

**Minutes**  
**Bar Harbor Town Council**  
**March 19, 2019**

**I. CALL TO ORDER** – 7:00 P.M. - In attendance were Councilors: Gary Friedmann, Matthew Hochman, Stephen Coston, Paul Paradis, Joe Minutolo, Judie Noonan, Erin Cough; 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. Allie Bodge, term expiring 2020*

*b. Leon (Lee) Bonta, Alternate*

Appointments Committee recommends and Mr. Hochman nominated Allie Bodge to a term expiring 2020 and Lee Bonta as an Alternate to the Committee. There being no further nominations, by unanimous vote, 7-0, Allie Bodge and Leon Bonta were appointed.

**2. Conservation Commission:**

*a. William Matteson, term expiring 2020*

Appointments Committee recommends and Mr. Hochman nominated William Matteson to a term expiring 2020. There being no further nominations, by unanimous vote, 7-0, William Matteson was appointed.

**3. Planning Board:**

*a. Erica Brooks, term expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Erica Brooks to a term expiring 2021. There being no further nominations, by a vote of 6-1 (Nay: Ms. Noonan), Erica Brooks was appointed.

**III. 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.* – Bob Collier re-addressed the issue of people trying to enter the rest rooms at the pier and Agamont Park, suggesting putting a porta potty there or a sign saying closed and directing them to the Fire Station.

**IV. APPROVAL OF MINUTES** –

**A. February 26, 2019 – Joint Workshop w/Planning Board**

**B. March 5, 2019 Regular Meeting**

Mr. Hochman, with second by Ms. Noonan, moved to accept the minutes from the February 26, 2019 Joint Workshop with the Planning Board and the March 5, 2019 Regular Meeting as presented. Motion passed 7-0.

V. **ADOPTION OF AGENDA** – Mr. Paradis, with second by Mr. Hochman, moved to adopt the agenda as presented. Motion passed 7-0.

VI. **FINANCIAL REPORT** - *Review and possible adoption of a motion to accept the financial statements as presented.* – Following a summary by Finance Director Stan Harmon, Mr. Paradis, with second by Mr. Hochman, moved to accept and file the Financial Statements as presented in the Finance Director’s memo dated March 12, 2019. Motion passed 7-0.

VII. **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. *No items.*

## VIII. PUBLIC HEARINGS

### A. Special Amusement Permit Renewals

1. **Bluenose Inn, 90 Eden St, request for Class 3ad, three or more musicians with mechanical amplification and dancing as submitted by Kaitlyn Conway.** There being no public comment, Mr. Paradis, with second by Mr. Hochman, moved to approve the Special Amusement Permit Renewal for the Bluenose Inn as advertised. Motion passed 7-0.
2. **Harborside Hotel & Marina, 55 West St, request for Class 3ad, three or more musicians with mechanical amplification and dancing as submitted by Patrick Walsh.** There being no public comment, Mr. Paradis, with second by Mr. Hochman, moved to approve the Special Amusement Permit Renewal for the Harborside Hotel & Marina as advertised. Motion passed 7-0.
3. **Holiday Inn Bar Harbor Regency, 123 Eden St, request for Class 3ad, three or more musicians with mechanical amplification and dancing as submitted by Patrick Walsh.** There being no public comment, Mr. Paradis, with second by Mr. Hochman, moved to approve the Special Amusement Permit Renewal for the Holiday Inn Bar Harbor Regency as advertised. Motion passed 7-0.
4. **Little As, 131 Cottage St, request for Class 3a, three or more musicians with mechanical amplification as submitted by Gregory Duperey (new owner).** There being no public comment, Mr. Paradis, with second by Mr. Hochman, moved to approve the Special Amusement Permit Renewal for Little As as advertised. Motion passed 7-0.

## IX. REGULAR BUSINESS:

- A. **Criterion Theatre** – *recommendation from Parking & Traffic Committee regarding a request for a curb bump out.* - Councilor Hochman requested recusal as an outgoing tenant of the Criterion. Mr. Paradis, with second by Ms. Cough,

moved that Councilor Hochman has a conflict of interest in this matter as defined in the Town's Ethics Ordinance. Motion passed 6-0-1 (Recused: Councilor Hochman.)

In the absence of Public Works Director Chip Reeves, Town Manager Cornell Knight presented the Parking & Traffic Committee recommendation. Residents Bob Collier and Matt Hochman spoke to this issue. Amy Roeder, Executive Director of the Criterion also spoke. Mr. Paradis, with second by Ms. Cough, moved to have the Public Works Director prepare cost estimates for the crosswalk project on Cottage Street and report back to the Council. Motion passed 6-0-1 (Recused: Councilor Hochman).

## **B. Vacation and Short-term Rentals**

1. *Hear public comment* – The following Bar Harbor residents spoke: Martha Searchfield, Kristie Lima, Lauren Donnelly, Earl Brechlin, Norene Hunter, Nancy Sweeney, Jim O'Connell, Mary Ropp, Sarah Keeley, Enoch Albert, Eben Salvatore, Vicky Fernald, Rob Jordan, Chris (no last name given), Josh Hurst, Eric Olson, Anne Damm, Shawn Keeley, Amber Howard, Ed Damm, Sherri Dyer, and Tom St. Germain. Mount Desert resident Isaac Iverson also spoke.
2. *Council discussion on next steps* – Following a lengthy discussion, Mr. Paradis, with second by Mr. Hochman, moved that we have the information required to bring forward an actionable item for Council consideration at our next regular meeting and move on to the next item. Motion passed 7-0.

## **C. Parking Meter Update**

1. *Traffic Ordinance Amendment – Possible motion to schedule a public hearing* – Mr. Knight presented the proposed amendment changes. Councilor Minutolo requested adding a definition for electric bikes. Mr. Paradis, with second by Mr. Hochman, moved to schedule a public hearing on April 16, 2019 to hear comments on the amendments to Chapter 194 Vehicles and Traffic and direct the Town Manager to include the electric bike definitions outlined by Councilor Minutolo this evening. Motion passed 7-0.
2. *Permit Policy* – Mr. Knight presented the draft parking permit policy to meet the new parking management system. He provided a handout detailing the fee structure. There are 14 permit types, mostly tied to license plate numbers. Police Chief Jim Willis talked about the software and the plate readers for online registering and enforcement. Chief Willis recommended that anyone with questions contact the Police Department. There is a map in the lobby of the Municipal Building identifying every meter/kiosk and permit parking. The policy will be on the April 16 agenda for approval. No action taken.
3. *Meters & Kiosk Installation* - 337 meters and 28 kiosks have been ordered with tentative installation in early May. They will only take quarters and

credit cards. A contract has been signed with Park Mobile to allow paying parking fees by phone. No action taken.

- D. LED Streetlight Options** – *possible motion to select fixtures.* – Mr. Knight stated that following tonight’s action, we would get a report identifying the projected savings as well as the price of installation. Eben Salvatore stated that Ocean Properties, Witham and College of the Atlantic would team up to match the lighting the rest of the way up the Eden Path. Mr. Paradis, with second by Mr. Coston, moved that in order to receive the IGA from RealTerm Energy the town will use Graybar for the cobra heads, Eaton for the lanterns, Gilman for the acorns, Gilman for the top hats and GE cobra heads to replace the floodlights. Motion passed 7-0.
- E. Treasurer’s Warrant** - *Request of Treasurer to authorize paid bills.* – Mr. Paradis, with second by Mr. Coston, moved to sign the Treasurer’s Warrants for paid bills. Motion passed 7-0.
- X. TOWN MANAGER’S COMMENTS** – Mr. Knight reminded Council the April 16 meeting is at Town Hill VIS. We can’t broadcast from there but will videotape it and post it online afterwards. There is a public hearing on the traffic ordinance that night. Mr. Knight will not be at the April 2 meeting.
- XI. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS**
- Mr. Coston** said he read somewhere that one way to have less criminals is to have less rules. At intermission, he was told that he sounded as if he was accusing people of purposefully skirting the rules. The rules are so complicated that they effectively shoehorn people into getting creative in certain situations. If we simplify then everybody is on the same standard and level playing field regarding their property. I want to make it very clear I was not suggesting anyone is a bad person if they are having trouble interpreting these rules. Almost every comment I made tonight is like a question. He just wanted to clarify.
- Ms. Noonan** was glad she made it back in time for the meeting, her plane actually landed 25 minutes early. She had a good time.
- Mr. Minutolo** expressed that it is good working with you guys, we have a good Council here, everyone is listening to people. We have a lot of work ahead of us, we’ll see where it goes and something good will come out of it.
- Mr. Paradis** congratulated Jocelyn McLean, Deputy Clerk, on her certification as a Maine Town Clerk – well done!
- Mr. Hochman** congratulated MDI Drama on being runners up at the regional drama competition last weekend. He also said it has been a tough week for his family but the outpouring of support from the community is exactly why I am proud to sit up here. The people of Bar Harbor are the best and my heartfelt thanks to everybody in this community.
- Mr. Friedmann** added his congratulations to Jocelyn, there are a lot of hours that go into getting certified, it is great to have you on board.
- XII. EXECUTIVE SESSION:** None

**XIII. ADJOURNMENT** – Mr. Paradis, with second by Mr. Hochman, moved to adjourn at 10:00 p.m. Motion passed 7-0.

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Sharon M Linscott, Town Clerk