

**Town of Mount Desert  
Board of Selectmen Meeting Minutes  
November 21, 2022**

**Board Members Present:**

Chair John Macauley, Rick Mooers, Martha Dudman, Wendy Littlefield, Geoff Wood

**Town Officials Present:**

Town Manager Durlin Lunt, Finance Director Jake Wright, Town Clerk Claire Woolfolk, Highway Superintendent Ben Jacobs, Harbormaster John Lemoine

Members of the Public were also present.

**I. Call to order at 6:30 p.m.**

Chair Macauley called the Meeting to order at 6:30PM.

**II. Minutes**

*A. Approval of minutes from November 7, 2022 meeting*

MOTION: Ms. Dudman moved, with Mr. Wood seconding, approval of the November 7, 2022 Minutes as presented.

Motion approved 5-0.

**III. Appointments/Recognitions/Resignations**

*A. Request approval of hiring of Katherine Smith to the position of part-time administrative assistant at an initial rate of \$24.08 to be increased to \$25.42 upon successful completion of a 6-month probationary period. Said employment will commence on or about Tuesday, November 22<sup>nd</sup>*

MOTION: Ms. Littlefield moved, with Mr. Wood seconding, approval to hire Katherine Smith to the position of part-time administrative assistant at an initial rate of \$24.08 to be increased to \$25.42 upon successful completion of a 6-month probationary period.

Employment will commence on or about Tuesday, November 22, 2022, as presented.

The position will be approximately 25 hours a week.

Motion approved 5-0.

*B. Request that full time Planning Board member Christie Anastasia become an alternate member*

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, that full time Planning Board member Christie Anastasia become an alternate member, as presented.

Motion approved 5-0.

*C. Request full time Planning Board member Tracy Loftus Keller take Ms. Anastasia's place as Vice Chair*

MOTION: Ms. Littlefield moved, with Mr. Mooers seconding, that full time Planning Board member Tracy Loftus Keller take Ms. Anastasia's place as Vice Chair, as presented.

Motion approved 5-0.

*D. Consider appointment of Lauren Kuffler to the Warrant Committee*

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, appointment of Lauren Kuffler to the Warrant Committee, as presented.

Motion approved 5-0.

*E. Consider appointment of Allen Kimmerly to the Harbor Committee*

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, appointment of Allen Kimmerly to the Harbor Committee, as presented.

Motion approved 5-0.

**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: Wastewater*

*B. Investment Committee Meeting Minutes of June 17, 2022*

*C. Shellfish Committee Meeting Minutes of January 13, March 3, and April 21, 2022*

*D. Sustainability Committee Meeting Minutes of June 16 and October 20, 2022*

*E. Thank you letter from Ellsworth Medical Clinic*

*F. Hancock County Commissioners Meeting Minutes of November 1, 2022*

*G. During the November 9, 2022 Special Board of Directors Meeting, the Municipal Review Committee Board reviewed and voted to accept an additional \$150,000 non-refundable deposit and negotiated terms with Revere Capital Advisors group that allows for an extension of a financial closing to November 30, 2022 which grants ownership of 95% of the shares of Municipal Waste Solutions, LLC, (MWS), the new identity of the Hampden Solid Waste Facility*

MOTION: Ms. Littlefield moved, with Mr. Mooers seconding, acceptance of the Consent Agenda as presented.

Mr. Wood asked about the Minutes received from the various committees. Chair Macauley agreed some committees haven't been up to date on submitting Minutes. It was hoped Minutes can be submitted in a timelier manner.

Motion approved 5-0.

**V. Selectmen's Reports**

Ms. Dudman inquired about the LUZO Committee. She believed the question of Conflict of Interest has risen in that Committee and wondered if it would be brought before the Selectboard. Any conversation should be given public notice. Town Manager Lunt agreed to put it on the next meeting's agenda. It was noted the LUZO Committee is an advisory board and makes no final approvals.

Mr. Wood inquired about a possible Open House for the Somesville Fire Station.

**VI. Unfinished Business**

*A. Discussion of proposed Marina landscaping plan with Eleanor Andrews*

Ms. Andrews presented the Marina landscaping plan. She summarized that the Garden Club was requested by the Selectboard to create the plan. They presented the plan to the Board in August of 2022. They were instructed to meet with the Harbor Committee. That meeting occurred in October.

Ms. Andrews reported the plan was approved by the Harbor Committee with some concerns. Ms. Andrews explained that the intent of the plan is to give the marina greenspace a more cohesive look, particularly in light of requests the Town receives to install memorial plantings or benches in that area. The Garden Club paid for the plan. A landscape architect known for several other garden areas on the island created the plan. The plan is intended to be self-funding and is intended to be done incrementally as people donate funds to the project. The Garden Club donated some funding as well. Trees in one area could be planted as a start. The trees would provide shade over some of the asphalt areas. Concerns have been raised about the wet area and trees would likely alleviate some of that.

A berm was proposed, but it can be omitted from the plan. The original plan involved removing the walkway through the middle of the greenspace, but it can be left in place.

The Harbor Committee worried about access; car shows have been held in the greenspace area. Ms. Andrews pointed out that the garden design is on the periphery of the greenspace in order to avoid irrigation and other utility systems in the area. The center of the area was left planting-free for activities to occur.

Mr. Wood acknowledged the objections to the berm and removal of the walkway. Were there benefits to these aspects of the plan? Ms. Andrews noted the berm was included in the original plan to help with drainage, but its placement may encroach on the farmer's market. The walkway removal was intended to create a larger, unbroken green space. The Harbor Committee is concerned about flooding. Ms. Andrews was unsure what time of year the flooding occurs.

Harbor Committee Member Donna Reis stated that flooding is a constant problem. Perhaps drainage could be analyzed to better determine the problem.

Ms. Dudman wondered if fill would help alleviate flooding.

Harbor Committee Member Jim Black stated that it was his understanding that the Garden Club would make further revisions to the plan and return to the Harbor Committee. The Harbor Committee would prefer to see more plan revisions for further discussion. Excess water is present after every heavy, extended rain. There are problems with parking during the farmer's market. It's hoped the path across the center of the area will encourage people to park further away and walk. Mr. Black noted there are approximately seven tall trees in the area right now. Adding more would encroach on the neighbors' view. Despite that Mr. Black believed the plan could be improved upon with further discussion. Since the renovations to the marina, the functionality of the space appears good. Mr. Black would not like to see that change.

Chair Macauley agreed that there would be more discussion and changes before the plan is put into use.

Ms. Andrews clarified that if the plan is approved, the Town can do what they want with it.

Garden Club member Tanny Clark explained that the Town requested the Garden Club create a plan. The Garden Club has done that, and it's been presented to the Selectboard twice and the Harbor Committee once. The Garden Club will not play a part in installation or following up. The plan is now on the desks of the Town to do with as they will. The Garden Club has done what was requested of them and considers their part completed.

Harbor Committee member Storey Litchfield considered the Harbor Committee's approval provisional. There were several concerns the Harbor Committee felt were not workable. Ms.

Litchfield believed the plan required a number of further revisions and considerations.

Pruning the trees was discussed. Ms. Reis believed that landowners would be expected to request permission to trim trees at their expense. Mr. Wood stated that trees on Town land would remain the Town's responsibility to maintain.

Ms. Dudman believed part of the plan was to use plantings that don't require a lot of maintenance.

Ms. Littlefield suggested working with the Harbor Committee and perhaps the landscape architect to address the concerns brought up. Perhaps a few things might be able to be started now.

Mr. Wood recalled that the impetus for the request was that there is no set policy or protocol for requests of memorial plantings and benches for the green and also for other Town properties. It's wise to proceed with caution, and with an eye on that ultimate goal so the Town can respond to those requests with a cohesive vision in mind. Ms. Dudman felt the garden club has tried to address the major concerns; the path, drainage, and the berm. Ms. Andrews agreed. Should more work be necessary to move forward, perhaps the Harbor Committee would be willing to pay for it. The Town can now take the plan and use it as they deem best.

Mr. Wood felt it reasonable not to expect the Garden Club to pay for additional work like a drainage study.

Ms. Reis suggested memorial pavers in the area might be an option. The pavers can be used throughout Town. She did not believe the marina green needed any improvement.

Chair Macauley thanked the Garden Club for their work.

Next steps were considered. The Harbor Committee could take another look at the plan, and a meeting could perhaps occur between the Harbor Committee and the Selectboard.

*B. Consider the purchase a new 2022 Ram 5500 dump truck equipped with plow equipment from Darlings Ram located in Ellsworth at a final price of \$124,796.00 after receiving \$7500.00 for the trade-in allowance of our 2013 Ram 5500.*

MOTION: Ms. Littlefield moved, with Mr. Mooers seconding, purchase of a new 2022 Ram 5500 dump truck equipped with plow equipment from Darlings Ram located in Ellsworth at a final price of \$124,796.00 after receiving \$7500.00 for the trade-in allowance of our 2013 Ram 5500, as presented.

Mr. Wood noted that the truck being replaced is a 2013 truck with 80,000 miles. Highway Superintendent Ben Jacobs explained that while the engine would likely go longer, the body of the truck, given the salty environment and work it's used for, cannot. Wear occurs despite consistent cleaning. Superintendent Jacobs noted that the larger trucks also last about the same amount of time.

Motion approved 5-0.

*C. Authorize Ben Jacobs, Highway Superintendent, to make the purchase with funds from the Public Works Equipment Reserve account number 4050100-24500 which has a balance of \$234,377.60*

MOTION: Ms. Littlefield moved, with Mr. Wood seconding, authorization of Ben Jacobs, Highway Superintendent, to make the purchase with funds from the Public Works Equipment

Reserve account number 4050100-24500 which has a balance of \$234,377.60, as presented.  
Motion approved 5-0.

## VII. New Business

*A. Consideration of the request made by residents of the Patterson Hill subdivision located off Route 102 in Somesville that the Town of Mount Desert consider assuming ownership of the road and sewer system that serves their subdivision at the May 2023 town meeting*

This is a similar proposal to what was done for Farnham's Way and Sidney's Way in 2018. The Town does not assume responsibility for the private sewers; just the sewer mains. The Town has a road acceptance ordinance that allows residents to request such an acceptance and includes road conditions required for acceptance. The Patterson Hill subdivision is approximately 1800 feet in length and has 20 homes.

Mr. Mooers asked whether the sewer line requires video taken to determine its condition. It was noted all manholes have been opened and inspected. Above-ground improvements to the manholes are likely required. Such conditions for road acceptance can be included in the Warrant. Manager Lunt noted the road was built to Town specifications. The road appears to be in good shape.

If a road is not up to the Road Acceptance Policy requirements, the Town is not required to accept it.

Voters at Town Meeting vote whether or not to take an additional road. One reason to take over a road might be to ensure adequate emergency vehicle access.

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, to accept the request made by residents of the Patterson Hill subdivision located off Route 102 in Somesville that the Town of Mount Desert consider assuming ownership of the road and sewer system that serves their subdivision at the May 2023 town meeting, as presented.  
Motion approved 5-0.

### *B. MDES Buildings and Grounds Improvements*

Chairman of the Mount Desert Elementary School Committee Brian Henckle reported that the school has some work planned. No significant upgrades have been made to the school in 20 years. The school is preparing to make the final payment for debt accrued for the last improvements made. Improvements proposed include windows, insulation, and a new storage building. The pool and basketball area, which are owned by the Town, also need improvement. Mr. Henckle suggested combining efforts with the Town. The school is proposing to hire an architect and consulting firm who could address both the school's needs, and work on the pool and basketball court.

Chair Macauley pointed out that there's very little detail on exactly what the scope of the work will entail. He could not offer an opinion based on the information provided.

Mr. Henckle hoped the scope of services could be determined after the selection process. The Town's roll would be focused on the pool and basketball court. This could be the priority for the consultant, and the school could then further decide their future moves.

Mr. Wood pointed out that this wasn't in the budget. Would the proposal be on this year's Town Meeting Warrant? Mr. Wood worried about the budget, particularly with the high school

considering a major addition and the Town funding fire station improvements. The elementary school is not in dire condition. Is the work being planned simply because the debt of the last project has finally been paid off? Mr. Wood first learned of the proposed project in the newspaper. He wondered what the reaction of the residents would be.

Mr. Henckle clarified that this is the first phase of the planning process. Payment on the previous bonding represents the limits of what the school will spend on these projects in any given year. Maintaining this amount would not affect the taxes. The amount of taxes paid would be a continuation.

Mr. Wood disagreed. It would not be a continuation. This is a new payment, similar to the old payment. The last renovation was completed in 2003.

Ms. Littlefield added that there are ongoing discussions regarding an island-wide middle school which could affect the school's future use. Given other projects occurring in Town it is bad timing. Ms. Littlefield agreed the shed needs an upgrade. It was good to see what the school is thinking about for future improvement plans.

*C. Harbor Committee requests consideration of adjusting the transient/seasonal summer dockage rates for the marina for vessels <49' to \$3.30/ft, the rate for vessels 50'<60' to \$3.80/ft and the rate for vessels 60' to 99' to \$4.30/ft*

Harbormaster Lemoine reported the Harbor Committee reviews rates every year. It was deemed prudent to increase rates by approximately 10%. Mount Desert will remain less expensive than other marinas in the area.

MOTION: Mr. Wood moved, with Ms. Dudman seconding, approval of the Harbor Committee request to adjust the transient/seasonal summer dockage rates for the marina for vessels <49' to \$3.30/ft, the rate for vessels 50'<60' to \$3.80/ft and the rate for vessels 60' to 99' to \$4.30/ft as presented.

Motion approved 5-0.

*D. Harbor Committee requests consideration of adjusting the marina charges for daily power rates to \$17.00 for 30amp, \$28.00 for 50amp and \$50.00 for 100amp per day for summer electricity starting May 15th of 2023*

MOTION: Ms. Littlefield moved, with Mr. Wood seconding, adjusting the marina charges for daily power rates to \$17.00 for 30amp, \$28.00 for 50amp and \$50.00 for 100amp per day for summer electricity starting May 15th of 2023 as presented.

Motion approved 5-0.

*E. Harbor Committee requests consideration of adjusting the summer daily mooring rentals to \$30.00 for a 200 series mooring rental*

Harbormaster Lemoine reported the current price is \$25.00 – the same price as for a 100. The 200 series are increasingly desired. The modest increase would help cover launch boat costs.

MOTION: Mr. Wood moved, with Ms. Littlefield seconding, adjusting the summer daily mooring rentals to \$30.00 for a 200 series mooring rental as presented.

Motion approved 5-0.

*F. Consideration of hosting a Rabies Clinic for Town of Mount Desert residents and their dogs on Saturday morning, December 10<sup>th</sup> in conjunction with Town Clerk's*

*office to register dogs for 2023CY*

MOTION: Ms. Littlefield moved, with Mr. Mooers seconding, hosting a Rabies Clinic for Town of Mount Desert residents and their dogs on Saturday morning, December 10, in conjunction with Town Clerk's office to register dogs for 2023CY as presented.

Motion approved 5-0.

Clerk Woolfolk explained that the clinic organizers will pay for the clinic unless a sponsor can be found. Theoretically, the dog owner will get the vaccination for their dog, and then register the dog. Town office staff will have to work a Saturday to do the registrations. The event will be for Town of Mount Desert residents only.

Ms. Carter suggested approaching the animal shelter in Ellsworth the Town gives funds to every year to see if they'd be willing to use those funds this year to sponsor the event. These funds are not a third party request but paid as a line item within the budget. Ms. Carter was told some of the funding hasn't been used in years.

Clerk Woolfolk asked if the meeting room space can be used in the event of inclement weather. The Board agreed.

*G. Move signatures of Memorandum of Understanding with the Town of Bar Harbor regarding Ambulance Billing Services*

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, signatures of Memorandum of Understanding with the Town of Bar Harbor regarding Ambulance Billing Services as presented.

Motion approved 5-0.

*H. Review and consider proposed changes to the Town's longevity policy as described in memo from Finance Director, Jake Wright*

Manager Lunt reported that these policy changes could improve retention. The Town's current longevity policy was in place when Manager Lunt started working for the Town.

Manager Wright explained the proposed increase schedule.

Manager Lunt noted the amounts are broken out into the various departments. Some of the positions were adjusted.

Mr. Mooers believed using a percentage levels the playing field.

Mr. Wood felt that clear explanation of how the system will work is wise. Those having worked at the Town longer will receive a larger increase, and this can be misunderstood by employees.

Chair Macauley requested the finalized policy be brought to the Board for a vote.

*I. Authorize G.F. Johnston and Associates, on behalf of the Town of Mount Desert, to solicit bids to repair approximately two hundred lineal feet of erosion caused by a strong storm surge in 2020 to the Seal Harbor beach shoreline*

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, authorization of G.F. Johnston and Associates, on behalf of the Town of Mount Desert, to solicit bids to repair approximately two hundred lineal feet of erosion caused by a strong storm surge in 2020 to the Seal Harbor beach shoreline as presented.

Mr. Mooers asked about permitting necessary for this work. Harbormaster Lemoine noted the Town had permits but they expired. He'll work on getting those renewed.

Motion approved 5-0.

**VIII. Other Business**

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

The Board discussed oil. Manager Lunt reported the pricing was received today. If the Board would like to lock the price received in, they should act on it now.

Mr. Wood asked for clarification on what the advantage was to not going with the fixed price. Manager Lunt noted the price could drop to below the fixed price. Mr. Wood did not feel such a drop was likely.

MOTION: Mr. Wood moved, with Ms. Littlefield seconding, to accept the No Frills Oil price of a \$3.859 per gallon fixed price.

Motion approved 5-0.

**IX. Treasurer's Warrants**

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

Town Invoices	AP#2331	11/08/2022	\$1,094,886.52
	AP#2333	11/22/2022	\$264,892.86
<b>Total</b>			<b>\$1,359,779.38</b>

MOTION: Ms. Dudman moved, with Mr. Wood seconding, approval and signature of Treasurer's Warrant as shown above.

Motion approved 5-0.

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

State Fees & PR Benefits	AP#2330	11/09/2022	\$45,134.69
	AP#2332	11/16/2022	\$2,023.57
Town Payroll	PR#2311	11/11/2022	\$142,612.65
<b>Total</b>			<b>\$189,770.91</b>

MOTION: Mr. Wood moved, with Mr. Mooers seconding, approval of signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown above.

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

*C. Acknowledge Treasurer's Town Voided Disbursements & School Board AP/Payroll Warrants as shown below:*

School Invoices			
School Payroll	PR#10	11/11/2022	\$97,905.60
Voided Disbursements	V#2303	11/16/2022	(\$25.00)
<b>Total</b>			<b>\$97,880.60</b>

MOTION: Ms. Littlefield moved, with Mr. Wood seconding, acknowledgement of Treasurer's Town Voided Disbursements & School Board AP/Payroll Warrants as shown above.

Motion approved 5-0.



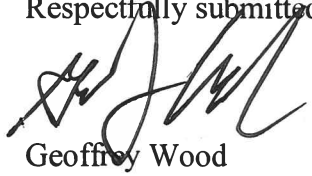
<b>Grand Total</b>			<b>\$1,647,430.89</b>
--------------------	--	--	-----------------------

**X. Adjournment**

MOTION: Ms. Littlefield moved, with Mr. Mooers seconding, to adjourn.  
Motion approved 5-0.

The Meeting adjourned at 7:55PM.

Respectfully submitted,



Geoffrey Wood