

Town of Mount Desert  
Selectboard Minutes  
June 20, 2023

Board Members Present: Chair John Macauley, Martha Dudman, Geoffrey Wood, Wendy Littlefield, Rick Mooers

Town Officials Present: Town Clerk Claire Woolfolk, Town Manager Durlin Lunt, Harbormaster John Lemoine, Public Works Director Brian Henkel, Finance Director Jake Wright, Tax Assessor Kyle Avila, Fire Chief Mike Bender

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 June 5, 2023 meeting*

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of the June 5, 2023 Minutes as presented.

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

**III. Appointments/Recognitions/Resignations**

*A. Annual Board and Committee Appointments*

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of the Annual Board and Committee Appointments as presented.

It was noted that the list only included those appointments that are currently up for renewal.

Motion approved 5-0.

*B. Confirm reappointment of Katrina Carter to the Mount Desert Housing Authority Board of Commissioners for a five-year term beginning May 1, 2023*

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, reappointment of Katrina Carter to the Mount Desert Housing Authority Board of Commissioners for a five-year term beginning May 1, 2023 as presented.

Motion approved 5-0.

*C. Confirm reappointment of Wanda Fernald to the Mount Desert Housing Authority Board of Commissioners for a five-year term beginning May 1, 2023*

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, reappointment of Wanda Fernald to the Mount Desert Housing Authority Board of Commissioners for a five-year term beginning May 1, 2023 as presented.

Motion approved 5-0.

*D. Consider appointment of Zachary DaRosa as seasonal employee at the Northeast Harbor Marina – Launch Captain at an hourly rate of \$20 per hour*

1 MOTION: Mr. Mooers moved, with Ms. Dudman seconding, appointment of Zachary DaRosa  
2 as seasonal employee at the Northeast Harbor Marina – Launch Captain at an hourly rate of \$20  
3 per hour as presented.  
4 Motion approved 5-0.  
5

6 *E. Consider appointment of Zachary Mitchell as Packer Truck Driver for the Waste  
7 Management Division of the Public Works Department effective on or before July 17, 2023 at a  
8 probationary hourly rate of \$22.72 per hour*

9 MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, appointment of Zachary  
10 Mitchell as Packer Truck Driver for the Waste Management Division of the Public Works  
11 Department effective on or before July 17, 2023 at a probationary hourly rate of \$22.72 per hour  
12 as presented.  
13 Motion approved 5-0.  
14

15 *F. Resignation of John March from the Zoning Board of Appeals, effective June 6, 2023*

16 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, acceptance of resignation of  
17 John March from the Zoning Board of Appeals, effective June 6, 2023 as presented and with  
18 thanks.  
19 Motion approved 5-0.  
20

21 *G. Resignation of Gloria Kunje from the Planning Board*

22 MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, acceptance of resignation of  
23 Gloria Kunje from the Planning Board as presented and with thanks.  
24 Motion approved 5-0.  
25

26 Ms. Dudman noted that the Planning Board is now short one regular member and two alternate  
27 members.  
28

29 **IV. Consent Agenda**

30 *A. Resident comment for Trash Pick-up in Hall Quarry*

31 *B. Memorandum from Public Works Director, Brian Henkel, and Wastewater  
32 Superintendent, Ed Montague regarding Gilpatrick Cove water quality*

33 *C. Selectboard Meeting Schedule 2023-2024*

34 *D. Town of Mount Desert Holiday Schedule 2023-2024*

35 *E. Chamber of Commerce 2023 Agreement (Term July 1, 2023--June 30, 2024)*

36 *F. Neighborhood House 2023 Agreement (Term July 1, 2023--June 30, 2024)*

37 *G. Ticket Booth Sales 2023 Agreements: Allen Associates, Asticou Charters, Beal & Bunker  
38 (Term July 1, 2023--June 30, 2024)*

39 *H. Hancock County Commissioners Special Meeting Minutes from May 16, 2023*

40 *I. MRC Partnership Update for Innovative Resource Recovery (IRR); June 2, 2023*

41 *J. MRC Special Board of Directors meeting; June 9, 2023*

42 *K. MRC Virtual Town Hall meeting invitation – June 21, 2023 at 11am*

43 *L. Penobscot Energy Recovery Company (PERC) Foreclosure memo from MRC; June 5,  
44 2023*

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

1  
2 Mr. Wood pointed out two possible discrepancies in the holiday schedule: June 19<sup>th</sup> falls on a  
3 Wednesday and not a Monday next year. And the October 14<sup>th</sup> holiday's correct name is  
4 Indigenous People's Day.

5  
6 Motion approved 5-0.

7  
8 **V. Selectboard's Reports**

9 Ms. Dudman reported a request from a Main Street business owner that the Town put a bike rack  
10 at the end of Main Street. Bicycles are being left leaning against buildings on that end.

11  
12 Ms. Dudman noted the next Selectboard meeting is scheduled for July 3. Since the date is  
13 couched between the weekend and the holiday, she suggested postponing or eliminating the  
14 meeting date unless something comes up requiring a meeting. Other Board Members echoed the  
15 suggestion.

16  
17 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, to eliminate the July 3 2023  
18 Selectboard Meeting, unless something pressing comes up to necessitate the meeting be held.  
19 Motion approved 5-0.

20  
21 Mr. Wood reported that there is continued discussion in Somesville regarding short-term rentals.  
22 While an ordinance was not ready for Town Meeting, he hoped progress was continuing. He  
23 learned recently of a home on Route 102 advertised as able to accommodate up to 15 people. He  
24 noted the potential for impact on water and sewer. Other Board Members agreed. Ms. Dudman  
25 believed the Ordinance was back in the hands of the LUZO Advisory Committee.

26  
27 **VI. Unfinished Business**

28 *A. Marina Landscape Plan discussion*

29 Ms. Dudman summarized that the subject originally came up in response to a comment made  
30 about the increasing number of people requesting to place memorial benches, trees, and other  
31 items. There is no policy or system in place for the placement of these items. The Town reached  
32 out to the Garden Club about ideas for a system for placing such items. What was created was  
33 an elaborate plan, exceeding the original idea. The Harbor Committee also has concerns with the  
34 plan. While this plan is probably more than is necessary, Ms. Dudman believes a plan for  
35 placing memorials is needed. Not all requests are for places in Northeast Harbor; a plan that is  
36 Town-wide would be wise. Other Board Members agreed.

37  
38 Public Works Director Henkel reported he was working on the issue and would soon have  
39 information to present to the Selectboard. He believed the system for placing memorials Town-  
40 wide could be standardized, but likely would not be exactly the same in all places. Such a policy  
41 might require Town Meeting approval. Town Manager Lunt praised Director Henkel's recent  
42 efforts in placing a memorial bench at Pond's End.

43  
44 Harbor Committee Member Rick Savage stated the committee has extensively reviewed the  
45 plans presented. The Harbor Committee has rejected the entire plan, and they are unanimously  
46 against the plans as currently presented.

1  
2 Harbormaster Lemoine recalled the Garden Club created the plantings along both the front and  
3 back of the building and included brick work. Irrigation was donated for that project. The  
4 current plan as presented is not a continuation of that work.

5  
6 Mr. Savage recommended that requests for placing memorials be taken up on a case-by-case  
7 basis. He did not feel a plan as elaborate as that presented was a good idea.

8  
9 Ms. Dudman noted the Town has been handling such requests on a case-by-case basis, and there  
10 have been cases when requests were not a good fit for the Town. Mr. Wood suggested a menu of  
11 approved options for specific memorial types.

12  
13 Harbor Committee member Storey Litchfield suggested memorial donations for items the Town  
14 needs, like fire safety equipment.

15  
16 Other points were discussed, including how plantings would affect the view of those living near  
17 the marina, the cost of the maintenance of the plantings, other issues the Harbor Committee  
18 addresses, Cranberry Isles parking area, tree placement near the picnic tables and near the tennis  
19 courts.

20  
21 MOTION: Mr. Mooers moved the question on the discussion of the marina beautification plan.  
22 Ms. Littlefield seconded.  
23 Motion approved 5-0.

24  
25 **VII. New Business**

26 *A. Consider a \$10.00 processing fee for the recording of Family and Private Burial*  
27 *Grounds*

28 MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of a \$10.00 processing  
29 fee for the recording of Family and Private Burial Grounds as presented.  
30 Motion approved 5-0.

31  
32 *B. Consider the policy of limiting Public Notary acts to town business*

33 MOTION: Mr. Wood moved, with Mr. Mooers seconding, approval of a policy of limiting  
34 Public Notary acts to town business as presented.

35  
36 It was noted that the Town does not charge for notary services that are not Town business. Clerk  
37 Woolfolk noted there are over 120 notaries on the island. Additionally, residents needing a  
38 notary can go to the bank or contact a mobile public notary. A list of commissioned notaries is  
39 available on the Secretary of State's website.

40  
41 Resident Katrina Carter suggested instead of limiting notary acts to Town business, limiting  
42 notary acts to taxpayers. There are taxpayers that may not have a local bank account that require  
43 notary services. She felt the tax base should be served.

44  
45 Mr. Wood suggested supplying the list of notaries to those looking for the service. A list of  
46 notaries is available on the State website by zip code.

1  
2 Ms. Littlefield voiced concern about the kind of notarizing that might be requested. Was there a  
3 chance for fraud? Clerk Woolfolk shared the concern. Town employees are not experts in  
4 verifying the documentation presented. The Town risks liability any time they notarize outside  
5 of Town business.

6  
7 Mr. Wood believed another aspect of the problem was the number of people coming into the  
8 Town offices and taking employees' time away from their jobs. That alone seemed reason  
9 enough to limit such acts. Discussion ensued regarding whether taxpayers should expect  
10 services from Town employees that fall outside municipal duties. It was noted that notaries can  
11 charge for their services. It would be hard to create a fee structure because of the wide variety of  
12 notary services that can be requested. Clerk Woolfolk reported over 100 notarizations that are  
13 not Town-related business occur over the year. Town employees are not always familiar with  
14 the variety of notary tasks requested of them. Notary services are different from other services  
15 the Town provides, like licensing a dog, or registering someone to vote, in that the Town staff  
16 are trained and familiar with their regular municipal duties, but less so in the many notarial  
17 services that can be requested.

18  
19 Ms. Dudman felt it was a nice service to provide to residents, but she could understand the  
20 concerns of someone notarizing paperwork they are unfamiliar with. She wondered if employees  
21 could simply turn down those notary jobs they did not feel comfortable with. Clerk Woolfolk  
22 felt it unfair to pick and choose the jobs they were willing to do. She would be happy to direct  
23 someone needing notary services to the directory or print the list for them. Ms. Carter felt  
24 summer residents could be frustrated if they are unable to find a notary available when they  
25 require notarization.

26  
27 Motion approved 4-1 (Dudman opposed).

28  
29 Ms. Littlefield hoped that something would be made available to those requesting notary services  
30 guiding them to the appropriate website.

31  
32 *C. Consider transfer from reserve portfolio to general operating account in the amount of*  
33 *the audited interfund liability amount of \$500,142.43 for the fiscal year ended June 30, 2022*

34 MOTION: Mr. Mooers moved, with Mr. Wood seconding, transfer from reserve portfolio to  
35 general operating account in the amount of the audited interfund liability amount of \$500,142.43  
36 for the fiscal year ended June 30, 2022 as presented.

37 Motion approved 5-0.

38  
39 *D. Review bids received for a General Obligation Bond to finance projects approved at the*  
40 *2023 Annual Town Meeting consistent with the requirements identified in articles 38 through 43*  
41 *and associated disclosures in a total principal amount of \$2,550,000*

42 Finance Director Wright reported nothing has changed with regard to the bond rates since  
43 presented at last meeting. The Town did not expand the solicitation to include BANS after  
44 receiving the informal rates. Director Wright's recommendation was to go with Bar Harbor Bank  
45 and Trust's proposal. The cost savings with the BANS right now are not worth the risk of rates  
46 continuing to go up. It would also increase bond counsel expense due to the need to refinance at

1 the end of the BAN term. Some of the projects would be in various stages of completeness,  
2 complicating the issue.

3  
4 No action is required.

5  
6 *E. Approve resolutions authorizing the issuance of a General Obligation Bond of the Town*  
7 *in a principal amount not to exceed \$2,550,000 at a fixed interest rate of 5.48% for a term of 20*  
8 *years to Bar Harbor Bank & Trust*

9 MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, approval of resolutions  
10 authorizing the issuance of a General Obligation Bond of the Town in a principal amount not to  
11 exceed \$2,550,000 at a fixed interest rate of 5.48% for a term of 20 years to Bar Harbor Bank &  
12 Trust as presented.

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

14  
15 *F. Authorize execution of the bond document(s) for the \$2,550,000 General Obligation*  
16 *Bond with Bar Harbor Bank & Trust effective on or about June 27, 2023*

17 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, authorizing execution of the bond  
18 document(s) for the \$2,550,000 General Obligation Bond with Bar Harbor Bank & Trust  
19 effective on or about June 27, 2023 as presented.

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

21  
22 *G. Consideration of waiving the rental fee for use of the Seal Harbor fire station community*  
23 *room by Friends of Acadia on the date of June 29, 2023*

24 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, waiving the rental fee for use of  
25 the Seal Harbor fire station community room by Friends of Acadia on the date of June 29, 2023  
26 as presented.

27 Motion approved 5-0.

28  
29 *H. Consider amending the September 19, 2022 authorization to purchase a new Ferrara*  
30 *Ignitor fire truck from Ferrara Fire Apparatus at \$913,450.00 to authorization to purchase a*  
31 *new Ferrara Inferno fire truck from Ferrara Fire Apparatus at \$969,044.00, using funds from*  
32 *the Fire Equipment Reserve account number 4040300-24471 with a current unencumbered*  
33 *balance of approximately \$481,222.90 (original 9/19/22 authorization currently encumbered)*  
34 *for the additional \$55,944.00*

35 MOTION: Ms. Dudman moved, with Mr. Mooers seconding, amending the September 19, 2022  
36 authorization to purchase a new Ferrara Ignitor fire truck from Ferrara Fire Apparatus at  
37 \$913,450.00 to authorizing purchase of a new Ferrara Inferno fire truck from Ferrara Fire  
38 Apparatus at \$969,044.00, using funds from the Fire Equipment Reserve account number  
39 4040300-24471 with a current unencumbered balance of approximately \$481,222.90 (original  
40 9/19/22 authorization currently encumbered) for the additional \$55,944.00 as presented.

41  
42 Fire Chief Bender explained the brand of truck ordered a year ago was being phased out in the  
43 near future. The engine was oversold, and the company did not believe they would have the  
44 engine available when the Town's order came up on their waitlist. The choice was to pay more  
45 for a new engine which replaces the one ordered by the Town, or the Town can wait to see if  
46 they can get the original engine ordered. The concern is that the Town will wait for the time

1 their engine begins construction only to learn then that the engine is not available. The truck has  
 2 already taken two years longer than originally expected, and Chief Bender does not want to  
 3 extend that time if possible. The cost increase is due to it being a larger engine. This results in  
 4 having to replace a number of parts.

5  
 6 Motion approved 5-0.

7  
 8 **VIII. Other Business**

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

10 No Other Business was presented.

11  
 12 **IX. Treasurer's Warrants**

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

Town Invoices	AP#2381	6/21/2023	241,556.16
	AP#2401	7/1/2023	\$1,207,062.17
<b>Total</b>			<b>\$1,448,618.33</b>

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

16 Motion approved 5-0.

17  
 18 *B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown  
 19 below:*

State Fees & PR Benefits	AP#2379	6/7/2023	\$52,701.41
	AP#2380	6/14/2023	\$7,121.91
Town Payroll	PR#2328	6/9/2023	\$150,017.90
<b>Total</b>			<b>\$209,841.22</b>

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

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

23  
 24 *C. Acknowledge Treasurer's Town Voided Disbursements & School Board AP/Payroll  
 25 Warrants as shown below:*

School Invoices			\$0
School Payroll	PR#25	6/9/2023	\$121,701.19
Voided Disbursements			\$0
<b>Total</b>			<b>\$121,701.19</b>

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

28 Motion approved 5-0.

29

<b>Grand Total</b>			<b>\$1,780,160.74</b>
--------------------	--	--	-----------------------

30  
 31 **X. Adjournment**

32

- 1 MOTION: Mr. Mooers moved, with Ms. Dudman seconding, to adjourn.
- 2
- 3 Motion approved 5-0.
- 4
- 5
- 6 The Meeting adjourned at 7:29PM.

A handwritten signature in black ink, appearing to be "S.J. [unclear]", located in the lower-left quadrant of the page.