

1 **Town of Mount Desert**
2 **Board of Selectmen**
3 **Meeting Minutes**
4 **Monday, December 20, 2021**

5
6
7 **Selectboard Members Present:** Chair John Macauley, Wendy Littlefield, Geoff Wood, Matt
8 Hart, Martha Dudman
9

10 **Town Officials Present:** Town Manager Durlin Lunt, Captain Dave Kerns, Police Chief Jim
11 Willis, Town Clerk Claire Woolfolk, Fire Chief Mike Bender, Finance Director Jake Wright,
12 Harbormaster John Lemoine
13

14 Members of the public were also present.
15

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

17 Chair Macauley called the Meeting to order at 6:30PM.
18

19 **II. Minutes**

20 None presented.
21

22 **III. Appointments/Recognitions/Resignations**

23 *A. Confirm Appointment of Stephanie Kelley Reece to the Land Use Advisory Group*
24 *Committee*

25 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, confirmation of Stephanie
26 Kelley Reece to the Land Use Advisory Group Committee, as presented and with thanks.
27

28 Motion approved 5-0.
29

30 **IV. Consent Agenda** *(These items are considered routine, and therefore, may be passed by the Selectmen in one blanket motion.*
31 *Board members may remove any item for discussion by requesting such action prior to consideration of that portion of the agenda.)*

32 *A. Department Reports: Highway; Public Works*

33 *B. Updated Holiday Schedule for 2022*

34 *C. Updated Board of Selectmen Regular Meeting Schedule FY 21-22*

35 *D. MRC Updates and MRC Annual Meeting information*

36 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, approval of the Consent
37 Agenda as presented.
38

39 Motion approved 5-0.
40

41 **V. Selectmen's Reports**

42 Chair Macauley reported on the Consortium of Sustainability Resilience Group. This
43 group is offering grants to Towns, as mentioned during the ACTT report made at the
44 previous meeting. The Town must be a member of the group to apply for Grants.

1 Approval to join is not required through Town Meeting. Grant funds can be used for a
2 broad range of projects.

3
4 Town Manager Lunt agreed to send the information to the Board.

5
6 **VI. Unfinished Business**

7 *A. Update on permit parking ideas from Police Department*

8 Captain Kerns updated the Board on progress made with permit parking ideas. Between
9 10 and 20 spots are estimated to be necessary. The Harbor Department is willing to assist
10 with implementing an electronic permitting system. A meeting with the Harbor
11 Committee has been scheduled.

12
13 Meetings with the Economic Development Committee and MDI 365 are ongoing. MDI
14 365 Director Kathy Miller offered help in determining the number of spots needed for
15 year-round residents. Permitting can be tailored to year-round residents and rentals. Cost
16 to add permitting to the system is approximately \$7,500.00. Some of the permitting costs
17 can be passed on to residents.

18
19 Offshore overnight paid parking permits can be made available via kiosk. This will cost
20 approximately \$7,000.00. Captain Kerns requested an estimate of necessary parking
21 spaces and an idea of where the spaces should be located. The Public Works Department
22 stores excess snow at the Gray Cow parking lot; there is concern about winter parking in
23 that location. It was suggested that space could be found in the upper portion of the lot
24 behind the maritime museum. MDI 365 and the Economic Development Committee felt
25 a portion of the Gray Cow lot might work. It was not clear whether marina parking lots
26 can be used for snow removal. Runoff and the distance to the water may be factors in
27 snow removal locations.

28
29 Mr. Hart supported starting with a smaller number of spaces and adding more if
30 necessary. He'd like to hear from the Harbor Committee. The tennis court parking lots
31 are open for overnight parking at this time of year.

32
33 The Board concurred overnight year-round parking on Main Street is not a viable option.

34
35 Captain Kerns agreed to move forward with finding 10 – 15 parking spaces, depending
36 on feedback from MDI 365 and the Economic Development Committee, and draft some
37 ordinance language.

38
39 *B. Notification of "Invitation to Bid" Released for both MDFD Station 1 and Station 3
40 Projects*

41 Fire Chief Bender reported that Invitations to bid for Stations 1 and 3 have gone out.

42
43 *C. Update to the Selectboard on Proposed Dry Hydrant Installation in the area known
44 as Pond's End in Somesville*

1 Chief Bender reported the project is moving forward. A spot for installing a dry hydrant
2 on Pond's End has been identified. The work can likely be done via Permit by Rule. He
3 hopes to have a proposal together and ready for bidding by February 2022.

4
5 The Pond's End site addresses the initial concern presented to the Board for this area, but
6 a big-picture solution must be sought, including hiring a consultant to take a look at
7 Town-wide fire suppression needs.

8
9 **VII. New Business**

10 *A. Request authorization to purchase new rifles, replacing existing inventory, for*
11 *\$8,258.57 be released from Police Department Equipment Reserve account 4040100-*
12 *24405, which has a balance of \$84,480 as of October 31, 2021 with for permission to*
13 *expend those funds as outlined in the memo from Chief Willis dated December 14,*
14 *2021*

15 Police Chief Willis reported that rifles are currently assigned to cruisers. He'd like to
16 issue a rifle to each full-time, trained officer, requiring the officers to be responsible for
17 maintenance. This aligns with the Town of Bar Harbor's system.

18
19 Old rifles will be either repurposed or kept in storage until handguns are replaced in two
20 years. When the handguns are replaced, the rifles can be traded in then. Firearms are
21 stored in a locked armory.

22
23 MOTION: Ms. Littlefield moved, with Mr. Hart seconding, authorization to purchase
24 new rifles, replacing existing inventory, for \$8,258.57 be released from Police
25 Department Equipment Reserve account 4040100-24405, which has a balance of \$84,480
26 as of October 31, 2021 with for permission to expend those funds as outlined in the
27 memo from Chief Willis dated December 14, 2021, as presented.

28
29 Motion approved 5-0.

30
31 *B. Consideration of the Police Department Employee Leasing Agreement*

32 This is a continuation of the system in place since 2013. This year the agreement will be
33 extended to incorporate Captain Kerns as second in command, in addition to Chief Willis
34 and Administrative Assistant Karen Richter. Terms of the employee lease agreement
35 have been extended to five years. The agreement's exit clause has been extended to 90
36 days, allowing for better planning should an employee resign.

37
38 The Town of Mount Desert has been paying retirement benefits in their entirety for
39 several years. This has now been corrected. Chief Willis believed various aspects of the
40 shared system likely offset some of this cost – Captain Kerns has been serving the Town
41 for years, without cost sharing, for example. Chief Willis was not sure how such a
42 payment could be retroactively corrected.

43
44 The Town of Bar Harbor is voting on the agreement at their Council Meeting tomorrow.
45

1 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, approval of the Police
2 Department Employee Leasing Agreement as presented.

3
4 Motion approved 5-0.

5
6 *C. Request to accept the \$1,000 grant funds awarded from Bulletproof Vest Partnership*
7 *and authorization to expend them*

8 Chief Willis noted the Bulletproof Vest Partnership program is participated in annually.
9 He noted Agenda Item VII.C accepts the grant funds, and Agenda Item VII.D authorizes
10 participation in the grant program and expenditure of grant funds for the next five fiscal
11 years.

12
13 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, accepting the \$1,000 grant
14 funds awarded from Bulletproof Vest Partnership and authorization to expend them and
15 authorization to participate in the BVP grant annually and to expend future awarded
16 funds from the Bulletproof Vest Partnership Grant for the next 5 fiscal years, as
17 presented.

18
19 Motion approved 5-0.

20
21 *D. Request authorization to participate in the BVP grant annually and to expend future*
22 *awarded funds from the Bulletproof Vest Partnership Grant for the next 5 fiscal years*
23 See Item VII.C.

24
25 *E. Request this authorization for recruitment for new Firefighter Position*

26 Chief Bender reported on recruitment planned for July 2022. The Ambulance Service
27 hopes to remain in place till Summer 2022. Staffing shortages are making it increasingly
28 difficult to reach that goal. The Fire Department is unable to cover any shortfall with
29 their current budget. The Ambulance Service has offered to pay for funding the wages
30 and benefits for five employees for May and June of 2022, and the Fire Department can
31 begin to cover funding starting July 1.

32
33 The proposed gift of funding will be a Warrant Article for the March 8, 2022 Special
34 Town Meeting and must be accepted by the voters as a conditional gift. Attorneys are
35 currently working on a draft Article.

36
37 Finance Director Wright saw no issue with funding the positions as explained.

38
39 If the gift of funding is approved by the Selectboard tonight, advertising can start.
40 Potential employees will be made aware the positions are contingent upon funding
41 approval at the March Town Meeting. There is the possibility the budget will not be
42 passed.

43
44 Ambulance Service Director Basil Mahaney confirmed that the Ambulance Service is
45 struggling; the pandemic and vaccine mandate have made an already-difficult situation
46 worse. It's clear there will not be available staff to cover the summer. The Ambulance

1 Service wanted to be proactive about keeping the Town informed now to prepare town
2 for summer.

3
4 Not all current full-time firefighters are EMTs at this time, but they are moving towards
5 that goal. The plan is to post the job internally first, and also to current volunteer
6 firefighters and EMTs.

7
8 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, authorization for
9 recruitment for new Firefighter Positions, as presented.

10
11 It was noted the job would be posted until all five positions are filled. With the addition
12 of the Ambulance Service, nine firefighter and EMT positions are anticipated.

13
14 Motion presented 5-0.

15
16 *F. Review and possible adoption of the Town of Mount Desert Boston Cane Policy*
17 Clerk Woolfolk reported on her progress researching written policies used by other
18 Towns. She's compiled a draft policy. A candidate for oldest resident in Town has been
19 identified and is included in the Clerk Woolfolk's report. Some towns post notice in the
20 paper looking for candidates. This Town traditionally relies on voter records and
21 common knowledge. Candidates are usually restricted to year-round residents and people
22 who have been residents a significant amount of time. Candidates are usually over 90
23 years old.

24
25 Ms. Dudman wondered if requiring 25 years of residency was too long - perhaps 15 or 20
26 years would be acceptable? She believed it would be nice to hang the cane in a case
27 where people can see it. Clerk Woolfolk noted other Towns have lost their canes over
28 time. A locked display case would be best. Ideas of where the cane could be displayed
29 include the lobby of the Town Office, the Town Meeting Room, and the library.

30
31 Clerk Woolfolk mentioned the possibility of issuing a coin or lapel pin in lieu of a cane.
32 She had an example of a coin. A gold-plated pin or coin would cost approximately
33 \$900.00 - \$1000.00.

34
35 It was agreed a stamped certificate from the Town, or perhaps a coin that was not gold
36 plated would be viable alternatives. Clerk Woolfolk suggested the cane can be presented
37 at a ceremony, with an explanation that it can't stay with the person.

38
39 Discussion ensued regarding how to determine the oldest community member and
40 eligibility. It was agreed public notice would be a good idea. A March Special Town
41 Meeting might be a good occasion to present the cane.

42
43 Manager Lunt suggested the Board return with policy recommendations to the next
44 meeting, and the policy can be voted on at that time. The Board concurred that Public
45 Notice should be made in the local newspaper.

46

1 G. *Request approval of \$145,000 to be used from Wastewater Bond Reserve account*
2 *4050500-24203 to subsidize the 10/1/22 principal payment on the MMBB CWSRF*
3 *loan 2003FFRS and, by extension, reduce necessary Fiscal Year 2023 appropriations*
4 *as described in memo from Jake Wright, Finance Director*

5 Finance Director Wright calculated what must be pulled from the reserve to subsidize the
6 10/1/2022 principal payment. Approving reserve funding now makes accommodating a
7 future appropriation unnecessary.

8
9 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, approval of \$145,000 to be
10 used from Wastewater Bond Reserve account 4050500-24203 to subsidize the 10/1/22
11 principal payment on the MMBB CWSRF loan 2003FFRS and, by extension, reduce
12 necessary Fiscal Year 2023 appropriations as described in memo from Jake Wright,
13 Finance Director, as presented.

14
15 Town Meeting approval is not necessary for this use. These are designated funds,
16 provided by the Acadia National Park that must be used for this purpose.

17
18 Motion approved 5-0.

19
20 H. *Consider options to address difficulty experienced by Town Employees to use accrued*
21 *compensated absences due to COVID-19 and staffing shortages as described in*
22 *memo from Finance Director, Jake Wright*

23 Finance Director Wright reported on the difficulty some employees have using paid
24 accrued time off, such as vacation. He suggested an accrued absence cash out policy that
25 provides the monetary compensation equivalent of paid time off for those employees
26 unable to use theirs. Another option is to extend the timeline for using accrued time off.

27
28 Chief Willis confirmed that many people employed by the Town are unable to take time
29 off. Several employees are three to four times over the established limits of accrued
30 leave. In past years, new systems were put in place, but it has not helped. Chief Willis
31 noted it's rare for several Department Heads to take a week off because there is no one to
32 assist with management in their absence. As an example, Fire Chief Bender is
33 responsible for the development and construction of two fire stations and incorporating
34 the Ambulance Service into his department – a tremendous amount of work on top of
35 other duties. If time off is impossible for employees to use, then the Town should
36 consider cashing that accrued time out. A reserve account was setup several years ago to
37 fund the liability of accrued time off. As the policy currently stands, if accrued vacation
38 time is not used, it is lost.

39
40 Finance Director Wright believed the immediate problem is employees currently over the
41 defined limits of accrued vacation time. Beyond that he suggested finding a workable
42 and realistic level at which employees are allowed to cash their accrued time in. There
43 are a variety of limits and numbers that can be considered. A reserve account to fund
44 50% of the accrued paid time off is in place and should be sufficient for funding an
45 acceptable level of accrued paid time off. Mr. Wood believed employees should be
46 encouraged to take time off. Taking time off is important. Ms. Dudman agreed. She

1 wants employees to feel able to take a break. Employees are less efficient and
2 overburdened without time off.

3
4 The policy change would apply to non-union employees only.

5
6 Director Wright emphasized that the Town wants employees to be able to use their
7 accrued time off. Setting a base level of hours that cannot be cashed in will be an
8 incentive for people to use time off.

9
10 Ms. Dudman suggested Director Wright bring a specific proposal to the Board.

11
12 Historically, employees could request leniency of the Town Manager. It has evolved into
13 a more automated process. A policy is in place that allows for extending vacation time.
14 Chair Macauley and others agreed it was a growing liability to continue to push the time
15 further out.

16
17 Director Wright agreed to draft a proposal to present to the Board.

18
19 Mr. Wood commended Director Wright's efforts to advocate for employees.

20
21 MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, directing Finance
22 Director Wright to further explore options to address difficulty experienced by Town
23 Employees to use accrued compensated absences due to COVID-19 and staffing
24 shortages as described in memo from Finance Director, Jake Wright, as discussed.

25
26 Motion approved 5-0.

27
28 *I. Review of General Government, Marina, and Debt Budgets for FY 22-23*

29 A review was made of General Government, Marina, and Debt Budgets for FY 22-23.

30
31 Questions and discussion included:

- 32 - The difference between the secretarial costs for Selectboard and Planning Board are due
33 to the Planning Board often having lengthier meetings. Attorney costs for the Planning
34 Board are generally higher than the Selectboard's as well.
- 35 - The Selectboard's Contingency Fund is for things unplanned for. It often doesn't get
36 used, but it's a good idea to have it in place.
- 37 - In 2021, \$18,000 was spent on Recruitment. This was in part to find a new Finance
38 Director. Perhaps the \$5,000 earmarked for 2022 recruitment needs may not be enough.
39 Public Safety will be hiring in the coming year as well. The amount can be increased if
40 it's deemed necessary. After some discussion, it was agreed to raise the amount to
41 \$20,000.00. The money returns to the general fund if not used.
- 42 - There was a lot of overtime used this past year, much of it due to covering for an
43 employee on medical leave. Overtime is difficult to pinpoint.
- 44 - There are a number of identical line items used across departments. Postage is a good
45 example. Finance Director Wright agreed to look into combining them into a single line
46 item, but such a thing would not be possible this year.

- 1 - The historical preservation cost of \$15,000.00 covers preserving old Town record books,
- 2 some of which are 100 – 200 years old. This work includes scanning to create a digital
- 3 record, treating the books, and rebinding them. The project will end at some point.
- 4 - The copier lease of \$18,500.00 is more efficient than owning. The Town has
- 5 maintenance contracts that come with the lease. The price covers multiple copiers.
- 6 - There are employees doing multiple jobs for the Town. As these positions are added to
- 7 other employees' positions, workloads expand. Perhaps a plan should be put in place to
- 8 accommodate such expansion. Manager Lunt noted as an example that IT will increase
- 9 this year. Perhaps it could one day become a full position or a stipend position. The
- 10 hours necessary for these types of ancillary positions are reviewed every year.
- 11 Additionally, if it's determined that a full time IT employee is necessary it will result in
- 12 taking that duty and accompanying pay from the employee currently doing the work.
- 13 More consideration of the situation would be wise.
- 14 - It was noted there are software licenses for every department. Perhaps these could be
- 15 streamlined or consolidated.
- 16 - The cable internet provided by Spectrum runs connections between the departments.
- 17 - The Harbor's Office Manager position has gone up because it's a new full-time position.
- 18 The position was new last year; this is the first full year of the position.
- 19 - Harbormaster Lemoine reported line item 291 rose in anticipation of the possibility of
- 20 purchasing a hybrid truck.
- 21 - The equipment line item rose by 75%. Harbormaster Lemoine hopes to purchase a police
- 22 cruiser from Chief Willis. The only Harbor vehicle is undriveable by one of the
- 23 employees because it has blue lights. This would be a one-time purchase and subsequent
- 24 rise in the line item.

25
 26 **VIII. Other Business**

27 *A. Such other business as may be legally conducted*
 28 There was no Other Business.

29
 30 **IX. Treasurer's Warrants**

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

Town Invoices	AP#2234	12/21/21	\$323,304.21
Total			\$323,304.21

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

34
 35 Motion approved 5-0.

36
 37 *B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown*
 38 *below:*

State Fees & PR Benefits	AP#2232	12/08/21	\$33,247.51
	AP#2233	12/15/21	\$3,910.54
Town Payroll	PR#2213	12/10/21	\$144,359.21
Total			\$181,517.26

1 MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of signed Treasurer's
2 Payroll, State Fees and PR Benefit Warrants as shown above.

3
4 Motion approved 4-0-1 (Littlefield in Abstention).

5
6 *C. Acknowledge Treasurer's School Board AP/Payroll Warrants as shown below:*

School Invoices			
School Payroll	#12	12/10/21	\$88,757.28
Total			\$88,757.28

7 MOTION: Mr. Hart moved, with Ms. Dudman seconding, acknowledgement of Treasurer's
8 School Board AP/Payroll Warrants as shown above.

9
10 Motion approved 5-0.

11

Grand Total			\$593,578.75
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12
13
14 **X. Adjournment**

15 MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, adjourning the meeting.

16
17 Motion approved 5-0.

18
19 The Meeting adjourned at 7:57PM.

20
21 Respectfully Submitted,

22 

23
24
25 Wendy Littlefield