

Town of Mount Desert
Board of Selectmen
Minutes
April 19, 2022

Board Members Present: Chair John Mcauley, Martha Dudman, Wendy Littlefield, Matt Hart

Board member Geoff Wood was not in attendance.

Town Officials Present: Town Manager Durlin Lunt, Tax Assessor Kyle Avila, Code Enforcement Officer Kimberly Keene, Town Clerk Claire Woolfolk, Fire Chief Mike Bender, Finance Director Jake Wright, Public Works Director Tony Smith,

Members of the Public were also in attendance.

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

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

II. Executive Session

A. Pursuant to 1 MRS§405(6)(E) Consultations with legal counsel regarding an Administrative Consent Agreement.

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

Motion approved 3-0.

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

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

Motion approved 4-0.

The Board left Executive Session at 6:10PM.

III. Minutes

A. Approval of minutes from April 4, 2022 meeting

MOTION: Ms. Littlefield moved, with Mr. Hart seconding, approval of the Minutes of April 4, 2022 as presented.

Motion approved 3-0-1 (Dudman in Abstention).

IV. Appointments/Recognitions/Resignations

A. Appointment of Seasonal Dock Hands and Boat Launch Operators presented in the Harbormaster's memo dated April 6, 2022

MOTION: Mr. Hart moved, with Ms. Littlefield seconding, appointment of Seasonal Dock Hands and Boat Launch Operators presented in the Harbormaster's memo dated April 6, 2022, as presented and with thanks.

1 Motion approved 4-0.
2

3 *B. Appointment of Paul Accomando as a summer helper in the Public Works Department with*
4 *primary duties in the Buildings & Grounds and Parks & Cemeteries Division at a pay rate of*
5 *\$18.50 per hour and an effective start date of May 2, 2022 ending on or before October 14,*
6 *2022*

7 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, appointment of Paul Accomando as
8 a summer helper in the Public Works Department with primary duties in the Buildings &
9 Grounds and Parks & Cemeteries Division at a pay rate of \$18.50 per hour and an effective start
10 date of May 2, 2022 ending on or before October 14, 2022, as presented and with thanks.

11 Motion approved 4-0.
12

13 *C. Appointment of Christopher Grindle as full-time Municipal Firefighter/EMT with an effective*
14 *date of May 2, 2022, at a starting pay of \$28.22 per hour.*

15 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, appointment of Christopher Grindle
16 as full-time Municipal Firefighter/EMT with an effective date of May 2, 2022, at a starting pay of
17 \$28.22 per hour, as presented and with thanks.

18 Motion approved 4-0.
19

20 *D. Appointment of David O'Neill as part-time FF/EMT with an effective date of May 2, 2022, at*
21 *a starting pay of \$28.22 per hour.*

22 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, appointment of David O'Neill as
23 part-time FF/EMT with an effective date of May 2, 2022, at a starting pay of \$28.22 per hour, as
24 presented and with thanks.

25 Motion approved 4-0.
26

27 *E. Appointment of John Barnes as part-time FF/EMT with an effective date of May 2, 2022, at a*
28 *starting pay of \$26.72 per hour.*

29 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, appointment of John Barnes as part-
30 time FF/EMT with an effective date of May 2, 2022, at a starting pay of \$26.72 per hour, as
31 presented and with thanks.

32 Motion approved 4-0.
33

34 *F. Appointment of Sharon Morrell as part-time EMT with an effective date of May 2, 2022, at a*
35 *starting pay of \$25.97 per hour.*

36 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, appointment of Sharon Morrell as
37 part-time EMT with an effective date of May 2, 2022, at a starting pay of \$25.97 per hour, as
38 presented and with thanks.

39 Motion approved 4-0.
40

41 *G. Appointment of Sean Hall as part-time FF/EMT with an effective date of May 2, 2022, at a*
42 *starting pay of \$28.22 per hour.*

43 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, appointment of Sean Hall as part-
44 time FF/EMT with an effective date of May 2, 2022, at a starting pay of \$28.22 per hour, as
45 presented and with thanks.

46 Motion approved 4-0.
47

48 *H. Accept resignation of John Lennon, as a temporary part-time employee with the Mount*
49 *Desert Fire Department, effective April 13, 2022*

1 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, acceptance of resignation of John
2 Lennon, as a temporary part-time employee with the Mount Desert Fire Department, effective
3 April 13, 2022, as presented.
4 Motion approved 4-0.
5

6 **V. Consent Agenda**

- 7 *A. Otter Creek Cove Project notes*
8 *B. Coastal Resources of Maine standard bypass notice to PERC for April 2022*
9 *C. Hancock County Commissioners Meeting Minutes from March 15, 2022*
10 *D. Acadia Disposal District FY-23 draft budget and cover memo*

11 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, acceptance of the Consent
12 Agenda as presented.
13 Motion approved 4-0.
14

15 **VI. Selectmen's Reports**

16 Chair Macauley reported a suggestion of "No-Mow May", a movement where people
17 refrain from mowing their lawns for the month of May. This reduces carbon and benefits
18 pollinators and other species dependent on spring plants.
19

20 **VII. Unfinished Business**

- 21 *A. Authorize premium pay awards to 2 Town employees in the total amount of \$1,998.93*
22 *using ARPA funds as allowed under the SLFRF Final Rule and authorize Finance*
23 *Director, Jake Wright, to do all things necessary to issue awards and comply with*
24 *reporting requirements*

25 MOTION: Ms. Dudman moved, with Mr. Hart seconding, authorization of premium pay
26 awards to 2 Town employees in the total amount of \$1,998.93 using ARPA funds as
27 allowed under the SLFRF Final Rule and authorize Finance Director Jake Wright to do
28 all things necessary to issue awards and comply with reporting requirements, as
29 presented.

30 Motion approved 4-0.
31

- 32 *B. Consideration of the information in correspondence from the Municipal Review*
33 *Committee to Members related to identifying resources to move the sale of the solid*
34 *waste facility in Hampden forward*

35 Public Works Director Smith reported that the bond holders have set a date of June 30th
36 by which the Hampden facility would be sold. The MRC intends to put in a bid of \$1.5
37 million. It is hoped there will be higher bids, however there is a chance that the MRC
38 could end up owning the facility. There is serious interest shown from 6 to 10 bidders.
39

40 It is estimated that \$20 million is required to get the facility successfully running. The
41 MRC has been researching financial entities for potential funding. If the MRC is
42 successful in obtaining funding, they will ask members to provide a good faith guarantee
43 for the loan; essentially requesting members co-sign for the loan. If the MRC defaults,
44 member Towns would be responsible for repayment. The MRC has distributed a survey
45 to gauge member town's feelings on providing a good faith guarantee.

1
2 If a percentage of Towns opt out of making such a guarantee, it would affect the spread
3 of money per tonnage received. The MRC is finding that Towns are unable to turn
4 around such a commitment in the short timespan given. Such action would likely have to
5 go before Town Meeting. Many Towns are not in a position to commit at this time.
6

7 Chair Macauley agreed; such a commitment would have to go before Town Meeting, and
8 there likely wouldn't be a lot of interest in a Special Town Meeting to occur before the
9 end of June.
10

11 Ms. Dudman did not believe the Town would be interested in co-signing a loan.
12

13 Mr. Hart asked about incentives to communities. Director Smith believed these would be
14 in the form of reduced tipping fees or increased rebates.
15

16 Current tonnage rates for Mount Desert are \$77/ton, less a \$5/rebate, for approximately
17 1800 tons. Manager Lunt noted that would put the Town into the \$500k to \$1 million
18 range for a good faith guarantee.
19

20 Completing the survey will not obligate the Town.
21

22 This action only goes into effect if the MRC is the high bidder. Should the MRC find
23 themselves the owner without the guarantees of the member Towns, they will continue to
24 solicit funders and they will explore a partnership with another bidder. The MRC has no
25 interest in operating the facility; they would look for an operator to partner with.
26

27 Director Smith noted that the facility is needed. If the facility does not become
28 operational, the Town will likely pay exorbitant tipping fees at a landfill or incineration
29 facility.
30

31 The survey is to gain a sense of what the Towns are thinking.
32

33 Manager Lunt agreed to fill in the survey. Discussion ensued regarding how to answer
34 the survey.
35

36 It was agreed the survey should indicate the Town was leaning towards no, however
37 more information was necessary.
38

39 *C. Request from Friends of Acadia to send a letter of support to Senator Collins for*
40 *funding for the Stanley Brook erosion project and consider being the recipient of the*
41 *project funding*

42 Manager Lunt reported that in supporting the proposed project funding grant, the Town
43 takes on the responsibility of all reporting and accounting. Senator Collins' office will do
44 the brunt of the work in obtaining the funding.
45

1 Friends of Acadia (FOA) Director Stephanie Clement noted that Senator Collins' office
2 approached FOA about available congressional designated funds. The Senator's office
3 would work on FOA's behalf through the committee process. Acadia National Park has
4 determined the Stanley Brook project is the priority. Three letters of support are required
5 in order for the request to move forward, and the Town will have to accept the funds.
6

7 Due to price fluctuation, the estimated cost has already risen to double that which was
8 submitted. The Senator's office did not believe it would be a problem to increase the
9 request. Ms. Clement would be happy to prepare a draft request for the Town.
10

11 Ms. Dudman pointed out the paperwork notes the Town is committing to seeking out
12 further state and federal funding sources. Ms. Clement understood the Town's writing of
13 a letter of support fulfills the work required of the Town.
14

15 MOTION: Ms. Littlefield moved, with Mr. Hart seconding drafting a letter of support to
16 Senator Collins for funding for the Stanley Brook erosion project and consider being the
17 recipient of the project funding, as presented by Friends of Acadia.
18 Motion approved 4-0.
19

20 **VIII. New Business**

21 *A. Public Space Special Event Application – MDI Farmers' Market Northeast Harbor*
22 *Village Green; Thursdays 9am – noon from June 11 – September 8, 2022*

23 MOTION: Ms. Dudman moved, with Mr. Hart seconding, approval of Public Space
24 Special Event Application – MDI Farmers' Market Northeast Harbor Village Green;
25 Thursdays 9am – noon from June 11 – September 8, 2022, as presented.
26 Motion approved 4-0.
27

28 *B. Public Space Special Event Application – Ingrid Neuman; Suminsby Park; Sunday,*
29 *September 4, 2022 noon – 7pm*

30 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, approval of the Public Space
31 Special Event Application – Ingrid Neuman; Suminsby Park; Sunday, September 4, 2022
32 noon – 7pm, as presented and with the understanding that the space must remain open to
33 the public during the event.
34 Motion approved 4-0.
35

36 *C. Public Space Special Event Application – Cadillac Challenge Aid Station – Joanna*
37 *Fogg; Seal Harbor Village Green; Sunday, October 2, 2022 9am – 2:30pm*

38 MOTION: Ms. Littlefield moved, with Mr. Hart seconding, approval of Public Space
39 Special Event Application – Cadillac Challenge Aid Station – Joanna Fogg; Seal Harbor
40 Village Green; Sunday, October 2, 2022 9am – 2:30pm, as presented.
41 Motion approved 4-0.
42

43 *D. Public Space Private Placement Application – Emily Fuchs; Seal Harbor Village*
44 *Green*

1 MOTION: Mr. Dudman moved, with Ms. Littlefield seconding, approval of Public
2 Space Private Placement Application – Emily Fuchs; Seal Harbor Village Green, as
3 presented.
4 Motion approved 4-0.

5
6 *E. Mandy Fountaine/DBA Abel’s Lobster Pound (On The Shore, LLC) Request for*
7 *Liquor License Renewal*

8 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, approval of Mandy
9 Fountaine/DBA Abel’s Lobster Pound (On The Shore, LLC) Request for Liquor License
10 Renewal, as presented.
11 Motion approved 4-0.

12
13 *F. Elmer Beal Jr./D.B.A. Burning Tree Restaurant, Otter Creek Dr., Otter Creek*
14 *Request for Liquor License Renewal*

15 MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of Elmer Beal
16 Jr./D.B.A. Burning Tree Restaurant, Otter Creek Dr., Otter Creek Request for Liquor
17 License Renewal, as presented.
18 Motion approved 4-0.

19
20 *G. Request authorization for the MDES 8th grade class to hold a bake sale at the May 3,*
21 *2022 Open Floor Town Meeting*

22 MOTION: Mr. Hart moved, with Ms. Littlefield seconding approval of authorization for
23 the MDES 8th grade class to hold a bake sale at the May 3, 2022 Open Floor Town
24 Meeting, as presented.
25 Motion approved 4-0.

26
27 *H. Vote to elect to use the standard allowance of up to \$10 million, not to exceed the*
28 *Town’s total ARPA award allocation, for identifying revenue loss pursuant to SLFRF*
29 *Final Rule and the U.S. Treasury’s Project and Expenditure Report User Guide*

30 Finance Director Wright explained this is in response to the reporting standards required
31 by ARPA. The Board must indicate whether they are planning to accept the standard
32 allowance related to the revenue loss category. As of now, the Town has not considered
33 this use. This is the only opportunity to accept this use, therefore, Director Wright
34 recommends accepting it now, for future potential flexibility. Such action does not
35 obligate the Town in any way.

36
37 MOTION: Ms. Littlefield moved, with Mr. Hart seconding, to elect to use the standard
38 allowance of up to \$10 million, not to exceed the Town’s total ARPA award allocation,
39 for identifying revenue loss pursuant to SLFRF Final Rule and the U.S. Treasury’s
40 Project and Expenditure Report User Guide, as presented.
41 Motion approved 4-0.

42
43 *I. Consideration by the Selectboard of approving the two (2) non-substantive*
44 *amendments to each of (1) Article II(C) of the Acadia Disposal District Interlocal*
45 *Agreement and (2) Section 6(d) of the Acadia Disposal District Bylaws, in order to*

1 *reduce the frequency of meetings of the ADD Directors from at least 10 per year to 6*
 2 *times per year as described in the memo dated April 12, 2022 from Public Works*
 3 *Director and Acadia Disposal District Chair Tony Smith to Town Manager Durlin*
 4 *Lunt, Jr., said memo to be included in the minutes of this meeting of the Selectboard.*

5 MOTION: Ms. Dudman moved, with Mr. Hart seconding, approval of the two (2) non-
 6 substantive amendments to each of (1) Article II(C) of the Acadia Disposal District
 7 Interlocal Agreement and (2) Section 6(d) of the Acadia Disposal District Bylaws, in
 8 order to reduce the frequency of meetings of the ADD Directors from at least 10 per year
 9 to 6 times per year as described in the memo dated April 12, 2022 from Public Works
 10 Director and Acadia Disposal District Chair Tony Smith to Town Manager Durlin Lunt,
 11 Jr., said memo to be included in the minutes of this meeting of the Selectboard, as
 12 presented.

13 Motion approved 4-0.

14
 15 *J. Consider executing a temporary lease agreement with the Town of Bar Harbor for*
 16 *services from their Assistant Fire Chief to assist in the operation of Mount Desert's*
 17 *EMS operations, such agreement shall expire October 31, 2022*

18 MOTION: Mr. Hart moved, with Ms. Dudman seconding, executing a temporary lease
 19 agreement with the Town of Bar Harbor for services from their Assistant Fire Chief to
 20 assist in the operation of Mount Desert's EMS operations, such agreement shall expire
 21 October 31, 2022, as presented.

22 Motion approved 4-0.

23
 24 **IX. Other Business**

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

26 MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, approval of the
 27 Administrative Consent Agreement as discussed in Executive Session.

28 Motion approved 3-0-1 (Hart in Abstention).

29
 30
 31 Assessor Avila reported he's been trying to find someone willing to assist with live
 32 streaming the Town Meeting. It was suggested that offering payment for the help might
 33 garner more interest.

34
 35 Ms. Littlefield suggested the funds could be taken from the Selectboard Discretionary
 36 fund.

37
 38 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, authorizing Assessor Avila to
 39 seek out technical assistance for livestreaming the Town Meeting, spending up to \$250.00.
 40 Motion approved 4-0.

41
 42 **X. Treasurer's Warrants**

43 *A. Approve & Sign Treasurer's Warrant as shown below:*

Town Invoices	AP#2259	4/20/2022	\$677,541.83
Total			\$677,541.83

1 MOTION: Ms. Dudman moved, with Mr. Hart seconding, approval and signature of the
 2 Treasurer's Warrant as shown above.
 3 Motion approved 4-0.
 4

5 *B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown*
 6 *below:*

State Fees & PR Benefits	AP#2257	4/6/2022	\$41,151.11
	AP#2258	4/13/2022	\$1,978.55
Town Payroll	PR#2222	4/15/2022	\$111,893.12
	PR#2223	4/8/2022	\$37,421.82
Total			\$192,444.60

7 MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of Signed
 8 Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown above.
 9 Motion approved 3-0-1 (Littlefield in Abstention).
 10

11 *C. Acknowledge Treasurer's School Board AP/Payroll Warrants as shown below:*

School Invoices	#12	4/6/2022	\$163,141.57
	#13	4/12/2022	\$7,809.38
	#21	4/15/2022	\$90,957.65
Total			\$261,908.60

12 MOTION: Ms. Dudman moved, with Mr. Hart seconding, acknowledgement of
 13 Treasurer's School Board AP/Payroll Warrants as shown above.
 14 Motion approved 4-0.
 15

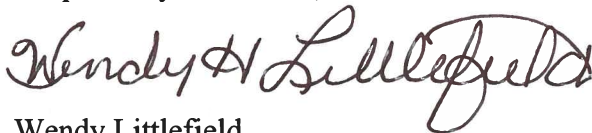
Grand Total			\$1,131,895.03
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16
 17 **XI. Adjournment**

18 MOTION: Ms. Dudman moved, with Mr. Hart seconding, to adjourn.
 19 Motion approved 4-0.
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21 The Meeting adjourned at 6:46PM.
 22
 23
 24

25 Respectfully Submitted,

26 

27 Wendy Littlefield
 28
 29
 30