

Minutes
Bar Harbor Town Council
July 17, 2018

- I. CALL TO ORDER** – 7:00 P.M.-In attendance were Councilors: Gary Friedmann, Matthew Hochman, Stephen Coston, Paul Paradis, Joe Minutolo, Erin Cough, Judie Noonan; and Town Manager Cornell Knight.

Chair Friedmann welcomed everyone and made opening remarks.

A. Excused Absence(s) – *All were 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. Appeals Board: Three year term

a. *Roger Samuel, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Roger Samuel to the Appeals Board for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Roger Samuel was appointed.

2. Conservation Commission: Three year term

a. *Michael Handwerk, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Michael Handwerk to the Conservation Commission for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Michael Handwerk was appointed.

3. Cruise Ship Committee: Three year terms

a. *Katy DeGrass, Downtown Representative, expiring term 2021*

b. *Eben Salvatore, Tender Ops Representative, expiring term 2021*

c. *Martha Searchfield, Chamber Representative, expiring term 2021*

d. *Kenneth Smith, Resident at Large, expiring term 2021*

Appointments Committee recommends and Mr. Hochman nominated Katy DeGrass, Downtown Representative, to the Cruise Ship Committee for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Katy DeGrass was appointed.

Appointments Committee recommends and Mr. Hochman nominated Eben Salvatore, Tender Ops Representative, to the Cruise Ship Committee for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Eben Salvatore was

appointed.

Appointments Committee recommends and Mr. Hochman nominated Martha Searchfield, Chamber Representative, to the Cruise Ship Committee for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Martha Searchfield was appointed.

Appointments Committee recommends and Mr. Hochman nominated Kenneth Smith, Resident at Large, to the Cruise Ship Committee for a three year term, expiring 2021. Mr. Friedmann nominated Darron Collins. There being no further nominations, by a vote of 5-2, Kenneth Smith was appointed.

4. Harbor Committee: Three year terms

a. *Jaime Weir, expiring 2021*

b. *Juanita Young, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Jaime Weir to the Harbor Committee for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Jaime Weir was appointed.

Appointments Committee recommends and Mr. Hochman nominated Juanita Young to the Harbor Committee for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Juanita Young was appointed.

5. Housing Authority: Five year term

a. *Kenneth Smith, Executive Board, expiring 2023*

Appointments Committee recommends and Mr. Hochman nominated Kenneth Smith, Executive Board, to the Housing Authority, with an expiring term of 2023. There being no further nominations, by unanimous vote, 7-0, Kenneth Smith was appointed.

6. Marine Resources: Three year term

a. *Matt Gerald, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Matt Gerald to the Marine Resources Committee, with an expiring term of 2021. There being no further nominations, by unanimous vote, 7-0, Matt Gerald was appointed.

7. Parking Solutions Task Force: Three year terms

a. *Mary Booher, expiring 2021*

b. *Erin Cough, expiring 2021*

c. *Ron Greenberg, expiring 2021*

d. *Martha Searchfield, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated

Mary Booher to the Parking Solutions Task Force for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Mary Booher was appointed.

Appointments Committee recommends and Mr. Hochman nominated Erin Cough to the Parking Solutions Task Force for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Erin Cough was appointed.

Appointments Committee recommends and Mr. Hochman nominated Ron Greenberg to the Parking Solutions Task Force for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Ron Greenberg was appointed.

Appointments Committee recommends and Mr. Hochman nominated Martha Searchfield to the Parking Solutions Task Force for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Martha Searchfield was appointed.

8. Parks & Recreation: Three year term

a. *Greg Veilleux, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Greg Veilleux to the Parks & Recreation Committee, with an expiring term of 2021. There being no further nominations, by unanimous vote, 7-0, Greg Veilleux was appointed.

9. Planning Board: Three year terms

a. *Alf Anderson, expiring 2021*

b. *Basil Eleftheriou, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Alf Anderson to the Planning Board for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Alf Anderson was appointed.

Appointments Committee recommends and Mr. Hochman nominated Basil Eleftheriou to the Planning Board for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Basil Eleftheriou were appointed.

10. Recycling Task Force – Three year terms

a. *Michael Handwerk, expiring 2021*

b. *Martha Searchfield, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Michael Handwerk to the Recycling Task Force for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Michael Handwerk was appointed.

Appointments Committee recommends and Mr. Hochman nominated Martha Searchfield to the Recycling Task Force for a three year term, expiring 2021. There being no further nominations, by unanimous vote, 7-0, Martha Searchfield was appointed.

11. Task Force on Aging – Three year term

a. *Ron Greenberg, expiring 2021*

Appointments Committee recommends and Mr. Hochman nominated Ron Greenberg to the Task Force on Aging, with an expiring term of 2021. There being no further nominations, by unanimous vote, 7-0, Ron Greenberg 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.* – Martha Searchfield, on behalf of the Chamber of Commerce, expressed thanks and commendation to many entities regarding two recent events, Fourth of July and the Great Race. Art Greif spoke about the Ferry Terminal Advisory Committee and how Council should refer back to that group. Dessa Dancy recommended implementing the increase in per passenger fees recommended by B&A as soon as possible.

IV. APPROVAL OF MINUTES –

1. *June 13, 2018 Organizational Meeting*
2. *June 19, 2018 Regular Meeting*

Mr. Paradis, with second by Mr. Hochman, moved to approve the minutes of June 13, 2018 Organizational Meeting and June 19, 2018 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 published. Motion passed 7-0.

VI. FINANCIAL REPORT - *Review and possible adoption of a motion to accept the financial statements as presented.* – Finance Director Stan Harmon highlighted the pre-audit numbers in the Fiscal Year 2018 financial report. Due to the audit, there will be no financial report to Council in August. There being no questions, Mr. Paradis, with second by Mr. Hochman, moved to accept the financial statements as presented in the Finance Director's memo dated July 11, 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. Town Manager's Evaluation** – *Possible motion to approve the format and form to use for the Town Manager's Evaluation.*
- B. Quit Claim Deed** – *Possible motion to authorize the Town Manager to sign the Quit Claim Deed on behalf of the Inhabitants of the Municipality of Bar Harbor to*

Beautuck, LLC, on the property located at 32 Holland Ave., Tax Map #104, Lot #233.

- C. Vehicle for Hire Bar Harbor Coastal Cab - Police Department approved and proof of insurance provided.** *Possible motion to approve the request for one additional taxi license as submitted by Craig Wood.*

Mr. Paradis requested removing item B. Quit Claim Deed from the Consent Agenda; it will be the first item under Regular Business.

Mr. Paradis, with second by Mr. Hochman, moved to approve all remaining items on the consent agenda as published. Motion passed 7-0.

VIII. REGULAR BUSINESS:

A1. Quit Claim Deed – *Possible motion to authorize the Town Manager to sign the Quit Claim Deed on behalf of the Inhabitants of the Municipality of Bar Harbor to Beautuck, LLC, on the property located at 32 Holland Ave., Tax Map #104, Lot #233.*

Mr. Paradis disclosed that he is the manager of the LLC that recently purchased this property and numerous municipal liens were settled as part of the closing, Mr. Paradis asked to be recused from this item because of the appearance of a conflict of interest. Ms. Noonan, with second by Mr. Coston, moved to recuse Councilor Paradis because of conflict of interest. Motion passed 6-0-1 (Recused: Mr. Paradis)

Mr. Hochman, with second by Ms. Noonan moved to authorize the Town Manager to sign the Quit Claim Deed on behalf of the Inhabitants of the Municipality of Bar Harbor to Beautuck, LLC, on the property located at 32 Holland Ave., Tax Map #104, Lot #233. Motion passed 6-0-1 (Recused: Mr. Paradis).

- A. Vehicle for Hire Acadia Transportation Services** – *Possible motion to approve the request for six taxi/limo licenses as submitted by John Partridge.* Mr. Knight stated that Mr. Partridge has not licensed any vehicles since 2015 and questioned if they were in business in 2016 and 2017. Steve Roberson, Operations Manager for the company, spoke to the lapse in coverage. Mr. Paradis, with second by Mr. Hochman, moved to approve the request for six taxi/limo licenses as submitted by John Partridge. Motion passed 7-0.

- B. Police Mutual Aid Agreement with Town of Southwest Harbor** – *possible motion to approve agreement.* Police Chief Jim Willis presented the agreement, which is for emergency services only. Mr. Paradis, with second by Mr. Hochman, moved to approve the Mutual Aid Agreement with the Town of Southwest Harbor as presented. Motion passed 7-0.

- C. Law Enforcement Agreement with Acadia National Park** – *possible motion to approve agreement.* – Chief Willis presented the agreement, which ANP sought out and allows them to assist with emergencies outside the park if requested. Mr. Paradis, with second by Mr. Hochman, moved to approve the general agreement with the US Department of the Interior, National Park Service, Acadia National Park and the Bar Harbor Police Department as presented. Motion passed 7-0.

- D. National Institute for Civil Discourse** – *possible motion to accept offer from NICD to assist with 2 public discussion meetings.* Nina St. Germain said that NICD contacted her with a grant opportunity to help facilitate meetings on a topic of our choosing. There would be some additional cost for Ms. St. Germain's time, the meeting space and refreshments, as recommended by NICD. The meetings would happen in the fall and NICD will provide a summary afterwards. Mr. Paradis, with second by Mr. Hochman, moved to accept the offer from NICD to facilitate two meetings on Balancing Quality of Life and Tourism. Motion passed 7-0.
- E. FY19 Sewer Budget** – *Introduction of proposed FY19 Sewer Budget and possible scheduling of a public hearing on August 7, 2018.* – Finance Director Stan Harmon and Public Works Director Chip Reeves, with Utilities Superintendent Jeff Van Trump, presented the budget and addressed Council questions. Mr. Paradis, with second by Mr. Hochman, moved to tentatively adopt the FY19 Sewer Budget as presented and schedule a public hearing for August 7, 2018. Motion passed 7-0.
- F. FY19 Water Budget** – *Introduction of proposed FY19 Water Budget and possible scheduling of a public hearing on August 7, 2018.* – Mr. Harmon and Mr. Reeves presented the budget and addressed Council questions. Mr. Paradis, with second by Mr. Hochman, moved to tentatively adopt the FY19 Water Budget as presented and schedule a public hearing for August 7, 2018. Motion passed 7-0.
- G. Ferry Terminal Next Steps** – *Bermello Ajamil & Partners and Steering Committee Recommendations.* Mr. Knight presented the recommendations from B&A and Tom Crikelair presented the recommendations of the Steering Committee. After some discussion, Mr. Paradis, with second by Mr. Hochman, moved to direct the Town Manager, with the assistance of the Steering Committee, to prepare a timeline and cost estimates for their recommendations and report back to the Town Council by September 18th and further, direct the Town Manager to draft amendments to the Harbor Committee Ordinance to increase their membership by 4 persons and expand their duties to include recommendations for the waterfront development at 121 Eden Street through a facilitated process. Motion passed 7-0.
- H. Bay Ferries Proposal** – Mark MacDonald, CEO of Bay Ferries along with Annette Higgins, President of Atlantic Fleet Services that handles operations, presented the proposal and addressed Councilors' questions. Council allowed comments and questions from the public. Steve Pagels, Dennis Bracale, Lilea Simis, Anna Durand, Michael Good, Gail Conrad, Jim O'Connell, Donna Karlson, Art Greif, Dessa Dancy, Charles Sidman and Tom Crikelair spoke to this item. Mr. Paradis, with second by Mr. Hochman, moved to appoint a negotiating team comprised of the Town Manager, the Council Chair, and the Town Attorney, as needed, to facilitate Council consideration of the Bay Ferries Proposal. And further, task the Steering Committee with developing a timeline, for consideration at the next regular Council meeting, for a Bay Ferries proposal decision to include a Council decision date on the proposal no later than October 2, 2018 and that the timeline include a public forum. Motion passed 7-0.

- I. AOS 91 Resolution on gun violence** – *consideration of the Resolution to Protect the Health, Safety and Security of Students, Teachers, Staff and Community Members.* Mr. Friedmann presented this item. State Representative Brian Hubbell addressed how legislation related to this issue has stalled at the state level. After some discussion about whether this falls under the role of the Council, Mr. Hochman, with second by Ms. Noonan, moved to support the AOS 91 Resolution to Protect the Health, Safety and Security of Students, Teachers, Staff and Community members. Motion passed 5-2 (Nay: Mr. Paradis, Mr. Coston).
- J. 2018 Council Meeting Schedule** – *possible motion to cancel meeting 8/21/18.* Mr. Friedmann presented this item. Mr. Paradis, with second by Ms. Noonan, moved to cancel the August 21, 2018 meeting. Motion passed 5-2 (Nay: Mr. Hochman, Ms. Cough).
- K. Treasurer’s Warrant** - *Request of Treasurer to authorize paid bills.* – Mr. Paradis, with second by Mr. Hochman, moved to sign the Treasurer’s Warrants for paid bills. Motion passed 7-0.
- IX. TOWN MANAGER’S COMMENTS** – Mr. Knight announced the Transfer Station will be closed on Thursday for paving.
- X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS**
- Ms. Noonan** said she was glad Nina was moving forward with the workshops. She stated she was appalled with the behavior in the room tonight, folks don’t have to be mean and they don’t have to be rude. She apologized on their behalf.
- Mr. Minutolo** thanked everyone and asked Mr. Knight about Hamilton’s Pond. Mr. Knight stated it would be on the August 7 agenda.
- Mr. Coston** said the ladder truck looks really nice.
- Mr. Hochman** requested that on a future agenda Council address the tick problem (not the deer problem) and take steps to mitigate it. Mr. Knight added that this topic is on the agenda for Tuesday’s League of Towns with possible recommendations for what towns can do.
- Mr. Friedmann** acknowledged first responders, specifically Matt Bartlett, EMTs and the Police Department, for their compassion and thoughtfulness with some recent events. He expressed that what happened tonight is an important part of the process and we are heading in the right direction. He stated having Mark and Annette here was an unusual opportunity to have questions answered. He thanked everyone who was still in the room for staying and Council for their patience.
- XI. EXECUTIVE SESSION:** (None)
- XII. ADJOURNMENT** – Mr. Paradis, with second by Mr. Hochman, moved to adjourn at 11:00 p.m. Motion passed 7-0.

Sharon M Linscott, Town Clerk