trailers, in lieu of payment of taxes except that the Selectmen
3 have the power to authorize redemption.
4

5 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending
6 passage of Article 36, as presented. Motion approved 4-0.
7

8 **Article 37:** To see if the Inhabitants of the Town of Mount Desert will vote to authorize the
9 Board of Selectmen to contract for services, in amounts not to exceed appropriation for same,
10 under such terms and conditions as it deems advisable.
11

12 MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending
13 passage of Article 37, as presented. Motion approved 4-0.
14

15 **Article 38:** To see if the Inhabitants of the Town of Mount Desert will vote to transfer Four
16 hundred thousand dollars (\$400,000. 00) from the Undesignated Fund Balance Account
17 #100-38300 to reduce the 2018 – 2019 tax commitment.
18

19 Town Manager Lunt noted there should be enough to cover this amount and still have an
20 acceptable fund balance. Ms. Mahar noted that \$400,000.00 was transferred last year;
21 \$300,000.00 in the original Article, which was amended to \$400,000.00. Ms. Mahar felt the
22 Town was in a better position than last year. Treasurer Mahar noted that between 10 and 12
23 percent of the annual budget in the balance. The balance figure is 15%.
24

25 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending
26 passage of Article 38, as presented. Motion approved 4-0.
27

28 **Article 44:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
29 and/or appropriate as Revenue through Excise Taxes, Service Fees and miscellaneous sources
30 for the 2018 – 2019 Town Budget.
31

32 MOTION: Selectman Littlefield moved, with Selectman Hart seconding, recommending
33 passage the raising and/or appropriating of \$1,129,462.00 as Revenue through Excise Taxes,
34 Service Fees and miscellaneous sources for the 2018-2019 Town Budget, as presented.
35 Motion approved 4-0.
36

37 **Article 46:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
38 and appropriate for Department 300 General Assistance Support for the 2018 – 2019 Town
39 Budget.
40

41 MOTION: Selectman Dudman moved, with Selectman Hart seconding, recommending
42 passage the raising and appropriating of \$5,000.00 for Department 300 General Assistance
43 Support for the 2018-2019 Town Budget, as presented. Motion approved 4-0.
44

45 **Article 47:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
46 and appropriate for Department 350 Rural Wastewater Support for the 2018 – 2019 Town
47 Budget.
48

1 Town Manager Lunt noted this was last year's figure, in addition to the Ordinance calling for
2 a CPI adjustment.

3
4 MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending
5 passage the raising and appropriating of \$187,900.00 for Department 350 Rural Wastewater
6 Support for the 2018-2019 Town Budget, as presented. Motion approved 4-0.

7
8 **Article 48:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
9 and appropriate for Department 406 Street Lights for the 2018 – 2019 Town Budget.

10
11 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending
12 passage the raising and appropriating of \$30,850.00 for Department 406 Street Lights for the
13 2018-2019 Town Budget, as presented. Motion approved 4-0.

14
15 **Article 49:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
16 and appropriate for Department 401 and 408 Public Safety – Police and Communications
17 (Dispatch), 405 Shellfish and 407 Animal Control for the 2018 – 2019 Town Budget.

18
19 MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending
20 passage the raising and appropriating of \$1,199,951.00 for Department 401 and 408 Public
21 Safety – Police (\$825,747.00) and Communications (\$367,885.00), 405 Shellfish
22 (\$3,806.00), and 407 Animal Control (\$2,513.00) for the 2018 – 2019 Town Budget, as
23 presented. Motion approved 4-0.

24
25 Police Chief Willis noted it may be a conflict of interest for Selectman Littlefield to have
26 voted.

27
28 RE-VOTE: Selectman Hart moved, with Chairman Macauley seconding, re-voting Article
29 49. Motion approved 4-0.

30
31 MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending
32 passage the raising and appropriating of \$1,199,951.00 for Department 401 and 408 Public
33 Safety – Police (\$825,747.00) and Communications (\$367,885.00), 405 Shellfish
34 (\$3,806.00), and 407 Animal Control (\$2,513.00) for the 2018 – 2019 Town Budget, as
35 presented. Motion approved 3-0-1 (Littlefield in Abstention).

36
37 **Article 50:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
38 and appropriate for Department 403, 404 and 409 Public Safety – Fire Department, Hydrants,
39 and Emergency Management for the 2018 – 2019 Town Budget.

40
41 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommendinf
42 passage the raising and appropriating of \$870,396.00 for Department 403, 404, and 409
43 Public Safety – Fire Department (\$595,896.00), Hydrants (\$273,500.00), and Emergency
44 Management (\$1,000.00) for the 2018-2019 Town Budget as presented. Motion approved 4-
45 0.

46
47 **Article 51:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
48 and appropriate for Department 501, 515, 520 and 525 Public Works - Roads, Waste

1 Management, Buildings & Grounds, Parks & Cemeteries, and 530 Environmental
2 Sustainability for the 2018 – 2019 Town Budget.

3
4 MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending
5 passage the raising and appropriating of \$2,584,529.00 for Department 501, 515, 520 and 525
6 Public Works – Roads (\$1,709,383.00), Waste Management (\$589,645.00), Buildings &
7 Grounds (\$219,909.00), Parks & Cemeteries (\$45,592.00), and 530 Environmental
8 Sustainability (\$20,000.00) for the 2018 – 2019 Town Budget, as presented. Motion
9 approved 4-0.

10
11 **Article 52:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
12 and appropriate for Department 505 and 506 Sewer Operations and Wastewater Treatment
13 for the 2018 – 2019 Town Budget.

14
15 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending
16 passage the raising and appropriating of \$960,163.00 for Department 505 and 506 Sewer
17 Operations (\$628,955.00) and Wastewater Treatment (Northeast Harbor Plant - \$140,750.00,
18 Seal Harbor Plant - \$104,958.00, Somesville Plant - \$56,000.00, Otter Creek Pump Station -
19 \$29,500.00, as presented. Motion approved 3-0-1 (Littlefield in Abstention).

20
21 **Article 53:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
22 and appropriate for Department 605 Recreation (Public Pool ~Utilities & Maintenance) for
23 the 2018 – 2019 Town Budget.

24
25 MOTION: Selectman Littlefield moved, with Selectman Dudman seconding, recommending
26 passage the raising and appropriating of \$5,900.00 for Department 605 Recreation (Public
27 Pool – Utilities and Maintenance) for the 2018 – 2019 Town Budget, as presented. Motion
28 approved 3-0-1 (Hart in Abstention).

29
30 **Article 54:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
31 and appropriate for Department 701 Economic/Community Development for the 2018 – 2019
32 Town Budget.

33
34 MOTION: Selectman Dudman moved, with Selectman Littlefield seconding, recommending
35 passage the raising and appropriating of \$44,000.00 for Department 701
36 Economic/Community Development for 2018 – 2019 Town Budget, as presented. Motion
37 approved 4-0.

38
39 **Article 55:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
40 and appropriate for Department 801 Debt Service for the 2018 – 2019 Town Budget.

41
42 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending
43 passage the raising and appropriating of \$1,444,014.00 for Department 801 Debt Service for
44 2018-2019 Town Budget, as presented. Motion approved 4-0.

45
46 **Article 56:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
47 and appropriate for Department 851 Libraries, Village Improvement Societies, Recreation,
48 and Public/Social Service Agencies for the 2018 – 2019 Town Budget.

1
2 MOTION: Selectman Littlefield moved, with Selectman Dudman seconding, recommending
3 passage the raising and appropriating of \$333,961.00 for Department 851 Libraries
4 (\$33,500.00), Village Improvement Societies (\$54,000.00), Recreation\$89,750.00, and
5 Public/Social Service Agencies (\$156,711.00) for the 2018 – 2019 Town Budget. Motion
6 approved 3-0-1 (Hart in Abstention).
7

8 **Article 57:** To see what sum the Inhabitants of the Town of Mount Desert will vote to raise
9 and appropriate for Department 991 Capital Improvement Plan transfers for the 2018 – 2019
10 Town Budget.
11

12 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending
13 passage the raising and appropriating of \$560,621.00 for Department 991 Capital
14 Improvement Plan transfers for the 2018-2019 Town Budget, as presented. Motion
15 approved 4-0.
16

17 **Article 59:** To see if the Inhabitants of the Town of Mount Desert will vote to ratify the
18 Board of Selectmen's approval of the Marina Proprietary Fund budget.
19

20 MOTION: Selectman Hart moved, with Selectman Dudman seconding, recommending
21 ratification of \$674,643.00 for the Marina Proprietary Fund Budget, as presented. Motion
22 approved 4-0.
23

24 **III. Other Business**

25 A short discussion of the proposed Marijuana Moratorium ensued. Town Manager Lunt
26 agreed to ensure the version being used was the most recently edited.
27

28 Selectman Littlefield inquired whether there were any proposals from the marina regarding
29 the issue of the food trucks. Town Manager Lunt felt the discussion would continue at the
30 March 5 Board of Selectmen meeting. Public Works Director Smith received a plan from
31 CES and sent it back with revisions. He thought CES would have a full set of plans for the
32 next meeting. These plans would show the two food vendors and the farmers market located
33 where the Harbor Committee wanted them to be; vendors on the outside of the bus turn, and
34 the farmers market is still along the traveled way. Director Smith is hoping to meet with the
35 Harbor Committee prior to the meeting.
36

37 Selectman Dudman noted the ordinance allows for up to five food vendors. Director Smith
38 thought that on the November 20, 2017 meeting, it had been agreed that two food vendors at
39 the Northeast Harbor marina was the limit. Ms. Dudman recalled there being discussion but
40 she did not believe that the number of two vendors was set as a limit. Selectman Hart
41 recalled approving moving forward with the conceptual plan, but the Board did not
42 specifically agree to limit it to two. The Ordinance states up to five food vendors. Director
43 Smith reminded the Board that at the last Selectmen's meeting the Harbor Committee clearly
44 voiced their recommendation to limit the food vendors to two.
45

46 A review of the November 20, 2017 Minutes was made.
47

1 Chairman Macauley noted that if the Town is investing in infrastructure for the Harbor, then
2 it may be beneficial to look at space for more than two food vendor sites. Director Smith
3 suggested sending the Ordinance to Town Meeting in May for a vote.
4

5 Selectman Littlefield noted the Ordinance did go before last year's Town Meeting, and the
6 number of up to five vendors was applicable to the Town of Mount Desert, and not just the
7 Northeast Harbor marina. Selectman Hart recalled that back in 2015 when the idea was first
8 discussed, it was suggested having three food vendors in Northeast Harbor, one in Seal
9 Harbor, and one at Bartlett's Landing.
10

11 It was noted that a budget breakdown of departmental budget requests would be available as
12 an appendix in the Town Warrant. This is traditionally how the Town of Mount Desert's
13 Warrant is organized.
14

15 **IV. Adjournment**

16 MOTION: Selectman Dudman moved, with Selectman Littlefield seconding, adjourning the
17 meeting. Motion approved 4-0. The meeting was adjourned at 4:30PM.
18
19

20 Respectfully Submitted,
21
22

23 Wendy Littlefield, Secretary
24
25