

**Minutes**  
**Bar Harbor Town Council**  
**May 15, 2018**

- I. CALL TO ORDER** – 7:00 P.M.-In attendance were Councilors: Paul Paradis, Gary Friedmann, Stephen Coston, Peter St. Germain, Erin Cough, Judie Noonan, Matthew Hochman; and Town Manager Cornell Knight.
- Chair Paradis made opening remarks, invited attendees to introduce themselves to someone they don't know and gave notice to the posted Meeting Ground Rules.
- A. Excused Absence(s)** – *All were present.*
- II. COMMITTEE APPOINTMENTS** – *Application of Robert Webber for appointment to the Appeals Board for a term expiring July 2020.* – The Appointments Committee recommended and Mr. Hochman nominated, Robert Webber for appointment to the Appeals Board for a term expiring July 2020. There being no further nominations, Robert Webber was appointed to the Appeals Board by unanimous vote, 7-0.
- 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.* – None.
- IV. APPROVAL OF MINUTES** – *May 1, 2018 Regular Meeting* Mr. Friedmann, with second by Mr. Hochman, moved to approve the minutes of May 1, 2018 as presented. Motion passed 7-0.
- V. ADOPTION OF AGENDA** –  
Mr. St. Germain, with second by Ms. Noonan, moved to adopt the agenda as presented. Mr. St. Germain then offered an amendment to add item D2 under VII Consent Agenda, At Your Service Taxi request for nine taxicab license renewals as submitted by Clare Bingham. Ms. Noonan seconded.  
After discussion, the motion to amend the agenda passed 6-1 (Nay: Mr. Hochman). The vote to adopt the agenda as amended was unanimous, 7-0.
- VI. FINANCIAL REPORT** - *Review and possible adoption of a motion to accept the financial statements as presented.* – Finance Director Stan Harmon presented the financial report and answered councilors' questions. Mr. St. Germain, with second by Mr. Hochman, moved to accept and file the financial statements as presented in the Finance Director's memo dated May 9, 2018. 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. State Election** – *Possible motion to approve appointment of Sharon M Linscott to serve as Warden for the State Primary on June 12, 2018.*
- B. Curb Cut** – *Possible motion to approve the curb cut application for Andrew Shea at 41 Hancock Street, Map 105 Lot 83, as presented.*

- C. FY18 & FY19 Auditor** – Possible appointment of James W. Wadman, CPA as auditor for the current and next fiscal years.
- D. Vehicle for Hire Renewals** – Approved by Police Department and proof of insurance provided. Possible motion to approve
1. **Wild Iris Farm** request for two carriage license renewals as submitted by Sandra Read.
- Mr. St. Germain, with second by Mr. Hochman, moved to approve the consent agenda as amended earlier. Motion passed 7-0.

### VIII. PUBLIC HEARINGS:

- A. Annual Town Meeting, June 2018** – Public comment on the following ballot articles for June:
- **Article 2 - LAND USE ORDINANCE AMENDMENT** – Adoption of the Statewide timber harvesting standards and repeal of Forest Management and Timber Harvesting Provisions in the Land Use Ordinance – Angela Chamberlain, Code Enforcement Officer, presented the amendment. Jake Jagel and Dessa Dancy spoke against this amendment. Michael Handwerk commented that the Conservation Commission is looking at this item and it needs to be investigated.
  - **Article 3 - LAND USE ORDINANCE AMENDMENT** – Shoreland Zoning Corrections Required by DEP - Ms. Chamberlain presented the amendment. Patricia Samuel identified a grammatical issue within the amendment. Jake Jagel identified contradictions with Article 4.
  - **Article 4 - LAND USE ORDINANCE AMENDMENT** – Integration of Appendix C (Table of Permitted Uses) and individual Official Neighborhood District Maps into Article III (Land Use Activities and Standards) - Ms. Chamberlain presented the amendment. Stewart Brecher requested reassurance that changes to the Appendix be completed without error given the issues last time.
  - **Article 5 - LAND USE ORDINANCE AMENDMENT** – Official District Boundary Map Amendment Downtown Residential-Downtown Village II - Veterinary Clinic Use in Downtown Village II - Ms. Chamberlain presented the amendment, which is property owner initiated. Joe Bonaventura expressed concerns and requested a temporary exemption for the Vet Clinic instead. Patricia Samuel talked about it being a hybrid district. Marion Fine from the Veterinary Clinic gave a history and explained in detail the reason for the amendment request.
  - **Article 6 - FERRY TERMINAL LAND PURCHASE** – Town Manager Cornell Knight presented the \$3.5 million bond issue to purchase the ferry terminal from MDOT. If voter approved the closing must be by November 30, 2018. Carol Chappell, Joe Minutolo, Dennis Bracale, Gary Conrad, Stewart Brecher, Eben Salvatore, Dessa Dancy, Ellen Grover, Jake Jagel and Anna Durand spoke to this item.

- **Article 7 - PARKING METER SYSTEM** – Mr. Knight presented the \$600,000 bond issue that would be paid back over two years from revenues generated by the parking meter system so as not to increase the tax burden. Lilea Simis, Stewart Brecher and Dessa Dancy spoke to this item.

**B. Vehicle & Traffic Ordinance Amendment #2018-02** – *Public comment and possible adoption of an amendment to clarify the designated area of prohibit parking on Federal and Kennebec Street and create Kennebec Street one-way the entire length of the street.* Mr. Coston requested continued recusal for conflict of interest as previously voted on. Mr. Knight presented the changes to the ordinance as recommended by the Parking & Traffic Committee. There being no comments, Mr. Friedmann, with second by Mr. Hochman, moved to approve amendments to the Vehicles & Traffic Ordinance #2018-02 as presented. Motion passed 6-0-1 (Recused: Mr. Coston).

**Vehicles and Traffic Ordinance Amendment**

Town of Bar Harbor  
#2018 - 02

**An amendment to clarify the designated area of prohibit parking on Federal and Streets and create Kennebec Street one-way the entire length of the street.**

*The Town of Bar Harbor hereby ordains that Chapter 194, Vehicles and Traffic, of the Town Code is amended as follows:*

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

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**CHAPTER 194 – VEHICLES AND TRAFFIC**

**[HISTORY: Adopted by the Town Council of the Town of Bar Harbor 10-2-1990 as §§ 14.01 through 14.07 of the 1990 Code. Amendments noted where applicable.]**

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**Article IV - Stopping, Standing and Parking**

§ 194-14 **Parking prohibited at all times on certain streets.**  
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B. Designated areas. Parking shall be prohibited at all times upon the following streets or parts thereof:

<b>Name of Street</b>	<b>Location</b>
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Federal Street	Left side from eastern intersection with Cottage Street to the westerly leg of said street <del>to the intersection with Cottage Street</del>
****	
Kennebec Street	East side <u>and no parking for 33 feet beginning 81 feet from the intersection with Cottage Street.</u>
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**Article V - Operation of Vehicles**

**§ 194-34 One-way streets.**

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- B. Designation of one-way streets. Upon the following streets or parts thereof, traffic shall move only in the following specified direction: [**Amended 11-6-1990; 2-5-1991; 9-7-1993**]

Name of Street	Direction
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Kennebec Street	South, <del>provided that traffic may move in both directions, both south and north, in the first 100 feet of Kennebec Street south of Cottage Street</del>
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[end of ordinance]

**IX. REGULAR BUSINESS:**

- A. Land Use Ordinance Amendments for November 2018** - *Possible motion to sign the Certifications for re-scheduling the public hearing for June 19, 2018 on proposed LUO: Official Neighborhood Districts Map Amendment Town Hill residential to Town Hill Rural, Map 213, Lot 008-001 (Downeast Horizon).* The re-scheduling of the public hearing was at the request of Stewart Brecher. Mr. Hochman, with second by Mr. St. Germain, moved to approve the Certificate of Ordinance dated May 15, 2018 as presented. Motion passed 7-0.
- B. Acadia National Park Transportation Plan** – *Review of the draft plan with Superintendent Kevin Schneider.* – Supt. Schneider provided brochures outlining the draft plan and one copy of the Environmental Impact Statement, which are also available on their website. He concentrated on the details of Alternative C, which includes a reservations system, expanding Island Explorer bus service, building out the Hulls Cove Visitor Center as well as the Gateway Center in Trenton, phasing out right lane parking, exploring Liscomb Pit for a parking lot, and concessions contracts. Any final plan would not be implemented until 2020. The public comment period on the draft plan is through June 26, with upcoming sessions May 16 at Jesup Library, May 22 at the high school and one at Schoodic. Supt Schneider responded to Councilors’ questions.
- C. Ferry Terminal Business Plan** – *Review of B&A business plan presented at Special Town Council May 14, 2018.* – B&A will be providing a written report that is more comprehensive than what was presented in the PowerPoint. Mr. Knight and Council gave feedback on things they would like to see expanded on in that written report including: underlying considerations, sources of information, how revenue and expense numbers were derived, enumerating the salvage value, and expanding on how the 20%, 34% and 40% of cruise passengers were derived. The written report will take a couple of weeks.
- D. Council Goals** – *Discussion of Strategy F5 regarding boards and committees.* – Ms. Cough requested this item. After some discussion, Ms Cough, with second by Mr. St. Germain, moved to appoint Ms. Cough, Mr. Hochman and Town Manager Cornell Knight to an ad hoc committee to review and clarify where necessary, the purpose and roles of all standing boards, committees and task forces, to

streamline, consolidate and improve their effectiveness, as well as update the draft handbook for boards and committees. Motion passed 7-0.

**E. Resolution – recognizing Scott Wood, Highway Supt., Retirement** The following resolution was read by Councilor Friedmann:

Resolution of the  
Bar Harbor Town Council

WHEREAS, Highway Division Superintendent Scott Wood is congratulated on his retirement of May 18, 2018, after notably serving fifteen years with the Town of Bar Harbor, its residents and many visitors; and

WHEREAS, Scott is known for his strong leadership, confident manner, positive and fair approach; and

WHEREAS, Scott lived up to his nickname “Wood Dog” in many respects, but mostly with his “dogged” attitude in providing excellent service for the Town; and

WHEREAS, Scott has demonstrated initiative, diligence and enthusiasm while orchestrating his crew to create a healthy environment for all in every part of our community; and

WHEREAS, Scott has been the first to offer assistance to other departments, residents and businesses, and relied upon his vast common sense to capably respond with a spirit of cooperation and congeniality; and

WHEREAS, Scott continually maintained the highest standards of excellence, both personally and professionally, that have earned him tremendous respect from family members, co-workers, and the community in which he served; and

WHEREAS, Scott will truly be missed by all; and now therefore,

BE IT RESOLVED, that the Honorable members of the Bar Harbor Town Council do hereby recognize and express their appreciation to Scott Wood for his fifteen years of service to his community, friends, neighbors and the Town of Bar Harbor; and it be further

RESOLVED, that the members of the Bar Harbor Town Council wish to extend their best wishes to Scott Wood for much success and enjoyment in his retirement

Following the reading of the resolution, Mr. Friedmann, with second by Mr. St. Germain, moved to approve the Resolution as presented. Motion passed 7-0

**F. Parking Meters – Op-Ed Discussion, Councilor Friedmann – Mr. Friedmann** proposed that Council make a statement in support of the Parking Meter System bond including the reasons why we support it. It is an opportunity to present the facts. Mr. Friedmann, with second by Mr. Hochman, moved that Mr. Friedmann work with Town Manager Knight to develop an op-ed, using documents prepared by the Parking Solutions Task Force, in support of the Parking Meter System bond issue. Motion passed 7-0.

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

**X. TOWN MANAGER’S COMMENTS – None.**

**XI. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS**

**Mr. St. Germain** is looking forward to seeing everyone back here on June 13.

**Ms. Cough** hopes everyone comes to town meeting.

**Ms. Noonan** reported that Emera called her Friday afternoon and they are looking into matters regarding the recent outage and will get us more info.

**Mr. Hochman** echoed Ms. Cough, open town meeting is where you have direct impact on the future of Bar Harbor. He also hopes to see everyone back mid-June, it has been a pleasure serving with the current council.

**Mr. Friedmann** asked about the memo from the Planning Director regarding marijuana. That will be on the June 19 agenda. He also asked about the memo from the School Committee on gun safety being on a future agenda and ask Chief Willis to share his views with Council.

**Mr. Paradis** hopes to see everyone on the 5<sup>th</sup> at Town Meeting, the vote the following Tuesday, and at the meeting on the 19<sup>th</sup>.

**XII. EXECUTIVE SESSION: (None)**

**XIII. ADJOURNMENT – Mr. Friedmann, with second by Mr. St. Germain, moved to adjourn at 9:55 p.m. Motion passed 7-0.**

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Sharon M Linscott, Town Clerk