

**Town of Mount Desert
Board of Selectmen Meeting Minutes
Meeting Room, Town Hall
6:30 PM, July 15, 2019**

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

Police Chief Willis, Lieutenant Kerns, Fire Chief Bender, Public Works Director Smith, and Town Manager Lunt were also in attendance.

Public present: Jerry Miller, Carroll Fernald, Kreg McCune, Gail Marshall, Dick Broom, Dennis Shubert, Chris Willis, Debra Deal, and Shannan Westphal

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 July 1, 2019 meeting

MOTION: Selectman Hart moved, with Selectman Dudman seconding, approval of the July 1, 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: Public Works

B. Property Nominated for the National Register of Historic Places; Sound School, 373 Sound Drive, Mt. Desert (Map/Lot 008-050)

C. Hancock County Commissioners Meeting Minutes June 4 and 18, 2019

MOTION: Selectman Mooers moved, with Selectman Hart seconding, approval of the Consent Agenda as presented, and with congratulations to the Historical Society for their nomination. Motion approved 4-0.

V. Selectmen's Reports

No Selectman's Reports were presented.

VI. Unfinished Business

A. Discussion of Citizen Concerns regarding Traffic and Crosswalks in Somesville

Somesville Resident Gail Marshall described Hibbards Hill Road where she lived and the difficulty of merging into traffic from that road. She thanked the Public Works Department for the exemplary job they do sanding Hibberds Hill Road in the winter.

Ms. Marshall disagreed with statements made at the last Board of Selectman's meeting that the Board did not care about the situation in Somesville. She noted her husband crosses the road to reach the water, crossing further back from the hill to increase visibility, and crossing with care. The 25-mph sign is currently visible from her home. She hoped a flashing speed limit sign would

1 not be erected in its place. She opined that the 25-mph sign should be closer to the traffic light,
2 giving drivers more time to slow down before hitting the village. Additionally, Ms. Marshall
3 asked about having the section of Route 102, before the Somesville Freshies and the traffic light,
4 be limited to 25 miles per hour. The other end of Somesville could also use a longer 25-mph
5 section as well.
6

7 Chief Willis noted the DOT is the entity to review the area. If the Board of Selectmen directs him
8 to, he would be happy to request the DOT to review the situation. Chairman Macauley noted
9 the Town cannot control speed on State roads.
10

11 Somesville Resident Debra Deal stated that speed is an issue and there is not enough police
12 oversight. The issue of speeding is a year-round problem. She wondered if the DOT could be
13 asked to do a study on the numbers of vehicles and monitor speed in Somesville. Ms. Deal felt
14 flashing signs might be helpful. Ms. Deal hoped that when solutions were discussed, the
15 neighbors could be involved with the question of sign placement.
16

17 Chief Willis stated that the mobile trailers posting speed also collect data. Lieutenant Kerns
18 reported that the mobile speed signs were in the Somesville area approximately 60 days in
19 2017. During that time roughly 250,000 vehicles passed through the area. The average speed of
20 vehicles is 27 to 30 miles per hour. Lt. Kerns noted the units record drivers and speed even
21 when not operational. Evidence showed that when the monitors appear to be off, a slight speed
22 increase is seen. The volume of vehicles keeps speed down, therefore certain times of day could
23 be targeted for oversight.
24

25 Lt. Kerns noted there has been a decrease in traffic accidents not related to snow or animals in
26 the area between the traffic light and the Somesville Fire Station.
27

28 Chief Willis reported that current plans are to continue working with the Public Works
29 Department on traffic calming efforts. The DOT has provided a traffic display sign to the Town,
30 however a condition of keeping it is that the sign must be kept mobile. Chief Willis also
31 mentioned new crosswalk signs with flashing lights. A pedestrian hits the button as they cross,
32 and lights flash while the pedestrian is in the crosswalk. The cost involved will take some
33 planning. Targeted enforcement based on the data gathered is another option the Police can
34 use.
35

36 Ms. Deal requested more monitoring be conducted during the times school buses are on the
37 road. Chief Willis noted that the Town can request this of the DOT, however the DOT will
38 conduct surveying as they see fit. The Town can share their data with the DOT.
39

40 Chief Willis also cautioned those present that working with the DOT can take years. Public
41 Works Director Smith reported it took two years to get signs on Grover Ave. changed. The DOT
42 has a standard system they use to gather information, including traffic speed and density.
43 Additionally, after a review of an area with regard to speed, there have been occasions when
44 the DOT has determined the speed limit should be raised. The Town will not have the choice to
45 override a decision the DOT makes based on their study, however Chief Willis did not anticipate
46 an increase in the speed limit in Somesville. Speed limits have to come from the DOT and they
47 have to be defined. Extending a speed limit zone will require a study first.
48

Chairman Macauley asked for further public comment. There was none.

MOTION: Selectman Mooers moved, with Selectman Dudman seconding, the Board direct the Town Manager to work with the Police Chief to request the DOT to make the study necessary to look at the safety issues and traffic speeds through the Somesville corridor of the area. Motion approved 4-0.

VII. New Business

A. Request for MDOT Sign Application Review and Approval for Kreg McCune Pottery

MOTION: Selectman Hart moved, with Selectman Dudman seconding, approval for MDOT Sign Application for Kreg McCune Pottery, as presented. Motion approved 4-0.

B. Request to Authorize a Public Space Special Event Application to the Parish of St. Mary & St. Jude Church Picnic scheduled September 15, 2019 – Suminsby Park

MOTION: Selectman Dudman moved, with Selectman Mooers seconding, authorization for Public Space Special Event Application to the Parish of St. Mary & St. Jude Church Picnic scheduled September 15, 2019 – Suminsby Park, as presented. Motion approved 4-0.

C. Request from Mount Desert Nursing Service to have a food truck at their summer fair which will be held at the Mount Desert Elementary School on August 3

It was noted that the school has approved this request. The Ordinance states permission must be obtained by the Board for a food truck's presence on Town-owned property, therefore, the Board should review and consider this request for approval.

MOTION: Selectman Dudman moved, with Selectman Mooers seconding, approval for the Mount Desert Nursery School to have a food truck at their summer fair which will be held at the Mount Desert Elementary School on August 3. Motion approved 4-0.

It was noted the organization making the request was the Mount Desert Nursery School and not the Nursing Service.

D. Discussion of Citizen Concerns regarding Parking:

a. Steamboat Wharf Road, Seal Harbor; the issues here are related to overflow from people using Seal Harbor Beach,

Chief Willis noted that improvements have been made to and around the Seal Harbor Beach parking area, removing informal overflow parking. This overflow has now spread to Main St. in Seal Harbor. Police have tried to manage the situation with temporary parking signs, but the issue needs more formal action. Ideally, an ordinance change is required which can hopefully be considered later in the year. In the interim, Chief Willis is looking for guidance from the Board. Currently one side of the road is posted as temporary no parking.

Seal Harbor Resident Dennis Shubert reported that segments of Steamboat Wharf Road can become unsafe. He cited the State of California's requirements are for a 28-foot width for fire and safety apparatus. Steamboat Wharf Road at the stop sign is 20 feet wide. At Mr. Shubert's house, with a wall on one side and a concrete sidewalk on the other, the width is 25 feet. It's a road that's unsafe to use for roadside parking. This is a seasonal issue, and if the Police can use the safety cones to show it's a no-parking area, the residents try to keep

1 them upright and in place. Mr. Shubert noted other places the public can park – perhaps a
2 better public information system about other parking options would help.

3
4 Mount Desert Resident Jerry Miller noted that some of the extra parking areas require a
5 permit.

6
7 Chief Willis suggested permanent signs stating no parking. Signs would span from the Main
8 Street intersection, up the Steamboat Wharf Road until reaching New County Road. Chief
9 Willis reported that the neighbors in the area are requesting signage for no parking on both
10 sides of the street. Currently one side has temporary no parking signs. The permanent signs
11 can be posted that prohibit parking seasonally.

12
13 Seal Harbor Resident Chris Willis echoed the safety concerns. He felt the signs last year
14 helped alleviate the issue.

15
16 Fire Chief Bender noted that the NFPA requires a 20-foot clearance for emergency vehicle
17 apparatus to get through safely. Chief Bender agreed getting a vehicle down Steamboat
18 Wharf Road is difficult. He felt the whole length of the road required review. Additionally,
19 Main Street is a difficult road to maneuver with parking on both sides of the road. Chief
20 Bender felt that alleviating the problem in one place simply moves it to another. He's seen
21 people parking in front of no parking signs.

22
23 Chief Willis added that the white lines on the sides of the road provide guidance. Parking
24 over those lines is parking in the travel lane and technically a violation. The white lines were
25 never painted by the State. Chief Willis suggested some of the rules in place are
26 antiquated, and the system can be studied at a later date. In the meantime, he hoped for
27 some stopgap measures for the area between Main Street and New County Road and a
28 deeper review of the issue when things are less busy. The last time the Traffic Ordinance
29 was reviewed and updated was approximately six years ago. This type of ordinance work
30 does not usually require Town Meeting action.

31
32 Chairman Macauley asked if creating tow-zones would be effective. Chief Willis felt tow-
33 zones signs can be used, but for limited amounts of time. The Town is not in the business of
34 towing cars, in particular for parking violations.

35
36 MOTION: Selectman Hart moved, with Selectman Mooers seconding, to authorize Chief
37 Willis to limit parking to neither side of the street on Steamboat Wharf Road as he sees fit
38 and revisit the issue of parking at a later time and possibly talk about overflow parking in the
39 Village of Seal Harbor and include Fire Chief Bender in the discussion as well.

40
41 Selectman Dudman hoped that if parking could be kept safely on one side of Steamboat
42 Wharf Road it would be kept in place, particularly if an effort is made on enforcing parking
43 rules to educate people and encourage a change in their behavior. Chief Willis estimated
44 that parking on one side of the road would still allow for an emergency vehicle to get
45 through. Fire Chief Bender reiterated that a 20-foot width was necessary to get an
46 emergency vehicle through.

47

1 Mr. Shubert suggested that the yacht club is a bottlenecked area. Past that area the road
2 divides and the options for getting through increase. Those living on Steamboat Wharf Road
3 all appear to have on-property parking for their cars. Chief Bender noted that going around
4 the yacht club was not an option. The road above there is no wider than a sidewalk. Houses
5 in that area do park on the road. The last hydrant on that road is in front of the library.
6

7 Motion approved 3-0-1 (Dudman Opposed).
8

9 *b. Gilpatrick Lane, Northeast Harbor, the issues here are related to overflow from MDES*
10 *events Library events*

11 Chief Willis reported this is another spot where overflow parking from school events and
12 library events are causing problems. One side of the road currently has temporary no
13 parking signs. Chief Willis is hoping to have permanent No Parking signs where the
14 temporary signs are, and the area can be discussed when other traffic ordinance issues are
15 discussed.
16

17 MOTION: Selectman Dudman moved, with Selectman Mooers seconding, Chief Willis to
18 place permanent No Parking signs on Gilpatrick Road, where temporary No Parking signs
19 currently are.
20

21 Selectman Hart asked how this would affect the overflow parking, and where would cars go
22 that are no longer allowed to park on that road. He suspected people would park on
23 Neighborhood Road. Mr. Miller felt they already did park on that road.
24

25 Motion approved 4-0.
26

27 *c. Harbor Drive near Clifton Dock, Northeast Harbor - the issues here are related to*
28 *overflow from Clifton Dock parking*

29 Chief Willis noted the issue here was actually on Huntington Road. There is a small
30 privately-owned parking lot in the area. People using Clifton Dock require space to park.
31 Chief Willis is hoping to limit parking to one side of the road for safety sake. Town Manager
32 Lunt felt there was parking traditionally on the right side of the road as you go towards
33 Clifton Dock. Selectman Hart hoped parking on the 90-degree curve on that road could be
34 avoided. Chief Willis was hoping to allow for parking just past the hotel to the Clifton Dock
35 parking area and disallow it everywhere else.
36

37 MOTION: Selectman Dudman moved, with Selectman Mooers seconding, to allow parking
38 only on the right side of the road, coming from the marina to Clifton Dock parking. Motion
39 approved 4-0.
40

41 *d. Whitney Farm Road near Ponds end, Somesville - the issues here are related to overflow*
42 *from people using ponds end and the canoe/kayak rental business*

43 Chief Willis noted this parking issue was due to overflow parking at the Pond's End shore.
44

45 Parking only on the side opposite the rental operation was suggested. It was noted the hill
46 on Whitney Farm Road was dangerous on both sides.
47

MOTION: Selectman Mooers moved, with Selectman Dudman seconding, to allow parking on one side of the street on Whitney Farm Road from Pond's End, the side opposite the business. Motion approved 4-0.

E. Consideration of:

- a. Award of the Towns' FY-20 paving contract to Wellman Paving at a base bid total of \$265,443.48, and*

MOTION: Selectman Mooers moved, with Selectman Hart seconding, award of the Towns' FY20 paving contract to Wellman Paving at a base bid total of \$265,443.48, as presented. Motion approved 4-0.

- b. Accept their alternate bid price of \$75,523.11 for the work at the Somesville fire station to be paid for using \$50,000.00 from the fire departments Fire Station Building Reserve Account Number 4040300-24470 with a current unencumbered balance of \$124,140.62 plus \$25,523.11 from the public works appropriations paving budget, and*

MOTION: Selectman Dudman moved, with Selectman Hart seconding, acceptance of Wellman Paving's alternate bid price of \$75,523.11 for the work at the Somesville Fire Station to be paid for using \$50,000.00 from the Fire Department's Fire Station Building Reserve Account Number 4040300-24470 with a current unencumbered balance of \$124,140.62 plus \$25,523.11 from the Public Works Appropriations Paving Budget, as presented.

Selectman Mooers inquired whether this was an alternate bid price in that it is above and beyond the other costs. Director Smith affirmed it was.

Motion approved 4-0.

- c. Authorize Public Works Director Tony Smith to expend the balance of the FY-20 appropriations paving budget, \$119,033.41, based on his discretion for work items described in his July 12, 2019 memo to Town Manager Durlin Lunt, and*

MOTION: Selectman Mooers moved, with Selectman Hart seconding, authorization of Public Works Director Tony Smith to expend the balance of the FY20 appropriations paving budget, \$119,033.41, based on his discretion for work items described in his July 12, 2019 memo to Town Manager Durlin Lunt, as presented. Motion approved 4-0.

- d. That Director Smith be authorized to sign the contract with Wellman Paving on behalf of the Town for a total contract cost of \$340,966.59 (FY-20 paving as bid at \$265,443.48 plus work at the Somesville fire station at \$75,523.11)*

MOTION: Selectman Mooers moved, with Selectman Hart seconding, authorizing Director Smith to sign the contract with Wellman Paving on behalf of the Town for a total contract cost of \$340,966.59 (FY20 paving as bit at \$265,443.48 plus work at the Somesville Fire Station at \$75,523.11), as presented. Motion approved 4-0.

VIII. Other Business

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

There was no other business.

IX. Treasurer's Warrants

A. Approve & Sign Treasurer's Warrant AP2004 in the amount of \$523,290.13

MOTION: Selectman Mooers moved, with Selectman Hart seconding, approval and signature of Treasurer's Warrant AP2004 in the amount of \$523,290.13, as presented. Motion approved 4-0.

B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP2002, AP2003, and PR2001 in the amounts of \$90,232.10, \$42,220.07, and \$147,042.76, respectively

MOTION: Selectman Mooers moved, with Selectman Hart seconding, approval of signed Treasurer's Payroll, State Fees, and PR Benefit Warrants AP2002, AP2003, and PR2001 in the amounts of \$90,232.10, \$42,220.07, and \$147,042.76, respectively, as presented. Motion approved 4-0.

C. Acknowledge Treasurer's School Board AP/Payroll Warrants 1 in the amount of \$56,802.93

MOTION: Selectman Dudman moved, with Selectman Hart seconding, acknowledgement of Treasurer's School Board AP/Payroll Warrant 1 in the amount of \$56,802.93, as presented. Motion approved, 4-0.

X. Adjournment

MOTION: Selectman Mooers moved, with Selectman Dudman seconding, adjournment. Motion approved 4-0. The Meeting was adjourned at 7:27PM.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Wendy Littlefield". The signature is fluid and cursive, with a large loop at the end.

Wendy Littlefield, Secretary