

**Town of Mount Desert
SelectBoard Meeting Minutes**

Tuesday, September 8, 2020

Location: Zoom Meeting

This Meeting was held via remote access.

SelectBoard Members Present:

Chair John Macauley, Martha Dudman, Wendy Littlefield, Geoff Wood, Matt Hart

Public Officials Present:

Assessor Kyle Avila, Public Works Director Tony Smith, Town Manager Durlin Lunt, Fire Chief Mike Bender, Treasurer Kathy Mahar, Town Clerk Claire Woolfolk

Members of the public were also in attendance.

I. Call to order at 4:00 p.m.

Chair Macauley called the Meeting to Order at 4:00 PM.

II. Executive Session

A. Pursuant to 1 M.R.S. § 405(6)(C) for acquisition of real property or economic development and matters where premature general public knowledge would clearly place the Town at a substantial disadvantage

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, to enter into Executive Session, Pursuant to 1 M.R.S. § 405(6)(C) for acquisition of real property or economic development and matters where premature general public knowledge would clearly place the Town at a substantial disadvantage, as presented.

VOTE:

Martha Dudman: Aye	32	Matt Hart: Aye
Wendy Littlefield: Aye	33	Chair John Macauley: Aye
Geoff Wood: Aye		

Motion approved 5-0.

The Board entered into Executive Session.

MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, to leave Executive Session.

VOTE:

Wendy Littlefield: Aye	43	Matt Hart: Aye
Martha Dudman: Aye	44	Chair John Macauley: Aye
Geoff Wood: Aye		

Motion approved 5-0.

The Board left Executive Session at 4:35pm.

III. Minutes

A. Approval of minutes from August 17, 2020 meeting

MOTION: Ms. Dudman moved, with Mr. Hart seconding, to approve the Minutes of August 17, 2020, as presented.

VOTE:

Martha Dudman: Aye	55	Matt Hart: Aye
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1 Geoff Wood: Aye 3 Chair John Macauley: Aye
2 Wendy Littlefield: Abstains
4 Motion approved 4-0-1 (Littlefield in Abstention).
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6 **IV. Appointments/Recognitions/Resignations**
7 None presented.
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9 **V. Consent Agenda** *(These items are considered routine, and therefore, may be passed by the*
10 *Selectmen in one blanket motion. Board members may remove any item for discussion by*
11 *requesting such action prior to consideration of that portion of the agenda.)*

- 12 A. Household Hazardous Waste and Universal Waste Collection Day - Saturday, September 26,
- 13 2020 at BOTH of the MDI High School Parking Lots
- 14 B. Annual Maine Revenue Services audit of assessments and ratio report
- 15 C. August 21, 2020 letter from Donald Cote regarding Long Pond dangers
- 16 D. Update on reopening the CRM plant from MRC Executive Director, Michael Carroll
- 17 E. Acadia Disposal District Audit FY ended June 30, 2020 and 2019
- 18 F. Hancock County Commissioners Minutes of August 4 and August 18, 2020

19 Resident Ellen Kappes inquired about Item V.C. and the Long Pond dangers referred to. Public
20 Works Director Smith noted the problems include lack of a lifeguard, overcrowding, and parking.
21 It's been suggested moving the portable toilets on the site to the water side of the road would
22 eliminate the need for pedestrians to cross the street to use them. Director Smith reported that he,
23 Police Chief Willis, and Town Manager Lunt will discuss the concerns, and report to the Board on
24 how to address them. It is possible a lifeguard might need to be hired. Moving the portable toilets
25 closer to the water must be approved by the DEP. Director Smith promised to reach out to the
26 author of the letter sent, Mr. Cote, to update him on the progress being made and constraints that
27 might affect change, such as DEP regulations.
28

29 MOTION: Ms. Littlefield moved, with Mr. Hart seconding, approval of the Consent Agenda as
30 presented.

31 VOTE:

32 Wendy Littlefield: Aye 35 Geoff Wood: Aye
33 Matt Hart: Aye 36 Chair John Macauley: Aye
34 Martha Dudman: Aye
37 Motion approved 5-0.
38

39 **VI. Selectmen's Reports**

40 Ms. Dudman inquired whether complaints or questions have been received regarding the current
41 SelectBoard meeting time. Town Manager Lunt has received no complaints. Assessor Avila has
42 recorded attendee numbers, and in the earlier months of the Zoom meeting format, the Town had
43 more members of the public attending the 4PM Zoom Meetings than had been attending the 6PM
44 in-person meetings.
45

46 **VII. Unfinished Business**

- 47 A. Consider extending the MDI Farmers' Market Public Space Special Event Permit # 6-2020 –
- 48 Northeast Harbor Village Green; Thursdays 9am – noon through September 24, 2020

49 MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of the extension of the
50 MDI Farmers' Market Public Space Special Event Permit # 6-2020 – Northeast Harbor
51 Village Green; Thursdays 9am – noon through September 24, 2020, as presented.
52

52 VOTE:

53 Matt Hart: Aye 54 Martha Dudman: Aye

1 Geoff Wood: Aye 3 Chair John Macauley: Aye
2 Wendy Littlefield: Aye
4 Motion approved 5-0.
5

6 B. *Authorize the issuance of a General Obligation Bond of the Town in a principal amount not*
7 *to exceed \$295,000.00 at an interest rate of 2.09% and for a term of ten years*
8 MOTION: Mr. Hart moved, with Mr. Wood seconding, to approve the authorization of the
9 issuance of a General Obligation Bond of the Town in a principal amount not to exceed
10 \$295,000.00 at an interest rate of 2.09% and for a term of ten years, as presented.

11 VOTE:
12 Matt Hart: Aye 15 Wendy Littlefield: Aye
13 Geoff Wood: Aye 16 Chair John Macauley: Aye
14 Martha Dudman: Aye
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18 Motion approved 5-0.
19

20 Treasurer Kathy Mahar noted that if the next Item on the Agenda was approved, SelectBoard
21 Members would need to come to the Town Office to sign the bond the following morning.
22

23 C. *Execution of the bond document for the \$295,920000.00 General Obligation Bond issued by*
24 *Bar Harbor Bank & Trust Company effective September 18, 2020*

25 Chair Macauley noted the discrepancy in the amount noted in Item VII.B and VII.C. Town
26 Clerk Claire Woolfolk stated the amount is \$295,000.00. The amount was amended.
27

28 MOTION: Ms. Littlefield moved, with Mr. Hart seconding to execute the bond document for
29 the \$295,000.00 General Obligation Bond issued by Bar Harbor Bank & Trust Company
30 effective September 18, 2020, as presented and amended.

31 VOTE:
32 Wendy Littlefield: Aye 35 Geoff Wood: Aye
33 Matt Hart: Aye 36 Chair John Macauley: Aye
34 Martha Dudman: Abstains
37

38 Motion approved 4-0-1 (Dudman in Abstention).
39

40 D. *Northeast Harbor Village Center Improvements Project Cost Update*

41 Public Works Director Smith referred to a memo he sent the Board. Work won't resume on
42 the project for another five or six weeks. There have been change orders with the Contractor
43 totaling \$55,613.00. This was due to finding groundwater when excavating the parking lot.
44 Groundwater left uncorrected would have caused continuing problems in the area. There was
45 sanitary sewer and stormwater system work that was inadvertently left out of the project.
46 Additionally, there are engineering cost increases totaling \$135,000.00 in addition to the
47 original \$320,000 for construction contract administration and inspection. One issue causing
48 a sizable cost increase is working with Versant Power (formerly Emera Maine). Versant did
49 not agree with some of the plans, including wiring from the Docksider side of Sea Street,
50 crossing Sea Street and entering Old Firehouse Lane. The Town requested burying the wires
51 crossing the road and entering the Old Firehouse Lane portion of the Gray Cow Parking Lot;
52 CES Engineering took considerable time to show Versant that the work planned will address
53 their concerns.

54 Additionally, Director Smith stated the easement process has been expensive. Several
55 property owners changed their mind after lengthy discussion, and some have required
56 additions to be made to their easement. This has been a significant cost to the project.

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2 It was expected that Water District portions of work and Town portions of work would
3 happen concurrently, however the contractor did mostly Water District work for nine weeks.
4 This upped the budget by \$45,000.00. Nevertheless, Director Smith felt this was money well
5 spent; it provided the inspector time to ensure the water system was installed to the Water
6 District's specifications, better inspection of the work going on in the trenches, and to address
7 questions and concerns for those on Main Street.

8
9 The original budget had a contingency amount of \$337,000.00. These extra expenses leave
10 the Town with \$190,000.00 in the contingency fund. Director Smith noted the numbers are
11 explained in Table A of his memo to the Board. Table B is a further breakdown of where the
12 costs occurred and reflect expenses CES has felt were over and above the expected
13 expenditures.

14
15 Work is expected to begin after Columbus Day and continue until winter weather forced
16 work to stop. Director Smith hoped work would finish in Spring, 2021.

17
18 Director Smith reported that Versant has refused to start their portion of the work until the
19 last of the easements are finalized. Versant had originally committed to pursuing the
20 easements but have since reneged on the easement work.

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22 **VIII. New Business**

23 *A. Authorize Town Manager, Durlin Lunt, to sign and execute the following leases approved at*
24 *the August 11, 2020 Town Meeting:*

- 25 • *Neighborhood House 2020 Agreement*
- 26 • *Chamber of Commerce 2020 Agreement*
- 27 • *Ticket Sales 2020 Agreements*
- 28 • *Seal Harbor Fisherman's Association Lease*

29 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval to authorize Town
30 Manager, Durlin Lunt, to sign and execute the following leases approved at the August 11,
31 2020 Town Meeting:

- 32 • Neighborhood House 2020 Agreement
- 33 • Chamber of Commerce 2020 Agreement
- 34 • Ticket Sales 2020 Agreements
- 35 • Seal Harbor Fisherman's Association Lease

36 As presented.

37 VOTE:

38 Martha Dudman: Aye 41 Geoff Wood: Aye
39 Wendy Littlefield: Aye 42 Chair John Macauley: Aye
40 Matt Hart: Abstains

43 Motion approved 4-0-1 (Hart in Abstention).

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45 *B. Authorize Town Manager, Durlin Lunt, to sign the DOT agreement for Route 198 project*
46 *approved at the August 11, 2020 Town Meeting*

47 MOTION: Ms. Littlefield moved, with Mr. Hart seconding, authorization of Town Manager,
48 Durlin Lunt, to sign the DOT agreement for Route 198 project approved at the August 11,
49 2020 Town Meeting, as presented.

50 VOTE:

51 Wendy Littlefield: Aye 53 Martha Dudman: Aye
52 Mat Hart: Aye 54 Geoff Wood: Aye

1 Chair John Macauley: Aye
2 Motion approved 5-0.
3

- 4 C. *Consideration of retaining C.E. Bucklin & Sons, Inc. for repair and/or replacement of*
5 *approximately 800 to 900 linear feet of siding at the Seal Harbor fire station and authorize*
6 *the Fire Chief use of up to \$9,960.00 from Fire Station Building Reserve, account #4040300-*
7 *24470, with a current unencumbered balance of \$66,867.62 to pay for these repairs*
8 MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, approval of retaining C.E.
9 Bucklin & Sons, Inc. for repair and/or replacement of approximately 800 to 900 linear feet of
10 siding at the Seal Harbor fire station and authorize the Fire Chief use of up to \$9,960.00 from
11 Fire Station Building Reserve, account #4040300-24470, with a current unencumbered
12 balance of \$66,867.62 to pay for these repairs, as presented.

13 VOTE:

14 Wendy Littlefield: Aye 17 Geoff Wood: Aye
15 Martha Dudman: Aye 18 Chair John Macauley: Aye
16 Matt Hart: Aye
19 Motion approved 5-0.
20

- 21 D. *Request to Authorize a Public Space Special Event Application to Alissa M. Richards for a*
22 *wedding scheduled September 19, 2020 – Suminsby Park*
23 Mr. Wood voiced concern over the proposed wedding, particularly in light of the recent
24 Millinocket wedding debacle.
25

26 It was noted the numbers for gatherings due to Covid restrictions were currently at 200 for an
27 outdoor event, and 50 for an indoor event.
28

29 Mr. Hart felt that a small outdoor gathering where State and CDC guidelines are stringently
30 followed could be held safely. He wondered if there was a way to reinforce the importance
31 of following the guidelines, including appropriate spacing between guests, and the use of
32 masks. He wondered about the mention of a potluck meal. Mr. Hart agreed with Mr. Wood;
33 Mount Desert did not want an outbreak of Covid such as the one in Millinocket.
34

35 Director Smith pointed out that the event will be held in a public space, and others not
36 involved in the wedding could also be using that space. Town Clerk Woolfolk noted the fact
37 that it's public space and others may be using the space concurrently is included in the letter
38 sent to the Applicants. It was noted alcohol is not allowed and was not requested.
39

40 Ms. Dudman agreed with Mr. Hart. She hoped that in any approval given the Applicant will
41 include a request to wear masks and follow other safety protocols in place. Mr. Wood
42 suggested making abiding by safety protocols a condition of approval of the Application. It
43 should be made clear to the Applicant that alcohol is not allowed and that CDC guidelines
44 must be followed. They may or may not abide by those rules, but the Town must
45 nevertheless clearly insist that they do. Manager Lunt agreed the conditions could be set by
46 the Board.
47

48 The Board concurred with Mr. Wood's suggestion.
49

50 MOTION: Ms. Littlefield moved with Mr. Hart seconding, approving authorization of a
51 Public Space Special Event Application to Alissa M. Richards for a wedding scheduled
52 September 19, 2020 – Suminsby Park, with the requirement that the Applicants and their
53 guests abide by all CDC Guidelines due to the Covid pandemic.

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VOTE:

Wendy Littlefield: Aye	6	Geoff Wood: Aye
Matt Hart: Aye	7	Chair John Macauley: Aye
Martha Dudman: Aye		

Motion approved 5-0.

E. Request to Authorize a Public Space Special Event Application to Howie Montenko for a portrait shoot (Help Portrait MDI, LLC) scheduled October 3, 2020 – Seal Harbor Village Green

MOTION: Ms. Dudman moved, with Mr. Hart seconding, approval of the request to authorize a Public Space Special Event Application to Howie Montenko for a portrait shoot (Help Portrait MDI, LLC) scheduled October 3, 2020 – Seal Harbor Village Green, as presented.

Applicant Howie Montenko explained that those participating will have their temperatures taken and will be questioned regarding Covid as they arrive. Masks will be provided, and all participants will be required to wear masks. Masks will be removed only when the photos are taken. The photographer will be six feet in distance from the participants.

VOTE:

Martha Dudman: Aye	27	Geoff Wood: Aye
Matt Hart: Aye	28	Chair John Macauley: Aye
Wendy Littlefield: Aye		

Motion approved 5-0.

F. Request to Authorize a Public Space Special Event Application to William M. Hanley, Planning Board Chair for a Planning Board Public Hearing on Harold MacQuinn, Inc/Freshwater Stone and Brickwork, Inc Quarry scheduled September 30, 2020 – Northeast Harbor Village Green

MOTION: Ms. Dudman moved, with Mr. Hart seconding, approval of the request to Authorize a Public Space Special Event Application to William M. Hanley, Planning Board Chair for a Planning Board Public Hearing on Harold MacQuinn, Inc/Freshwater Stone and Brickwork, Inc Quarry scheduled September 30, 2020 – Northeast Harbor Village Green, as presented.

Mr. Wood realized the meeting proposed is important, but worried about the cost of the tent rental. Manager Lunt thought the cost would be a reimbursable expense through FEMA. He felt the requirement of following CDC guidelines should be included in this request as well. This event could easily be larger than the wedding previously addressed.

Treasurer Mahar stated the cost for the tent was \$6100.00. This price includes an audio system and chairs.

Ms. Dudman wondered if the meeting couldn't be held as the Town Meeting was, with attendees in their cars for the meeting. Manager Lunt did not believe the venue of the Village Green would work for attendees in cars. Ms. Dudman would be in favor of having it done at the high school, with attendees in their cars, as a less expensive alternative.

Manager Lunt suggested the Board formulate a set of questions for the Planning Board and he would forward them on.

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Ms. Dudman rescinded her Motion.

It was reiterated the cost and the location were the primary concerns. Manager Lunt promised to pass those concerns on to CEO Keene.

MOTION:

Ms. Dudman moved, with Mr. Wood seconding, tabling the Item.

VOTE:

Martha Dudman: Aye	13	Wendy Littlefield: Aye
Geoff Wood: Aye	14	Chair John Macauley: Aye
Matt Hart: Aye		

Motion approved 5-0.

Town Manager Lunt noted a special meeting might be necessary to approve the request, due to the time sensitivity. He added that the Planning Board Budget may have funds for the tent. If the event is moved to the High School, a vote by the Board will not be necessary.

IX. Other Business

A. Such other business as may be legally conducted

There was no other Business.

X. Treasurer's Warrants

A. Approve & Sign Treasurer's Warrant AP2112 in the amount of \$901,111.78

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval and signature of Treasurer's Warrant AP2112 in the amount of \$901,111.78, as presented.

VOTE:

Martha Dudman: Aye	33	Geoff Wood: Aye
Wendy Littlefield: Aye	34	Chair John Macauley: Aye
Matt Hart: Aye		

Motion approved 5-0.

B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP2109, AP2110, AP 2111, PR2104, and PR2105 in the amounts of \$2,882.62, \$6,073.56, \$93,443.57, \$116,719.40, and \$112,694.35, respectively

MOTION: Mr. Hart moved, with Mr. Wood seconding, approval of signed Treasurer's Payroll, State Fees, & PR Benefit Warrants AP2109, AP2110, AP 2111, PR2104, and PR2105 in the amounts of \$2,882.62, \$6,073.56, \$93,443.57, \$116,719.40, and \$112,694.35, respectively, as presented.

VOTE:

Matt Hart: Aye
Geoff Wood: Aye
Martha Dudman: Aye
Wendy Littlefield: Abstains
Chair John Macauley: Aye

Motion approved 4-0-1 (Littlefield in Abstention).

C. Acknowledge Treasurer's School Board AP/Payroll Warrants 03 and 05 in the amounts of \$87,053.05 and \$135,581.90, respectively

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1 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, acknowledgement of Treasurer's
2 School Board AP/Payroll Warrants 03 and 05 in the amounts of \$87,053.05 and \$135,581.90,
3 respectively, as presented.

4
5 Ms. Littlefield noted she now had a family member working at Mount Desert Elementary School.
6 Is she required to abstain from the vote?

7
8 Clerk Woolfolk felt it was likely Ms. Littlefield would have to abstain.

9
10 Ms. Littlefield clarified her daughter was not yet on the payroll, so her Second can stand.

11
12 VOTE:

13 Matt Hart: Aye 16 Geoff Wood: Aye
14 Martha Dudman: Aye 17 Chair John Macauley: Aye
15 Wendy Littlefield: Aye
16 Motion approved 5-0.

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20 **XI. Adjournment**

21 MOTION: Ms. Dudman moved, with Mr. Wood seconding, adjournment.

22 VOTE:

23 Martha Dudman: Aye 26 Geoff Wood: Aye
24 Matt Hart: Aye 27 Chair John Macauley: Aye
25 Wendy Littlefield: Aye
26 Motion approved 5-0.

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28 The Meeting was adjourned at 5:13pm.

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33 Respectfully Submitted,

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36 Wendy Littlefield, Secretary
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