

**Town of Mount Desert
Board of Selectmen Meeting Minutes
Meeting Room, Town Hall
6:30 PM, November 19, 2018**

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

Town Manager Durlin Lunt, Treasurer Kathy Mahar, Public Works Director Tony Smith, and Town Clerk Claire Woolfolk were present.

Members of the public were also in attendance.

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

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

II. Minutes

A. Approval of minutes from November 5, 2018 meeting

MOTION: Selectman Dudman moved, with Selectman Hart seconding, approval of the November 5, 2018 Minutes, as presented. Motion approved 4-0.

III. Appointments/Recognitions/Resignations

None presented

IV. 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. MRC Quarterly Distributions

B. Hancock County Commissioners Meeting Minutes October 2, 2018 and October 23, 2018

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

V. Selectmen's Reports

Selectman Dudman requested a report on risk assessment and preparation for a widespread fire event, such as what is occurring in California; such a report should contain equipment needed and plans for cooperation between the Towns and Acadia National Park. Town Manager Lunt agreed to inquire with the Fire Chief about such a report. It was noted there are also third-party insurance assessment groups that might be worth looking into.

Selectman Hart updated the Board on the LUZO Advisory Group. He noted the mobile vendor ordinance had been discussed. Selectman Hart felt it might be worth having consultant Noel Musson discuss the issue with the Board. Selectman Mooers reported the Advisory Board discussed the ordinance in connection to vendors within the public property shoreland zone, and private commercial property. A question arose at the meeting regarding using a mobile vendor or other similar style business for catering services. Selectman Mooers echoed Selectman Hart's hope to have Noel address the Board of Selectmen.

1 It was pointed out there is a Sale of Food and Merchandise Ordinance, but it is not part of the
2 LUZO. Selectman Mooers noted that a mobile vendor sells to the public. A caterer provides a
3 service to a private function and a controlled audience that's already been paid for. A discussion
4 of the nuances ensued. It was noted the LUZO Advisory Board would continue to discuss the
5 issue.
6

7 **VI. Unfinished Business**

8 None presented
9

10 **VII. New Business**

11 *A. Request Office Closure for Employee Christmas Party on Friday, December 14th*

12 MOTION: Selectman Dudman moved, with Selectman Hart seconding, approval of request
13 for office closure for employee Christmas party on Friday, 11:30AM to 1:30PM, December
14 14, 2018, as presented. Motion approved 4-0.
15

16 *B. Request Christmas Eve Early Closure at 12 noon, December 24, 2018*

17 MOTION: Selectman Mooers moved, with Selectman Hart seconding, approval of the
18 request for Christmas Eve early closure at noon, December 24, 2018, as presented. Motion
19 approved 4-0.
20

21 *C. Request approval to hire Williams Irrigation at a cost of \$43,370.00 to furnish and install all*
22 *labor and materials, including plumbing and electrical, to provide us with a fully functioning*
23 *irrigation system and authorize Public Works Director, Tony Smith, to execute an agreement*
24 *with them for the work on behalf of the town and to expend the remaining approved funds*
25 *of \$6,630.00 up to the town meeting approved budget of \$50,000 at his discretion, if*
26 *needed, to pay the cost of any unforeseen circumstances items that might arise*
27 Public Works Director Smith noted this was for the Village Green and in front of the
28 Yachtsman's facility. Selectman Mooers confirmed the amount was not to exceed \$50,000.
29

30 MOTION: Selectman Hart moved, with Selectman Dudman seconding, approval to hire
31 Williams Irrigation at a cost of \$43,370.00 to furnish and install all labor and materials,
32 including plumbing and electrical, to provide the Town with a fully functioning irrigation
33 system and authorize Public Works Director Tony Smith to execute an agreement with them
34 for the work on behalf of the Town and to expend the remaining approved funds of
35 \$6,630.00 up to the Town Meeting approved budget of not to exceed \$50,000 at his
36 discretion, if needed, to pay the cost of any unforeseen circumstances items that might
37 arise, as presented. Motion approved 4-0.
38

39 *D. Request consideration of a waiver of the Sewer Ordinance requirement for a separate and*
40 *individual sewer connection for each structure under Section 4.04 for the property located at*
41 *42 Main Street, Seal Harbor (Map 30 Lot 20)*
42 Public Works Director Smith recommended approval.
43

44 MOTION: Selectman Dudman moved, with Selectman Hart seconding, approval of a waiver
45 of the Sewer Ordinance requirement for a separate and individual sewer connection for
46 each structure under Section 4.04 for the property located at 42 Main Street, Seal Harbor
47 (Map 30 Lot 20), as presented. Motion approved 4-0.
48

- 1 E. *Request approval for the acquisition of Commercial Shredder for the Finance Department*
2 *from the Finance Department Reserve Funds #4020500-24206 in the amount of \$1,499.00*

3 MOTION: Selectman Mooers moved, with selectman Dudman seconding, approval for the
4 acquisition of Commercial Shredder for the Finance Department from the Finance
5 Department Reserve Funds #4020500-24206 in the amount of \$1,499.00.
6

7 It was noted the amount should be noted as "up to" \$1,499.00.
8

9 MOTION: Selectman Hart moved, with Selectman Dudman seconding, approval for the
10 acquisition of Commercial Shredder for the Finance Department from the Finance
11 Department Reserve Funds #4020500-24206 in the amount of up to \$1,499.00, as amended.
12 Motion approved 4-0.
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- 14 F. *Request use of Finance Department Reserve Funds up to \$5,500.00 from Account #4020500-*
15 *24206 for the purchase and installation of Meeting Room Presentation Equipment*

16 MOTION: Selectman Mooers moved, with Selectman Hart seconding, approval of use of
17 Finance Department Reserve Funds up to \$5,500.00 from Account #4020500-24206 for the
18 purchase and installation of Meeting Room Presentation Equipment, as presented.
19

20 Town Manager Lunt and Treasurer Mahar noted the new technology will allow for more
21 interactive presentations and enable more participation with an additional screen.
22

23 Motion approved 4-0.
24

- 25 G. *Discussion of the Sustainability Committee's Draft Plastic Bag and Polystyrene Ordinances*

26 Sustainability Committee Member Gordon Beck handed out a revised draft of the
27 ordinances. It was noted there are two different ordinances; one for plastic bags and one
28 for polystyrene. It was noted the ordinances are similar, but not identical to the ones
29 recently presented in Southwest Harbor. A discussion of the variety of biodegradable
30 products on the market ensued.
31

32 Selectman Hart voiced concern over the timing. An ordinance enacted at the May Town
33 Meeting, and going into effect immediately, may result in businesses stuck with a stockpile
34 of plastic they are not allowed to use. Further, he wondered does the fact that people may
35 feel obligated to purchase a different type of bag due to the possibility of a new ordinance
36 mean the Town is compelling enforcement of an ordinance prior to Town Meeting
37 approval? Mr. Beck noted the Sustainability Committee will be making a concerted effort
38 to reach all the businesses in Town now and educate them on the upcoming ordinances to
39 prevent such a thing. In the event a business does have a stockpile of plastic they want to
40 use up, the Town can grant exceptions to the rule on an as-needed basis. Selectman Hart
41 hoped the committee members reaching out to businesses would provide very clear
42 guidelines and schedules.
43

44 Sustainability Committee member Phil Lichtenstein noted all Mount Desert Island Towns are
45 in the process of creating similar policies. It was hoped the Ordinances can be enacted in
46 time for the summer season.
47

Mr. Beck and Mr. Lichtenstein hoped the Board would approve moving the process forward or provide suggestions for changes to the draft ordinance. Then the Committee members will spend the next two weeks reaching out to business owners for feedback. It was hoped that by the December 3 Board of Selectmen's meeting the Committee can bring the ordinances back for further review, and possible vote of approval for presenting them to the Warrant Committee. It was noted a public hearing is also required.

Resident Katrina Carter asked how the mobile vendors, or caterers will be notified of this change. Mr. Beck noted the Committee planned to reach out to them, and to any other vendors. Selectman Dudman hoped the Ordinances could have information regarding mobile vendors and catered events included within them. One-time food service providers brought in for special events, and farmer's market sellers were also mentioned.

Selectman Mooers lauded the Sustainability Committee's efforts on creating these ordinances. Selectman Dudman echoed Selectman Mooers sentiment.

MOTION: Selectman Mooers moved, with Selectman Hart seconding, to direct the Sustainability Committee to move forward with the process of review, to reach out to as many business owners as possible, and hopefully all, for feedback, and to consider such outreach as newspaper notification, and further, to consider special events for inclusion in the Ordinances. Motion approved 4-0.

VIII. Other Business

A. Such other business as may be legally conducted

Chairman Macauley noted the changes to the Acadia National Park Advisory Committee's handling of new members. Town Manager Lunt noted that resumes are now required for potential new members.

IX. Treasurer's Warrants

A. Approve & Sign Treasurer's Warrant AP1928 in the amount of \$372,462.24 and AP1929 in the amount of \$706.74

MOTION: Selectman Dudman moved, with Selectman Hart seconding, approval and signature of Treasurer's Warrant AP1928 in the amount of \$372,462.24, and AP1929 in the amount of \$706.74, as presented and amended. Motion approved 4-0.

B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1926, AP1927, and PR1910 in the amounts of \$4,229.90, \$2,613.25, and \$98,993.32, respectively, and additionally acknowledge Treasurer's School Board AP/Payroll Warrant 5 in the amount of \$53,633.07

MOTION: Selectman Hart moved, with Selectman Mooers seconding, approval of signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1926, AP1927, and PR1910 in the amounts of \$4,229.90, \$2,613.25, and \$98,993.32, respectively, and additionally acknowledge Treasurer's School Board AP/Payroll Warrant 5 in the amount of \$53,633.07, as presented. Motion approved 4-0.

C. Acknowledge Treasurer's School Board AP/Payroll Warrant 10 in the amount of \$78,514.60

1 D. MOTION: Selectman Mooers moved, with Selectman Hart seconding, acknowledgement of
2 Treasurer's School Board AP/Payroll Warrant 10 in the amount of \$78,514.60, as presented.
3 Motion approved 3-0-1 (Macauley in Abstention).
4

5 **X. Adjournment**

6 MOTION: Selectman Mooers moved, with Selectman Hart seconding, adjournment. Motion
7 approved 4-0.
8

9 The meeting was adjourned at 7:13PM.
10

11 Respectfully Submitted,

12 
13
14 Wendy Littlefield, Secretary
15

