

Town of Mount Desert  
Board of Selectmen  
**Regular Meeting**  
**Monday, March 5, 2018**  
**Location: Meeting Room, Town Hall, Northeast Harbor**

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

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

Members of the public were also present.

**I. Call to order at 6:00 p.m.**

Chairman Macauley called the meeting to order at 6:00 PM.

**II. Executive Session**

A. *Pursuant to 1 M.R.S.A. §405(6) (A) review request from employee for leave without pay.*

MOTION: Selectman Dudman moved, with Selectman Littlefield seconding, to go into Executive Session. Motion approved 5-0.

The Board entered Executive Session at 6:00 PM.

**III. Post Executive Session**

A. *Employee Leave Without Pay, action if necessary*

The Board left Executive Session at 6:12 PM.

MOTION: Selectman Mooers moved, with Selectman Littlefield seconding, to extend till April 14, 2018 leave without pay to a Town employee. Motion approved 5-0.

**IV. Public Hearings**

A. *May 7 & 8, 2018 Annual Town Meeting Proposed Warrant Articles for Appropriation of Funds, Ordinance Amendments, and Ordinances*

Chairman Macauley stated the proposed warrant articles would be discussed later in the meeting. He requested public comments. There were none.

B. *Special Amusement Application from Glen Squires and Kelsea Carr-Squires d/b/a Abels Lobster Pount (Pure Ocean, LLC) 13 Abels Lane, Mount Desert*  
Chairman Macauley asked for public comments. There were none.

C. *Liquor License Application – Glen Squires and Kelsea Carr-Squires d/b/a Abels Lobster Pound (Pure Coean, LLC) 13 Abels Lane, Mount Desert*  
Chairman Macauley asked for public comments. There were none.

1  
2 MOTION: Selectman Mooers moved, with Selectman Hart seconding, closing the Public  
3 Hearing. Motion approved 5-0.  
4

5 **V. Post Public Hearing**

6 A. *Approval of Special Amusement Application from Glen Squires and Kelsea Carr-*  
7 *Squires d/b/a Abels Lobster Pound (Pure Ocean, LLC) 13 Abels Lane, Mount Desert*  
8

9 MOTION: Selectman Dudman moved, with Selectman Mooers seconding, approval of  
10 Special Amusement Application from Glen Squires and Kelsea Carr-Squires d/b/a Abels  
11 Lobster Pound (Pure Ocean, LLC) 13 Abels Lane, Mount Desert, as presented. Motion  
12 approved 5-0.  
13

14 B. *Approval of Liquor License Application from Glenn Squires and Kelsea Carr-*  
15 *Squires d/b/a Abels Lobster Pound (Pure Ocean, LLC) 13 Abels Lane, Mount Desert*  
16

17 MOTION: Selectman Hart moved, with Selectman Mooers seconding, approval of  
18 Liquor License Application from Glenn Squires and Kelsea Carr-Squires d/b/a Abels  
19 Lobster Pound (Pure Ocean, LLC) 13 Abels Lane, Mount Desert, as presented. Motion  
20 approved 5-0.  
21

22 **VI. Minutes**

23 A. *Approval of Minutes from February 20, 2018*  
24

25 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, to approve the  
26 February 20, 2018 Minutes as presented. Motion approved 3-0-2 (Dudman and Mooers  
27 in Abstention).  
28

29 B. *Approval of Minutes from February 26, 2018*  
30

31 MOTION: Selectman Hart moved, with Selectman Dudman seconding, approval of the  
32 Minutes of February 26, as presented. Motion approved 4-0-1 (Mooers in Abstention)  
33

34 **VII. Appointments/Recognitions/Resignations**

35 A. *Appointment of Benjamin Gilley as acting full-time firefighter, effective March 6,*  
36 *2018, and continuing through until May 14, 2018 at \$17.00/hr.*  
37

38 MOTION: Selectman Mooers moved, with Selectman Littlefield seconding, appointment  
39 of Benjamin Gilley as acting full-time firefighter, effective March 6, 2018, and  
40 continuing through until May 14, 2018 at \$17.00/hour, as presented. Motion approved 5-  
41 0.  
42

43 **VIII. Consent Agenda**

44 A. *MRC Put Option Payments: memo dated March 2, 2018*

45 B. *League of Town Minutes from February 27, 2018*

46 C. *Hancock County Planning Commission letter of introduction: February 15, 2018*

1 MOTION: Selectman Mooers moved, with Selectman Hart seconding, approval of the  
2 Consent Agenda as presented. Motion approved 5-0.

3  
4 **IX. Selectman's Reports**

5 There were no Selectman's Reports.

6  
7 **X. Old Business**

8 A. *Review and Votes on remaining Warrant Articles for May 7 and 8, 2018 Annual*  
9 *Meeting*

10 A review of the following Warrant Articles was made:

11 **Article 6:** *Shall an ordinance dated May 8, 2018 and entitled "Amendments to the Solid*  
12 *Waste Ordinance of the Town of Mount Desert" be enacted*

13  
14 MOTION: Selectman Hart moved, with Selectman Mooers seconding, recommending  
15 passage of Article 6, as presented. Motion approved 5-0.

16  
17 **Article 21:** *Shall the residents of the Town of Mount Desert vote to accept Farnham's*  
18 *Way and Sydney's Way, both being private roads located in the Village of Somesville off*  
19 *the Beech Hill Road, approximately 1,040 feet in length and 320 feet in length,*  
20 *respectively, and presently owned by the Island Housing Trust, and as requested by same*  
21 *in their correspondence to the Town dated February 9, 2018, as Public Roads, in*  
22 *conformance with the Towns Public Road Acceptance Ordinance as amended at the May*  
23 *5, 2009 annual Town meeting and further, to authorize the Municipal Officers to execute*  
24 *all things necessary or convenient to facilitate successful completion of transferred*  
25 *ownership of the roads from the Island Housing Trust to the Town.*

26  
27 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending  
28 passage of Article 21, as presented. Motion approved 5-0.

29  
30 **Article 22:** *Shall the residents of the Town of Mount Desert vote to accept the existing*  
31 *private sanitary sewer mains located in Farnham's Way and Sydney's Way as public*  
32 *sanitary sewer mains, a total length of sewer mains being approximately 1,200 feet, and*  
33 *presently owned by the Island Housing Trust and as requested by same in their*  
34 *correspondence to the Town dated February 9, 2018, as public sewers, and not including*  
35 *any building sewers, with said acceptance based on written documentation dated January*  
36 *7, 2009 provided to the Town from the professional engineer of record responsible for*  
37 *the design and construction monitoring of the installation of the sewer mains for*  
38 *conformance to Town standards, with said documentation stating that the sewer mains*  
39 *meet the requirements of the existing Sewer Ordinance as amended at the May 8, 2012*  
40 *annual Town meeting and generally accepted engineering practice and further, to*  
41 *authorize the Municipal Officers to execute all things necessary or convenient to*  
42 *facilitate successful completion of the transfer of ownership of the sewer mains from the*  
43 *Island Housing Trust to the Town.*

44  
45 MOTION: Selectman Mooers moved, with Selectman Littlefield seconding,  
46 recommending passage of Article 22, as presented. Motion approved 5-0.

1  
2 **Article 23:** *Shall the Town of Mount Desert be authorized to enter into an agreement with*  
3 *the Maine Department of Transportation, in conformance with their Municipal*  
4 *Partnership Initiative program, for technical and construction services related to*  
5 *improvements of State Route 198 beginning approximately 0.10 miles (528-feet)*  
6 *northerly of its intersection with Sargent Drive then proceeding in a northerly direction*  
7 *approximately 1.10 miles plus or minus on State Route 198 ending at or near a point in*  
8 *State Route 198 at or southerly of its intersection with State Route 233, said beginning*  
9 *and ending points shown on the attached project site map included herein in Appendix*  
10 *C.2; with said improvements to be completed in 2018-2019 and in accordance with the*  
11 *Agreement including, but not necessarily being limited to, reclaiming (grinding and*  
12 *leaving in place) the existing pavement, grading and compacting these materials,*  
13 *construction of new base and surface pavement layers on the reclaimed materials,*  
14 *construction of four-foot (4') wide extended shoulders on each side of the road, drainage*  
15 *improvements and other typical roadway improvements associated with projects of this*  
16 *kind, and further shall the Board of Selectmen be authorized to execute any and all*  
17 *contracts and documents and do any and all things necessary or convenient to enter into*  
18 *this agreement with the Maine Department of Transportation*  
19

20 MOTION: Selectman Mooers moved, with Selectman Littlefield seconding,  
21 recommending passage of Article 23, as presented. Motion approved 5-0.  
22

23 **Article 24:** *Shall the Town of Mount Desert be authorized to issue general obligation*  
24 *bonds or notes of the Town in a principal amount not to exceed \$500000.00 to fund the*  
25 *Town's 50%-50% cost share for construction of roadway improvements to Route 198 in*  
26 *accordance with the agreement with the Maine Department of Transportation described*  
27 *in Article 23 above; and further shall the Board of Selectmen be authorized to execute*  
28 *any and all contracts and documents and do any and all things necessary or convenient*  
29 *to issue the bonds or notes of the Town, which may be callable, and to accomplish the*  
30 *project*  
31

32 MOTION: Selectman Dudman moved, with Selectman Mooers seconding,  
33 recommending passage of Article 24, as presented. Motion approved 5-0.  
34

35 **Article 25:** *Shall the Town of Mount Desert be authorized to allocate any unspent funds*  
36 *originally appropriated in connection with the 2017-2018 State Route 198 Maine*  
37 *Department of Transportation's Municipal Partnership Initiative approved at the May*  
38 *2017 Town Meeting to the work described in Article 23 and Article 24*  
39

40 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending  
41 passage of Article 25, as presented. Motion approved 5-0.  
42

43 **Article 26:** *Shall the Town of Mount Desert be authorized to issue general obligation*  
44 *bonds or notes of the Town in a principal amount not to exceed \$3,963,485.00 to finance*  
45 *professional technical and construction services associated with improvements to Main*  
46 *Street located in the Village of Northeast Harbor to improve the appearance,*

1 *functionality and vitality of the Main Street area beginning at or near the intersection of*  
2 *Main Street with Summit Road then continuing in a southerly direction along Main Street*  
3 *ending at or near the intersection of Main Street with Neighborhood Road, with said*  
4 *improvements to be in general conformance with the report prepared by consultants to*  
5 *the town entitled “Northeast Harbor Village Center Plan - Final Report” dated*  
6 *December 19, 2016, further described in said report as Area 1A - Main Street and*  
7 *generally described and illustrated in the site plan located in Appendix D Site Plan and*  
8 *to include, but not necessarily be limited to improved sidewalks, grading, drainage,*  
9 *roadway, utilities, including burying the overhead utility wires, plantings, lighting and*  
10 *other amenities and appurtenances required to complete the improvements, and further*  
11 *shall the Board of Selectmen be authorized to execute all things necessary or convenient*  
12 *to issue the bonds or notes of the Town, which may be callable, and to accomplish the*  
13 *Project*

14  
15 Selectman Hart thanked those who have spent years in the planning of this project.

16  
17 MOTION: Selectman Dudman moved, with Selectman Hart seconding recommending  
18 passage of Article 26, as presented. Motion approved 5-0.

19  
20 **Article 27:** *Shall the Town of Mount Desert be authorized to issue general obligation*  
21 *bonds or notes of the Town in a principal amount not to exceed \$645,000.00 to finance*  
22 *professional technical and construction services associated with improvements to Sylvan*  
23 *Road, Pine Road, Spruce Road and Tennis Club Road located in the Village of Northeast*  
24 *Harbor and generally described and illustrated in the site plan located in Appendix E*  
25 *Site Plan to address surface and subsurface drainage functionality in the general area to*  
26 *include, but not necessarily being limited to, improved grading, drainage, catch basins,*  
27 *storm drain pipes, roadway surfaces and appurtenances required to complete the*  
28 *improvements, and further shall the Board of Selectmen be authorized to execute all*  
29 *things necessary or convenient to issue the bonds or notes of the Town, which may be*  
30 *callable, and to accomplish the Project*

31  
32 MOTION: Selectman Hart moved, with Selectman Littlefield seconding, recommending  
33 passage of Article 27, as presented. Motion approved 5-0.

34  
35 **Article 28:** *Shall the residents of the Town of Mount Desert vote to authorize the use of*  
36 *funds that remain from those borrowed from the Maine Municipal Bond Bank through*  
37 *the State of Maine Revolving Loan Fund and administered by the Maine Department of*  
38 *Environmental Protection for the upgrade to the Northeast Harbor wastewater treatment*  
39 *plant in 2013-2014, with a remaining balance of approximately \$53,000 and for the*  
40 *upgrade of the Bracy Cove wastewater pumping station in 2016- 2017, with a remaining*  
41 *balance of approximately \$400,000 for a total amount of remaining funds of*  
42 *approximately \$453,000 to finance professional technical and construction services*  
43 *associated with improvements to the Town’s wastewater collection and conveyance*  
44 *system, with said improvements being subject to review and authorization by the Maine*  
45 *Department of Environmental Protection, said improvements to include but not be limited*  
46 *to, and in no particular order of priority, and on a funds available basis, replacement of*

1        *an existing wastewater pumping station metal wet well circa 1970's located off*  
2        *Manchester Road in the Village of Northeast Harbor with a new precast concrete wet*  
3        *well in the same general area as the existing one; replacement of the existing vitrified*  
4        *clay circa 1970's sanitary sewer pipe that conveys sewage from Sinclair Road to*  
5        *Manchester Road en route to the wastewater treatment facility; and upgrading the*  
6        *electronics control system at the Gilpatrick Cove wastewater pumping station and*  
7        *associated appurtenances and incidentals to complete the improvements and, based on*  
8        *recommendations to them by Public Works staff, to authorize the Municipal Officers to*  
9        *execute all things necessary or convenient to facilitate successful completion of the*  
10       *improvements*

11  
12       MOTION: Selectman Mooers moved, with Selectman Littlefield seconding,  
13       recommending passage of Article 28, as presented. Motion approved 5-0.

14  
15       **Article 32:** *To see if the Inhabitants of the Town of Mount Desert will vote to authorize*  
16       *the Tax Collector to accept pre-payment of property taxes, with no interest to be paid on*  
17       *same.*

18  
19       MOTION: Selectman Mooers moved, with Selectman Littlefield seconding,  
20       recommending passage of Article 32, as presented. Motion approved 5-0.

21  
22       **Article 39:** *Shall the Town of Mount Desert be authorized to appropriate an amount not*  
23       *to exceed \$100,000.00 from the Capital Gains Reserve Account, #400-24202, in order to*  
24       *retain professional services for planning, technical study/studies and design related to*  
25       *roadway improvements, including but not limited to, bicycle access and safety*  
26       *improvements, to State Route 3 (Peabody Drive), between the intersection of State Routes*  
27       *198 and 3(Pedder's Corner) in the Village of Northeast Harbor and the intersection of*  
28       *the Stanley Brook Road and State Route 3 in the Village of Seal Harbor; subject to the*  
29       *Town's Bicycling Committee investigating alternative funding sources including but not*  
30       *limited to Private, State and Federal funding in an effort to reduce the Town's*  
31       *commitment of the aforementioned \$100,000.00 for the Project with the understanding*  
32       *that the Committee shall demonstrate good faith efforts to raise funds from Others and to*  
33       *have received written commitments from Others to provide funds by the date certain of*  
34       *December 31, 2018, with said written commitments being documented by the Public*  
35       *Works Director as the Committee's liaison to the Board of Selectmen and presented in*  
36       *writing by the Public Works Director to the Board of Selectmen, such that the Town's*  
37       *share of the cost of the Project shall be the aforementioned \$100,000.00 reduced by the*  
38       *amount of funding the Committee has raised and obtained written commitments for as*  
39       *described above but in no case shall it exceed the aforementioned \$100,000.00, and*  
40       *further, shall the Board of Selectmen of the Town be authorized to execute any and all*  
41       *contracts and documents and do any and all things necessary or convenient to the*  
42       *accomplishment of the Project, including to accept any gifts, grants or contributions to*  
43       *the Town, including conditional gifts to the Town the sole condition of which is that the*  
44       *contributed funds be dedicated to the Project*

1 Selectman Hart inquired why the date mentioned was December 31, 2018, as opposed to  
2 the end of the fiscal year. Public Works Director Smith noted the earlier date was merely  
3 to keep the project moving forward in a timely manner.  
4

5 The work is still in the planning phase. Chairman Macauley asked how the Town would  
6 acquire the necessary space along the roadway. Mr. Smith noted the Town would be  
7 negotiating with the abutters.  
8

9 MOTION: Selectman Littlefield moved, with Selectman Dudman seconding,  
10 recommending passage of Article 39, as presented. Motion approved 5-0.  
11

12 **Article 40:** *Shall the Town of Mount Desert be authorized to appropriate an amount not*  
13 *to exceed \$90,000 from the Capital Gains Reserve Account, #400-24202, to finance*  
14 *professional technical and construction services associated with improvements to up to*  
15 *seven pedestrian crosswalks located in the Villages of Northeast Harbor, Pretty Marsh*  
16 *and Somesville and as shown on the site plan located in Appendix F Site Map to include,*  
17 *bringing the crosswalks into general compliance with the appropriate regulatory*  
18 *agencies and requirements of same, including but not necessarily being limited to, the*  
19 *Maine Department of Transportation's publication "Maine DOT Guidelines on*  
20 *Crosswalks" and the Americans with Disabilities Act requirements for crosswalks with*  
21 *said improvements to address, but not necessarily being limited to, improved access,*  
22 *safety, effectiveness and appurtenances required to complete the improvements, and*  
23 *further, shall the Board of Selectmen be authorized to execute any and all contracts and*  
24 *documents and do all things necessary or convenient to accomplish the Project*  
25

26 MOTION: Selectman Dudman moved, with Selectman Littlefield seconding,  
27 recommending passage of Article 40, as presented. Motion approved 5-0.  
28

29 **Article 41:** *Shall the Town of Mount Desert be authorized to appropriate an amount not*  
30 *to exceed \$38,000.00 from the Capital Gains Reserve Account, #400- 24202, to finance*  
31 *the professional evaluation of the Town's remaining crosswalks not described in Article*  
32 *40 above, those being approximately 40 in number, located throughout the Town, to*  
33 *assess them relative to factors including, but not necessarily limited to, accessibility,*  
34 *safety, location and effectiveness, and to make recommendations for improvements to the*  
35 *crosswalks, and further to prepare designs of the recommended improvements to the*  
36 *crosswalks, to prepare construction documents and to solicit competitive bids for the*  
37 *improvements to address and to include bringing the crosswalks into general compliance*  
38 *with the appropriate regulatory agencies and requirements of same, including but not*  
39 *necessarily being limited to the Maine Department of Transportation's publication*  
40 *"Maine DOT Guidelines on Crosswalks" and the Americans with Disabilities Act*  
41 *requirements for crosswalks and further, shall the Board of Selectmen be authorized to*  
42 *execute any and all contracts and documents and do all things necessary or convenient to*  
43 *accomplish the Project*  
44

45 MOTION: Selectman Hart moved, with Selectman Mooers seconding, recommending  
46 passage of Article 41, as presented. Motion approved 5-0.

1  
2 **Article 42:** *Shall the Town of Mount Desert be authorized to appropriate an amount not*  
3 *to exceed \$40,000.00 from the Capital Gains Reserve Account, #400- 24202, to finance*  
4 *the evaluation and design of improvements to the Town's infrastructure within the*  
5 *bounds of a portion of Summit Road located in the Village of Northeast Harbor*  
6 *beginning at or near its intersection with Main Street then proceeding westerly along*  
7 *Summit Road ending at or near its intersection with Church Road with said*  
8 *improvements including, but not necessarily limited to, the traveled way, sanitary sewer*  
9 *lines, storm water management and sidewalks, and further shall the Board of Selectmen*  
10 *be authorized to execute any and all contracts and documents and do any and all things*  
11 *necessary or convenient to accomplish the project?*  
12

13 MOTION: Selectman Littlefield moved, with Selectman Hart seconding, recommending  
14 passage of Article 42, as presented. Motion approved 5-0.  
15

16 **Article 43:** *Shall the Town of Mount Desert be authorized to appropriate an amount not*  
17 *to exceed \$50,000.00 from the Capital Gains Reserve Account, #400-24202 to fund the*  
18 *design and construction, including all materials, equipment and labor, of a subsurface*  
19 *irrigation system, for the so-called Village Green and the lawn area adjacent to the*  
20 *Yachtsman Facility, both being located in the Village of Northeast Harbor; and further,*  
21 *shall the Board of Selectmen be authorized to execute any and all contracts and*  
22 *documents and do any and all things necessary or convenient to accomplish the project?*  
23

24 MOTION: Selectman Mooers moved, with Selectman Hart seconding, recommending  
25 passage of Article 43, as presented. Motion approved 5-0.  
26

27 **Article 45:** *To see what sum the Inhabitants of the Town of Mount Desert will vote to*  
28 *raise and appropriate for Department 200 through 221 General Government —*  
29 *Governing Body (Board of Selectmen), Town Management, Town Clerk, Registrar,*  
30 *Elections, Planning Board, Finance, Treasurer, Tax Collector, Assessment, Code*  
31 *Enforcement, Unallocated Funds, Human Resources, and Technology for the 2018—*  
32 *2019 Town Budget.*  
33

34 Chairman Macauley inquired as to the breakdown of the amount. And specifically, how  
35 much for the Governing Body's Legal costs. Town Manager Lunt thought it was  
36 approximately \$5,000.00 allotted for the Governing Body's legal expenses. He noted it  
37 comprised several expenses.  
38

39 MOTION: Selectman Mart moved, with Selectman Mooers seconding, recommending  
40 passage of raising and appropriating \$1,412,510.00 for Department 200 through 221  
41 General Government - Governing Body (Board of Selectmen), Town Management, Town  
42 Clerk, Registrar, Elections, Planning Board, Finance, Treasurer, Tax Collector,  
43 Assessment, Code Enforcement, Unallocated Funds, Human Resources, and Technology  
44 for the 2018—2019 Town Budget, as presented. Motion approved 5-0.  
45



1 **Article 58:** *To see if the Inhabitants of the Town of Mount Desert will vote to increase the*  
2 *property tax levy limit by \$70,412.00.*

3  
4 Town Manager Lunt noted that if the Board votes the budget with changes from how it's  
5 printed in the Warrant, then such a vote would be required.

6  
7 MOTION: Selectman Mooers moved, with Selectman Littlefield seconding,  
8 recommending passage of Article 58, as presented. Motion approved 5-0.

9  
10 **Article 76:** *Shall an ordinance dated May 8, 2018 and entitled "Town of Mount Desert*  
11 *'Marijuana Moratorium'" be enacted as follow in the Draft Warrant*

12  
13 Town Manager Lunt confirmed this was the edited draft. He noted that the legal nature  
14 of a Moratorium is that it proves its necessity through stating risk. A Moratorium that  
15 does not state risk really can't be validated.

16  
17 Mr. Lunt reminded the Board that this was merely the vehicle to get to an Ordinance.

18  
19 MOTION: Selectman Dudman moved, with Selectman Hart seconding, recommending  
20 passage of Article 76, as presented. Motion approved 5-0.

21  
22 *B. Award of the construction contract for the State Route 3/198 MPI Highway*  
23 *Rehabilitation Project to R.F. Jordan & Sons of Ellsworth, Maine at a cost of*  
24 *\$850,783.50 from Account Number 3000038-57710; grant authorization to Public Works*  
25 *Director Tony Smith to execute the contract with R.F. Jordan & Sons on behalf of the*  
26 *Town and; authorize the expenditure of the remaining balance of \$84,601.73 of G.F.*  
27 *Johnston & Associates \$149,000 engineering budget for technical services related to the*  
28 *completion of the project from Account Number 3000038-57710*

29  
30 MOTION: Selectman Mooers moved, with Selectman Hart seconding, award of the  
31 construction contract for the State Route 3/198 MPI Highway Rehabilitation Project to  
32 R.F. Jordan & Sons of Ellsworth, Maine at a cost of \$850,783.50 from Account Number  
33 3000038-57710; grant authorization to Public Works Director Tony Smith to execute the  
34 contract with R.F. Jordan & Sons on behalf of the Town and; authorize the expenditure of  
35 the remaining balance of \$84,601.73 of G.F. Johnston & Associates \$149,000  
36 engineering budget for technical services related to the completion of the project from  
37 Account Number 3000038-57710, as presented. Motion approved 5-0.

38  
39 *C. Presentation and discussion of the Northeast Harbor Village Center*  
40 *Improvements Project bid results, including the recommendation by the citizen committee*  
41 *of requesting the total project cost of \$3,963,485 be included in the appropriate May*  
42 *2018 Town Meeting warrant article*

43  
44 Public Works Director Smith pointed out the bid summary was included in the Board  
45 packets. RF Jordan was the low bidder. In an effort to lower the price of the project, the  
46 Committee asked for a credit at the contractor's request if the contractor can maintain

1 one-way southerly traffic during construction. The Committee opted to postpone  
2 construction of the southerly park as well as the pavers at the intersection of Sea St. and  
3 Main St. These project deductions brings the price down to the project cost as noted.  
4 Director Smith requests the project cost of \$3,963,485 be included in the May 2018 Town  
5 Meeting Warrant contingent on availability of funding, and that RF Jordan be awarded  
6 the contract for the bid amount of \$2,193,900.00, contingent on availability of funding.  
7 Director Smith noted each detail of this project has been closely reviewed and examined  
8 to reach this price.

9  
10 Tracy Aberman stated that all the crosswalks and parks on Main Street appear to be  
11 located in front of lots that Rising Tide Partners own. She stated this placement has  
12 erased parking in front of these properties. She hoped there would be flexibility in  
13 relocating those spaces. Director Smith noted the Committee has worked with the owner  
14 who is aware of the design. The crosswalk by 131 Main St. was located near a fire  
15 hydrant so the crosswalk is within the already existing setback created by the hydrant.  
16 Director Smith realized there was no space that would meet with 100% approval of the  
17 property owners. Placement of crosswalks is also in part due to design standards and  
18 safety connected to the traffic shifting from 2-way to 1-way traffic.

19  
20 Mr. Smith noted that a number of business owners have asked about changes, and the  
21 Committee will take another look at placement of the crosswalks.

22  
23 Selectman Hart asked about the potential for new parking installed on Tracy Rd. and  
24 connections between Tracy Rd. parking and Main St. being made. Director Smith  
25 affirmed that parking on Tracy Rd. was part of Phase Two of the project. The intent is to  
26 add more parking.

27  
28 The timeframe for the work has not changed, despite the reductions in work noted by  
29 Director Smith. There is no performance bonus. The project is scheduled to last two  
30 winter construction seasons. There will be no construction during the period between  
31 Memorial Day Weekend and the middle of October. The contractors will be penalized  
32 should they delay beyond the two winter construction seasons agreed upon. Change  
33 Orders will only be allowed should the circumstances surrounding it prove acceptable,  
34 and test borings of the area have been done. This work does not include the Water  
35 Company work.

36  
37 Ms. Aberman asked who would be maintaining the park planned for the area near 123  
38 Main St. She would like the park cleaned daily. Director Smith confirmed that the park  
39 would have a daily trash pick-up each morning.

40  
41 Given the expansions planned, there's only a minimal number of parking spots lost to the  
42 project.

43  
44 *D. Consideration of award of the construction contract for the Northeast Harbor*  
45 *Village Center Improvements Project in the amount of \$2,193,000 to R.F. Jordan & Sons*  
46 *of Ellsworth, contingent on May 2018 Town Meeting approval of project funding.*

1  
2 MOTION: Selectman Mooers moved, with Selectman Littlefield seconding, awarding  
3 the construction contract for the Northeast Harbor Village Center Improvements Project  
4 in the amount of \$2,193,000 to R.F. Jordan & Sons of Ellsworth, contingent on May 2018  
5 Town Meeting approval of project funding, as presented. Motion approved 5-0.  
6

7 *E. Discussion of mobile vendor locations for 2018*  
8

9 Harbor Committee member Rick Savage referenced the plan created by CES. The  
10 Committee was in agreement with the design and placement of two mobile vendors and  
11 the weekly farmer's market. There is off-road parking. Road space and parking space is  
12 not being used. The Harbor Committee feels the traffic flow will be safer with this plan.  
13 Electricity will be provided for the vendors, eliminating the need for generators. Stone  
14 dust will be used, as opposed to asphalt. Farmer's Market vendors will park in such a  
15 way that access to their booths will be away from the traffic.  
16

17 Selectman Dudman noted that five mobile vendors are currently allowed in the Town of  
18 Mount Desert. Two vendors have applied for this year, and a third has received an  
19 application, but has not returned it. Discussion ensued regarding the question of two  
20 versus three mobile vendors.  
21

22 Restaurant owners in town felt the Town was unfairly supporting these businesses by  
23 providing, at no cost, electricity hookups and space, when established businesses were  
24 never provided such amenities. Their taxes are paying for their competition's amenities.  
25 Additionally, mobile vendors have a very low rent for their space. Local restaurant  
26 owners had been assured food offered by the mobile vendors would offer a wider variety,  
27 in order to offset the competition. The space on the harbor is a prime spot, and mobile  
28 vendors only had to set up during the tourist season. They were free to leave once the  
29 tourist season was over with none of the cost associated with a business in the off season.  
30

31 Lengthy discussion of mobile vendors ensued.  
32

33 It was noted the Town seemed to prefer a stationary site for the vendors, hence the  
34 dedicated spot on the harbor.  
35

36 Pricing for the proposed work will not be estimated until the final design is achieved and  
37 approved. Once a Plan has been approved Director Smith can solicit cost estimates.  
38

39 Harbor Committee Member Chris Moore said that the plan for the harbor was created  
40 primarily to address the farmer's market concerns. Installing electrical hookups for the  
41 mobile vendors was merely a way to help offset the noise complaints stemming from  
42 generator use. Two is the limit of mobile vendors the Committee feels is acceptable, in  
43 relation to public safety, attracting people, and traffic issues. Once this scenario is in  
44 place for another year or two, the Town can better see how it's working and what can be  
45 improved on. Mr. Moore felt adding another mobile vendor at this juncture was  
46 premature.

1  
2 Jerry Miller asked whether there was a way to dictate the menus to ensure variety?  
3 Chairman Macauley felt the Board would not get into the business of menu management.  
4

5 The permits for a mobile vendor space are \$250.00. The Board has the right to revisit the  
6 cost.  
7

8 MOTION: Selectman Dudman moved, with Selectman Mooers seconding, to follow the  
9 plan presented by Public Works Director Smith and the Harbor Committee, and cap the  
10 number of food trucks at the harbor for this year at two.  
11

12 A sign at the harbor for the restaurants in town was requested. Selectman Dudman  
13 thought there was a sign and a map directory at the marina.  
14

15 Ms. Aberman asked why the Town had not been informed of the project cost. Director  
16 Smith reiterated that once the Plan has been approved he can solicit cost estimates.  
17

18 Selectman Hart suggested that in an effort to be prepared for any future change, the site  
19 be prepared for up to three mobile vendors.  
20

21 Restaurant owners inquired whether they can apply for mobile vendor spots and, if they  
22 are chosen in the lottery for vendors, choose to leave the spots empty. The ordinance  
23 reads that after seven consecutive days of non-use, a permit can be pulled and awarded to  
24 someone else.  
25

26 Motion approved 5-0.  
27

## 28 **XI. New Business**

29 A. *Request to authorize a Public Space Special Event Application to the MDI YMCA*  
30 *for Half Iron Distance Triathlon scheduled September 30, 2018*  
31

32 MOTION: Selectman Hart moved, with Selectman Mooers seconding, authorization of a  
33 Public Space Special Event Application to the MDI YMCA for Half Iron Distance  
34 Triathlon scheduled September 30, 2018, as presented. Motion approved 5-0.  
35

36 B. *Request authorization to use funds from the Wastewater Equipment Reserve*  
37 *Account Number 4050500-24501 with a current balance of approximately \$325,745 to*  
38 *purchase a Multiquip Whisperwatt DCA 45 SSIU4F, 45 kW portable emergency standby*  
39 *generator on a single axle trailer from CMD Power Systems in Hermon, Maine for the*  
40 *quoted price of \$34,916*  
41

42 MOTION: Selectman Hart moved, with Selectman Littlefield seconding authorization to  
43 use funds from the Wastewater Equipment Reserve Account Number 4050500-24501  
44 with a current balance of approximately \$325,745 to purchase a Multiquip Whisperwatt  
45 DCA 45 SSIU4F, 45 kW portable emergency standby generator on a single axle trailer

1 from CMD Power Systems in Hermon, Maine for the quoted price of \$34,916, as  
2 presented. Motion approved 5-0.

3  
4 *C. Request to authorize the release and expenditure of \$9,700.00 to The Musson*  
5 *Group from Bartlett CIP Line Acct. #64010300-24671 for the Realignment of the Bartlett*  
6 *Landing Mooring Field*

7  
8 Harbormaster Lemoine noted the amount was put out to bid with three vendors. Musson  
9 Group and CF Johnston bid as a team and came in as the low bid.

10  
11 MOTION: Selectman Mooers moved, with Selectman Hart seconding, authorizing the  
12 release and expenditure of \$9,700.00 to The Musson Group from Bartlett CIP Line Acct.  
13 #64010300-24671 for the Realignment of the Bartlett Landing Mooring Field, as  
14 presented. Motion approved 5-0.

15  
16 *D. Request to authorize the release and expenditure of \$4,593.39 to Winger's*  
17 *Welding from the Northeast Harbor Reserve Acct. #64010100-24680 for the replacement*  
18 *of a motor and hydraulic pump*

19  
20 It was noted the pump being replaced was a prototype. The replacement will be a heavier  
21 pump. The contractor paid for the other one.

22  
23 MOTION: Selectman Hart moved with Selectman Littlefield seconding, authorizing the  
24 release and expenditure of \$4,593.39 to Winger's Welding from the Northeast Harbor  
25 Reserve Acct. #64010100-24680 for the replacement of a motor and hydraulic pump, as  
26 presented. Motion approved 5-0.

27  
28 *E. Request to authorize the release and expenditure of \$6,792.00 from account*  
29 *\$4040300-24471 (Fire Equipment Reserve) for the purpose of purchasing a MSA Galaxy*  
30 *GX2 calibration system, which will include the Altair Pro Singles module*

31  
32 MOTION: Selectman Mooers moved, with Selectman Littlefield seconding,  
33 authorization of the release and expenditure of \$6,792.00 from account \$4040300-24471  
34 (Fire Equipment Reserve) for the purpose of purchasing a MSA Galaxy GX2 calibration  
35 system, which will include the Altair Pro Singles module as presented. Motion approved  
36 5-0.

37  
38 *F. Request to authorize the release and expenditure of \$87,097.88 from account*  
39 *#4040300-24471 (Fire Equipment Reserve) for the purpose of purchasing 30 sets of*  
40 *structural firefighting gear from Bergeron Protective Clothing*

41  
42 This expenditure is part of the CIP. As gear is starting to show wear, the expense was  
43 moved up. There will be sufficient funds left in the account. Interior firefighters were  
44 given the option of having two full sets of gear. It's been shown that the risk of cancer is  
45 higher in firefighters, due to the hazardous materials they are exposed to. An extra set of

1 gear can help lower that exposure. There were ten individuals that chose to have a  
2 second set of gear.

3  
4 MOTION: Selectman Mooers moved, with Selectman Hart seconding, authorization of  
5 the release and expenditure of \$87,097.88 from account #4040300-24471 (Fire  
6 Equipment Reserve) for the purpose of purchasing 30 sets of structural firefighting gear  
7 from Bergeron Protective Clothing as presented. Motion approved 5-0.

8  
9 *G. Presentation of the Citizen Transparency site*

10 Treasurer Mahar presented on the Citizen Transparency website. It has been difficult to  
11 create a system where Board and committee members can access information with  
12 financial software, due to security and reporting issues.

13  
14 Citizen Transparency is a Munis program. It is an online product that pulls from the  
15 Town's database. Ms. Mahar gave a brief overview of the system.

16  
17 Information can be pulled from various departments, graphs and charts can be created. It  
18 shows expenditures, in relation to the budget. Department breakdowns can be created,  
19 down to the line item expenditures and vendors. Revenues can be reviewed the same  
20 way. Spending over a certain period of time can be reviewed as well.

21  
22 The system is web-based, so the public can access the information. The information is  
23 updated weekly. The information is pulled from the Town's information; however, it is  
24 not linked. Personal information or other sensitive information cannot be accessed.

25  
26 The cost of the program is estimated at \$7500.00 – a one-time payment. There have been  
27 requests from the public for this kind of information.

28  
29 Town Manager Lunt noted the Human Resources piece of the software system is  
30 currently installed and being used by the Town. Treasurer Mahar reported that no one in  
31 the State of Maine is currently using this Citizen Transparency site. As the information is  
32 being pulled from the work the Town is doing, there is no real extra work involved for  
33 Town employees.

34  
35 No action was taken on this item.

36  
37 *H. Scholarship Recommendations*

38  
39 MOTION: Selectman Dudman moved, with Selectman Mooers seconding, the  
40 Scholarship Recommendations as presented. (Horace and Mary Reynolds Stipend in the  
41 amount of \$100.00; Frank F. Stanley Trust Scholarship in the amount of \$100.00) Motion  
42 approved 5-0.

43  
44 *I. Dobbs Productions Inc. Request to use Public Access Channel 2*

1 MOTION: Selectman Dudman moved, with Selectman Hart seconding approval of the  
2 request to use Public Access Channel 2, as presented. Motion approved 5-0.  
3

4 **XII. Other Business**

5 There was no other business.  
6

7 **XIII. Treasurer's Warrants**

8 *Tabled Motion from the February 20, 2018 Minutes: Approve Signed Treasurer's Payroll,*  
9 *State Fees, & PR Benefit Warrants AP1848, AP1849, and PR1818 in the amounts of*  
10 *\$27,762.47, \$1,373.25, and \$97,171.16, respectively*

11 MOTION: Selectman Mooers moved, with Selectman Dudman seconding, Approval of  
12 Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1848, AP1849, and  
13 PR1818 in the amounts of \$27,762.47, \$1,373.25, and \$97,171.16, respectively, as presented.  
14 Motion approved 4-0-1 (Littlefield in Abstention)  
15

16 A. *Approve & Sign Treasurer's Warrant AP1853 in the amount of \$386,855.12*

17 MOTION: Selectman Mooers moved, with Selectman Littlefield seconding, approval and  
18 signature of Treasurer's Warrant AP1853 in the amount of \$386,855.12 as presented. Motion  
19 approved 5-0.  
20

21 B. *Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1851,*  
22 *AP1852, and PR 1819 in the amounts of \$2,447.75, \$6,662.84, and \$99,719.32, respectively*

23 MOTION: Selectman Dudman moved, with Selectman Hart seconding, approval of Signed  
24 Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1851, AP1852, and PR 1819 in  
25 the amounts of \$2,447.75, \$6,662.84, and \$99,719.32, respectively as presented. Motion  
26 approved 4-0-1 (Littlefield in Abstention).  
27

28 C. *Acknowledge Treasurer's School Board AP/Payroll Warrants 11 and 18 in the*  
29 *amounts of \$20,236.44 and \$72,489.48, respectively*

30 MOTION: Selectman Mooers moved, with Selectman Dudman seconding,  
31 acknowledgement of Treasurer's School Board AP/Payroll Warrants 11 and 18 in the  
32 amounts of \$20,236.44 and \$72,489.48, respectively as presented. Motion approved 5-0.  
33

34 **XIV. Adjournment**

35  
36 MOTION: Selectman Hart moved, with Selectman Dudman seconding, adjournment.  
37 Motion approved 5-0.  
38

39 The meeting was adjourned at 7:55PM.

40 Respectfully Submitted,  
41

42  
43  
44 Wendy Littlefield, Secretary  
45