

**Town of Mount Desert  
Selectboard Meeting Minutes  
Monday, March 8, 2021  
Location: Zoom Meeting**

This Meeting was held via remote access.

Selectboard Members Present: Chair John Macauley, Geoff Wood, Martha Dudman, Matt Hart, Wendy Littlefield

Town Officials Present: Town Manager Durlin Lunt, Tax Assessor Kyle Avila, Treasurer Kathy Mahar, Fire Chief Mike Bender, Ambulance Services Director Basil Mahaney, Police Chief Jim Willis, Town Clerk Claire Woolfolk, CEO Kimberly Keene

Members of the public were also in attendance.

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

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

**II. Public Hearing(s)**

*A. May 4 & 5, 2021 Annual Town Meeting Proposed Warrant Articles for Appropriation of Funds, Ordinance Amendments, and Ordinances*

Chair Macauley opened the Public Hearing and asked for comment.

There were no comments.

MOTION: Mr. Hart moved, with Ms. Littlefield seconding, to close the Public Hearing. Motion approved 5-0.

It was pointed out that the public notice for the Public Hearing, due to the amount of notice required, was likely posted at the original 4pm time. The change in time was posted on the Town's website and subsequent postings.

**III. Minutes**

*A. Approval of minutes from February 16, 2021 meeting*

MOTION: Mr. Hart moved, with Ms. Littlefield seconding, approval of the February 16, 2021 Meeting as presented.

Motion approved 5-0.

*B. Approval of minutes from February 22, 2021 meeting*

MOTION: Mr. Hart moved, with Ms. Littlefield seconding, approval of the February 22, 2021 Meeting as presented.

Motion approved 5-0.

*C. Approval of minutes from March 1, 2021 meeting*

1 MOTION: Mr. Hart moved, with Ms. Littlefield seconding, approval of the March 1,  
2 2021 Minutes as presented  
3 Motion approved 5-0.  
4

5 **IV. Appointments/Recognitions/Resignations**

6 None presented.  
7

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

10 None presented.  
11

12 **VI. Unfinished Business**

13 *A. Report on Meeting with Ambulance Service*

14 Town Manager Lunt referred to the report sent to the SelectBoard. He felt it was  
15 apparent from the meeting discussion that the Town wants to have good Ambulance  
16 Service coverage and a full-time ambulance presence in Somesville.  
17

18 The Board voiced appreciation over the effort put into the information gathered on the  
19 issue and the review of the different options.  
20

21 Chief Bender noted the report is intended to inform the Board of the significant changes  
22 being considered. These changes may result in a reduction of the cost proposed for the  
23 Northeast Harbor fire station project. If the Northeast Harbor project is approved by the  
24 Town it will begin prior to work in Somesville. Improvements to the Somesville fire  
25 station come with challenges, specifically the lack of potable water in the building. The  
26 building will have to be studied to determine the feasibility of renovating it to  
27 accommodate 24/7 crews.  
28

29 If the Town commits to Somesville renovations, then the Town cannot complete the  
30 Northeast Harbor portion and forego the Somesville portion. The projects will be tied  
31 together and dependent on each other. The upcoming incorporation of the Ambulance  
32 Service into the Town's Public Safety Department has changed the situation. The Town  
33 is now facing the need for 24/7 coverage provided by two firefighters and by two EMS  
34 personnel. In light of this it makes sense to split the personnel and provide another site  
35 with 24/7 coverage instead of housing four personnel out of Northeast Harbor.  
36

37 Mr. Wood understood the phases, but he wondered how best to present to taxpayers the  
38 fact that the Somesville project will cease to become an option to consider if the Town  
39 commits to this route. Funding for two buildings is not being requested, but this option  
40 will make the second building a necessity. What happens if the Town rejects the second  
41 phase of the project? Chief Bender agreed it was a possibility. If it happens, the Town  
42 will have to reconsider the issue and what steps can be taken. The Northeast Harbor  
43 building plans, if approved, can house four personnel. It will likely be used during the  
44 gap between the new Northeast Harbor station and the Somesville Station upgrades.  
45

46 Manager Lunt noted that taxpayers will be voting on just an engineering study for the  
47 Northeast Harbor fire station at Town Meeting. It could be fully explained there. The

1       Somesville addition did not present itself until after the deadlines and cannot be added to  
2       the Warrant at this point. What can be emphasized at Town Meeting is that this two-  
3       building project is the direction the Town should move in. If not, the Town will come up  
4       with another plan. Manager Lunt liked to think that if the project were presented well  
5       there would be support for it.

6  
7       Chief Bender reported that maps GPS'ing all the fire and ambulance calls in the Town  
8       have been created. A majority of the Fire Department calls occur in the Town of  
9       Northeast Harbor. There are significant calls in the Somesville/Pretty Marsh area as well.  
10      Manager Lunt felt it made a compelling case for having a presence in the Somesville  
11      area. Assessor Avila shared the map for the Board. Police Chief Willis cautioned that  
12      this was raw data and required further refinement.

13  
14      Ms. Dudman felt the revised plan made sense. Mount Desert is a large Town. When an  
15      ambulance is called, the extra distance coming from Northeast Harbor can make a big  
16      difference – a matter of life and death in some cases. Having a functioning outpost is a  
17      good idea. She asked if a timeline for the Somesville work has been determined.

18  
19      Chief Bender noted there may be a possible funding source for the Somesville  
20      engineering study. If so, the study can be done this year rather than waiting for next  
21      year's budget. This year's Fire Department Reserve Funds have been spent on other  
22      engineering studies. Turn-around time for an engineering study is approximately a  
23      month or two and concept drawings and a floor plan can be brought to the Selectboard  
24      and cost estimates can be created. If the project can be pulled together, the Board may  
25      want to consider a special Town Meeting toward the end of the year.

26  
27      Ambulance Service Director Mahaney felt the hope is to catch the Somesville portion of  
28      the project up to the Northeast Harbor project. There's no way to know what will be  
29      required to improve the building to the level required. This will affect the timing.

30  
31      Ms. Dudman wondered if both buildings could be on next year's warrant. She felt it best  
32      to present the work on both buildings as a single project. Director Mahaney agreed.  
33      Approving the funding for the buildings as one project should be the goal.

34  
35      Chief Bender did not know whether it could be done without a special Town Meeting.  
36      He estimated approximately \$200,000.00 in engineering costs for the Somesville station.  
37      Deadline for the Warrants is looming. Additionally, tax rates have already been set.  
38      Treasurer Mahar noted a gift or bond could be accepted.

39  
40      In summary, the Northeast Harbor engineering study would be left as it currently stands,  
41      a cost for the Somesville engineering study would be estimated and a special Town  
42      Meeting to discuss engineering study funding could be considered for Somesville.  
43      Money for construction costs for both facilities could possibly be requested at the 2022  
44      Town Meeting.

45

1 Discussion regarding the possibility of a Special Town Meeting was discussed. Manager  
2 Lunt felt that when building the facilities a Special Town Meeting may not be the right  
3 approach, due to the lower number of attendees.  
4

5 *B. Review and Final Votes on Warrant Articles for May 3 and 4, 2021 Annual Town*  
6 *Meeting, including Third Party Requests*  
7

8 Articles to be voted on include:  
9

10 **To see if non-voters shall be allowed, when recognized, to speak during the 2021**  
11 **Annual Town Meeting.**

12 MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, recommendation for  
13 passage an Article to see if non-voters shall be allowed, when recognized, to speak during  
14 the 2021 Annual Town Meeting, as presented.

15 VOTE:

16 Martha Dudman: Aye

17 Wendy Littlefield: Aye

18 Geoff Wood: Aye

19 Matt Hart: Aye

20 Chair John Macauley: Aye

21 Motion approved 5-0.  
22

23 **To see if the Inhabitants of the Town of Mount Desert will vote to authorize the**  
24 **Board of Selectmen to accept and expend on behalf of the Town additional state,**  
25 **federal and other funds (including unconditional gifts of money) received during the**  
26 **fiscal year 2020-2021 for Town purposes, provided that such additional funds do not**  
27 **require expenditure of local funds not previously appropriated.**

28 MOTION: Mr. Wood moved, with Ms. Dudman seconding, recommendation for passage  
29 an Article to see if the Inhabitants of the Town of Mount Desert will vote to authorize the  
30 Board of Selectmen to accept and expend on behalf of the Town additional state, federal  
31 and other funds (including unconditional gifts of money) received during the fiscal year  
32 2020-2021 for Town purposes, provided that such additional funds do not require  
33 expenditure of local funds not previously appropriated, as presented.

34 VOTE:

35 Geoff Wood: Aye

36 Martha Dudman: Aye

37 Wendy Littlefield: Aye

38 Matt Hart: Aye

39 Chair John Macauley: Aye

40 Motion approved 5-0.  
41

42 Treasurer Mahar noted this Article, if approved, would allow the Board to accept a gift of  
43 engineering fees for the Somesville Fire Department without requiring a Special Town  
44 Meeting.  
45

**To see what sum the Inhabitants of the Town of Mount Desert will vote to raise and appropriate for Department 851 Libraries, Village Improvement Societies, Recreation, and Public/Social Service Agencies for the 2021 – 2022 Town Budget.**

Manager Lunt noted the request amounts were listed. The amounts can be voted as blocks, or individually.

Chair Macauley had no concerns with any of the amounts, other than the request from the group that never showed up despite several dates offered them to present their request.

MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, recommendation for approval the 3<sup>rd</sup> party requests from Libraries in the amount of \$35,500.00, as presented.

VOTE:

Wendy Littlefield: Aye

Martha Dudman: Aye

Geoff Wood: Aye

Matt Hart: Aye

Chair John Macauley: Aye

Motion approved 5-0.

Mr. Wood reiterated his earlier concerns that adding groundskeeping costs at Seal Harbor with Village Improvement Society costs is troubling. The costs there are very different from the costs of the other Village Improvement Societies in Town. He hoped it would be further reviewed.

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, recommendation for approval the 3<sup>rd</sup> party requests for Village Improvement Societies for the amount of \$78,315.00, as presented.

VOTE:

Martha Dudman: Aye

Wendy Littlefield: Aye

Geoff Wood: Aye

Matt Hart: Aye

Chair John Macauley: Aye

Motion approved 5-0.

MOTION: Ms. Dudman moved, with Ms. Littlefield seconding, recommendation for approval the 3<sup>rd</sup> party requests for Recreation for the amount of \$90,000.00, as presented.

VOTE:

Martha Dudman: Aye

Wendy Littlefield: Aye

Geoff Wood: Aye

Matt Hart: Abstains

Chair John Macauley: Aye

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

1 MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, recommendation for  
2 approval the 3<sup>rd</sup> party requests for Public/Social Service Agencies for the amount of  
3 \$128,152.00, as presented.  
4

5 Discussion ensued regarding removing the organization that did not attend the 3<sup>rd</sup> party  
6 meeting to discuss their request. The Board concurred the request should be removed  
7 from consideration. It was further noted that an organization reduced their requested  
8 amount by \$180.00 due to a reduction in the services they were able to provide last year.  
9 After some discussion, it was agreed to keep their request at the originally requested  
10 amount. To reflect those changes the Motion was amended.  
11

12 AMENDED MOTION: Ms. Littlefield moved, with Ms. Dudman seconding,  
13 recommendation for approval the 3<sup>rd</sup> party requests for Public/Social Service Agencies  
14 for the amount of \$128,032.00, as presented and amended.

15 VOTE:

16 Wendy Littlefield: Aye

17 Martha Dudman: Aye

18 Geoff Wood: Aye

19 Matt Hart: Aye

20 Chair John Macauley: Aye

21 Motion approved 5-0.  
22

23 Manager Lunt noted that the previous year's 3<sup>rd</sup> party requests totaled \$301,087.00. The  
24 increase comes from the Ambulance Service requesting \$10,000.00, and Pretty Marsh  
25 Community Center requesting \$10,000.00, and some additional small requests.  
26

27 **To see if the Inhabitants of the Town of Mount Desert will vote to increase the**  
28 **property tax levy limit by \$0.00.**  
29

30 Assessor Avila explained that what is being recommended in the budget, the good growth  
31 in the tax base last year and the growth in the average income in Maine, based on a ten-  
32 year rolling average, provides the Town with a buffer of approximately \$270,000.00 for  
33 the LD limit. The Town will not need to pass an Article increasing the property tax levy  
34 limit. Assessor Avila estimated that during his tenure the Town has voted an increase  
35 approximately half the time.  
36

37 MOTION: Ms. Dudman moved, with Mr. Wood seconding, recommendation of  
38 approval of an Article to see if the Inhabitants of the Town of Mount Desert will vote to  
39 increase the property tax levy limit by \$0.00, as presented.

40 VOTE:

41 Martha Dudman: Aye

42 Geoff Wood: Aye

43 Wendy Littlefield: Aye

44 Matt Hart: Aye

45 Chair John Macauley: Aye

46 Motion approved 5-0.

**Shall the inhabitants of the Town of Mount Desert adopt a Resolution to Endorse a Declaration of a Climate Emergency and Emergency Mobilization Effort.**

Chair Macauley reminded the Board that they voted to include the Resolution on the Warrant. Now a vote of whether or not the Board recommends passage is required.

MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, recommendation of passage of the Resolution to Endorse a Declaration of a Climate Emergency and Emergency Mobilization Effort, as presented.

Mr. Hart stated he did not disagree with the intent of the Resolution. When originally presented, he had concerns regarding the Resolution's language. In reading the explanatory note it directs the Selectboard "to develop a plan to reduce the activities of the Town government to zero carbon emissions by December 31, 2030". The actual Resolution shows the directive is more expansive than just the Town government. Mr. Hart did not feel the note was an accurate synopsis of what the Resolution is.

Additionally, language within the document in Items A, B, and C refers to doing "as much as possible". The term covers a wide variety of action that could be taken. Not every possible choice is a practical choice.

Mr. Hart's main concern is that those reading the explanatory note might assume the Resolution applies only to Town government items like Town vehicles. The Resolution covers far more.

Ms. Dudman suggested the explanatory note be stricken from the Resolution. Voters would then be reading the Resolution instead of relying on a synopsis. The document was a hard one to boil down into a relatively short explanation.

Mr. Hart noted additional concerns. He referred to Item C. which states the government "will ensure a fair and reasonable transition for all residents". The statement seems somewhat concerning. Additionally, there are sections stating the Selectboard will come up with a plan, and in other sections stating the Sustainability Committee and stakeholders will come up with the plan. The Resolution states someone will "develop proposals to be submitted to the Board of Selectmen for implementation and integration into the Town of Mount Desert Comprehensive Plan." The Selectboard does not create the Comprehensive Plan. There is a Comprehensive Plan Committee for such work. The wording could suggest that the Selectboard will be amending or adding to the Comprehensive Plan, however the Board does not have the legal authority to do such a thing. Mr. Hart realized other communities were using language like this. He felt the Resolution could be improved on.

Manager Lunt noted a Comprehensive Plan Group will have to be brought together to amend the Plan. There is a Comprehensive Plan Committee. Mr. Wood noted the

1 committee exists at the behest of the Selectboard. Committees operate as an arm of the  
2 Selectboard.

3  
4 Mr. Hart felt getting the community and the stakeholders involved in the discussion is  
5 important. This document does not seem to focus on accomplishing things. Mr. Hart felt  
6 it was important to empower the Sustainability Committee to continue and even expand  
7 their work. Mr. Hart would not be comfortable supporting passage of the Resolution.

8  
9 Mr. Wood disagreed. He did not feel there was any amount that could be deemed too  
10 much in light of the climate crisis. There's more that can be done than the Town is  
11 currently doing, and the Town should commit to doing more.

12  
13 Chair Macauley felt the document was fairly loose. There's nothing particularly binding  
14 in it.

15  
16 Sustainability Committee Chair Phil Lichtenstein noted that Mr. Hart's concerns are  
17 valid. The Resolution was created as a goal. The climate is at a critical point and more  
18 must be done. A Resolution like this is designed to encourage all the Town Departments  
19 to do as much as possible. Mr. Lichtenstein believes a Climate Action Plan will be  
20 developed. The message of the Resolution is that more should be done.

21  
22 Ms. Dudman agreed with Chair Macauley; the Resolution is a loosely worded  
23 declaration. It's a way for the Town to state that it recognizes the issue is a concern and  
24 something the Town should be mindful of when making decisions across the spectrum of  
25 operation. Ms. Dudman supports the Resolution because she supports the Resolution's  
26 intent to make the Town aware.

27  
28 Mr. Hart agreed with Ms. Dudman's sentiments. However, he felt a better-crafted  
29 document would offer better support.

30  
31 Mr. Lichtenstein clarified that the Sustainability Committee did not write the Resolution.  
32 The Resolution was written by youth on MDI. He hoped the Resolution would convey to  
33 the Town that there is a problem that the Town needs to address.

34  
35 The students that drafted the Resolution have been invited to the Town Meeting.

36  
37 There was no further discussion.

38  
39 VOTE:

40 Martha Dudman: Aye

41 Wendy Littlefield: Aye

42 Geoff Wood: Aye

43 Matt Hart: Nay

44 Chair John Macauley: Aye

45 Motion approved 4-1 (Hart opposed)

46



**LUZO Amendments:**

CEO Keene confirmed the LUZO Amendments proposed were presented and explained by Musson Group representative Noel Musson at a previous meeting.

Mr. Hart asked about the lighting ordinance proposed. He asked how such an Ordinance would be enforced, particularly when a complaint is lodged with the Town.

CEO Keene explained that specifics such as wattage and lumens are included in the Ordinance. If a complaint is received, she'll have to go to the site. Enforcement standards in the proposed Ordinance are no different from enforcement standards currently in the LUZO. CEO Keene felt it might take time to figure out some details, and the Ordinance can always be revised as it becomes necessary. She noted that since a lighting ordinance was adopted into the LUZO she's never received a complaint. Chair Macauley added that nothing is enforceable until it's written down.

Mr. Lichtenstein clarified that the primary intent is to provide guidance to residents as they contemplate new construction. The Best Practices included are the best anyone can do. The question of enforcement is the point at which it may become a legal question. The intent was to update the standards to the level of current technology. It is not designed to address complaints.

Mr. Hart inquired about the section that includes rules for holiday lighting. CEO Keene reported that reference to holiday lighting has been removed over concerns. Mr. Hart voiced concern over those holiday lights that exceed code for temperatures. He worried rules were being created with no intention of enforcing them.

Manager Lunt noted the LUZO Amendments were recommended for passage by the Planning Board. The Warrant Committee will now hear them. There is no action required of the Selectboard.

**VII. New Business**

*A. Steamboat Wharf Utility Location Permit*

Engineer Greg Johnston reported that part of the Road Utility Right of Way Ordinance requires that when a utility is run parallel to the road a Utility Location Permit is required. Mr. Johnston is representing Ringing Point LLC and the Water District to extend the year-round water main approximately 1000 feet north on Steamboat Wharf Road, the purpose being to provide year-round water to the Ringing Point property. On the route, a hydrant will be installed for flushing. The project is shared with the Water District. Services will be attached to the year-round line. The line will be transferred to the Water District for ownership and maintenance. The purpose is for year-round water to that area and for fire protection.

Chair Macauley inquired whether adding a sewer line was considered. Mr. Johnston said there is a gravity sewer line running parallel to where the water line is proposed. It starts just north of the pump station near the library. There are 13 existing water caps on the route. Some may be multiple caps for the same residence. The Water District will be

1 responsible for hooking up existing customers who would like a year-round connection.  
2 The cost will be borne by the private owners.  
3

4 CEO Keene informed the Board they must approve a utility location permit of this type.  
5

6 MOTION: Ms. Littlefield moved, with Ms. Dudman seconding, approval of the  
7 Steamboat Wharf Utility Location Permit, as presented.

8 VOTE:

9 Martha Dudman: Aye

10 Wendy Littlefield: Aye

11 Geoff Wood: Aye

12 Matt Hart: Aye

13 Chair John Macauley: Aye

14 Motion approved 5-0.  
15

16 **VIII. Other Business**

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

18 Mr. Hart inquired if the Selectboard Members were invited to attend the Warrant  
19 Committee meeting. Mr. Lichtenstein affirmed that SelectBoard members, all Department  
20 Heads, and School Board members are invited to attend Warrant Committee Meetings.  
21

22 **IX. Adjournment**

23 MOTION: Mr. Wood moved, with Ms. Littlefield seconding, adjournment.

24 Motion approved 5-0.  
25

26 The Meeting adjourned at 7:44PM.  
27

28 Respectfully Submitted,  
29  
30

31  
32 Wendy Littlefield