1 Town of Mount Desert Board of Selectmen 2 3 4 **Minutes** 5 **Regular Meeting** 6 Monday, May 16, 2022 7 8 Boardmembers Present: Chair John Macauley, Geoff Wood, Martha Dudman, Wendy 9 Littlefield, Rick Mooers 10 11 Town Officials Present: Tax Assessor Kyle Avila, Public Works Director Tony Smith, Finance Director Jake Wright, Town Manager Durlin Lunt, CEO Kimberly Keene, Police Captain Dave 12 Kerns, Town Clerk Claire Woolfolk, Harbormaster John Lemoine, Fire Chief Mike Bender 13 14 15 Members of the Public were also present. 16 17 Call to order at 6:00 p.m. I. 18 Chair Macauley called the meeting to order at 6:05PM. 19 20 **Executive Session** II. 21 Pursuant to 1 MRSA§405(6)(A) Personnel Matters, to discuss town counsel 22 MOTION: Mr. Wood moved, with Ms. Dudman seconding, entering into Executive 23 Session. 24 Motion approved 4-0. 25 26 The Board entered into Executive Session at 6:05PM. 27 28 MOTION: Mr. Wood moved, with Ms. Dudman seconding, leaving Executive Session. 29 Motion approved 4-0. 30 31 The Board left Executive Session at 6:20PM. 32 33 III. Public Hearing(s) 34 A. Public Hearing on Town of Mount Desert Traffic Ordinance and the Select Board 35 Permit and Paid Parking Policy 36 Captain Kerns summarized that the proposed permit and paid parking policy allows the 37 Board to make changes to the ordinance regarding permitted parking in the Gray Cow 38 Parking Lot. Residents with a permit will be able to park in a designated section of the 39 Gray Cow Parking Lot. Residents without off-street parking access are eligible for a 40 permit. 41 42 Resident John Adams believed COA was approved to build housing without first finding parking and are now being given space at the Gray Cow lot. Captain Kerns clarified that 43 44 10 to 15 residences on Main Street have been identified as having no off-street parking 45 available to them. These are full-time Main Street residents and not a part of the COA housing project. There are restrictions in the policy regarding who can obtain a permit. 46 47 The policy is under Selectboard jurisdiction and per the Town Charter does not require a

Public Hearing process to amend it. Town Clerk Woolfolk added that the Board's ability to do so is a State Statute.

Residents without off-street parking currently rely on a variety of different parking options. Reserved Gray Cow space will keep these cars off Main Street during the daytime. Additionally, it allows them parking in the winter when on-street parking is not allowed. Permitted parking space will be limited to a designated area, and residents using the space will provide their contact information for snow removal notification. Public Works has been consulted on the appropriate section of the lot to use, with an effort to minimize the impact of summer daytime parking in the lot. There are approximately 70 parking spaces in the Gray Cow lot. There are 50 spaces in the main section of the lot, with another 20 spots in the upper end. Permit numbers will be limited to 20 stalls.

Mr. Adams asserted that MDI365 is discussing plans for an apartment building at the end of the street. Such a project could add another 15 - 20 parking spots.

Captain Kerns believed the permitted parking as proposed is a pilot project and can be revised as necessary, including the number of parking spaces.

MDI365 Director Kathy Miller clarified that COA cannot get an occupancy permit for their building until they confirm they have obtained adequate parking space. She did not believe Gray Cow parking was COA's solution, or the intent of the policy. Two apartments over the Shaw Gallery, and four apartments over the Holmes Store are just some of the residences without off-street parking. Ms. Miller added that if MDI365 builds residential/commercial space on Main Street, they will limit what they do to what available parking the spot can accommodate.

The Police Chief has the authority to reserve space for temporary needs such as election day parking.

Permitted spots will be identified with painted blue lines around the spaces and signage. Motorcycle parking has been considered. Using common sense and discretion on the part of the police would be the first step in managing motorcycle parking. If paid parking is implemented, the issue may require further consideration.

Captain Kerns reported the Police Department hired nine parking enforcement officers for the season, to cover Northeast Harbor and also places like Bartlett's Landing and villages where parking can be problematic.

There were no further comments. The Public Hearing was closed.

IV. Post Public Hearing(s)

A. Action, if necessary, on Traffic Ordinance and the Select Board Permit and Paid Parking Policy

MOTION: Ms. Dudman moved, with Mr. Wood seconding, approval of the Traffic Ordinance and the Select Board Permit and Paid Parking Policy, as presented. Motion approved 5-0.

1	V.	Minutes
2		A. Approval of Minutes of May 3, 2022
3		MOTION: Ms. Dudman moved, with Mr. Wood seconding, approval of the May 3, 2022
4		Minutes, as presented.
5		Motion approved 5-0.
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7	VI.	Appointments/Recognitions/Resignations
8		A. Consider appointment of Jennifer Judd-McGee to the Economic Development
9		Committee
10		MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, appointment of Jennifer
11		Judd-McGee to the Economic Development Committee, as presented and with thanks.
12		Motion approved 5-0.
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14		B. Consider appointment of Matthew Hart to the Economic Development Committee
15		MOTION: Ms. Littlefield moved, with Mr. Wood seconding, appointment of Matthew
16		Hart to the Economic Development Committee, as presented and with thanks.
17		Motion approved 5-0.
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19		C. Consider appointment of Logan Lemoine as a part-time seasonal employee at an
20		hourly rate of \$18.50 per hour effective June 13, 2022, ending on or before
21		September 19, 2022
22		MOTION: Ms. Littlefield moved, with Mr. Wood seconding, appointment of Logan
23		Lemoine as a part-time seasonal employee at an hourly rate of \$18.50 per hour effective
24		June 13, 2022, ending on or before September 19, 2022, as presented and with thanks.
25		Motion approved 5-0.
26		Wouldn't approved 5-0.
27		D. Annual Employee Appointments
28		MOTION: Mr. Wood moved, with Ms. Dudman seconding, approval of the slate of
29		Annual Employee Appointments, as presented and with thanks.
30		Motion approved 5-0.
31		Wotton approved 5-0.
32		E. Consider Barbara Dickson, Election Worker, pay increase to \$20.00 per hour
33		MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, approval of pay increase
34		for Barbara Dickson, Election Worker, to \$20.00 per hour, as presented.
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36		Motion approved 5-0.
37		F. Resignation of Jeanie Lyons as Full-time Dispatcher effective May 4, 2022
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		Captain Kerns explained that Ms. Lyons accepted the job, but never started the position.
39		MOTION. Mr. Wood moved with Mr. Dydmon according according a function of
40		MOTION: Mr. Wood moved, with Ms. Dudman seconding, acceptance of resignation of
41		Jeanie Lyons as Full-time Dispatcher effective May 4, 2022.
42		Motion approved 5-0.
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44	VII.	Consent Agenda (These items are considered routine, and therefore, may be passed
45		by the Selectmen in one blanket motion)
46		A. Department Reports: Highway/Buildings & Grounds/Solid Waste
47		B. Request for Voting Place Move Approval by Deputy Secretary of State, Julie L. Flynn

- Board of Selectmen Meeting Minutes May 16, 2022 Page 4 C. Maine Historic Preservation Commission letter of April 19, 2022; Mount Desert 1 2 Island Hiking Trail System 3 D. Hancock County Commissioners Meeting Minutes from April 20, 2022 4 E. MRC's bypass notice for May 2022 on behalf of the closed Coastal Resources of 5 Maine facility in Hampden 6 F. MRC Special Board Meetings in May 7 G. Acadia Disposal District meeting agenda for the budget public hearing and regular 8 meeting to be held June 3, 2022 9 MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, acceptance of the 10 Consent Agenda as presented. 11 Motion approved 5-0. 12 13 VIII. Selectmen's Reports 14 Ms. Dudman voiced her dismay at the poor Town Meeting attendance. While it's in part due to the pandemic, there are plenty of people who can come. It's our form of 15 government, but it cannot survive without participation. People should be there in person 16 17 to discuss the issues together. She hoped the Board could brainstorm how to re-energize 18 Town Meeting attendance. She presented several ideas: 19 20
 - Move the meeting to the Neighborhood House; it's a more welcoming atmosphere. there's room there for 244 people, a supper could be served on site, and the chairs are more comfortable.
 - Traditionally the Town used to have a community meal prior to the Town Meeting, which brought people together.
 - Area students used to play music at the event and they were usually accompanied by their parents.
 - Perhaps teachers could be encouraged to assign Town Meeting attendance to their students.
 - Door prizes could be improved.
 - Board Members could invite people to the meeting. She hoped that each Board Member would reach out to 5 to 10 people.

Other suggestions included:

- Keep the "hot topic" issues people are likely attending for till the end of the meeting to keep people there.
- Using the police department traffic sign to advertise the event.
- Adding the event to the school newsletters.

Tracy Aberman believed that residents are becoming apathetic; people believe the issues to be voted on are foregone conclusions and their voice and vote do not matter.

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Mr. Adams did not believe people were willing to engage and discuss issues anymore. Mr. Wood pointed out that engagement and discussion occur during the warrant development process and the Selectboard meetings. It would be beneficial if people knew a little more about the warrant prior to the Town Meeting so they can determine their position and have discussion points ready.

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Clerk Woolfolk believed apathy is across the board; at the local, state, and federal levels. 1 2 This is a good place to start encouraging interest. Attracting students would be a good 3 way to entice parents into attending. 4 5 IX. **Unfinished Business** 6 Annual Approval of Town Counsel 7 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval of Annual 8 Town Counsel slate, as presented. 9 Motion approved 5-0. 10 11 X. **New Business** 12 Public Space Special Event Application – Picnic Lunch for 20- Suminsby Park; Monday, July 11, 2022 10am - 2pm; Rachel Sisson, agent for Gail Gerber 13 14 It was noted that the space must be left open for public use during the event. 15 16 MOTION: Ms. Littlefield moved, with Mr. Wood seconding, approval of Public Space 17 Special Event Application – Picnic Lunch for 20- Suminsby Park; Monday, July 11, 2022 18 10am - 2pm, as presented. 19 Motion approved 5-0. 20 21 Public Space Special Event Application - Coast Guard Picnic - Northeast Harbor 22 Village Green; Thursday, May 25, 2022 9am-1pm; Jarrod Kushla 23 MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, approval of Public Space 24 Special Event Application – Coast Guard Picnic – Northeast Harbor Village Green; 25 Thursday, May 25, 2022 9am-1pm, as presented. Motion approved 5-0. 26 27 28 C. Public Space Special Event Application – Community Puppet Show – Northeast 29 Harbor Village Green; Wednesday, July 13, 2022 6-7:30pm - Neighborhood House MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval of Public 30 Space Special Event Application – Community Puppet Show – Northeast Harbor Village 31 32 Green; Wednesday, July 13, 2022 6-7:30pm, as presented. 33 Motion approved 5-0. 34 35 D. Public Space Special Event Application – Mount Desert Elementary School 8th 36 Grade Promotion - June 9, 2022, Northeast Harbor Village Green 37 MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, approval of Public 38 Space Special Event Application – Mount Desert Elementary School 8th Grade 39 Promotion – June 9, 2022, Northeast Harbor Village Green, as presented. 40 Motion approved 5-0. 41 42 Request from the Chair of the Seal Harbor VIS to consider burying power lines in 43 the Seal Harbor Beach Area 44 The proposed work will involve burying power lines down Main Street past the fountain 45 to down Steamboat Wharf Road. 46

1 Ms. Dudman requested a cost estimate. Mr. Mooers believed it would be wise to get an 2 opinion from Versant. Burying the lines requires crossing a stream, which may 3 necessitate additional infrastructure and could affect the stream. 4 5 Manager Lunt agreed to gather more information. 6 7 Mr. Wood believed that if the Town is going to consider burying power lines, they should 8 consider first those lines most frequently damaged by trees. 9 10 It was noted the term "power lines" likely means all above ground lines. Director Smith 11 believed some residents may prefer not to bury the lines to their homes. 12 13 Assessor Avila noted buried lines would not be part of the tax assessment; it could however result in a change in the market value. 14 15 16 F. Katherine M. Conley /DBA Lighthouse Inn and Restaurant 12 Main St Seal Harbor 17 request for Liquor License Renewal 18 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, approval of Katherine M. Conley /DBA Lighthouse Inn and Restaurant 12 Main St. Seal Harbor request for 19 20 Liquor License Renewal, as presented. 21 Motion approved 5-0. 22 23 G. Citizen request to speak about pedestrian safety on Sound Drive 24 Somesville resident Adam McLean explained that his children attend the Community 25 School in Somesville. They walk to school; however, the sidewalk ends when 26 approaching Babson Creek and there is no space for pedestrians for the last 27 approximately 100 yards. Additionally, there is no crosswalk to the school. He added 28 that the school uses this route to walk to Somesville to use the library there and to visit 29 other places in town. 30 31 The MDOT agreed to extend the sidewalk when the Babson Creek bridge is reconstructed, however the bridge project has been delayed. 32 33 Mr. McLean is hoping to find an interim solution to the problem. MDOT will install at 34 35 their cost static signs for a law-enforceable 15mph school zone speed limit. Flashing 36 speed limit signs are more effective but they are estimated at \$9700+, and the MDOT is 37 not willing to pay the extra cost for that type of sign. Mr. McLean is requesting the Town fund the flashing signs. There are grants that can be applied for to cover the cost. 38 39 40 Director Smith explained that speed limits are set by the MDOT. Changes are made only 41 after traffic studies are conducted. Director Smith believed the MDOT would expedite 42 putting signage up for a school zone. 43 44 Director Smith agreed to work with Mr. McLean on pursuing funding. Grant funding 45 might be more successful if the school was able to come up with a funding match. 46

Director Smith suggested asking the MDOT to install the signs they have. In the meantime, the Town and the school can research funding. The Board concurred. Director Smith agreed to reach out to the MDOT after the meeting.

H. Consideration of Public Works Director Tony Smith's recommendation to not paint a new crosswalk across Route 198 near the easterly end of the bridge over Kitteredge Brook in Somesville as described in his memo to Town Manager Durlin Lunt dated May 4, 2022, his discussions with DOT and Haley Wards engineering report dated April 19, 2022

Director Smith referenced the MDOT's input via Haley Ward, and his own experience regarding crosswalks, he felt it a bad place for a crosswalk. The signs as previously discussed are a good step.

I. Consider authorization to pay for improvements/repairs made to the Seal Harbor pier ramp connection by Wingers Welding Inc. for \$1,050.00. The Seal Harbor Docks CIP 6410200-24600 has a balance of \$89,176.36

MOTION: Mr. Wood moved, with Mr. Mooers seconding, authorization to pay for improvements/repairs made to the Seal Harbor pier ramp connection by Wingers Welding Inc. for \$1,050.00. The Seal Harbor Docks CIP 6410200-24600 has a balance of \$89,176.36, as presented.

Motion approved 5-0.

wiotion approved 3-0.

J. Consider authorization to pay MCM Electric \$6,858.53 for replacement of two 30foot sections of the Northeast Harbor Marina Underwater Utility lines CIP # 6410100-24680 has a balance of \$110,936.65

MOTION: Ms. Dudman moved, with Mr. Wood seconding, authorization to pay MCM Electric \$6,858.53 for replacement of two 30-foot sections of the Northeast Harbor Marina Underwater Utility lines CIP # 6410100-24680 has a balance of \$110,936.65, as presented.

Motion approved 5-0.

K. Review BOS policy concerning the use of the sidewalks in Northeast harbor by Businesses for the summer of 2022

Manager Lunt explained the sidewalk use was never a formal policy, simply discussed and updated year to year due to Covid restrictions.

Business owner Diana Brochendorff believed that tables on the sidewalk and those using the tables, often in groups, with bicycles or pets, create obstacles for pedestrians trying to use the sidewalks, and pedestrians often give up reaching businesses beyond the location of the tables.

Mr. Adams concurred with Ms. Brochendorff. The tables were allowed on the sidewalks due to covid mandates limiting interior dining. Those mandates are no longer in place. Mr. Wood agreed the sidewalks were not designed to be places of business.

Business owner Stephanie Reece felt that, given the 12-foot sidewalks in front of The Colonel's, there was ample room for pedestrians. Covid is still present. Currently there are two tables in front of The Colonel's.

Other businesses could potentially put tables on the sidewalks. Chair Macauley believed the Board was able to react quickly should the situation change, but for the time being it was time to remove the tables. Ms. Reece asked whether other things on the sidewalks like flowerpots would also require removal.

Ms. Littlefield did not believe the tables blocked the sidewalks. Groups with bicycles or dogs gather in other places along Main Street. She watched pedestrians on Main Street after she received notice of this discussion and did not see the tables causing a problem. Covid is still a factor; there are mask mandates still in place, and covid changes quickly. She did not believe it a problem to allow the tables to remain on the sidewalk. Bicycles on the sidewalk are more of a concern than the tables.

Ms. Dudman believed that now, with fewer people, the tables are not a problem. However, in the summer the sidewalks do get congested. Ms. Dudman agreed it was time to taper back on covid accommodation.

Mr. Mooers believed the Board should not continue to use land in Town of its own accord without it codified in an Ordinance and passed at Town Meeting. Continued use of sidewalks for dining should be vetted with the CEO.

Ms. Aberman believed that extending dining space results in increased water usage fees. Extended outdoor use can be considered an outdoor dining room and charged as such.

Chair Macauley pointed out that the new sidewalks were not installed to increase retail space. He'd like to see the sidewalks returned to their original intended use.

MOTION: Ms. Dudman moved, with Mr. Wood seconding, to suspend the temporary use of the sidewalks in Northeast Harbor by businesses.

Motion approved 4-1 (Littlefield opposed).

Ms. Littlefield believed the Town should be clear and mindful of other items on the sidewalks as the season gets underway.

It was agreed that bicycles and dogs on the sidewalk can be a problem. Perhaps signs and parking officers might be a potential solution.

L. Request authorization for the Fire Chief to sign and execute a contract with Maine Maritime Academy to provide the fire department's breathing air cascade/compressor vehicle in support of their student fire training program at the Ellsworth Fire Training Center

MOTION: Mr. Wood moved, with Ms. Littlefield seconding, authorization for the Fire Chief to sign and execute a contract with Maine Maritime Academy to provide the fire department's breathing air cascade/compressor vehicle in support of their student fire training program at the Ellsworth Fire Training Center, as presented. Motion approved 5-0.

M. Consideration of entering into a mutual aid agreement between the Mount Desert Fire Department and the Cranberry Isles Rescue Service, effective May 17, 2022, and authorization by the Select Board for the Fire Chief to sign said agreement Fire Chief Bender explained this was a mutual aid agreement similar to what the Ambulance Service had with Cranberry Isles Rescue Service prior to their joining the

MOTION: Mr. Wood moved, with Mr. Mooers seconding, entering into a mutual aid agreement between the Mount Desert Fire Department and the Cranberry Isles Rescue Service, effective May 17, 2022, and authorization for the Fire Chief to sign said

Consider authorizing the Fire Chief to sign and execute an agreement with Hedefine Engineering & Design, Inc. for Construction Administrative Services for the Mount Desert fire station #1 expansion project

MOTION: Ms. Dudman moved, with Mr. Wood seconding, authorizing the Fire Chief to sign and execute an agreement with Hedefine Engineering & Design, Inc. for Construction Administrative Services for the Mount Desert fire station #1 expansion

O. Consideration to release up to \$33,000.00 from the Fire Equipment Reserve account, #4040300-24471, and authorize the Fire Chief to use such funds for the purpose of purchasing structural firefighting gear

Chief Bender explained this was for firefighter protective gear for handling interior fires.

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, to release up to \$33,000.00 from the Fire Equipment Reserve account, # 4040300-24471, and authorize the Fire Chief to use such funds for the purpose of purchasing structural firefighting gear, as

Consider adopting a Memorandum of agreement proposed by the Acadia Area League of Towns covering non-emergency services

Manager Lunt explained the League of Towns has an agreement in place for emergency services. Given the difficulty in filling some municipal employee positions, the League wants to expand these agreements to also include non-emergency services in case a Town is left understaffed. Such an action would come before the Board first.

MOTION: Ms. Dudman moved, with Mr. Wood seconding, adopting a Memorandum of agreement proposed by the Acadia Area League of Towns covering non-emergency services, as presented.

Motion approved 5-0.

XI. Other Business

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A. Proposal for special Selectboard meeting on Monday, May 26, 2022 to review bids and approve issuance of bond or bond anticipation note for NEH Fire Station

Improvements and Fiber Connection projects approved at 2022 Annual Town 1 2 Meeting 3 It was agreed the May 26, 2022 meeting would be held at 6:00PM. 4 5 XII. **Treasurer's Warrants** 6 A. Approve & Sign Treasurer's Warrant as shown below: **Town Invoices** AP#2265 05/17/2022 \$687,698.74 Total \$687,698.74 7 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, approval and signature of 8 Treasurer's Warrant as shown above. 9 Motion approved 5-0. 10 11 B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown 12 helow: State Fees & PR Benefits AP#2265 05/04/2022 \$58,876.43 Town Payroll PR#2226 04/29/2022 \$23,165.01 PR#2227 05/13/2022 \$122,418.29 Total \$204,459.73 MOTION: Ms. Dudman moved, with Mr. Wood seconding, approval of signed 13 14 Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown above. 15 Motion approved 4-0-1 (Littlefield in Abstention). 16 17 C. Acknowledge Treasurer's School Board AP/Payroll Warrants as shown below: **School Invoices** 14 05/04/2022 \$43,403.98 School Payroll 23 05/13/2022 \$89,548.08 **Total** \$132,952.06 MOTION: Ms. Littlefield moved, with Mr. Wood seconding, acknowledgement of 18 19 Treasurer's School Board AP/Payroll Warrants as shown above. 20 Motion approved 5-0. 21 **Grand Total** \$1,025,110.53 22 23 XIII. Adjournment 24 MOTION: Mr. Wood moved, with Ms. Dudman seconding, to adjourn. 25 Motion approved 5-0. 26 27 The Meeting adjourned at 7:40PM. 28 29 30 Respectfully Submitted 31 32 33 34