

**Town of Mount Desert
Selectboard Meeting Minutes
Monday, July 19, 2021**

Selectboard Members Present: Chair John Macauley, Martha Dudman, Geoff Wood, Matt Hart
Board Member Wendy Littlefield was not in attendance.

Town Officials Present: Town Manager, Durlin Lunt, Tax Assessor Kyle Avila, CEO Kimberly Keene, Public Works Director Tony Smith

Members of the public were also in attendance.

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

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

II. Minutes

A. Approval of Minutes of June 7, 2021

MOTION: Mr. Hart moved, with Mr. Wood seconding, approval of the June 7, 2021 Minutes as presented.

Motion approved 4-0.

B. Approval of Minutes of July 6, 2021

MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of the July 6, 2021 Minutes as presented.

Motion approved 4-0.

III. Appointments/Recognitions/Resignations

A. Consideration of transferring Public Works Department employee Decatur French from his current position as a Refuse Packer Truck Driver to the vacant MEO I position effective July 19, 2021, at a pay rate of \$21.56 per hour during the mandatory six-month probationary rate, increasing to the regular rate of \$22.69 per hour after successful completion of the probationary period.

MOTION: Mr. Hart moved, with Mr. Wood seconding, transfer of Public Works Department employee Decatur French from his current position as a Refuse Packer Truck Driver to the vacant MEO I position effective July 19, 2021, at a pay rate of \$21.56 per hour during the mandatory six-month probationary period, increasing to the regular rate of \$22.69 per hour after successful completion of the probationary period, as presented.

Motion approved 4-0.

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. Hancock County Commissioners Special Meeting Minutes of June 15, 2021

- 1 B. *Hancock County Commissioners Regular Meeting Agenda of July 6, 2021*
- 2 C. *Action Plan from the Sustainability Committee*
- 3 D. *MRC information on PERC bypass of municipal solid waste*
- 4 MOTION: Mr. Hart moved, with Mr. Wood seconding, acceptance of the Consent
- 5 Agenda as presented.
- 6 Motion approved 4-0.

7

8 **V. Selectmen’s Reports**

9 Mr. Hart reported on the Broadband Committee. There will be a meeting in the

10 coming week, to gather and assess initial feedback on Town internet service. This

11 will be the first of a series of meetings occurring over the next several months. A

12 survey was sent to residents, and it can also be found on the Town website.

13

14 It was agreed to take Item VII.A out of order.

15

16 **VI. Unfinished Business**

- 17 A. *Consideration of execution and conveyance of an Easement between/from the*
- 18 *Town of Mount Desert and the Great Harbor Maritime Museum a/k/a The Great*
- 19 *Harbor Collection, Inc., to Versant Power and Consolidated Communications of*
- 20 *Northern New England Company, LLC (d/b/a Consolidated Communications*
- 21 *NNE), said easement to be used for overhead and underground utility purposes*
- 22 Manager Lunt reported the Museum has signed the easement. The Board must
- 23 vote on authorizing signature. The easement is ready for signature.

24

25 MOTION: Ms. Dudman moved, with Mr. Hart seconding, signature of an

26 Easement between/from the Town of Mount Desert and the Great Harbor

27 Maritime Museum a/k/a The Great Harbor Collection, Inc., to Versant Power and

28 Consolidated Communications of Northern New England Company, LLC (d/b/a

29 Consolidated Communications NNE), said easement to be used for overhead and

30 underground utility purposes, as presented.

31 Motion approved 4-0.

- 32
- 33 B. *Marina Project – Garden Club of Mount Desert*

34 Manager Lunt reported that the Garden Club agreed to review the landscaping of

35 the marina, and to come up with a comprehensive plan to keep things orderly. He

36 offered to send the Garden Club submissions to the Harbor Committee. Harbor

37 Committee Rick Savage noted the Harbor Committee has not seen the plans.

38

39 Manager Lunt thanked the Garden Club for their efforts.

40

41 MOTION: Mr. Hart moved, with Ms. Dudman seconding, to authorize the

42 Garden Club to move forward with their plans, with thanks for their efforts.

43

44 **VII. New Business**

- 45 A. *Discussion of Forest Hills Cemetery Charter Amendment*

1 Forest Hills Cemetery Association Trustee Rick Savage was in attendance. He
2 provided some history of the cemetery.

3
4 Currently there are three to five trustees. They are not paid. The Association
5 hires out for grounds work and pays for water and electricity. Two Trustees have
6 passed away within the last few years.

7
8 The Association has had to reorganize some of the legal aspects of the
9 corporation. They have been advised by their attorney that a designated recipient
10 of the cemetery must be named in the event the organization goes bankrupt. The
11 Town of Mount Desert is the logical caretaker of the cemetery. The Town owns
12 several lots in their role as overseer of the poor. There are approximately 200 lots
13 for sale in the cemetery.

14
15 The cemetery is solvent. It will likely stay that way for some time.

16
17 The issue must go before Town Meeting. The documents presented were drafted
18 by Eaton Peabody Attorney Patrick Lyons.

19
20 Attorney Lyons reported that the State Statute is clear on the steps the Town must
21 take to agree to receive the cemetery in the event the Association were to
22 dissolve. The Town's legislative body is required to approve such a change. A
23 separate Purchase and Sale Agreement will be necessary to provide the Town
24 some protection regarding due diligence, title protection, and environmental
25 liability.

26
27 Attorney Lyons can assist in drafting a Town Meeting Warrant Article. The
28 Agreement will have to be recorded with the Town Clerk.

29
30 MOTION: Ms. Dudman moved, with Mr. Wood seconding, to proceed with the
31 drafting of an Article for the May 2022 Town Meeting, as presented.
32 Motion approved 4-0.

33
34 *B. Discussion of short-term rentals in the Town of Mount Desert*

35 CEO Keene and Planner Noel Musson were in attendance.

36
37 Ms. Dudman requested the issue be considered, but she believed it was the
38 Planning Board and the LUZO Advisory Committee that would oversee devising
39 and implementing any action related to the issue.

40
41 Mr. Musson suggested the first step was to consider and come to an agreement on
42 what issues the Town wants to address and then try to come up with a consensus
43 on how to address those issues.
44

1 There are two pieces to the question: a Land Use issue which involves the LUZO,
2 and a health and safety/registration issue which may involve a question of
3 licensing.

4
5 Mr. Musson noted the issue is island wide. Research will be required. Ms.
6 Dudman agreed it was a problem in other island communities. There are
7 currently no regulations in place in Mount Desert.

8
9 Mr. Musson agreed being proactive is wise. Additionally, addressing the issue
10 preemptively allows the Town to consider it without an impending problem
11 driving consideration. In addition to the other considerations stated, there will be
12 added administrative time involved in tracking the issue.

13
14 Mr. Hart wondered if there were a way to incentivize homeowners. He also
15 wondered if perhaps there were a way to increase the housing stock. Mr. Musson
16 agreed these were ideas to consider when trying to identify the problem. Mr.
17 Wood believed a review to determine homebuyers with no intention of living at
18 the property they've purchased can be accomplished. Limiting this type of
19 purchase can be legislated.

20
21 Mr. Musson noted other communities have been grappling with the issue and
22 there's some good information available that may be of use to Mount Desert. He
23 agreed to begin looking into the situation.

24
25 Ms. Dudman believed the Town's hope is to preserve a year-round community.

26
27 *C. Update Personnel policy to conform to changes in the American Rescue Plan Act.*
28 *These changes repeal our current temporary amendments*

29 Manager Lunt reported that the temporary amendments included in the Personnel
30 Policy under the Cares Act, are now being replaced by the American Rescue Plan
31 amendments. Most of it is very similar. The changes repeal the current automatic
32 work at home. It continues the two weeks' time off allowed to people in the
33 Cares Act. The American Rescue Plan Act has an end date of September 30,
34 unless it's extended or replaced by another Act.

35
36 MOTION: Mr. Wood moved, with Mr. Hart seconding, to repeal the temporary
37 amendments included in the Personnel Policy under the Cares Act, and replace
38 them with the American Rescue Plan Act, as presented.

39 Motion approved 4-0.

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41 **VIII. Other Business**

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

43 There was no Other Business.

44
45 **IX. Treasurer's Warrants**

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

<i>Town Invoices</i>	<i>AP2175</i>	<i>6/30/2021</i>	<i>\$102,246.41</i>
	<i>AP2202</i>	<i>07/20/2021</i>	<i>\$1,209,084.69</i>
<i>Total</i>			<i>\$1,311,331.10</i>

1 MOTION: Mr. Hart moved, with Mr. Wood seconding, Approval and Signature
2 of Treasurer's Warrant as shown above, as presented.

3 Motion approved 4-0.

4
5 *B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as*
6 *shown below:*

<i>State Fees & PR Benefits</i>	<i>AP2201</i>	<i>7/14/2021</i>	<i>\$18,210.02</i>
<i>Town Payroll</i>	<i>PR2201</i>	<i>07/09/2021</i>	<i>\$146,995.93</i>
<i>Total</i>			<i>\$165,205.95</i>

7 MOTION: Mr. Hart moved, with Ms. Dudman seconding, approval of Signed
8 Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown above, as
9 presented.

10 Motion approved 4-0.

11
12 *C. Acknowledge Treasurer's School Board AP/Payroll Warrants as shown below:*

<i>School Invoices</i>	<i>#01</i>	<i>07/07/2021</i>	<i>\$145,687.43</i>
<i>School Payroll</i>	<i>#01</i>	<i>07/09/2021</i>	<i>\$59,636.44</i>
<i>Total</i>			<i>\$205,323.87</i>

13
14 ***Grand Total***

			<i>\$1,681,860.92</i>
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15 MOTION: Mr. Hart moved, with Ms. Dudman seconding, acknowledgement of
16 Treasurer's School Board AP/Payroll Warrants as shown above, as presented.

17 Motion approved 4-0

18 **X. Adjournment**

19 MOTION: Ms. Dudman moved, with Mr. Wood seconding, adjournment.

20 Motion approved 4-0.

21
22 The Meeting adjourned at 6:58PM.

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24
25
26 Respectfully Submitted,

27
28
29
30 Wendy Littlefield