

**Town of Mount Desert
Selectboard Minutes
September 5, 2023**

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

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

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 August 7, 2023 meeting

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of the Minutes from August 7, 2023 as presented.

Motion approved 3-0-1 (Wood and Littlefield in Abstention)

B. Approval of minutes from August 21, 2023 meeting

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of the Minutes of August 21, 2023 as presented.

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

III. Appointments/Recognitions/Resignations

A. Consider appointment of Allen Kimmerly to the Planning Board as a Regular Member effective September 6, 2023

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, appointment of Allen Kimmerly to the Planning Board as a Regular Member effective September 6, 2023 as presented.

Motion approved 5-0.

B. Consider appointment of Gail Marshall to the Planning Board as an Alternate Member effective September 6, 2023

MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, appointment of Gail Marshall to the Planning Board as an Alternate Member effective September 6, 2023 as presented.

Motion approved 5-0.

C. Consider appointment of Cynder Johnson as Full-time Firefighter/EMT at the probationary base rate of \$27.56, effective September 7, 2023

MOTION: Ms. Littlefield moved, with Mr. Wood seconding, appointment of Cynder Johnson as Full-time Firefighter/EMT at the probationary base rate of \$27.56, effective September 7, 2023 as presented.

Motion approved 5-0.

1 **IV. Consent Agenda**

2 A. *Memo from Fire Chief Mike Bender regarding an approved and signed change order for*
3 *emergency repairs to the Town Office building necessary to ensure viability of*
4 *improvements being made to the NEH Fire Station*

5 B. *Thank you letters from Downeast Community Partners, Downeast Horizons, Eastern*
6 *Area Agency on Agency and Island Housing Trust*

7 C. *Hancock County Hazard Mitigation Plan*

8 D. *Acadia National Park Advisory Commission Minutes of June 5, 2023*

9 MOTION: Mr. Mooers moved, with Mr. Wood seconding, acceptance of the Consent
10 Agenda as presented.

11 Motion approved 5-0.

12
13 **V. Selectboard's Reports**

14 Ms. Dudman asked for a status report on the Jordan Pond Road seasonal road closing
15 discussed at earlier meetings. Public Works Director Henkel reported meeting with the
16 Interim Police Chief, who would install a second speed sign to collect additional information.
17 Director Henkel has talked with Park officials, and it was decided to reconvene for further
18 consideration later in the season.

19
20
21 Mr. Wood asked for discussion regarding events that took place at the August 9, 2023
22 Planning Board Meeting and the Town's response. Town Manager Lunt reported the
23 Planning Board Chair has asked Town Counsel to draft a policy that abides by citizens'
24 constitutional rights and preserves the rights of the citizen's participating in the meeting to be
25 heard and the members of the Board to have the ability to conduct their meeting in a
26 reasonably judicious fashion. It was noted that Boards and Committees have the right to
27 make rules allowing them to govern their proceedings, as long as they are not in violation of
28 any laws. Mr. Wood believed that in adopting any policy the Town must be mindful of
29 complete transparency, including video feed for the meeting.

30
31 **VI. Unfinished Business**

32 A. *Discussion regarding the Code of Ethics*

33 A review was made of the Draft Code of Ethics presented to the Board. Human Resources
34 representative Zack Harris was in attendance. Thoughts included:

35 - Clerk Woolfolk suggested that instead of listing each Board and Committee, maybe include
36 language that covers all Boards and Committees that an individual may participate in as a
37 blanket statement.

38 - Discussion ensued regarding whether someone serving on multiple boards and committees
39 must take the oath multiple times or if once would suffice.

40 - Requiring the oath to be taken annually provides those serving with an annual reminder of
41 their responsibilities.

42 - It should not be necessary that each board and committee member appear before the Town
43 Clerk every year to be given the oath. Annual notarization was not necessary, but instead
44 an annual public acknowledgement of agreement to the policy was suggested.

45 - Such an annual acknowledgement could be the responsibility of the board and committee
46 chairs to execute.

1 - Public elected officials must sign the acknowledgement annually in addition to be given the
2 term oath.

3
4 MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, any new member to any
5 committee must sign an acknowledgement that they have read and understand the Code of
6 Ethics and Code of Conduct. Thereafter, it is the responsibility of the Committee Chair to
7 ensure annually that all members of said Committee are current in their understanding and
8 acknowledgement of the Code of Ethics and Code of Conduct.

9 Motion approved 5-0.

10
11 **VII. New Business**

12 *A. Public Space Special Event Application – Friends of Acadia Benefit Auction – August 5-*
13 *12, 2024, Northeast Harbor Village Green*

14
15 President and CEO of Friends of Acadia (FOA) Eric Stiles and members of the FOA Board
16 were present. FOA is requesting to hold their 2024 auction at the Northeast Harbor Marina.
17 Mr. Stiles provided a summary of the FOA Special Event Application. History of the event
18 was provided. He noted alternative event space is being explored as well. The event will be
19 weeklong. Additionally, FOA is willing to hold an coinciding ancillary event for the benefit
20 of the Town. 400 – 500 people attend over the course of the event. A search for additional
21 off-site parking is underway. There are police officers on hand for parking and safety
22 oversight. Mr. Stiles noted this is likely a one-time occurrence. The event is traditionally
23 held at the Asticou Inn. The Inn will be closed in 2024, due to renovation work going on.

24
25 Ms. Dudman extolled the work FOA does. She noted how difficult it would be to have such
26 a large event in August at the marina. Ms. Littlefield felt the Harbor Committee should be a
27 part of the discussion. Mr. Wood suggested getting the logistics from Wallace Tent. The
28 event is a large one, but perhaps it could be organized to be unobtrusive. Other potential
29 event sites and potential overflow parking were also brainstormed.

30
31 The Farmer's Market would also have to be considered so the two events don't conflict.

32
33 Harbor Committee member Storey Litchfield was present. She noted she was also on the
34 FOA's Board of Directors. While the event hasn't been officially brought before the Harbor
35 Committee, members Howie Motenko and Chris Moore are both aware and supportive. The
36 Harbor Committee is meeting in a week.

37
38 Mr. Mooers requested seeing an offsite parking plan for the event.

39
40 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, to table discussion until the
41 Harbor Committee has reviewed the request and more information on the event is gathered.
42 Motion approved 5-0.

43
44 *B. Request authorization for Superintendent Montague to execute all necessary documents*
45 *on behalf of the Town to purchase a new 2024 RAM 2500 Trademan, four-wheel drive,*
46 *single cab pickup truck with service body from Darlings Auto Mall in Ellsworth at their bid*
47 *price of \$58,918 (including the trade in allowance for the 2014 GMC 2500HD Wastewater*

1 truck of \$11,500) using funds from our Wastewater Work Truck Reserve account number
2 4050500-24583 with a current FY-24 balance of approximately \$152,249
3

4 MOTION: Mr. Wood moved, with Mr. Mooers seconding, authorization for Superintendent
5 Montague to execute all necessary documents on behalf of the Town to purchase a new 2024
6 RAM 2500 Trademan, four-wheel drive, single cab pickup truck with service body from
7 Darlings Auto Mall in Ellsworth at their bid price of \$58,918 (including the trade in
8 allowance for the 2014 GMC 2500HD Wastewater truck of \$11,500) using funds from our
9 Wastewater Work Truck Reserve account number 4050500-24583 with a current FY-24
10 balance of approximately \$152,249 as presented.

11 Motion approved 5-0.
12

13 C. Request authorization to solicit competitive bids for a new 2023 or 2024 Ram crew cab
14 1500 4x4 with a gas-powered engine for the Buildings and Grounds division of the Public
15 Works Department
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17 MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, authorization to solicit
18 competitive bids for a new 2023 or 2024 Ram crew cab 1500 4x4 with a gas-powered engine
19 for the Buildings and Grounds division of the Public Works Department as presented.
20

21 Mr. Wood pointed out the truck being replaced will be kept by the Department. Director
22 Henkel explained it would make the logistics of moving personnel around easier.
23

24 Motion approved 5-0.
25

26 D. Consideration of authorizing Fire Chief Mike Bender to purchase furniture from Working
27 Fire Furniture & Mattress Co., Inc. at a cost not to exceed \$25,000.00 in association with
28 the Mount Desert Fire Station #1(Northeast Harbor) building project
29

30 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, authorizing Fire Chief Mike
31 Bender to purchase furniture from Working Fire Furniture & Mattress Co., Inc. at a cost not
32 to exceed \$25,000.00 in association with the Mount Desert Fire Station #1(Northeast Harbor)
33 building project as presented.

34 Motion approved 5-0.
35

36 E. Consider authorizing Fire Chief Mike Bender to sign and execute a change order to
37 install a thickened area of pavement in the area of the four truck bays at the Mount Desert
38 Fire Station #1 at a cost not to exceed \$19,635.00, with said funds to be used from the
39 Northeast Harbor Fire Station Expansion Project budget
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41 MOTION: Mr. Mooers moved, with Mr. Wood seconding, authorizing Fire Chief Mike
42 Bender to sign and execute a change order to install a thickened area of pavement in the area
43 of the four truck bays at the Mount Desert Fire Station #1 at a cost not to exceed \$19,635.00,
44 with said funds to be used from the Northeast Harbor Fire Station Expansion Project budget
45 as presented.

46 Motion approved 5-0.
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1 F. Consider contract for Professional Services through Dirigo Safety, LLC for Law
 2 Enforcement Executive Consulting

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 4 MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of contract for
 5 Professional Services through Dirigo Safety, LLC for Law Enforcement Executive
 6 Consulting as presented.
 7 Motion approved 5-0.

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 9 **VIII. Other Business**

10 A. Such other business as may be legally conducted
 11 No Other Business.

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 13 **IX. Treasurer's Warrants**

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

Town Invoices	AP#2414	9/6/2023	\$565,585.19
Total			\$565,585.19

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

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 18 Motion approved 5-0.

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

State Fees & PR Benefits	AP#2412	8/23/23	\$106,462.45
	AP#2413	8/30/2023	\$7,060.41
Town Payroll	PR#2406	9/1/2023	\$172,226.38
Total			\$285,749.24

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

23
 24 Motion approved 4-0-1 (Littlefield in Abstention).

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

School Invoices			\$0
School Payroll	PR#5	9/1/2023	\$78,893.20
Voided Disbursements			\$0
Total			\$78,893.20

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

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 31 Motion approved 5-0.

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Grand Total			\$930,227.63
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1 **X. Adjournment**

2 MOTION: Ms. Littlefield moved, with Mr. Mooers seconding, to adjourn the meeting.

3 Motion approved 5-0.

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5 The meeting was adjourned at 7:05PM.

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Respectfully Submitted, Geoffrey Wood