

Minutes
Bar Harbor Town Council
October 18, 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.* – Conservation Commission Chair Jesse Wheeler reported the Commission would like to see the town continue to take an active role in protecting our night sky. The Town passed the ordinance addressing dark sky. The Route 3 project is ready to commence and the Commission is not sure the lighting proposed is an improvement. The Commission requests future projects, such as Cottage Street re-do, take into consideration dark sky conformity and relay such desires to EMERA Maine and public utility commission.
- III. **APPROVAL OF MINUTES – October 4, 2016 – next meeting**
- IV. **ADOPTION OF AGENDA** – Mr. Friedmann, with second by Mr. St. Germain, moved to adopt the agenda as published. Motion passed 7-0.
- V. **FINANCIAL STATEMENTS** – *Review and possible adoption of a motion to accept the financial statements as presented.* Following a brief review of the highlights from Finance Director Stan Harmon, Mr. St. Germain, with second by Ms. Greenlee, moved to accept the financial statements dated 10/13/16 as presented. 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. **Special Amusement Permit: Little A's** – *Possible motion* to file update status memo from Police Chief
 - B. **Veterans' Day Bell Ringing** – *Possible action* to request local churches to sound their bells in observance of Veteran's Day, per state statute 30-A-MRSA §2901.4.
 - C. **November 8, 2016 Election** - *Possible motion* to confirm the Registrar of Voters office hours are during regular business hours.

Mr. St. Germain, with second by Ms. Greenlee, moved to approved the consent agenda as published. Motion passed 7-0.

VII. REGULAR BUSINESS:

- A. **Community Solar Farm** – *Possible approval of lease agreement and memorandum of lease.* – The Town Manager reported the town attorney reviewed the documents and suggested a few changes that were incorporated in the final leases. The lease is for twenty-five years with two 5 year options. The annual income is \$888 for the first year with 2% increase annually. This lease is for the community solar farm, the solar panels on the pole barn.

Ms. Greenlee, with second by Mr. St. Germain, moved to approve the Site Lease Agreement with the Bar Harbor Community Solar Association and approve the Memorandum of Lease for the Bar Harbor Community Solar Farm and authorize the town manager to sign both documents. Motion passed 7-0.

- B. **Cruise Ship Passenger Limits** – *Possible motion to exceed the passenger caps on seven dates in 2018.* – Much discussion ensued. Concerns for method of analyzing the impact on visitors and residents, and resources with increase passengers. There are complaints now on cruise ship days of overcrowding. The experimental increase in passengers for the proposed seven days would net the town \$40,000, and give the opportunity to develop a method of study and conditions.

Mr. Friedmann, with second by Mr. St. Germain, moved to approve the higher passenger caps on the 7 dates in 2018 listed in the Harbormaster's memo dated October 13, 2016, and to commission a cruise ship impact study in FY17, costing no more than \$40,000, determine baseline for quality of residents and visitors experience in downtown Bar Harbor, with and without cruise ships, and then to measure the impact on days of overages. Motion failed 3 to 4 (Nay: Mr. Stivers, Mr. Hochman, Ms. Greenlee, Mr. Barker).

- C. **Recycling Task Force Bylaws** – *Consideration and possible motion to amend the Recycling Task Force Bylaws to include alternative fee structure encouraging recycling and a fee for commercial waste.* – Mr. Friedmann observed and it's not clear to him; how we can do a good job, if no incentives to recycle, no option to change commercial haulers, and no discussion to composting. The task force is to look at CES design for renovating the solid waste facility for improving the site, not modifying the ways to change how we handle solid waste. Now is the time before spending \$2 million for the facility upgrade. Following much discussion; Mr. Hochman, with second by Ms. Greenlee, moved to amend the Task Force on Recycling By-Laws to add under Duties and Responsibilities, consider a Pay-as-You-Throw program that we design, and consider fees for commercial waste delivered to the transfer station. Motion passed 5-2(Nay: Mr. Paradis, Mr. St. Germain).

- D. **Route 3 Reconstruction Project: Pedestrian Path Lights** - *Request from Dick Cough to raise funds for light installation.* – On behalf of the Village

Improvement Association (VIA), Richard Cough offered to fundraise to place lights along the Route 3 pedestrian path from the ferry terminal to town, approximately one mile. The VIA pledges \$50,000 toward this project, if others contribute. He has had discussions with Ocean Properties, Witham properties, and College of the Atlantic who all favor this idea and indicated they would make a contribution. The estimated cost to provide lighting is \$300,00 to \$500,000. Mr. Cough outlined the process and commitment as stated in his letter of October 13, 2016. The Gateway Beautification Group will return to Council several times throughout the process for approval. For now, he is asking the Town Council for approval to fundraise.

Mr. Stivers, with second by Mr. Barker, moved to authorize the Bar Harbor Gateway Beautification Group through the Village Improvement Association to raise funds for the installation of lights along the Rte. 3 pedestrian path as discussed in the request from Dick Cough dated October 13-2016. Motion passed 7-0.

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

- VIII. **TOWN MANAGER'S COMMENTS** – Town Manager Cornell Knight inquired if there were any objections to holding one meeting in November. The next meeting is November 1st and there are no items pending. The Town Clerk is busy with the election and the manager is away that week. It was of general consensus one meeting was approved.

He reminded Council of the annual League of Town's meeting on October 20th and Thursday, October 27th the Council Goal Setting at the Public Works Complex.

- IX. **COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA**

Mr. Barker thanked Dick Cough for all the work he does for the town.

Mr. Paradis congratulated Ruth Eveland for winning the Cadillac award.

- X. **EXECUTIVE SESSION:** (None)

- XI. **ADJOURNMENT** – Mr. St. Germain, with second by Ms. Greenlee, moved to adjourn at 8:32 p.m. Motion passed 7-0.

Patricia A. Gray, Town Clerk