

**Town of Mount Desert
Selectboard Minutes
December 18, 2023**

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

Board Member Geoff Wood was not in attendance.

Town Officials Present: Town Manager Durlin Lunt, Town Clerk Claire Woolfolk, Public Works Director Brian Henkel, Assessor Kyle Avila, Code Enforcement Officer Kim Keene, Fire Chief Mike Bender, Tax Collector Lisa Young

Members of the Public were also present.

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

Chair Macauley called the meeting to order at 6:30 p.m.

II. Minutes

A. Approval of minutes from November 20, 2023 meeting

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of the November 20, 2023 Minutes as presented.

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

B. Approval of minutes from December 4, 2023 meeting

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, approval of the December 4, 2023 Minutes as presented.

Motion approved 4-0.

III. Appointments/Recognitions/Resignations

A. Consider appointment of Judy Gilkes Benson to the Comprehensive Planning Committee

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, appointment of Judy Gilkes Benson to the Comprehensive Planning Committee as presented and with thanks.

Motion approved 4-0.

B. Consider appointment of Tracy Loftus Keller to the Comprehensive Planning Committee as Planning Board liaison

MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, appointment of Tracy Loftus Keller to the Comprehensive Planning Committee as Planning Board liaison as presented and with thanks.

Motion approved 4-0.

C. Consider appointment of Gail Marshall to the LUZO Committee

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, appointment of Gail Marshall to the LUZO Committee as presented.

Motion approved 4-0.

1 **IV. Consent Agenda**

2 *A. Letter from Timothy Billings – Short Term Rentals*

3 *B. Healthy Acadia/Mount Desert Island Hospital Community Health Needs Assessment*

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

6 Motion approved 4-0.

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

9 No Selectboard Reports were presented.

10
11 **VI. Unfinished Business**

12 *A. Presentation from A Climate to Thrive reporting the results of the solar pre-development work*
13 *conducted on behalf of the Town of Mount Desert funded through the Community Resilience*
14 *Partnership. The presentation will include an analysis of Mount Desert's current municipal*
15 *electricity use, a prioritized list of potential municipal solar sites, a solar economic analysis for*
16 *top sites, and recommended next steps*

17 Beth Woolfolk of A Climate to Thrive presented a report on solar energy pre-development
18 analysis. Solar energy development was identified as a priority in the Mount Desert Climate
19 Action Plan. Next steps include identifying and prioritizing solar sites, conducting a feasibility
20 study for solar arrays, and developing a Request for Proposals.

21
22 The Town is eligible to receive a 30% reimbursement for equipment and installation.

23
24 The Town has a solar array on the Town Garage. The energy generated covers the Town
25 Garage's use and a majority of the Town Office's use, but the Town cannot legally claim the
26 clean energy benefits of the energy because ReVision Energy sells the Renewable Energy
27 Certificates produced. The town would need approximately 1,235 kW of installed solar to cover
28 100% of their electrical use.

29
30 Sites to consider for arrays include:

- 31 - Somesville Fire Station
- 32 - Northeast Harbor Wastewater Treatment Plant (largest electricity user in the Town)
- 33 - Otter Creek Pump Station (the area is already cleared and fenced. Infrastructure to accept
34 the power is nearby. May qualify for extra tax credits, interconnection costs could be
35 higher)
- 36 - Seal Harbor Wastewater Treatment Plant (a hybrid system of parking canopy in the upper
37 lot and ground array in the lower lot. Could qualify for more tax credit, interconnection
38 costs were likely to be higher)
- 39 - Town Office (could have lower interconnection costs, parking canopy arrays are more
40 expensive than ground mounted or rooftop arrays)
- 41 - Town Garage (back behind the garage, between the road and back area. Interconnection
42 costs could be expensive. There's already an array on site, which affects the interconnection
43 costs and the amount of renewable energy allowed to be created on site. Many trees in the
44 area would have to be removed, and it would impact viewsheds, because of the area, it can
45 be enlarged or made smaller as necessary)
- 46 - Mount Desert Elementary School (not feasible. Architects have confirmed the building
47 cannot support a rooftop array due to the wind and how it impacts the roof)

- 1 - Somesville Wastewater Treatment Plant (It's not feasible to move this option forward.
2 There is no space for rooftop arrays. Surrounding land – wetland - would require
3 clearcutting to accommodate arrays)
4

5 The first three sites are the easiest to implement and have the lowest potential interconnection
6 costs, lowest investment and highest return on investment and low impact on habitat.
7

8 Ms. Woolfolk reported on the pros and cons of parking canopy sites. Parking canopies use
9 already-open space and it has no impact on habitat. Because they're larger arrays, they tend to
10 have higher interconnection costs associated with them. Arrays designed to withstand wind and
11 snow are available. She shared a cost comparison of the various proposed sites.
12

13 A Climate to Thrive's recommendations are:

- 14 - Funding Phase One development of the first three sites: Somesville Fire Station, Northeast
15 Harbor Treatment Plant, Otter Creek Pump Station
- 16 - Explore the viability of parking lot canopies for the Town Office parking lot and the Seal
17 Harbor Treatment Plant
- 18 - Collect feedback from the community regarding their interest in exploring Town Garage and
19 school solar array sites
- 20 - Next steps would be to draft a warrant article for the Phase One funding and develop and
21 administer an RFP.
22

23 Phase one will consist of finalizing the project design and further explore the interconnection
24 application process to determine the viability of the projects, and secure permitting and
25 interconnection agreements, followed by securing funding for Phase Two, the construction of the
26 arrays. Ms. Woolfolk estimated the budget for phase one work at \$270,000. This portion of the
27 budget that would come before 2024 Town Meeting. Ms. Woolfolk stated that solar arrays are
28 guaranteed for at least 20 years, but it's estimated they will last 30 years.
29

30 The interconnection process is the line item most likely to require the contingency funds included
31 in the budget. The utility process can be unpredictable. The payback projection on the
32 installation is approximately 5 or 6 years. The tax credit is in place until 2025, and tax credit
33 funding appears to be secure until 2030. The Town would own the array. A maintenance and
34 repair agreement would be part of the construction contract. Recycling programs are growing for
35 arrays that cannot be repaired. Ms. Woolfolk promised to send a report to the Town for further
36 review.
37

38 *B. Discussion of Boston Cane Award – Edith Mann*

39 Town Clerk Woolfolk reported her efforts to get public notice out for the Boston Cane Award. The
40 Town has received no applications. She reviewed the voter list for eligible recipients and
41 determined Edith Mann to be eligible. She researched the names shared at a prior meeting as
42 potential recipients, but could not locate them. Ms. Dudman suggested Dorothy Renault, now living
43 in Ellsworth but eligible under the rules of residency. Ms. Dudman agreed to get information on
44 Ms. Renault for further discussion.
45

46 *C. Report to Selectboard from Short Term Rental Task Force*

47 Chair Macauley noted this was a report for informational purposes only. Public Discussion would

1 take place at a future meeting.

2
3 Ms. Dudman reported that the task force plans to have a draft ordinance to present to the Selectboard
4 at the first January Selectboard meeting, with public comment to occur at the second January
5 Selectboard meeting. The task force has tried to address concerns presented at earlier meetings.
6 They've been mindful of the tradition of local residents renting houses out for short periods of time
7 while they stay elsewhere. They've tried to preserve that tradition. Such use is referred to as short-
8 term rentals. Renters would require a license, but there would be fewer restrictions. A second class
9 of renters are those renting a second home or investment property. Such use is referred to as
10 vacation rentals. The task force intends to ensure that administration of the system would not
11 burden Town employees. A plan has been outlined addressing that goal. They wanted the program
12 to be able to pay for itself, via licensing fees set by the Selectboard. The goals are to have an open
13 discussion in January and a draft ordinance on the ballot for Town Meeting. If the ordinance passes
14 at Town Meeting, the Town would start accepting applications in 2024, but the ordinance would not
15 go into effect until 2025. This would allow for residents to plan and organize.

16
17 Registration would be annual. Mr. Mooers noted that he's asked for a statement identifying the
18 problem with the rentals in Town as they currently exist; one that the ordinance will address.
19 Without such a statement, the Town is trying to create a solution to a problem that has not been
20 identified. Ms. Dudman believed that Mount Desert, as a number of other towns in Maine have a
21 problem with affordable housing for those who'd like to be able to live and work in the community.
22 There are many reasons behind the problem, one of them being the proliferation of short-term
23 rentals. She noted that according to the information she's been presented with 20% of the housing
24 stock in the town is now being rented out as short-term rentals. This impacts the number of year-
25 round rentals or homes available. Unless some sort of guidelines are created, the problem will
26 continue to grow. She noted a town in another state is now entirely weekly rentals.

27
28 Ms. Littlefield asked whether such an ordinance will make a difference. If, for example, she was
29 renting a residence, this ordinance only means she will pay a fee and continue to rent the residence.
30 How will such an ordinance curtail the problem Ms. Dudman is identifying. Ms. Dudman noted that
31 a local homeowner will be allowed to do what they want. She hopes a cap on the number of weekly
32 rentals someone can have can be set. It will not eliminate existing properties being rented in this
33 fashion.

34
35 Resident Katrina Carter asked if the ordinance intends to differentiate between seasonal homes that
36 can only be used in summer, Ms. Dudman noted only the two distinctions previously noted were
37 intended to be considered.

38 39 **VII. New Business**

40 *A. Backroads Travel, Kyle Pacioni Public Space Special Event Application- Suminsby Park- Use*
41 *of Suminsby Park for Picnic Snack and staging area for 5-20 bikes with two 15 passenger*
42 *vans and two trailers, Various dates starting June 3, 2024 through October 7, 2024*

43 Mr. Pacioni presented his request. Currently the company is using a local lobster pound as their
44 staging area. Moving to Suminsby Park would eliminate some friction between bikers and other
45 visitors to the community. Currently bikers must cross Route 3 to enter Parkman Mountain. This
46 change would eliminate that need. A new vendor for the company is out of Bar Harbor and

1 willing to take food waste away for the company. Additionally, the change will reduce
2 interference with local businesses, shortening the length of time their guests are in one location.
3 There will be no picnic within Suminsby Park, reducing the time spent there to just staging and
4 safety talks.

5
6 Ms. Dudman noted her opposition to the suggestion. Suminsby Park is used for a number of
7 activities. She didn't believe it should be used as a commercial venture. Chair Macauley agreed.
8 He noted similar requests have been rejected in the past for these reasons.

9
10 Mr. Pacioni asked if the Board had any suggestions for an appropriate area near Parkman
11 Mountain that could be used. Ms. Littlefield suggested simply using the Parkman Mountain
12 parking lot. Mr. Pacioni noted parking at that site is not allowed. Upon the bike tour leaving the
13 staging site, one van goes to the Parkman Mountain site, but not into the parking lot, and one van
14 goes to Bar Harbor. Suminsby Park would be used only to stage the bicycles and then all parties
15 would leave the site. The first day would be June 3. Mr. Pacioni estimated approximately 20
16 trips happening throughout the year.

17
18 MOTION: Ms. Dudman moved, with Mr. Mooers seconding, to approve the request of
19 Backroads Travel, Kyle Pacioni Public Space Special Event Application- Suminsby Park- Use of
20 Suminsby Park for Picnic Snack and staging area for 5-20 bikes with two 15 passenger vans and
21 two trailers, Various dates starting June 3, 2024 through October 7, 2024 as presented.
22 Motion failed 1-3 (Macauley, Littlefield, Dudman Opposed).

23
24 *B. Authorize Public Works Superintendent, Ben Jacobs, to solicit competitive bids for a 2025*
25 *International cab & chassis with a diesel-powered engine for the Highway Division of the*
26 *Public Works Department*

27 Public Works Director Henkel noted the request is being made well in advance of when the Town
28 intends to replace the equipment. This is due to the difficulty in getting this type of vehicle.

29
30 MOTION: Mr. Mooers moved, with Ms. Dudman seconding, authorizing Public Works
31 Superintendent Ben Jacobs to solicit competitive bids for a 2025 International cab & chassis with
32 a diesel-powered engine for the Highway Division of the Public Works Department as presented.
33 Motion approved 4-0.

34
35 *C. Consideration to release up to \$2,000.00 from the Fire Stations Building Reserve account,*
36 *# 4040300-24470, and authorize the Fire Chief to use such funds for the purpose of*
37 *purchasing and having installed a base radio antenna at MDFD fire station #3*

38 MOTION: Mr. Mooers moved, with Ms. Dudman seconding, to release up to \$2,000.00 from
39 the Fire Stations Building Reserve account, # 4040300-24470, and authorize the Fire Chief to
40 use such funds for the purpose of purchasing and having installed a base radio antenna at
41 MDFD fire station #3 as presented.

42 Motion approved 4-0.

43
44 *D. Consideration of authorizing Fire Chief Mike Bender to purchase an Unimac extractor from*
45 *Daniels Equipment Company, Inc., Inc. at a cost not to exceed \$18,000.00 in association with the*
46 *Mount Desert Fire Station #1(Northeast Harbor) building project*

47 MOTION: Mr. Mooers moved, with Ms. Littlefield seconding, authorizing Fire Chief Mike Bender

1 to purchase an Unimac extractor from Daniels Equipment Company, Inc., Inc. at a cost not to
2 exceed \$18,000.00 in association with the Mount Desert Fire Station #1(Northeast Harbor) building
3 project as presented.

4 Motion approved 4-0.

5
6 *E. Consideration of hosting a Rabies Clinic for Town of Mount Desert residents and their dogs on*
7 *Saturday morning, January 3rd in conjunction with Town Clerk's office to register dogs for CY*
8 *2024*

9 Clerk Woolfolk noted this will be the second year the event has occurred. There is a sponsor for
10 the event. There were twelve dogs at last year's event. She hoped the event would attract more
11 dogs this year. This year the event will be scheduled for 3:00 p.m. to 6:00 p.m. on a workday,
12 resulting in only an extra hour of staff work time.

13
14 MOTION: Ms. Dudman moved, with Mr. Mooers seconding, hosting a Rabies Clinic for Town of
15 Mount Desert residents and their dogs on Saturday morning, January 3rd. in conjunction with
16 Town Clerk's office to register dogs for CY 2024 as presented.

17 Motion approved 4-0.

18
19 *F. Consider budgetary carry-forwards of unexpended amounts from Fiscal Year 2023 to the*
20 *Fiscal Year 2024 as described in memo from Finance Director, Mae Wyler*

21 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, budgetary carry-forwards of
22 unexpended amounts from Fiscal Year 2023 to the Fiscal Year 2024 as described in memo from
23 Finance Director, Mae Wyler as presented.

24 Motion approved 4-0.

25
26 *G. Review of General Government and Debt Budgets for FY 24-25*

27 Town Manager Lunt referred to his memo noting the major differences and the net impact on the
28 budget increase in the departments. He intended to keep the running total for each budget review,
29 including each budget and the CIP rolled into the calculation as they are reviewed. This will show
30 the impact of each department budget as they are discussed.

31
32 The two biggest impacts on the General Government budget are the recommendation of \$60,000 for
33 a Planning Consultant to work with the Comprehensive Plan Committee and adding a Deputy Code
34 Enforcement Officer as a stand-alone position, regardless of whether the short-term rental ordinance
35 passes.

36
37 The position of Code Enforcement Officer is a difficult one to fill; he'd like to start thinking about a
38 succession plan for the current CEO, as it will eventually become necessary. The Town would
39 likely have to train their own; bringing an employee in without the licensing, and providing the time
40 and training necessary for licensing. He noted the CEO's busy fieldwork schedule and suggested
41 removing her from Planning Board duties.

42
43 Mr. Mooers noted the quote of \$112,000 for the position which includes benefits. He believed the
44 first year of that amount would be paid by the taxpayers. Manager Lunt agreed. He felt it prudent
45 not to rely on the short-term rental fees offsetting the expense that first year. By the second year,
46 fees should fully cover the cost. Mr. Mooers suggested making it clear to the taxpayers that this was
47 not a continuing expense. Manager Lunt noted there was funding (less than \$10,000) in the budget

1 for a very small part-time position.

2
 3 Chair Macauley asked about the Comprehensive Planning consultant. Manager Lunt noted hiring
 4 would be up to the Selectboard, whether put out to bid or filled in some other way.

5
 6 A review was made of the budgets presented. Several non-profit organizations were in attendance.
 7 Power outages in the area may have prevented some from attending. Manager Lunt noted personnel
 8 costs are one of the changes. A 3.3 percent increase overall was anticipated.

9
 10 With regard to historical preservation, Clerk Woolfolk believed the work was close to an end. She
 11 estimated another year before it was complete and all the older books were rebound, archived, and
 12 digitalized. From there it will be ongoing maintenance.

13
 14 **VIII. Other Business**

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

16 There was no Other Business.

17
 18 **IX. Treasurer's Warrants**

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

| | | | |
|---------------|----------|------------|---------------------|
| Town Invoices | AP# 2438 | 12/19/2023 | \$415,359.93 |
| Total | | | \$415,359.93 |

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

22 Motion approved 4-0.

23
 24 *B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown below:*

| | | | |
|-----------------------------|----------|------------|---------------------|
| State Fees & PR Benefits | AP# 2436 | 12/6/2023 | \$3,588.09 |
| | AP# 2437 | 12/13/2023 | \$48,857.21 |
| Town Payroll | PR# 2414 | 12/08/2023 | \$223,239.08 |
| Total | | | \$275,684.38 |

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

27 Motion approved 3-0-1 (Littlefield in Abstention).

28
*C. Acknowledge Treasurer's Town Voided Disbursements & School Board AP/Payroll
 Warrants as shown below:*

| | | | |
|-------------------------|--------|------------|---------------------|
| School Invoices | AP# 6 | 12/6/2023 | \$46,579.00 |
| School Payroll | PR# 12 | 12/08/2023 | \$94,732.77 |
| Voided Disbursements | | | \$0 |
| Total | | | \$141,311.77 |

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

Motion approved 4-0.

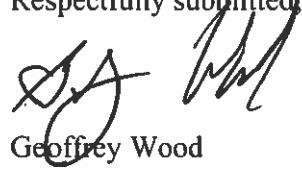
| | | | |
|--------------------|--|--|---------------------|
| Grand Total | | | \$832,356.08 |
|--------------------|--|--|---------------------|

X. Adjournment

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, to adjourn.
Motion approved 4-0.

The Meeting adjourned at 7:51 p.m.

Respectfully submitted,



Geoffrey Wood