

Town of Mount Desert
Board of Selectmen

Regular Meeting
Monday, April 2, 2018
Location: Meeting Room, Town Hall, Northeast Harbor

A meeting of the Board of Selectmen was held this date in the Meeting Room, Town Hall, Northeast Harbor, Maine.

Those present included: Chairman John Macauley; Selectmen Matt Hart, Rick Mooers, and Wendy Littlefield; staff members Town Manager Durlin Lunt, Harbormaster John Lemoine, Fire Chief Mike Bender, Public Works Director Tony Smith, Treasurer Kathi Mahar, Assessor Kyle Avila, Town Clerk Claire Woolfolk, and Tax Collector Lisa Young; and members of the public. Selectman Dudman, excused.

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

Chairman Macauley called the meeting to order at 6:27 p.m.

II. Public Hearing(s)

A. *Liquor License Application – 123 MAINSTREET RESTAURANT, LLC d/b/a 123 Main Street; 123 Main Street, Northeast Harbor*

Chairman Macauley asked for public comments. There were none.

MOTION: Selectman Mooers moved, with Selectman Hart seconding, to close the public hearing. Motion approved 4-0.

III. Post Public Hearing

A. *Approval of Liquor License Application – 123 MAINSTREET RESTAURANT, LLC d/b/a 123 Main Street; 123 Main Street, Northeast Harbor*

MOTION: Selectman Hart moved, with Selectman Mooers seconding, approval of Liquor License Application from 123 MAINSTREET RESTAURANT, LLC d/b/a 123 Main Street. Motion approved 4-0.

III. Minutes

A. *Approval of minutes from March 5, 2018 meeting*

MOTION: Selectman Littlefield moved, with Selectman Hart seconding, to approve the March 5, 2018 Minutes as presented. Motion approved 4-0.

B. *Approval of minutes from March 19, 2018 meeting*

MOTION: Selectman Hart moved, with Selectman Mooers seconding, to approve the March 19, 2018 Minutes as presented. Motion approved 4-0.

IV. Appointments/Recognitions/Resignations

A. *Appoint Catherine Forthofer as Seasonal Office Manager beginning in April at \$16.00 per hour*

Board of Selectmen Meeting Agenda April 2, 2018

MOTION: Selectman Hart moved, with Selectman Mooers seconding, to appoint Catherine Forthofer as Seasonal Office Manager at the Marina beginning in April at \$16.00 per hour. Motion approved 4-0.

B. Resignation of Benjamin Gilley as On-Call Firefighter in order to fulfill the Acting Full-Time Firefighter position

MOTION: Selectman Mooers moved, with Selectman Hart seconding, to accept the resignation of Benjamin Gilley as On-Call Firefighter in order to fulfill the Acting Full-Time Firefighter position. Motion approved 4-0.

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.*)

A. Construction Schedules for the Route 198 work, Sylvan Drainage project, and NEH Main Street improvements

B. MRC memo dated March 28, 2018 regarding the Interim MSW Delivery to Crossroads and JRL as of April 1, 2018

MOTION: Selectman Hart moved, with Selectman Mooers seconding, approval of the Consent Agenda as presented. Motion approved 4-0.

VI. Selectmen's Reports

Selectman Littlefield reported that a citizen request regarding the one-way traffic on Main St. in Northeast Harbor begin prior to May 1. After some discussion it was agreed that it would be deferred to Police Chief Jim Willis and Public Works Director Tony Smith to review and make recommendations at the April 17, 2018 Selectman meeting.

MOTION: Selectman Littlefield moved, with Selectman Mooers seconding, to refer the traffic ordinance to Chief Willis and Director Smith for recommendations to be brought back to the April 17 Selectman meeting. Motion approved 4-0.

Selectman Hart said that he would like to revisit the proposed number of mobile vendors allowed at the marina in light of having three applications and the current plan of only allowing two. Director Smith was asked if his project to provide power to the new food truck parking area could be expanded to allow for three trucks to have power. Mr. Smith said that the project was being designed to allow for possible expansion.

MOTION: Selectman Hart moved, with Selectman Mooers seconding, to revisit the decision to allow two mobile vendors at the marina on the April 17 Selectman meeting. Motion approved 4-0.

VII. Old Business

A. Finalize and Sign Warrant for Annual Town Meeting May 7 & 8, 2018

It was noted that at the Warrant Committee dinner, Article 58 needed to be revote dot change the Board of Selectmen recommendation from "ratification" to "passage." Additionally, Land Use Zoning Board consultant, Noel Musson, had submitted some edits to the LUZO articles for inclusion in the final warrant:

- Article 8 (Page 7) – change the word “determine in the == paragraph to “determination”. See attached scan.
- Article 11 (pages 9-12) – the second half of the ordinance change is just a copy of the first half. It should show the changes to the Subdivision Ordinance not the chart from the Land Use Ordinance. I’ve marked it in the attached PDF and also included the original Article in the attached Word document.
- Article 12 (page 12) – the Explanatory Note should be edited as suggested in the attached PDF
- Article 13 (page 13) – add the word “to” in the Warrant questions. See attached PDF.

MOTION: Selectman Hart moved, with Selectman Littlefield seconding, to recommend “passage” on Article 58 (Marina Propriety Fund) of the May 7 & 8, 2018 Town Warrant. Motion approved 4-0.

MOTION: Selectman Littlefield moved, with Selectman Hart seconding, to accept the amendments to the articles submitted by Noel Musson as presented. Motion approved 4-0.

MOTION: Selectman Littlefield moved, with Selectman Hart seconding, to accept as final the Warrant for the May 7 & 8, 2018 Town Meeting with the amendments as presented and approved. Motion approved 4-0.

VIII. New Business

- A. *Shellfish Conservation Committee requests approval from the Board of Selectmen to amend the existing seasonal closure 25 days earlier for transplanting activity on 4/5/18*

MOTION: Selectman Mooers moved, with Selectman Hart seconding, to approve the request of the Shellfish Committee to amend the existing seasonal closure to begin on April 5, 2018. Motion approved 4-0.

- B. *Citizen request for waiving interest on 2017 Property Tax for 28 Tamarack Lane – Dongchun Jiang*

The Board took no action as they have no authority to waive interest due on taxes.

- C. *Request to Authorize A Public Space Special Event Application to the Neighborhood House for Annual Memorial Day Community BBQ scheduled May 28, 2018– Northeast Harbor Marina Green*

MOTION: Selectman Mooers moved, with Selectman Littlefield seconding, to approve the Public Space Special Event Application to the Neighborhood House for Annual Memorial Day Community BBQ scheduled May 28, 2018– Northeast Harbor Marina Green. Motion approved 3-0-1 (Hart in Abstention).

- D. *Request to Authorize A Public Space Special Event Application to the Neighborhood House for Community Steel Drum Concert scheduled July 19, 2018 – Northeast Harbor Marina Green*

MOTION: Selectman Littlefield moved, with Selectman Mooers seconding, to approve the Public Space Special Event Application to the Neighborhood House for Community Steel Drum Concert scheduled July 19, 2018– Northeast Harbor Marina Green. Motion approved 3-0-1 (Hart in Abstention).

- E. *Report on Station #2 Window Replacement Project (no action required)*

Chief Bender gave a short explanation of the project. There were not questions or comments from the Board.

- F. *Youth in Politics Proposed Project*

Assessor Kyle Avila reported on the Youth in Politics (YIP) ideas for community projects. One would involve a cleanup at Suminsby Park and the creation of a sculpture to be displayed at the park from the materials gathered during the cleanup. The second would be the creation of a skating rink during the winter months at the marina. The Board offered suggestions on moving forward with their projects.

MOTION: Selectman Mooers moved, with Selectman Hart seconding, to acknowledge the YIP ideas and to whole-heartedly encourage them to move forward with their plans. Motion approved 4-0.

- G. *Municipal Officer's Certifications of Official Text of Proposed Ordinances and Amendments:*

1. *Alewife Ordinance*
2. *Amendments to the Solid Waste Ordinance*
3. *Amendments to the Town of Mount Desert Public Road Acceptance Ordinance*
4. *Amendments to the Town of Mount Desert Land Use Zoning Ordinance*
5. *Amendments to the Town of Mount Desert Subdivision Ordinance*
6. *Moratorium Ordinance on Retail Marijuana Establishments, Retail Marijuana Stores, and Retail Marijuana Social Clubs*

Town Clerk Claire Woolfolk notified the Board that the texts include the edits submitted over the weekend by Noel Musson and that were approved under agenda item

VII. Old Business A.

MOTION: Selectman Mooers moved, with Selectman Hart seconding, to certify the official text of proposed ordinances and amendments as presented to include the edits presented in the March 31, 2018 email to Town Clerk Woolfolk from Noel Musson. Motion approved 4-0.

IX. Other Business

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

None presented.

X. Treasurer's Warrants

A. *Approve & Sign Treasurer's Warrant AP1859 in the amount of \$114,246.54*

MOTION: Selectman Hart moved, with Selectman Littlefield seconding, approval and Signature of Treasurer's Warrant AP1859 in the amount of \$114,246.54, as presented. Motion approved 4-0.

B. *Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1857, AP1858, and PR1821 in the amounts of \$3,270.98 , \$4,463.36, and \$100,528.14, respectively*

MOTION: Selectman Mooers moved, with Selectman Hart seconding, approval of signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1857, AP1858, and PR1821 in the amounts of \$3,270.98, \$4,463.36, and \$100,528.14, respectively. As presented. Motion approved 3-0-1 (Littlefield in Abstention).

C. *Acknowledge Treasurer's School Board AP/Payroll Warrant 20 in the amount of \$181,922.22*

MOTION: Selectman Hart moved, with Selectman Littlefield seconding acknowledgement of the Treasurer's School Board AP/Payroll Warrant 20 in the amount of \$181,922.22, as presented. Motion approved 3 -0-1 (Macauley in Abstention).

XI. Executive Session

None Scheduled

XII. Adjournment

MOTION: Selectman Mooers moved, with Selectman Hart seconding, adjournment. Motion approved 4-0.

The meeting was adjourned at 6:51 PM.

The next regularly scheduled meeting is at 6:30 p.m., Tuesday, April 17, 2018 in the Meeting Room, Town Hall, Northeast Harbor

Respectfully Submitted,

Wendy Littlefield, Secretary