

AGENDA
Bar Harbor Town Council
By Video Conference
October 20, 2020

The public can monitor by watching Spectrum channel 7 or by live streaming on the town's website, www.barharbormaine.gov

- I. CALL TO ORDER – 5:00 P.M.**
 - A. Excused Absence(s)**
- II. PUBLIC COMMENT PERIOD** - The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person. Comments may be emailed in advance to the Council Chair at jdobbs@barharbormaine.gov to be read during the meeting or through the Zoom webinar.
- III. APPROVAL OF MINUTES - October 6, 2020 Regular Meeting**
- IV. ADOPTION OF AGENDA**
- V. FINANCIAL REPORT** - Review and possible motion to accept the financial report as presented.
- VI. CONSENT AGENDA** - A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:
 - A. Veterans' Day Bell Ringing** – Possible motion to request Bar Harbor churches and schools to sound their bells in observance of Veteran's Day, per state statute 30A-MRSA §2901.4.
 - B. Bar Harbor Chamber of Commerce** – Possible motion to approve the proposed changes to the Village Holidays event.
- VII. PUBLIC HEARINGS** - Maximum of 3 minutes per person. Comments may be emailed in advance to the Council Chair at jdobbs@barharbormaine.gov to be read during the hearing or through the Zoom webinar.
 - A. FY21 Sewer Budget Ordinance Amendment #2020-14** - Public comment and possible motion to adopt the FY21 Sewer Budget Ordinance amendment.
- VIII. REGULAR BUSINESS:**
 - A. Municipal Building Auditorium** – Renovation plan review with architect Stewart Brecher.
 - B. Devon Road Sewer Project** – Possible motion to adopt the Order filing the assessments and schedule a public hearing for November 17, 2020.
 - C. Boards & Committees Ordinance Amendment** – Review changes and possible motion to schedule a public hearing for November 17, 2020.
 - D. Parklet Extension Request** – Request for extension by Leary's Landing.
 - E. Council Meetings** – Discussion of in-person vs Zoom moving forward.
 - F. Treasurer's Warrant** - Request of Treasurer to authorize paid bills.

IX. TOWN MANAGER'S COMMENTS

X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

XI. EXECUTIVE SESSION: (None Scheduled)

XII. ADJOURNMENT

To ensure your full participation in this meeting, please inform us of any special requirements you might have due to a disability. Call 207-288-4098

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84623783074?pwd=bXlLOWt2dDNJTUNqaW8rWFFwSmtWdz09>

Passcode: 228081

Or iPhone one-tap :

US: +19292056099,,84623783074# or +13017158592,,84623783074#

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International numbers available: <https://us02web.zoom.us/j/84623783074?pwd=bXlLOWt2dDNJTUNqaW8rWFFwSmtWdz09>

Manager's Memo

To: Bar Harbor Town Council
cc: Department Heads
From: Cornell Knight, Town Manager
Date: Friday, October 16, 2020
Re: **Town Council Meeting of October 20th**

- I. **A. Excused Absence(s)** – none that I am aware of but if there is, a possible motion: to excuse Councilor _____ as provided by Town Charter section C-12.B(1)(d).
- V. **FINANCIAL REPORT** - Finance Director Stan Harmon has enclosed his report covering the first three months of the 2021 fiscal year. He will review the highlights. If acceptable, a possible motion: to accept the Financial Report as presented.
- VI. **CONSENT AGENDA-**
- A. **Veterans' Day Bell Ringing** – Possible motion: to request Bar Harbor churches and schools to sound their bells in observance of Veteran's Day, per state statute 30A-MRSA §2901.4.
- B. **Bar Harbor Chamber of Commerce** – see the enclosed information from the chamber regarding the Village Holidays with Santa. There will be procession with Santa in a horse drawn carriage instead of Santa seated at the gazebo this year. Possible motion: to approve the proposed changes to the Village Holidays event.
- A possible motion: to approve the consent agenda as published.
- VII. **PUBLIC HEARINGS**
- A. **FY21 Sewer Budget Ordinance Amendment #2020-14** – have your Sewer budget books handy. Following public comments, a possible motion: to adopt the FY21 Sewer Budget Ordinance of the Municipal Code, Chapter 165 Sewers as amended.
- VIII. **REGULAR BUSINESS:**
- A. **Municipal Building Auditorium** – see the memo from Stan Harmon, Finance Director regarding the sub committee's work on the auditorium's renovation plans. One question that needs to be answered by the Council is, do you want the council/board seating area to be elevated? Stewart Brecher will attend and provide a review of his plans for the auditorium renovation. The next step is for schematic design to design development which is estimated to cost \$36,000 and will then provide you with a better cost estimate. There are funds available in the

CIP budget. A possible motion: to proceed with schematic design to design development for the Municipal Building auditorium.

- B. Devon Road Sewer Project** – see the enclosed memo from Bethany Leavitt, PW Director regarding the Devon Road sewer line project. As part of the town's CSO license, DEP directed the town to replace the line to reduce the Inflow and Infiltration into the town's sewer system. This was a sewer line owned by the residents. By ordinance the sewer company splits the cost with the owners. The original estimate to the owners was \$10,900 but after construction bids were received the actual cost went to \$12,225. There were additional costs to the project that arose during construction that will be absorbed by the town's sewer company. We needed two easements but only one property owner signed. The Coxes agreed to sign and then changed their minds when the work began and have not signed one yet because they were not pleased with the project. However they allowed the work to be done on their property. Shaw and Gridley requested an extension off the main to allow them to connect to the sewer line and that is the reason for their additional costs. Possible motion to adopt the Order filing the assessments and schedule a public hearing for November 17, 2020.
- C. Boards & Committees Ordinance Amendment** – see the enclosed amendments to Chapter 31 of the Municipal Code to change registered vote to resident. The Council requested this change last month. The registered voter change was presented by a petition and approved by referendum in June 2019. A possible motion: to schedule a public hearing for November 17, 2020 to hear comments on the amendments to Chapter 31 Boards, Committees and Commissions.
- D. Parklet request-** see the enclosed email from Leary's Landing Irish Pub requesting use of the parklet (actually the area between the road and the sidewalk) beyond October 31st. I think there will be problems with snow removal, Mr. Gordon said they would put tables and chairs in the Psychic building space when not in use. A possible motion: to allow Leary's Landing to continue the parklet use until __ at a cost of ____.
- E. Council Meetings** – The Council scheduled meetings by zoom through October.
- F. Treasurer's Warrant** – A possible motion: to sign the Treasurer's Warrants for paid bills.

Minutes
Bar Harbor Town Council
By Video Conference
October 6, 2020

I. CALL TO ORDER – 5:00 P.M. - In attendance were Councilors Jefferson Dobbs, Matthew Hochman, Valerie Peacock, Gary Friedmann, Joe Minutolo, Erin Cough, Jill Goldthwait; and Town Manager Cornell Knight.

A. Excused Absence(s) – all present.

II. COMMITTEE APPOINTMENTS - *Council to consider Appointments Committee recommendations to appoint the following with expiration date of July 31 of their applicable year:*

1. **Age Friendly Committee**
 - a. *Susanne Hopkins, expiring 2023*
2. **Harbor Committee**
 - a. *Jerry Blandford, expiring 2023*

Mr. Friedmann, with second by Ms. Cough, moved the slate as read by Chair Dobbs. Roll Call Vote:

<u>Dobbs</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Peacock</u>	<u>Y</u>
<u>Friedmann</u>	<u>Y</u>
<u>Minutolo</u>	<u>Y</u>
<u>Goldthwait</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>

Motion passed 7-0.

III. PUBLIC COMMENT PERIOD - *The Town Council allows up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person. Public comment can be made 1) through the Zoom webinar utilizing the raise hand function or 2) in person with social distancing and masks in the Council Chambers with seating in the Municipal Auditorium or 3) sending comments in advance to the Council Chair by email jdobbs@barharbormaine.gov or by mail to 93 Cottage St, Bar Harbor, ME 04609 to be read during the hearing.* – Dessa Dancy commented that today's public hearing notice on the homepage of the website did not have the Zoom link.

IV. APPROVAL OF MINUTES – *September 15, 2020 Regular Meeting*

Mr. Hochman, with second by Mr. Friedmann, moved to approve the minutes as presented. Roll Call Vote:

<u>Dobbs</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Peacock</u>	<u>Y</u>
<u>Friedmann</u>	<u>Y</u>
<u>Minutolo</u>	<u>Y</u>
<u>Goldthwait</u>	<u>Y</u>

Cough Abstain
Motion passed 6-0-1 (Abstain: Cough).

V. ADOPTION OF AGENDA – Mr. Hochman, with second by Mr. Friedmann, moved to adopt the agenda as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 7-0.

VI. CONSENT AGENDA - *A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:*

- A. Cooperating Agencies Application** – *Possible motion to approve the changes to the Cooperating Agencies Application for FY 2021-2022.*
- B. State of Maine Election November 3, 2020** – *Possible motion to appoint the Town Clerk as Warden for the November 3, 2020 State Election.*
- C. Special Town Meeting November 2020** – *Possible motion to sign the Municipal Officers’ Return acknowledging the posting of the Notice of Public Hearing on September 17, 2020.*

Mr. Hochman, with second by Mr. Friedmann, moved to approve the Consent Agenda as published. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 7-0.

VII. PUBLIC HEARINGS - *Maximum of 3 minutes per person. Public comment can be made 1) through the Zoom webinar utilizing the raise hand function or 2) in person with social distancing and masks in the Council Chambers with seating in the Municipal Auditorium or 3) sending comments in advance to the Council Chair by email jdobbs@barharbormaine.gov or by mail to 93 Cottage St, Bar Harbor, ME 04609 to be read during the hearing.*

- A. Special Town Meeting November 3, 2020** – *Public comment on the following ballot articles:*
 - 1. **Article 2 – CHARTER MODIFICATION**– *re: recommendations on ballots and Warrant Committee responsibilities*
Public comment made by Dessa Dancy.

- 2. **Article 3 – CHARTER MODIFICATION**– *re: electronic voting*
No public comment.
- 3. **Article 4 – CHARTER MODIFICATION**– *re: land use ordinance amendment process*
Public comment made by Dessa Dancy, Jake Jagel.
- 4. **Article 5 – CHARTER MODIFICATION**– *re: Town Manager, personnel, Town Attorney, Superintending School Committee*
No public comment.
- 5. **Article 6 – CHARTER MODIFICATION**– *re: removal of specific salaries*
No public comment.
- 6. **Article 7 – CHARTER MODIFICATION**– *re: new budget process*
Public comment made by Dessa Dancy, Jake Jagel.
- 7. **Article 8 – CHARTER MODIFICATION**– *re: changes to Warrant Committee election and membership*
Public comment made by Dessa Dancy.
- 8. **Article 9 – CHARTER MODIFICATION**– *re: change to filing of nomination papers*
No public comment.
- 9. **Article 10 – CHARTER MODIFICATION**– *re: public hearing for initiative/ referendum*
Public comment made by Dessa Dancy.

B. General Assistance Ordinance Amendment #2020-12 – Public comment and possible motion to adopt the amendments to Appendices A-H of Chapter 102, General Assistance and sign the Adoption Form. There being no public comment, Mr. Hochman, with second by Ms. Cough, moved to approve the amendments to Chapter 102 of the Municipal Code, General Assistance as presented. Roll Call

Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

General Assistance Ordinance Amendment Appendices A-H
 Town of Bar Harbor
 #2020-12

An Amendment for the annual revision of maximum benefit levels for Appendices A-H for the period 10-1-2020 to 9-30-2021 pursuant to 22 MRSA 4305(4).

The Town of Bar Harbor hereby ordains that Chapter 102, General Assistance, of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

CHAPTER 102 – GENERAL ASSISTANCE

Appendix A

Effective 10-1-201920 to 9-30-202021

GA OVERALL MAXIMUMS

Persons in Household	1	2	3	4	5*
Hancock County	818 <u>836</u>	855 <u>871</u>	1,036 <u>1,047</u>	1,307 <u>1,319</u>	1,433 <u>1,445</u>

Please Note: add \$75 for each additional person.

Appendix B

Effective 10-1-201920 to 9-30-202021

FOOD MAXIMUMS

Please Note: The maximum amounts allowed for food are established in accordance with the USDA Thrifty Food Plan. As of October 1, 201920, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12 <u>47.44</u>	194 <u>204</u>
2	82.56 <u>86.98</u>	355 <u>374</u>
3	118.37 <u>124.42</u>	509 <u>535</u>
4	150.23 <u>158.14</u>	646 <u>680</u>
5	178.60 <u>187.67</u>	768 <u>807</u>
6	214.19 <u>225.35</u>	924 <u>969</u>
7	236.74 <u>249.07</u>	1,018 <u>1,071</u>
8	270.70 <u>284.65</u>	1,164 <u>1,224</u>

Note: For each additional person add \$146153 per month.

Appendix C

Effective 10-1-201920 to 9-30-202021

GA HOUSING MAXIMUMS

Bedrooms Hancock County	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	155 <u>159</u>	667 <u>682</u>	178 <u>182</u>	764 <u>783</u>
1	155 <u>159</u>	667 <u>682</u>	184 <u>188</u>	794 <u>809</u>
2	184 <u>186</u>	792 <u>801</u>	223 <u>227</u>	958 <u>975</u>
3	234 <u>238</u>	1,007 <u>1,022</u>	283 <u>287</u>	1,216 <u>1,235</u>
4	248 <u>251</u>	1,067 <u>1,079</u>	308 <u>312</u>	1,324 <u>1,342</u>

Appendix D

Effective 10-1-201920 to 9-30-202021

ELECTRIC UTILITY MAXIMUM

No changes

Appendix E

Effective 10-1-201920 to 9-30-202021

HEATING FUEL

No changes

Appendix F

Effective 10-1-2019 to 9-30-2021

PERSONAL CARE AND HOUSEHOLD SUPPLIES

No changes

Appendix G

Effective 10-1-2007 to 10-1-2008 ~~9-30-2021~~

MILEAGE RATE

Repeal and replace with:

2020-2021 Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 45 cents (45¢) per mile.

Please refer to the Office of State Controller for changes to this rate:
Telephone: 626-8420 or visit: <http://www.state.me.us/osc/>

Appendix H

Effective 10-1-2019 to 9-30-2021

FUNERAL MAXIMUM

Repeal and replace with:

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is **\$1,475**. The municipality’s obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director’s direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be **\$1,025**.

The municipality’s obligation to provide funds for cremation purposes is limited to a reasonable calculation of the funeral director’s direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable cremation expenses are limited to:

- removal and transportation of the body from a local residence or institution
- professional fees
- crematorium fees
- a secured death certificate or obituary
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$55
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

C. FY21 Water Budget Ordinance Amendment #2020-13 - Public comment and possible motion to adopt the FY21 Water Budget Ordinance amendment. There being no public comment, Mr. Hochman, with second by Ms. Cough, moved to approve the amendments to Chapter 201, Article III of the Municipal Code, Water as presented. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 7-0.

Water Budget Ordinance Amendment

Town of Bar Harbor

#2020-13

An Ordinance Amendment to Adopt the Fiscal Year 2021 Water Budget

The Town of Bar Harbor hereby ordains that Chapter 201, Water, of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 201, Water

ARTICLE III, Water Budget, Rates Fees and Charges

§ 201-11 Water budget.

- A. Budget adopted. The fiscal year ~~2020~~2021 Water Budget, dated ~~July 16, 2019~~September 15, 2020, is hereby adopted as published and summarized below.
- (1) Cash. Net cash generated is estimated to be ~~\$38,632~~<362,922>.
 - (2) Revenues.
 - (a) PUC regulated revenues are estimated to be ~~\$2,127,302~~2,099,804.

- (b) Total water revenues are estimated to be \$2,151,302,124,804.
- (3) Expenses. The following appropriations are hereby approved:
 - (a) Nonoperating expenses: \$<4,400>.
 - (b) Salaries and wages: \$301,594,316,461.
 - (c) Payroll benefits: \$151,200,166,350.
 - (d) Contractual services: \$283,662,295,283.
 - (e) Materials and supplies: \$119,300,123,700.
 - (f) Utilities and commodities: \$64,100,640,000.
 - (g) Repairs and maintenance: \$156,400,164,000.
 - (h) Equipment purchases: \$7,400,18,500.
 - (i) Other: insurance, travel, advertising and miscellaneous: \$46,800,47,500.
 - (j) Interest: \$132,736,123,460.
 - (k) Depreciation and amortization: \$315,647,324,687.
 - (l) Capital spending: \$302,676,570,000.

[end of ordinance]

D. Special Amusement Permit Renewal

- 1. **Jack Russell’s Steak House, 102 Eden St, request for Class 3a, three or more musicians with mechanical amplification as submitted by Tom St. Germain.** There being no public comment, Mr. Hochman, with second by Ms. Cough, moved to approve the Special Amusement Permit application for Jack Russell’s Steak House for a Class 3a, three or more musicians with mechanical amplification. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
 Motion passed 7-0.

VIII. REGULAR BUSINESS:

- A. FY21 Sewer Budget – Introduction of proposed FY21 Sewer Budget and possible motion to schedule a public hearing for October 20, 2020.** Finance Director Stan Harmon and Public Works Director Bethany Leavitt presented the budget and answered Council questions. Mr. Hochman, with second by Ms. Cough, moved to schedule a public hearing for October 20, 2020 to hear comments on the FY21 Sewer Budget. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann Y
Minutolo Y
Goldthwait Y

Cough Y
Motion passed 7-0.

B. Marijuana Sales – Discussion of opt-in process to allow retail sales.

Town Attorney Ed Bearor participated in the discussion. Following discussion, Ms. Goldthwait, with second by Mr. Hochman, moved to direct town staff to develop some background and a suggested timeline on how to proceed if Council chooses to opt in. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann N
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 6-1 (Nay: Friedmann).

C. Planning Board – Possible motion to schedule a joint meeting to clarify the roles and responsibilities of Council and Planning Board. Town Attorney Ed Bearor participated in the discussion. Following discussion, Mr. Friedmann, with second by Mr. Hochman, moved to schedule a joint meeting with the Planning Board to bring the Town Council and Planning Board together to develop a process for working together in the future to achieve the town’s strategic plan for housing with a facilitator to run the meeting. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 7-0.

D. Treasurer’s Warrant - Request of Treasurer to authorize paid bills. – Mr.

Hochman, with second by Ms. Cough, moved to sign the Treasurer’s Warrants for paid bills. Roll Call Vote:

Dobbs Y
Hochman Y
Peacock Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 7-0.

IX. TOWN MANAGER’S COMMENTS – Mr. Knight gave an update on Halloween. Nina has been working on how we can have a COVID-free safe Halloween. She put together a plan with the Police Department, we ran it by the state, and they were amenable to it. The plan is to block Ledgelawn from 3:30-8:30, have one-way flow just like traffic down the

right side with the center separated by barricades, barriers and police tape. There will be a lot of volunteers to prevent funneling on porches. We will have candy chutes available (5 foot PVC pipes), the homeowner puts the candy down the chute into the bag. Masks and gloves will be distributed. There will be plenty of publicity in the Islander, school letters and social media. We will have more info on the town website and in the update we do twice a week.

Sharon has ordered an exterior ballot box that has shipped. We will get it this week and hope to have it installed next week out next to the parking kiosk. We have now gone over \$1 million in parking revenue for the season. In the Jonathan Eno case versus the town over the \$200 increase in the vacation rental fee, the judge has found in favor of the town. The town has spent \$30,451 in legal fees on this.

X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Mr. Minutolo thanked the Police Department and the Highway Department for a quick response to a huge tree that blew down next to the shop and blocked traffic on Route 3. They did a great job pulling together and taking care of it in a quick amount of time.

Mr. Hochman thanked our educators, teachers, administrators, ed techs, support staff and custodians that are working really hard, whether for remote, hybrid or in person learning, to make sure our kids are getting the best education they can. The amount of work they put in this year is amazing and they ought to be commended.

Ms. Goldthwait, now that we are probably past the bulk of the summer issues, commended both residents who had to stick close to home and businesses, who made a massive effort to keep visitors and customers safe, which judging by the data was quite successful. It's been a hard summer for everybody. Let's hope next year brings a better situation. I appreciate the effort everyone made to keep our town a healthy place.

Mr. Friedmann went to the craft fair in the parking lot above Agamont Park that the town donated to the Chamber and it was a great success. It was regulated with COVID protocols. Thanks to everyone who made that possible. He referenced a New York Times article on the impact of air B&Bs. It reminds us that the research shows the prevalence of air B&Bs leads to an increase in the cost of housing and rents and a decrease in the availability of year round residences. He also asked if Council could have data on the financial/economic impact on businesses with no cruise ships before the goal setting session.

Mr. Dobbs talked about an old couple making the trip from Florida to Acadia that called him asking for a free ticket to the top of Cadillac. He explained he needs to make a reservation too and recommended they make their case to the park's visitors centers. If he'd had a free ticket he would have given it to her. Also on Saturday they honored Dick Cough with a plaque for his work at Degregoire Park. There were less than 50 people social distanced. Dick was very surprised. It was a nice ceremony to honor someone who does a lot of work behind the scenes for Bar Harbor.

XI. EXECUTIVE SESSION

A. Town Manager's Evaluation – *To be held in executive session as permitted by 1 M.R.S.A. §405(6)(A) to discuss a personnel matter.*

Mr. Hochman, with second by Ms. Cough, moved to go into executive session at

8:07 pm as permitted by 1 MRSA sec 405(6)(A) to discuss a personnel matter.

Roll Call Vote:

Dobbs Y

Hochman Y

Peacock Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

Council returned to regular session at 8:13 pm. Mr. Hochman, with second by Ms. Cough, moved to acknowledge an exemplary annual Town Manager evaluation and place it in his personnel file. Roll Call Vote:

Dobbs Y

Hochman Y

Peacock Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

XII. ADJOURNMENT – Mr. Hochman, with second by Ms. Cough, moved to adjourn at 8:14 p.m. Roll Call Vote:

Dobbs Y

Hochman Y

Peacock Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

Sharon M Linscott, Town Clerk

V

Memo



To: Town Councilors; Cornell Knight
 From: Stan Harmon, Finance Director
 CC: Department Heads *[Signature]* SHARON
 Date: 10/12/2020
 Re: Fiscal Year 2020 – September 30, 2020 – 3 Months Results

General Fund

Attached are the financial results for 3 months of operations for FY 2021 through the end of September. The audit “field” work has begun for Fiscal Year 2020—as they are now on site. Staff doesn’t anticipate any significant adjustments that differ from the year end estimates previously provided to the Council.

Expenditures (25% goal)

The September summary statements show 25.0% spent versus 26.6% of the budget spent last year, about where we expect at this time. 25.2% of the \$4.4 million in budgeted municipal wages are spent year-to-date compared to 26.1% in September 2019. No spending anomalies are evident at this early point of the fiscal year. Encumbrances from FY20 have been added to the FY2021 budget in the detail and in the summary format. \$123,783 of Covid19 related FY21 expenses are not shown in this spending summary as most of these expenses are likely covered by the ‘Care’ grants or by the ‘FEMA’ grant.

Non-Property Tax Revenues (25% goal)

34% of the budget for non-property tax revenues is now collected versus 32% at this point last year. Harbor is making its budget target (yachts & moorings) as well as the Cable franchise revenue due to a 50% cut in the anticipated budgeted receipts this year; and vehicle Excise taxes look encouraging due to the pick up from the deferred registrations earlier this year.

Ambulance Revenues -

FY 2021	3 Months YTD Runs billed	160	Gross Bill	\$695	Net Coll	\$448
FY 2020	3 Months YTD Runs billed	175	Gross Bill	\$703	Net Coll	\$373
FY 2019	3 Months YTD Runs billed	276	Gross Bill	\$653	Net Coll	\$421

	<u>9/30/2020</u>	<u>9/30/2019</u>
Ambulance Accounts Receivable	\$240,227	\$286,742

Excise-Motor Vehicle Revenues- *data shows we are up 10% in \$ and 5% in units over FY2020*

FY 2021	3 Months YTD	1593 units	\$324,489	= \$203 / per vehicle
FY 2020	3 Months YTD	1512 units	\$295,255	= \$195 / per vehicle
FY 2019	3 Months YTD	1444 units	\$288,538	= \$200 / per vehicle
FY 2018	3 Months YTD	1353 units	\$279,444	= \$207 / per vehicle

Building Permitting Revenue-

FY 2021	3 Months YTD	87 permits	\$ 27,265	= \$313 / permit
FY 2020	3 Months YTD	76 permits	\$ 34,337	= \$451 / permit
FY 2019	3 Months YTD	80 permits	\$ 23,251	= \$290 / permit

FY '21 Previously Authorized Council Budget Adjustments or Transfers:

Contingency Fund Activity for FY '21:

Beginning Balance	(Town Meeting Approval)	\$54,000
Minutes-No authorized transfers yet		-0-
Ending Balance	@ 9/30/20 (available #1036-5906)	\$54,000

Other General Fund Transfers: NONE

Cruise Ship & Parking Fund Transfers: NONE

Capital Improvement Transfers/Adjustments: NONE

Property Tax Collection & Receivable Update:

In spite of the general financial impact of COVID19 on businesses and residential taxpayers, tax collections improved over last year. We show 47.0% still to be collected vs 47.8% last year at this time.

Tax Year	Property Taxes Outstanding Balance	@ 9/30/20 %	@ 9/30/19 Balance	@ 9/30/19 %
2007-13	\$ 22,014	0.1%	\$ 23,047	0.1%
2014	\$ 3,054	0.1%	\$ 3,071	0.1%
2015	\$ 3,709	0.1%	\$ 3,728	0.1%
2016	\$ 3,511	0.1%	\$ 3,725	0.1%
2017	\$ 11,249	0.1%	\$ 118,346	0.7%
2018	\$ 120,004	0.7%	\$ 416,682	2.4%
2019	\$ 384,080	2.2%	\$ 8,567,976	47.8%
2020	\$ 8,546,565	47.0%		

Cash Investment and Status Report / Banking

On September 30th, the Town had \$23,650,000 on hand in all funds—approximately \$2,600,000 more than last year's total balances at this same time period, due to the higher *Parking & Cruise Ship* fund balances on hand. Checking interest rates are at .75% vs. 1.83% last year.

Wastewater Division Fund

Financials (25% - 3 month Benchmark)

	Annual <u>Budget</u>	Sep YTD <u>Actual</u>	% <u>Spent</u>
Spending shows the following:			
<i>Oper & Maint-FY2021-this year-flat bud resolution</i>	\$1,505,039	\$335,063	22%
<i>Oper & Maint-FY2020-last year</i>	\$1,505,039	\$325,385	22%
	<u>9/30/2020</u>	<u>9/30/2019</u>	
Accounts Receivable-Wastewater	\$39,704	\$33,940	

Water Division Fund

Financials (25%-3 month Benchmark)

	Annual <u>Budget</u>	Sep YTD <u>Actual</u>	% <u>Spent</u>
Spending shows the following:			
<i>Oper & Maint-FY2021-this year</i>	\$1,191,394	\$263,102	22%
<i>Oper & Maint-FY2020-last year</i>	\$1,126,055	\$233,353	21%
	<u>9/30/2020</u>	<u>9/30/2019</u>	
Accounts Receivable-Water	\$6,968	-\$9,199	

Water/Sewer Volume-October 1st Billing

Water volume dropped by 7% compared to the same quarter last year while Commercial dropped by 17%; the JaxLab fell by 6%. Residential volume increased by 4% (dry summer). Regarding Sewer, the early data is not yet fully reliable but the first review shows a 14% drop in total with Commercial falling by 26%. JaxLab volume currently shows a small increase but work needs to be done by finance to reconcile with the dollars billed.

Technology

In September, Steve repaired a *Watchguard* video issue in the PD staff pc's and trouble shoot various pc issues in other departments; address a *Laserfiche* issue and prep for a related *Laserfiche* server replacement/upgrade. He set up and uploaded various Zoom meetings, repaired a Highway camera, configured and migrated various new budgeted PC replacements in the departments, performed some remote support after returning from a vacation, repaired a processor issue on the Camera server and finally replaced 6 drives in the back up NAS storage device in routine maintenance effort.

Assessing

Steve and Catherine completed their annual recertification training in September. This year it was done over 6 partial days via Zoom. Additionally, Steve and *Vision* successfully migrated the database to *Vision*'s cloud system this month. This is temporary and is part of the valuation update process and allows *Vision* and the Assessors to access the same live data outside the Town's locked down network. Once he started to record and process sales data from April 1st on, Steve indicated that the sales ratios continue to fall as the number of residential sales increase. Right now the sales ratio is below 70% for in town, out of town--closer to 80% and waterfront dropped below 50%. Last year waterfront sales were close to 100% of assessed

value. Catherine is still visiting properties, taking new photos and entering that data into the system. Some days were spent exclusively on GIS mapping for Planning, creating vacation rental maps.

Parking Fund

		<u>Budget</u>	<u>Actual</u>	
Direct Expenses:	FY21	\$199,978	\$97,217	49%
<i>(July-Sept 30th)</i>	FY20	\$142,865	\$57,745	40%

Net Parking Proceeds	FY21	\$1,385,750	\$749,068	54%
<i>(July-Sept 30th)</i>	FY20	\$510,750	\$1,048,304	

We collected 71% of last year's rate; however, we do have timing issues for recording FY21

Full Calendar Year Basis

(May-Sept)- Preliminary Estimates for CY20

	<u>Actual</u>	<u>Actual</u>	
	2020	2019	
Parking Gross Revenue	\$962,804	\$1,424,847	-33%
Permit Gross Revenue	\$ 11,255	\$ 28,178	
Citation Gross Revenue	\$ 60,375	\$ 21,005	

An update on the *Smart Card* from *IPS*. The Town ordered and received a supply of Smart Cards that would be sold for parking users. However, they failed the field testing and *IPS* is fixing the problem(s). These are re-fillable cards that can be used anonymously, gifted to others, etc., instead of the customer using personal credit cards. The Town benefits by receiving the cash up front in Finance when the card is loaded and also benefits by avoiding paying the .13 per transaction *IPS* fee or the cc transaction fees.

Town of Bar Harbor
Expenses - Period Ending
9/30/20

09-Oct-20

25.0% of Year Completed

General Fund	Dept	A FY '21 Annual Adj'd Budget	B FY '21 3 Months Actual	C FY '20 12 Months Pre-Audit	D Bud Variance Under (over) Col. A-B	E % Spent of Budget (B/A=E)	FY '19 12 Months Actual	Comments on variances
Town Council	10	\$ 40,062	\$ 855	\$ 36,324	9,161	2.1%	\$ 35,212	Timing
Town Manager	12	\$ 133,606	\$ 34,202	\$ 127,035	(801)	25.6%	\$ 124,862	
Town Clerk	14	\$ 127,852	\$ 31,013	\$ 118,997	950	24.3%	\$ 118,345	
Finance Dept.	16	\$ 370,088	\$ 115,959	\$ 356,927	(23,437)	31.3%	\$ 352,773	Timing
Town Attorney	18	\$ 47,950	\$ 10,657	\$ 63,093	1,331	22.2%	\$ 54,220	
Elections	20	\$ 23,478	\$ 4,904	\$ 14,342	966	20.9%	\$ 13,189	
Technology	22	\$ 163,329	\$ 50,968	\$ 162,299	(10,136)	31.2%	\$ 155,231	Timing
Municipal Building	24	\$ 84,233	\$ 16,091	\$ 72,925	4,967	19.1%	\$ 86,046	
Town Offices	26	\$ 44,045	\$ 15,077	\$ 53,444	(4,066)	34.2%	\$ 43,163	
Employee Benefits	28	\$ 1,828,895	\$ 390,475	\$ 1,616,261	66,749	21.4%	\$ 1,505,015	Timing
Code Enforcement	30	\$ 136,848	\$ 38,444	\$ 102,286	(4,232)	28.1%	\$ 74,430	
Assessing Dept.	32	\$ 156,135	\$ 38,098	\$ 144,099	936	24.4%	\$ 137,892	
Planning Dept.	34	\$ 225,522	\$ 51,680	\$ 202,303	4,701	22.9%	\$ 126,426	
Miscellaneous	36	\$ 227,900	\$ 58,539	\$ 255,768	(1,564)	25.7%	\$ 201,464	Timing
Fire / Ambulance Dept	42	\$ 996,107	\$ 254,406	\$ 926,568	(5,379)	25.5%	\$ 885,013	
Hydrants-Public Fire	43	\$ 585,604	\$ 146,401	\$ 585,604	-	25.0%	\$ 585,604	
Police Dept.	45	\$ 1,334,429	\$ 300,475	\$ 1,220,325	33,132	22.5%	\$ 1,272,780	
Dispatch Division	47	\$ 248,082	\$ 64,703	\$ 230,902	(2,683)	26.1%	\$ 220,185	
Public Safety Bldg.	49	\$ 45,232	\$ 8,446	\$ 46,884	2,862	18.7%	\$ 45,930	
Street Lights	51	\$ 20,000	\$ 2,936	\$ 36,519	2,064	14.7%	\$ 65,925	
Harbor Dept.	53	\$ 142,265	\$ 38,868	\$ 121,402	(3,302)	27.3%	\$ 126,722	
Parks & Rec & Glen M	59	\$ 423,687	\$ 174,131	\$ 435,961	(68,209)	41.1%	\$ 416,358	Seasonal Timing
General Assistance	63/66	\$ 2,460	\$ 701	\$ 624	(86)	28.5%	\$ 496	
Cooperating Agencies	68	\$ 63,268	\$ 62,172	\$ 57,681	(46,355)	98.3%	\$ 45,092	
Comfort Station	70	\$ 103,773	\$ 27,946	\$ 95,962	(2,003)	26.9%	\$ 100,368	
Public Works	75	\$ 160,274	\$ 39,621	\$ 130,961	448	24.7%	\$ 148,951	
Highway Dept	77	\$ 1,127,420	\$ 223,488	\$ 1,061,031	58,367	19.8%	\$ 1,082,238	Seasonal Timing
Solid Waste	79	\$ 729,694	\$ 196,681	\$ 657,479	(14,258)	27.0%	\$ 773,154	
General Fund Totals		\$ 9,592,238	\$ 2,397,937	\$ 8,934,006	\$ 123	25.0%	\$ 8,797,084	
payroll periods		26	7	26		26.9%	26	

FY21 Budget Includes \$38,015 in carryover encumbrances from FY2020

General Fund - Revenues

Town of Bar Harbor
 YTD September 30, 2020
 25.0% - 3 Months

<u>Department</u>	<u>Budget FY'21 12 Months</u>	<u>Actual FY'21 3 Months</u>	<u>Un-Audited FY'20 12 Months</u>	<u>Bud. Var. Favorable (Unfavorable)</u>	<u>% Rev's Received 25.0% Goal</u>	<u>Variances From Budget Goal Comments</u>
Town Clerk Fees	\$ 24,320	\$ 6,687	\$ 20,319	607	27%	
Finance Department	\$ 183,844	\$ 49,760	\$ 183,529	3,799	27%	
Municipal Building Rents	\$ 34,000	\$ 15,036	\$ 35,612	6,536	44%	prepayments
Code Enforcement Permits	\$ 283,800	\$ 59,717	\$ 362,039	(11,233)	21%	
Planning Fees	\$ 16,550	\$ 5,148	\$ 26,931	1,011	31%	
Ambulance/Fire Fees	\$ 333,200	\$ 71,655	\$ 203,184	(11,645)	22%	
Police/Dispatch Department	\$ 193,324	\$ 36,313	\$ 174,673	(12,018)	19%	timing
Harbor Department	\$ 60,800	\$ 56,473	\$ 69,525	41,273	93%	seasonal
Parks & Recreation	\$ 800	\$ -	\$ 800	(200)	0%	
Highway Division	\$ 11,830	\$ 360	\$ 16,898	(2,598)	3%	
Solid Waste-Recycling	\$ 420	\$ -	\$ 5,362	(105)	0%	
Departmental	\$ 1,142,888	\$ 301,149	\$ 1,098,872	15,427	26%	
P.I.L.O.T.'s	\$ 152,600	\$ 43,217	\$ 156,339	5,067	28%	
Interest Income	\$ 68,000	\$ 6,952	\$ 100,162	(10,048)	10%	
Misc, Cable Franch., other	\$ 67,150	\$ 65,835	\$ 137,300	49,048	98%	c franchise/timing
Excise & Other Taxes	\$ 1,035,100	\$ 339,038	\$ 1,123,259	80,263	33%	CV19 catch up activity
Intergovernmental	\$ 457,484	\$ 229,329	\$ 444,888	114,958	50%	Timing
Revenues-Subtotal	\$ 2,923,222	\$ 985,520	\$ 3,060,820	254,715	34%	
Property Taxes	\$ 18,210,067	\$ 18,211,526	\$ 17,846,882		100%	
Transfers In-CS & Other Funds	\$ 411,088	\$ -	\$ 436,264		0%	
Fund Balance Used	\$ 55,000	\$ -	\$ -		0%	
Grand Total-General Fund	\$ 21,599,377	\$ 19,197,046	\$ 21,343,966		88.9%	
Wastewater Revenues	\$ -	\$ 4,595	\$ 2,129,376		#DIV/0!	1st billing is Oct. 1st
Water Revenues	\$ 2,124,804	\$ 389,466	\$ 2,292,040		18%	1 Qtr billed
CIP Fund Rev's/Transfers	\$ 3,829,989	\$ 51,462	\$ 3,845,700		1%	Timing
Cruise Ship Fund Rev's	\$ 126,558	\$ -	\$ 930,055		0%	Spring '21 ships
Parking Fund (net of Trans Fees)	\$ - 1,385,750	\$ 749,068	\$ 1,373,717		54%	

TOWN OF BAR HARBOR
CASH / INVESTMENT STATUS @ September 30, 2020

Note	Bank	Acct. No.	Purchase	Maturity	Interest Rate	Amount	
**CHECKING ACCOUNTS							
GENERAL	BHBT	77548521	GL #10-1140		0.75%	\$ 12,850,000	
SEWER	MACHIAS SB	8100333860 / 930	GL #35-1135		0.05%	\$ (35,000)	
PARKING	MACHIAS SB	100184337	GL #64-1140		0.15%	\$ 72,000	
SEWER	BHBT	77548513	GL #35-1140		0.75%	\$ 1,856,000	
WATER	BHBT	77548556	GL #40-1140		0.75%	\$ 1,470,000	
	Total Checking Accounts					\$	16,213,000
GENERAL	The 1st		collateralized securities	GL #10-1145	0.45%	\$ 1,206,000	
GENERAL	The 1st		collateralized securities	GL #10-1146	0.45%	\$ 1,051,000	
PARKING	MACHIAS SB	ICS - CDARS	FDIC custodial bank deposits	GL #64-1120	1.10%	\$ 1,885,000	
SEWER	MACHIAS SB	ICS - CDARS	FDIC custodial bank deposits	GL #35-1120	1.10%	\$ 388,000	
**CERTIFICATES OF DEPOSIT: money market							
Gen Fnd	The First	17 months	27-Apr-20	27-Sep-21	0.15%	\$ 91,419	
Gen Fnd	BHS&L	18 Months	28-Jun-19	28-Dec-20	2.05%	\$ 118,168	
Gen Fnd	BHS&L	18 Months	19-Jun-19	19-Dec-20	2.05%	\$ 118,575	
Gen Fnd	UTC-Camden	12 Month CD	11-Feb-20	11-Feb-21	0.35%	\$ 110,474	
Gen Fnd	UTC-Camden	12 Month CD	10-Feb-20	10-Feb-21	0.20%	\$ 109,636	
Gen Fnd	UTC-Camden	6 Mos.-CDARS	26-Mar-20	26-Sep-20	0.15%	\$ 244,549	
#10-1160	Total Certificates of Deposit					\$	792,821
CIP Reserves: Bar Harbor Banking & Trust - Trust Department							
<i>@ 9/30/20</i>							
GENERAL COMB-combined funds			Money Mkt Funds Sweep		0.69%	\$ 636,631	
Toyota Motor Credit Corp			Bond - AA- S&P	4/13/2021	2.95%	\$ 101,402	
Emerson Electric Co.			Bond - A S&P	10/15/2026	0.88%	\$ 99,327	
Mead Johnson			Bond - A- S&P	11/15/2020	3.00%	\$ 70,202	
Apple, Inc.			Bond - AA+ S&P	11/13/2020	2.00%	\$ 110,230	
Bank America Corp.			Bond - A- S&P	10/21/2022	2.52%	\$ 102,148	
ABBVIE Inc.			Bond - BBB+ S&P	11/6/2022	2.90%	\$ 104,862	
Ratheon Co.			Bond -	12/15/2022	2.50%	\$ 103,718	
Boeing			Bond - BBB- S&P	10/30/2021	2.35%	\$ 50,653	
Morgan Stanley			CD	1/5/2021	2.00%	\$ 150,784	
Emory University			Bond - AA-S&P	9/1/2025	1.57%	\$ 103,140	
Walt Disney Co.			Bond - A- S&P	8/30/2024	1.75%	\$ 104,106	
IBM Credit LLC			Bond - A S&P	11/30/2021	3.51%	\$ 103,837	
American Honda Finance Corp.			Bond - A- S&P	7/7/2023	0.88%	\$ 100,822	
Canadian Natl Rwy Co.			Bond - A S&P	12/15/2021	2.85%	\$ 102,439	
Wells Fargo Bank NA			CD	9/28/2021	3.06%	\$ 102,996	
#10-1170	Total In Trust Fund		(45/50-1170)			\$ 2,147,297	
TOTALS: All CASH & INVESTMENTS						\$ 23,683,118	

Notes: Checking Accounts and money markets above \$250,000 are protected by Bar Harbor Bank's collateral (US Gov't or agency securities) that are held in joint custody at the Federal Reserve Bank of Boston.

GENERAL = Combined General, CIP, School and Cruise Ship Cash

BHBT = Bar Harbor Bank & Trust Co.
The First = First National Bank Of Damariscotta
UTC = Camden National Bank
BHS&L = Bar Harbor Savings & Loan Co.
MSB = Machias Savings

Town Bond Rating: Affirmed March '20 Aa2 Moody's
Affirmed March '20 AAA S & P's

State of Maine Bond Rating: Current-Sept 2020 AA S & P's
State of Maine Bond Rating: Current-Sept 2020 Aa2 Moody's
Hancock County Rating: Current-Sept 2020 Aa2 Moody's
Hancock County Rating: Current-Sept 2020 AA S & P's
U.S. Government Rating: August '11 AA S & P's

memo

VI A

Town of Bar Harbor

To: Town Council
From: Sharon Linscott, Town Clerk
CC: Cornell Knight, Town Manager
Date: 10/14/2020
Re: Veteran's Day Bell Ringing

To commemorate the signing of the Peace Treaty in France, and in accordance with Maine State Statute, Title 30-A section 2901.4, which reads as follows:

Bell Ringing on Veterans Day. Each municipality shall, unless it will cause the municipality to incur an additional expense, cause any public bell or clarion within its possession or control to be rung at 11:00 a.m. on Veterans Day, and the municipal officers of each municipality shall request that any other bell or clarion within the town be rung voluntarily at 11:00 a.m. on Veterans Day, and shall take such steps as are necessary to properly coordinate public and volunteer events

Possible motion to request staff to contact Bar Harbor churches and schools to sound their bells in observance of Veteran's Day per state statute.

Thank You.



VI B

Village Holidays Santa Claus Procession

Instead of Bar Harbor Chamber's traditional Christmas tree lighting ceremony at the Village Green, where we draw a crowd of 250+ attendees, we are proposing a procession through downtown where spectators could greet Santa Claus as he kicks off the holiday season in our town. Here is a proposed outline for the event.

Date: Friday, December 4, 2020, 5:00 – 6:00 pm

- Santa Claus to be transported around the procession route by Wild Iris Horse Farm's horse-drawn carriage
- A Bar Harbor Police Department vehicle would lead the procession with lights flashing to ensure the horses are clearly visible to all
- Volunteer "elves" would walk at a safe distance behind the carriage with carts to collect non-perishable food items from spectators. These items would be donated to the Bar Harbor Food Pantry after the event.
- A pickup truck would follow the "elves" for storage of the donated food items once/if the carts have been filled.
- A Bar Harbor Fire Department vehicle would bring up the rear of the procession to indicate the end of the event. Also, this vehicle would be on hand in case the horses are unable to participate due to weather or some other unforeseen reason.
- Spectators would be advised to park along the parade route and remain in or beside their vehicle throughout the event.
- The parade route would be as follows:
 - Depart from the Bar Harbor Inn
 - Up Main St.
 - Right on Mt. Desert St.
 - Right on Eden St
 - Right on Cottage St
 - Finish back at the Bar Harbor Inn
- This route is approximately 1.3 miles long. If spectators stood in line, six feet apart from one another on both sides of each street, we could safely accommodate more than 2000 guests for this event. In past years, this event has drawn no more than 300 individuals.
- As the procession passes the Village Green, Santa Claus will wave towards the bandstand where our Christmas tree will be lit by a volunteer, signifying the official start to Bar Harbor's Christmas season.

The purpose of this event is to give kids (and adults) the chance to greet Santa Claus since we will be unable to host them at the YMCA as we have in the past, due to COVID-19 event protocols. The procession will allow us to disperse the crowd that would typically gather at the Village Green for the tree lighting and spread everyone safely out along the route.

If there are any questions or concerns about this proposal, please direct them to Alf Anderson at the Bar Harbor Chamber of Commerce.

VII A

Sewer Budget Ordinance Amendment
Town of Bar Harbor
#2020-14

An Amendment to Adopt the Fiscal Year 2021 Sewer Budget, Rates, Fees and Charges.

The Town of Bar Harbor hereby ordains that Chapter 165, Sewers, of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 165 , SEWERS

ARTICLE III, Sewer Budget and Rates

§ 165-7.1 Sewer budget, fees and charges.

A. Budget adopted. The fiscal year ~~2020~~2021 Sewer Budget, dated ~~July 16, 2019~~October 6, 2020, is hereby adopted as published and summarized below.

(1) Fund balance. Designated fund balances are estimated as follows:

(a) Estimated starting designated fund balances.

[1] Working capital: ~~\$367,461~~\$376,260.

[2] CIP projects: ~~\$1,853,226~~\$1,989,464.

(b) Ending designated fund balance.

[1] Working capital: ~~\$367,461~~\$376,260.

[2] CIP projects: ~~\$1,591,338~~\$1,331,611.

(2) Revenues.

(a) Total revenues and other sources are estimated to be: ~~\$2,144,400~~\$2,146,400.

(b) Revenue for the sewer rates shall be calculated from the total operating and capital appropriations minus any non-rate revenues:

[1] Total revenue derived from sewer rate: ~~\$2,110,000~~\$2,050,000.

(3) Expenses. Total appropriations shall be:

(a) Operating Fund: ~~\$1,505,041~~\$1,552,743.

(b) Capital Fund: ~~\$773,217~~\$798,441.

(4) Rates.

(a) Rate of \$7.95 per 100 cubic feet of water used.

(b) Minimum bills.

[1] Residential customers: \$47.70 for up to 600 cubic feet of water used per quarter.

[2] Nonresidential customers: \$135.15 for up to 1,700 cubic feet of water used per quarter.

[3] Unmetered customers: \$103.35 per quarter (based on 1,300 cubic feet of water used).

(c) Septic tank pumpage: \$11.22 per 100 gallons.

(d) Sludge disposal: \$6.72 per 100 gallons.

(e) Connection fee rate (per inch): \$102 per inch diameter of the service connection.

(f) Connection fee rate (per gallon): \$11.26 per gallon of sewage per day.

(g) Late payment penalty: ~~9.08~~0.0% per annum.

[End of Ordinance]

VIII A

Memorandum



To: Cornell Knight, Town Manager
From: Stan Harmon, Finance Director 
Date: 8/27/2020
CC: J. Dobbs, M. Gagnon, B. Eleftheriou, S. Brecher, G. Fraser
Re: Auditorium Renovations-Update to sketch plan design

The ad hoc committee met at 1:00 PM August 19, 2020 and reviewed the latest conceptual drawings to reach an agreement on the design scope of a proposed Council meeting space. Attending were architects Stewart Brecher and Geoff Fraser. Ad hoc members were Cornell Knight, Jeff Dobbs, Michele Gagnon, Basil Eleftheriou and myself.

No committee meetings or work had been done since a February 20th meeting (due to Covid19) when the scope of the sketch design was narrowed to certain desirables, specifications and ADA requirements at that time. The latest sketches are attached to this summary to help orient the viewer. There are two main purposes stated for the use of this room; 1) for voting use at least twice a year and 2) for the Council/Planning Board and other committee meetings. The sketch design also is mindful of avoiding major structural changes (costs!) to the building to create this new meeting space. Additionally, it was desired to provide space for the efficient flow of public and staff movement as well as locating speaker areas so that all can be seen and heard.

Entrance/Exits-the same primary entrances and fire exits will remain in place. There will be a door from each entrance into the Council Chambers. There is recommended to be a folding/movable wall that separates the main chamber in half with the overflow seats located on the north side which gives a smaller attended meeting a less cavernous feel.

Travel Lanes-entering the new chamber will also enable the person to turn right and walk around the back (north) side of the room between the existing masonry wall and the new wall. This traffic corridor (5' ft wide) allows access to the other side to the old council chambers which will be re-purposed as a multi-purpose meeting room. The traffic corridor also allows the meeting in progress to not be distracted by other discussions or congregating public not attending the meeting or just leaving the meeting.

Walls/Ceilings-new inner walls will be constructed with acoustic, lighted suspended ceilings. All the duct work will be above the suspended ceiling. The existing and new walls may have art work displayed in the travel lanes. It is also undetermined at this time if the walls on the north and south ends will have some openings to permit natural light to come in.

Floor-it is anticipated to cover the wood floor in the chamber area with appropriate carpet tile that allows for quieter traffic flow, but is also easier on maintenance with replaceable tiles.

HVAC-modern heating, cooling and outside ventilation air exchange is recommended.

Seating-pre-CV19 design indicates 40 seats for the public in the main area with another 60 available with the north half of the chamber open. New stackable chairs are in the plan.

Storage-chairs, tables and voting booths & other materials will have hide-away storage areas to maintain a clean and professional look to the space when not in use.

Lighting-types and location of lighting will be determined upon design approval.

Audio/Visual-up to date flat tv viewing screens, audio and visual equipment will have multiple locations; and for overflow into the old chamber (new multi-purpose room) broadcast equipment will be added and re-configured so that meeting proceedings can be seen and heard at both locations. Some of the space behind the Council wall will be dedicated for the added A/V equipment but access to the area is through the active meeting space(s). The location(s) for public comment microphones will be determined later after design authorization.

Council Area(s)-the council area may have 9 seats (TMgr & TAttorney) with wheeled chairs and possibly with movable work tables angled inward as shown. Behind the Council wall will be located a small kitchenette area, office space for supplies, coats, materials, defibrillator, etc. There was not a consensus for the advantage of raising the Council area 6" on a platform for improved visibility. Disadvantages of such a platform might be the costs of the four-foot ramp & platform and less flexibility to move Council chairs and tables.

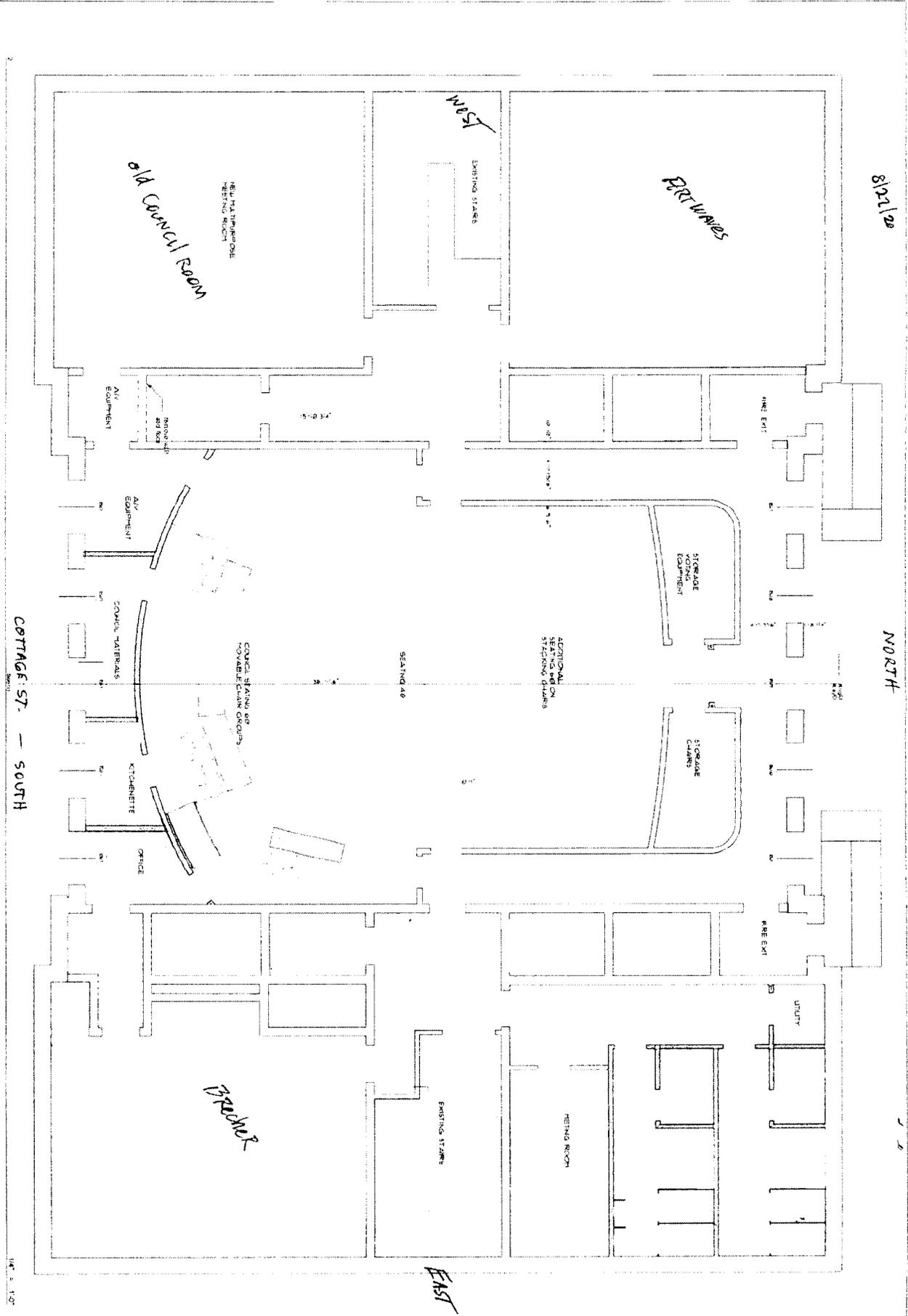
Speaker/Staff tables-there are two staff tables that will seat 3 staff each and are located up front to the extreme left and right of the Council. The two speaker tables with up to three seats each will allow separate proponent and opponents to speak before a board hearing and make presentations. Broadcast cameras will enable viewing screens to be used to allow all to see the presentations.

Bathrooms-in the northeast corner of the floor just beyond the current small conference room, there will be men's and ladies' bathrooms constructed along with a small utility closet space.

Old Council Chambers-this will be re-configured and renovated for acoustics, lighting, ventilation, likely carpet tile flooring, etc., to be a multipurpose meeting room with movable tables and chairs to accommodate different size groups. This space will also be used for petition groups gathering signatures as it is now on voting days.

Voting Day Transition-the architects have previously worked with the Town Clerk to ensure that there is adequate space for normal voting day to easily set up booths, barriers, voter registration tables, clerk tables, etc., which is why most everything in the proposed Council chambers must be movable, storable, stackable, etc.

Cost-Mr. Brecher suggested to renovate the new and old Chamber areas and add bathrooms, the preliminary costs are in the range between \$528,000 and \$660,000 for approximately 4000 square feet, or between \$132 and \$165 per square foot. Electrical/HVAC may be \$200,000 of the costs. When approval to move ahead with detail design work is given, the Town will have a better idea of the costs. For construction purposes, a separate bonding warrant article would be written and, if approved by voters, the borrowing would be added to another larger future bond (School, Sewer, or water, etc.).



8/27/20



VIII B



Bar Harbor Public Works Department
50 Public Works Way
Bar Harbor, ME 04609
(207) 288-1026

Memo

To: Cornell Knight, Town Manager

From: Bethany Leavitt, Public Works Director

CC: Jeff Van Trump, Water and Wastewater Superintendent

Subject: Devon Road Project – Final Closeout

Date: 10/7/2020

This memo serves to document the final details of the project and complete the close-out paperwork.

Project Description

The purpose of this project was to replace the existing, private sewer line that was in poor condition and a source of private I/I into the Town’s system. The Town was required to complete this project by Maine DEP and the project was part of the CSO Master Plan update in 2015 (see Attachment 1). This private line originally served three customers:

- Cox
- Wasserman
- Willis

Similar as was done with the Woodbury Park Sewer Project, the Water Department participated in the project due to the condition of the existing public water main, and thus it was constructed as a single water and sewer project. There were four customers served by the existing public water line:

- Cox
- Lombardi
- Wasserman
- Willis

As part of the Town’s mitigation of private sources of I/I, the Town proceeded with the project to replace the private sewer line in the Fall of 2019. Elements of the project were constructed in accordance with the design plans; however, several changes were made once construction started to accommodate field conditions and homeowner requests. Per our CSO report for 2019: Flow monitoring in Devon Road confirmed approximately 75,000 gallons of I&I removed per storm monitored in 2019.

Final Sewer and Water Customers

As mentioned above, a few field modifications were made to address homeowner requests. Two new sewer customers connected into the new public sewer line and two existing water customers decided to install their own private water wells instead of re-connecting to the new public water main. Final sewer and water customers are noted in Table 1 below.

Table 1: Summary of final water and sewer customers as a result of the Devon Road project.

Map & Lot	Customer Name	Property Address	Water Customer	Sewer Customer
Map 106 Lot 021-000	Gray Cox	9 1/2 Cleftstone Road	X	X
Map 106 Lot 020-000	Roger Willis	5 1/2 Cleftstone Road	X	X
Map 106 Lot 020-000	Catherine Wasserman	7 Cleftstone Road		X
Map 106 Lot 022-000	Thomas Gridly	9 Cleftstone Road		X
Map 106 Lot 023-000	Michele Shaw	11 Cleftstone Road		X

Final Costs

Since the water portion of the project was paid for by the water budget, the final costs presented below reflect sewer costs only. The final costs for the sewer project exceeded the amount that was initially communicated to property owners. Traditionally, the property owners have been given an estimate of the cost of the project before bidding the project or starting construction. Based on the engineer's estimate for the project in the Fall of 2019, if five property owners participated in the sewer project, then the estimated cost for each sewer customer was \$10,900. However, the pricing from contractors bidding the project was higher than the engineer's estimate, at a cost of \$12,225 for each sewer customer.

Two of the sewer customers were new connections to the public sewer system as a result of this project. Namely, Thomas Gridly and Brian Shaw. The contractor constructed their private service connections at a cost of \$17,500, which will be shared between these two customers. As a result of this additional cost, both customers are being assessed an additional \$8,750.

If at a future time, new customers want to pursue a connection to the public sewer main, they will need to reimburse the sewer customers identified in Table 1. The amount will be \$10,187.50 (1/6th of the customer share of the sewer cost) to be shared equally among the five sewer customers.

Recommendations to Town Council

Based on the final costs for the project, Public Works recommends the following assessments:

<u>Map & Lot</u>	<u>Customer Name</u>	<u>Property Address</u>	<u>Assessment</u>
Map 106 Lot 021-000	Gray Cox	9 1/2 Cleftstone Road	\$12,225
Map 106 Lot 020-000	Roger Willis	5 1/2 Cleftstone Road	\$12,225
Map 106 Lot 020-000	Catherine Wasserman	7 Cleftstone Road	\$12,225
Map 106 Lot 023-000	Michele Shaw	11 Cleftstone Road	\$20,975
Map 106 Lot 022-000	Thomas Gridly	9 Cleftstone Road	\$20,975

Revised Phase 3: Conduct complete replacement of sewer manholes and 700 feet of gravity sewer service, including separation of private I-I from individual homes, in the private sewer line of Devon Road – Design in 2016, Construction 2017 or 2018 (pending securement of easements and public/private financing agreement), Estimated cost of \$150,000. Conduct complete replacement of 3 sewer manholes, 500 feet of gravity sewer and four services on Ash Place – Design in 2015, Construction 2016 or 2017 (pending securement of easements and public/private financing agreement), Estimated cost of \$104,000.

Phase 4: Reevaluate the magnitude and frequency of Rodick Street and Lower Main Street CSOs once Phase 3 has been completed and is operational. This would entail the continuation of data collection at each of these CSOs to determine the volume of CSOs at the 1-year, 24-hour interval with West Street Alternative 7 in place and functional. Based on the historical CSO data reviewed for this Plan, there is a high likelihood that the occurrence of CSO events at Rodick Street may be completely eliminated and CSO events at Lower Main Street will be dramatically reduced. This phase would also involve continued I/I monitoring in the Rodick Street and Lower Main Street drainage areas to identify high value I/I removal projects – Post 2017 at an estimated cost of \$20,000.

Based upon the apparent elimination of CSOs for up to 2.4-inch rainfalls at Rodick Street and the above discussion, the Town would like to modify the Phase 4 project for Downtown Bar Harbor as follows:

Revised Phase 4: Reevaluate the magnitude and frequency of West Street and Lower Main Street CSOs once Phase 3 has been completed and is operational. This would entail the continuation of data collection at each of these CSOs to determine the volume of CSOs at the 1-year, 24-hour interval once the Devon Road I-I Removal project is complete. Based on the historical CSO data reviewed during the preparation of the 2010 CSO Master Plan and data collected in Devon Road, there is a high likelihood that the occurrence of CSO events at West Street and Lower Main Street will be dramatically reduced. This phase would also involve continued I/I monitoring in the West Street and Lower Main Street drainage areas to identify high value I/I removal projects by December 2019 at an estimated cost of \$20,000

Phase 5: Based upon the results of the Phase 4 flow monitoring, remove additional I/I in the Rodick and Lower Main Street drainage areas and/or design/construct an additional CSO abatement project for the Lower Main Street CSO, if needed. The Phase 5 project would likely be to upgrade the Main Street Pump Station pumping capacity (by adding a fourth pump and electrical upgrade) and pumping to a new CSO swirl concentrator constructed at the nearby ball field or at the property across from the Main Street Pump Station. Whether the Phase 5 project(s) will be needed will be determined based on the success of earlier phases and through coordination with the Maine DEP.

Based upon discussions above, the Town would like to modify the Phase 5 project for Downtown Bar Harbor as follows.

Revised Phase 5: Based upon the results of the Phase 4 flow monitoring, remove additional I/I in the West Street and Lower Main Street drainage areas and/or design/construct an additional CSO abatement project for the Lower Main Street CSO, if needed prior to the next minor update to the CSO Master Plan in 2020. At a minimum, the details and necessity for Phase 5 project would be explored in the next minor update to the CSO Master Plan in 2020.

Order

Of the Bar Harbor Town Council

Regarding the Devon Road Utility Project

The following Order is hereby adopted by the Bar Harbor Town Council, to wit:

WHEREAS, construction of the Devon Road Utility Project has been completed; and

WHEREAS, Section 165–53 of the Bar Harbor Code provides that, once construction of a public sewer and drain project has been completed, the Town Council shall determine what lots or parcels of land are benefited thereby, and shall assess thereon a sum not exceeding the benefit it considers just and equitable towards defraying the expenses of constructing and completing the project; and

WHEREAS, the whole of the assessments may not exceed one-half of the cost of the project,

NOW THEREFORE, the Council makes the following findings, as required by Section 165–53(B) of the Code:

1. The location of the project and its component installations are as shown on the engineering plans on file with the Public Works Director.
2. The amount of \$12,225.00 is hereby assessed against each of the following parcels of land, identified by map and lot number as shown on the Town of Bar Harbor Tax Maps, and against the owners of said parcels of land as identified hereunder:

Map 106 Lot 021-000	Gray Cox	9 1/2 Cleftstone Road
Map 106 Lot 020-000	Roger Willis	5 1/2 Cleftstone Road
Map 106 Lot 020-000	Catherine Wasserman	7 Cleftstone Road

The amount of \$20,975.00, which includes the cost of the private sewer service connections, is hereby assessed against each of the following parcels of land, identified by map and lot number as shown on the Town of Bar Harbor Tax Maps, and against the owners of said parcels of land as identified hereunder:

Map 106 Lot 023-000	Michele Shaw	11 Cleftstone Road
Map 106 Lot 022-000	Thomas Gridly	9 Cleftstone Road

3. The Council hereby makes the determination that the total of the assessments does not exceed one-half of the cost of the project.
4. Connections made to this utility project after this project is completed shall pay an assessment of \$10,187.50, and distributed to the above property owners and the town of Bar Harbor equally.

4. The Council hereby certifies the assessments stated above and orders that they be filed with the Tax Collector for collection; provided, however, that the assessments may be paid over a period of time not exceeding 10 years at the election of the owners of the parcels of land identified above pursuant to arrangements made with the Assessor and Tax Collector, or their designee, as provided in Section 165-55(A).

5. The Town Clerk shall provide notice to the owners identified in Paragraph 2, above, in compliance with the requirements of Section 165-53(D), which notice shall inform the owners of a hearing to be held at 5:00 P.M. on November 17, 2020 by video conference on the subject matter of the assessments.

Given under our hands this 20th day of October 2020.

Municipal Officers of the Town of Bar Harbor

Jefferson Dobbs, Chair

Matthew Hochman, Vice-Chair

Erin Cough

Gary Friedmann

Jill Goldthwait

Val Peacock

Joe Minutolo

Boards and Committees Ordinance Amendment
Town of Bar Harbor
#2020-xx

An amendment to change the qualification from registered voter to resident.

The Town of Bar Harbor hereby ordains that Chapter 31, Boards, Committees and Commissions, Article X: General, of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

CHAPTER 31 – BOARDS, COMMITTEES AND COMMISSIONS

Article X: General

§ 31-136 Residency a prerequisite to voting.

All voting members of all boards, committees and commissions that are appointed by the Bar Harbor Town Council, or that are appointed to any subsidiary board, committee or commission of said Council, shall be persons who are ~~registered to vote~~ residents in the Town of Bar Harbor. If permitted by this chapter or by other chapters of this Code, or by the Charter of the Town of Bar Harbor, persons who are not ~~registered to vote~~ residents in the Town of Bar Harbor may be appointed to such boards, committees or commissions, but they shall not be permitted to vote on any business that comes before such boards, committees or commissions.

[End of Ordinance]

VIII D

Cornell Knight

From: Leary's Landing Irish Pub <info@learyslanding.com>
Sent: Wednesday, October 14, 2020 3:02 PM
To: manager@barharbormaine.gov
Cc: Christopher Wharff
Subject: Request to use parklet over the winter

Hello,

We were hoping to find out if there would be any way for us to continue using the outside dining area in front of Leary's over the winter months. The impact of COVID has extended longer than most predicted and the option to continue using this outside area would definitely help our business in the months to come. To comply with the most recently issued guidelines by the Governor, we must continue to operate at significantly reduced capacity. Although we may not be able to use the area all of the time, even a few warm and sunny days would be enough to make a difference. We understand that the parklet areas were approved for use only until the end of October, but taking into account the fact that ours is actually not on the street but on the sidewalk (so it would not interfere with snow removal), we were hoping that our request could be approved.

Best,
Cody and Pavlina Gordon
Owners - Leary's Landing Irish Pub