

Minutes
Bar Harbor Town Council
October 4, 2016

- I. **CALL TO ORDER** – 7:00 p.m. – In attendance were Councilors: Paul Paradis, Gary Friedmann, Anne Greenlee, Peter St. Germain, Burt Barker, Clark Stivers, Matthew Hochman; and Town Manager Cornell Knight.
- A. **Excused Absence(s)** – All were present.
- 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.* - Resident Roger Innes handed out and provided a brief summary of his collection of email communications from the Communication Technology Task Force regarding broadband/fiber optic study. The 64 to 65 pages of emails were condensed and summarized into 8 pages. Mr. Innes stated logic and well informed should prevail. He stated that he read the emails objectively and clearly wasn't what we were told in public. He provided his contact information if anyone wished to receive a copy.
- Martha Searchfield, Chamber of Commerce Executive Director, thanked Ivan Rasmussen and expressed her appreciation of his work on the Planning Board and for his service. She was sorry he was resigning.
- III. **APPROVAL OF MINUTES – September 20, 2016** – Mr. Friedmann, with second by Mr. St. Germain, moved to approve the minutes of September 20, 2016 as presented. Motion passed 7-0.
- IV. **ADOPTION OF AGENDA** – Mr. Friedmann, with second by Ms. Greenlee, moved to adopt the agenda as published. Motion passed 7-0.
- V. **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. **Planning Board Resignation** – Request of Councilor Friedmann to move item to Regular Business.
- VI. **PUBLIC HEARINGS:**
- A. **General Assistance Ordinance** – *Possible adoption of the annual revision of maximum benefit level in Town Code, Chapter 102, General Assistance, Appendixes A, B, C and D pursuant to 22 MRSA 4305(4).* – There being no comments, Ms. Greenlee, with second by Mr. Hochman, moved to adopt the amendments to the Town Code Chapter 102, General Assistance, for maximum levels of assistance as presented. Motion passed 7-0.

**General Assistance Ordinance Amendment
Amendment of Maximum Benefit Levels
for Appendixes A, B, C, and D
Town of Bar Harbor
#2016-04**

An Ordinance Amendment for the annual revision of the maximum benefit levels for Appendixes A, B, C, and D.

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

The Town of Bar Harbor hereby ordains that Chapter 102, General Assistance Ordinance of the Town of Bar Harbor code is hereby amended by replacing Appendixes A, B, C, and D for the period of October 1, 2016 to September 30, 2017, pursuant to 22MRSA4305 (4).

Appendix A

Effective: 10/01/16-09/30/17

Persons in Household	1	2	3	4	5
Hancock County	647 <u>653</u>	733 <u>737</u>	933 <u>936</u>	1228 <u>1,231</u>	1246 <u>1,277</u>

* Please Note: Add \$75 for each additional person.

Appendix B

Effective: 10/01/16-09/30/17

(effective date in Appendix B is the only change)

Food Maximums

Appendix C

Effective: 10/01/16-09/30/17

<u>Hancock County</u>	<u>Unheated</u>		<u>Heated</u>	
	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
Bedrooms				
0	<u>112114</u>	<u>480489</u>	<u>136137</u>	<u>584590</u>
1	<u>124126</u>	<u>534543</u>	<u>154155</u>	<u>663667</u>
2	<u>161163</u>	<u>691699</u>	<u>198198</u>	<u>851853</u>
3	<u>218220</u>	<u>937948</u>	<u>263264</u>	<u>1,133,136</u>
4	<u>218220</u>	<u>937948</u>	<u>264271</u>	<u>1,136,166</u>

Appendix D

Effective: 10/01/16-09/30/17

UTILITIES

ELECTRIC

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	<u>\$19.10</u> <u>20.08</u>	\$86.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

[end of ordinance]

VII. REGULAR BUSINESS:

A1. Planning Board Resignation – *Possible motion to accept, with regrets, Ivan Rasmussen's letter of resignation to the Planning Board effective October 4, 2016, and send a letter of appreciation for his service.* – Councilor Friedmann stated he is always troubled when resignations and statements are made of this nature. Mr. Friedmann reported that he dealt with the Planning Board and found the members to be hard working, a board that is time consuming, a board that requires knowledge of our Land Use Ordinance and how to apply it. Whatever we can do to build an atmosphere of trust, work together, and make constructive decisions we must.

Ms. Greenlee acknowledged and appreciated Ivan's quiet tone when speaking, and speaking respectfully.

Mr. Paradis state Ivan served this town honorably in many ways. A small group of people make it frustrating.

Mr. St. Germain also expressed his appreciation for Ivan's service, and acknowledged the frustration of a certain group.

Mr. Friedmann, with second by Mr. Barker, moved to accept Ivan Rasmussen's resignation with regrets. Motion passed 7-0.

A. Route 3 Reconstruction - MDOT Agreement – *Possible motion to authorize the Town Manager to sign the Municipal/State Agreement, including the special provision on traffic signals. This replaces the MDOT Cooperating Agreement previously in effect for the planning phase of the project.* – Following a brief explanation from the Town Manager; discussion ensued. Mr. Hochman and Mr. Friedmann expressed concerns and opposition to a traffic light at the intersection of Eden and Mount Desert Street. Mr. St. Germain, with second by Ms. Greenlee, moved to approve the conditions of Appendix B of project identification 19197 for the operations and maintenance for the traffic signal at Mt. Desert and Eden Streets and pedestrian beacons. Motion passed 5-2 (Nay: Mr. Friedmann, Mr. Hochman).

B. Municipal Review Committee – *Request to nominate an individual for consideration of placement on the slate of candidates for upcoming election.* – Following Public Works Director Chip Reeves update on the status of Fiberight and MRC actions; Mr. St. Germain, with second by Mr. Hochman, moved to nominate Chip Reeves as a candidate for the Municipal Review Committee Board of Trustees, with a term to end in 2019, and thanked Chip for his willingness to serve. Motion passed 7-0.

C. Treasurer's Warrant – *Request of Treasurer to authorize paid bills.* – Mr. St. Germain, with second by Mr. Barker, moved to sign the Treasurer's warrant for paid bills. Motion passed 7-0.

VIII. TOWN MANAGER'S COMMENTS – Town Manager Cornell Knight reminded Council of the annual League of Towns meeting on October 20th at the Somesville Fire Station at 5 pm and Council Goal Setting at 5:30 pm on October 27th at the Public Works Complex.

IX. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA

Mr. Barker gave a shout out to Matt Hochman, before he became a Councilor, and Roger Innes for their respectful approach to Council and staff. He felt that volunteers for boards are scarce because of the divisiveness of a small group.

- X. **EXECUTIVE SESSION: Sick Leave Transfer** – *(To be held in executive session as permitted by 1 MRSA §405.6.A. for discussion or consideration of a personnel matter.)* – Mr. St. Germain, with second by Ms. Greenlee, moved to enter executive session at 7:56 p.m. under Title 1 MRSA Sec. 405.6.A to discuss a Sick Leave Transfer request. Motion passed 7-0. Council moved to the Meeting Room. Council return to regular session at 8:15 p.m.

Motion by St. Germain, seconded by Hochman, to approve the sick leave transfer requested in a letter dated September 30, 2016 with the following conditions:

1. The Finance Director shall transfer up to 480 hours as needed.
 2. Transferred leave will be considered qualifying leave under the Family Medical Leave Act.
 3. Transferred leave may not be used by the employee until all available sick leave and accrued vacation leave have been used.
 4. No additional sick leave will accrue while the transferred leave is being used.
 5. Consistent with the Town policy on leaves of absence, vacation leave will not be earned for the period in which the transferred leave is used.
- Motion passed 7-0.

- XI. **ADJOURNMENT** – Mr. St. Germain, with second by Ms. Greenlee, moved to adjourn at 8:17 p.m. Motion passed 7-0.

Patricia A. Gray, Town Clerk