

**Town of Mount Desert  
Board of Selectmen Meeting Minutes  
Meeting Room, Town Hall  
6:30 PM, April 1, 2019**

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

Town Manager Durlin Lunt, Public Works Director Tony Smith, and Town Clerk Claire Woolfolk were in attendance.

Members of the public were also in attendance.

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

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

**I. Executive Session**

*A. Pursuant to Title 1 M.R.S. § 405(6)(E) – Consultation between the Board and its Attorney concerning the legal rights and duties of the Mount Desert Board of Selectmen, including pending or contemplated litigation, settlement offers and matters where the duties of the public body's counsel to the attorney's client pursuant to the code of professional responsibility would clearly conflict with this subchapter (1 MRS, Chapter 13, Subchapter 1) or where premature general public knowledge would clearly place the municipality or person at a substantial disadvantage*

MOTION: Selectman Mooers moved, with Selectman Hart seconding, entering into Executive Session, Pursuant to Title 1 M.R.S. § 405(6)(E) – Consultation between the Board and its Attorney concerning the legal rights and duties of the Mount Desert Board of Selectmen, including pending or contemplated litigation, settlement offers and matters where the duties of the public body's counsel to the attorney's client pursuant to the code of professional responsibility would clearly conflict with this subchapter (1 MRS, Chapter 13, Subchapter 1) or where premature general public knowledge would clearly place the municipality or person at a substantial disadvantage. Motion approved 4-0.

The Board entered into Executive Session at 6:00 PM.

MOTION: Selectman Mooers moved, with Chairman Macauley seconding, leaving Executive Session. Motion approved 4-0.

The Board left Executive Session at 6:28PM.

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

**II. Minutes**

*A. Approval of minutes from March 18, 2019 meeting*

MOTION: Selectman Littlefield moved, with Selectman Mooers seconding, approval of the March 18, 2019 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. Department Reports: Highway*

*B. League of Towns Meeting Minutes from January 22, 2019 and February 26, 2019*

*C. Hancock County Commissioners Meeting Minutes from March 5, 2019*

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

**V. Selectmen's Reports**

There were no Selectmen's Reports presented.

**VI. Old Business**

None presented

**VII. New Business**

*A. Journeys End Inc. d/b/a The Dockside 14 Sea St, Northeast Harbor request for Liquor License Renewal*

MOTION: Selectman Littlefield moved, with Selectman Mooers seconding, approval of Journeys End Inc. d/b/a The Dockside 14 Sea St, Northeast Harbor request for Liquor License Renewal, as presented. Motion approved 4-0.

*B. Dawnland LLC d/b/a Jordan Pond House 2928 Park Loop Rd, Seal Harbor request for Liquor License Renewal*

MOTION: Selectman Mooers moved, with Selectman Littlefield seconding, approval of Dawnland LLC d/b/a Jordan Pond House 2928 Park Loop Rd, Seal Harbor request for Liquor License Renewal, as presented. Motion approved 4-0.

*C. Review and Comment on DMR application for a limited-purpose 3-year experimental aquaculture lease submitted by Mussel Bound, Inc.*

A Review was made of the DMR Application for a limited-purpose 3-year experimental aquaculture lease submitted by Mussel Bound, Inc. Selectman Mooers voiced support for such enterprises. It was noted the lease was for an area off Bartlett's Island.

No Action was necessary.

*D. Request consideration of Main Street Utility Location Permit Application; Northeast Harbor*

Public Works Director Tony Smith reported this Utility Location Permit Application was part of the construction process. It keeps the Town informed of what is in their Right of Way underground. The Town will receive drawings showing the underground utilities.

MOTION: Selectman Hart moved, with Selectman Littlefield seconding, approval of consideration of Main Street Utility Location Permit Application; Northeast Harbor, as presented. Motion approved 4-0.

- E. Consideration of award of the Crosswalks Improvement Project to RF Jordan & Sons, Inc. of Ellsworth at their bid price of \$383,920 subject to project funding approval at our May 7, 2019 Town Meeting and, if project funding is approved, PW Director Tony Smith be authorized to sign an agreement with them for the work on behalf of the Town*

MOTION: Selectman Mooers moved, with Selectman Hart seconding, award of the Crosswalks Improvement Project to RF Jordan & Sons, Inc. of Ellsworth at their bid price of \$383,920, contingent upon project funding approval at the May 7, 2019 Town Meeting and, if project funding is approved, authorization of Public Works Director Tony Smith to sign an agreement with them for the work on behalf of the Town, as presented. Motion approved 4-0.

- F. Consideration of award of the Steamboat Wharf Road Wall Reconstruction Project to K.J. Dugas Construction, Inc. of Surry at their bid price of \$132,045 subject to project funding approval at our May 7, 2019 Town Meeting and, if project funding is approved, PW Director Tony Smith be authorized to sign an agreement with them for the work on behalf of the Town*

MOTION: Selectman Mooers moved, with Selectman Littlefield seconding, award of the Steamboat Wharf Road Wall Reconstruction Project to K.J. Dugas Construction, Inc. of Surry at their bid price of \$132,045, contingent upon project funding approval at the May 7, 2019 Town Meeting and, if project funding is approved, authorization of Public Works Director Tony Smith to sign an agreement with them for the work on behalf of the Town, as presented. Motion approved 4-0.

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

- 1. Alewife Ordinance*
- 2. Single Use Carryout Bag Ordinance*
- 3. Polystyrene Foam Food Service Container Ordinance*
- 4. Amendments to the Town of Mount Desert Land Use Zoning Ordinance and Land Use Map*

MOTION: Selectman Littlefield moved, with Selectman Mooers seconding, Certification of Official Text of Proposed Ordinances and Amendments:

- 1- Alewife Ordinance
- 2- Single-Use Carryout Bag Ordinance
- 3- Polystyrene Foam Food Service Container Ordinance
- 4- Amendments to the Town of Mount Desert Land Use Zoning Ordinance and Land Use Map

As presented. Motion approved 4-0.

## **VIII. Other Business**

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

Town Manager Lunt presented to the Board a request from Planning Board Chairman Bill Hanley a request that full time Planning Board Member, Beth Renault, be moved to an Alternate Board Member position and that current Alternate Board Member, Christie Anastasia, be moved to a full-time Board Member position. This change was because Ms.

Renault is anticipating she will not be able to dedicate the time necessary to get up to speed for the re-review of the quarry, make special meetings, and she has summer scheduling conflicts with the regular Planning Board schedule.

MOTION: Selectman Hart moved, with Selectman Littlefield seconding, granting the Planning Board's request to transfer Full-time Planning Board Member Beth Renault to an Alternate Board Member position, and move Alternate Planning Board Member Christie Anastasia to a Full-Time Planning Board Member, as presented and with thanks to both Planning Board Members.

It was noted that Ms. Anastasia was in agreement with this proposed change.

Selectman Mooers inquired whether this was a permanent change. Town Manager Lunt affirmed that it was. It should not be the perception that the Planning Board can change members depending on the issue at hand.

Motion approved 4-0.

#### **IX. Treasurer's Warrants**

*A. Approve & Sign Treasurer's Warrant AP1957 in the amount of \$160,482.43*

MOTION: Selectman Littlefield moved, with Selectman Mooers seconding, Approval and Signature of Treasurer's Warrant AP1957 in the amount of \$160,482.43, as presented. Motion approved 4-0.

*B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1955, AP1956, and PR1919 in the amounts of \$5,208.08, \$4,136.54, and \$101,865.68, respectively*

MOTION: Selectman Hart moved, with Selectman Mooers seconding, Approval of signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP1955, AP1956, and PR1919 in the amounts of \$5,208.08, \$4,136.54, and \$101,865.68, 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 \$190,952.24*

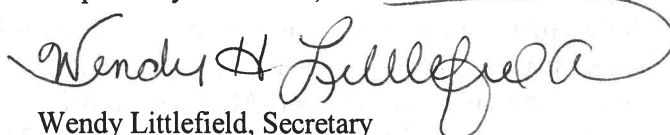
D. MOTION: Selectman Mooers moved, with Selectman Littlefield seconding, acknowledgement of Treasurer's School Board AP/Payroll Warrant 20 in the amount of \$190,952.24, as presented. Motion approved 4-0.

#### **X. Adjournment**

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

The Meeting adjourned at 6:44 PM.

Respectfully Submitted,



Wendy Littlefield, Secretary