

AGENDA
Bar Harbor Town Council
By Video Conference
April 21, 2020

The public can monitor by watching Spectrum channel 1303 or by live streaming on the town's website, www.barharbormaine.gov

I. CALL TO ORDER – 4:00 P.M.

A. Excused Absence(s)

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. Comments should be submitted to the Council Chair by email at jdobbs@barharbormaine.gov and will be read during the meeting.

III. APPROVAL OF MINUTES – April 7, 2020 Regular Meeting

IV. ADOPTION OF AGENDA

V. FINANCIAL REPORT - Review and possible adoption of a motion to accept the financial statements as presented.

VI. PUBLIC HEARINGS- The public can call in at 288-1710 and enter code 0161561 to speak during the following 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.
2. **Thirsty Whale**, 40 Cottage St, request for Class 3a, three or more musicians with mechanical amplification as submitted by Basil Eleftheriou, Jr.
3. **Kebo Valley Golf Club**, 136 Eagle Lake Rd, request for Class 3ad, three or more musicians with mechanical amplification and dancing as submitted by David Closson.
4. **ImprovAcadia**, 15 Cottage St 2nd Fl, request for Class 4 Other Entertainment as submitted by Larrance Fingerhut.

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. Property Tax Write Offs - Possible motion to grant the Tax Collector and Treasurer the discretionary authority to write off any residual tax balances up to \$10.00.

B. Cable TV Public Access Channel – Possible motion to approve the request from Jeff Dobbs to use Channel 1301 as outlined in the letter dated March 27, 2020.

VIII. REGULAR BUSINESS:

- A. Tabled from 4/7/20 Age Friendly Committee Ordinance Amendment –**
Review proposed changes and possible motion to schedule a Public Hearing for May 19, 2020.
- B. Cruise Ship Standard Operating Procedures –** Review changes recommended by Cruise Ship Committee and possible motion to approve.
- C. Cruise Ship Tour Bus Policy –** Review changes recommended by Cruise Ship Committee and possible motion to amend.
- D. Code Enforcement –** Possible motion to approve a consent agreement.
- E. Parking Program –** Request by Councilor Hochman to discuss the 2020 start date.
- F. Vacation Rental Fees –** Request by Councilor Hochman to discuss due date for weekly rental licenses and fees for 2020.
- G. Vacation Rental Ordinance –** Possible motion to schedule a workshop with the Planning Board.
- H. COVID-19 Pandemic –** Possible motions to:
 - 1. Send letter to the Governor.
 - 2. Schedule a facilitated virtual community forum.
 - 3. Form a Task Force.
 - 4. Enact Emergency Ordinance.
- I. Treasurer’s Warrants –** Request of Treasurer to authorize paid bills.

IX. TOWN MANAGER’S COMMENTS

X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

XI. EXECUTIVE SESSION: (None Scheduled)

XII. ADJOURNMENT

To ensure your full participation in this meeting, please inform us of any special requirements you might have due to a disability. Please call 288-4098

Manager's Memo

To: Bar Harbor Town Council
cc: Department Heads
From: Cornell Knight, Town Manager
Date: Friday, April 17, 2020
Re: **Town Council Meeting of April 21st**

I. **A. Excused Absence(s)** – none that I am aware of but if there is, a possible motion: to excuse Councilor _____ as provided by Town Charter section C-12.B(1)(d).

V. **FINANCIAL REPORT** - Finance Director Stan Harmon has enclosed his report covering the first 9 months of the 2020 fiscal year. He will attend to review the highlights. If acceptable, a possible motion: to accept the Financial Report as presented.

VI. PUBLIC HEARINGS

A. Special Amusement Permit Renewals:

1. **Bluenose Inn**, 90 Eden Street, following public comments, a possible motion: to approve the special amusement permit to the Bluenose Inn for a Class 3ad permit.

2. **Thirsty Whale** – 40 Cottage Street- following public comments, a possible motion: to approve the special amusement permit to the Thirsty Whale for a Class 3a permit.

3. **Kebo Valley Golf Club**- 136 Eagle Lake Road- Following public comments, a possible motion: to approve the special amusement permit to the Kebo Valley Golf Club for a Class 3ad permit.

4. **ImprovAcadia**- 15 Cottage Street- Following public comments, a possible motion: to approve the special amusement permit to ImprovAcadia for a Class 4 permit.

VII. CONSENT AGENDA –

A. **Property Tax Write Offs**- see the enclosed memo from Sarah Gilbert, Tax Collector regarding the annual task of writing off small balance due amounts. A possible motion: to grant the Tax Collector and Treasurer the discretionary authority to write off any residual tax balances up to \$10.

B. **Cable TV Public Access Channel**- This is an annual request (see enclosed letter) from Jeff Dobbs to use Channel 1301. The CTTF has not met because of the pandemic, although they have recommended approval in the past. A possible motion: to approve the request from Jeff Dobbs to use Channel 1301 as outlined in the letter dated March 27, 2020.

A possible motion: to approve the Consent Agenda as published.

VIII. REGULAR BUSINESS:

- A. **Tabled- Age Friendly Ordinance Amendment- a motion is needed to remove it from the table.** see the enclosed changes requested by the Age Friendly Committee to Chapter 31 Boards, Committees and Commissions of the Municipal Code. Doreen Willett, Chair of the Committee will answer questions by video. A possible motion: to approve the proposed changes to Chapter 31 of the Municipal Code as presented and schedule a public hearing for May 19, 2020.
- B. **Cruise Ship Standard Operating Procedures** see the enclosed memo from Charlie Phippen, Harbormaster regarding changes to the Cruise Ship SOP, in particular the use of exterior speakers. A possible motion: to approve the amendments to the 2020 Cruise Ship Standard Operating Procedures as presented.
- C. **Cruise Ship Tour Bus Policy-** see the enclosed memo from Chief Willis to manage ground transportation. The Cruise Ship committee approved the changes to the enclosed policy. A possible motion: to approve the amendments to the Cruise Ship Tour Bus Policy as presented.
- D. **Code Enforcement-** see the enclosed memo from Angela Chamberlain, Code Enforcement Officer regarding a consent agreement with Tom Richardson who inadvertently built a garage within the 75' setback. Enclosed is a draft consent agreement and the Council's policy on agreements. A possible motion: to approve the Consent Agreement with Tom Richardson as presented.
- E. **Parking Program-**Councilor Hochman asked for this agenda item to discuss suspending the parking program. I would recommend June 1st. I plan to have the Parking Solutions Task Force's recommended changes to the policy on the May 5th agenda.
- F. **Vacation Rental Fees-** Councilor Hochman asked for this agenda item to discuss pushing back the due date for weekly rental licenses. To date the town has collected \$76,000 of the \$175,000 estimated for the year. Although collected in May 2020 it is estimated in the 2020 budget which started July 1, 2019. Vacation rental fees are due by May 31st.
- G. **Vacation Rental Ordinance-** see the enclosed memo from Michele Gagnon, Planning Director regarding a joint workshop with the Planning Board on Tuesday April 28th at 4 pm to review the regulatory process. This is needed to stay on schedule for a vote in November. A possible motion: to schedule a joint workshop with the Planning Board on April 28, 2020 at 4 pm to receive input on the vacation rental regulatory process.
- H. **Covid 19 Pandemic**
 - 1.Review letter to the Governor- Enclosed is a letter for review prepared by Councilor Goldthwait. A possible motion: to send the letter to Governor Mills as presented (as amended).
 - 2.Scheduling a facilitated virtual community forum- see the enclosed email from Councilor Friedmann regarding a forum. This will be difficult to do with Zoom. A possible motion: to schedule a forum(s) for _(date)_ to discuss the pandemic crisis.
 - 3.Establish a Task Force- see the enclosed email from Nina St. Germain regarding a proposal to form a Task Force to help the Council with the challenge of protecting both the health of the public and the economic

vitality of the town. A possible motion: to establish a Pandemic Task Force and ask staff to prepare guidelines and make the appointments at the next council meeting.

4. Emergency Ordinance- enclosed is an Emergency Ordinance to extend closures to May 15th that coincides with the Governor's extension, and set the town meetings for June 30th and July 14th. A possible motion: to approve the Emergency Ordinance as presented.

I. **Treasurer's Warrant** – A possible motion: to sign the Treasurer's Warrants for paid bills.

Minutes
Bar Harbor Town Council
By Video Conference
April 7, 2020

I. CALL TO ORDER – 4:00 P.M.- In attendance were Councilors Jefferson Dobbs, Matthew Hochman, Stephen Coston, Gary Friedmann, Erin Cough, Jill Goldthwait, Joe Minutolo; and Town Manager Cornell Knight.

A. Excused Absence(s) – all present.

II. COMMITTEE APPOINTMENTS - *Council to consider Appointments Committee recommendations to appoint the following:*

A. Cruise Ship Committee – Tabled from 3/30/20

1. *John Kelly, ANP Representative, term expiring July 31, 2020*

Mr. Friedmann, with second by Mr. Hochman, moved to remove this item from the table. Roll Call Vote:

Dobbs Y

Hochman Y

Coston Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.

Mr. Friedmann nominated John Kelly as the ANP representative for a term expiring July 31, 2020. No second needed. Roll Call Vote:

Dobbs Y

Hochman Y

Coston Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

John Kelly was appointed by a vote of 7-0.

B. Task Force on the Climate Emergency – *moved to VII E following proposed changes to the bylaws.*

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. Comments should be submitted to the Council Chair by email at jdobbs@barharbormaine.gov and will be read during the meeting – None.*

IV. APPROVAL OF MINUTES –

A. February 18, 2020 Regular Meeting

B. March 16, 2020 Special Meeting

C. March 20, 2020 Special Meeting

D. March 30, 2020 Special Meeting

Mr. Friedmann, with second by Mr. Hochman, moved to approve the minutes of February 18th, March 16th, March 20th and March 30th as a block. Roll Call Vote:

- Dobbs Y
- Hochman Y
- Coston Y
- Friedmann Y
- Minutolo Y
- Goldthwait Y
- Cough Y

Motion passed 7-0.

V. ADOPTION OF AGENDA – Mr. Friedmann, with second by Mr. Hochman, moved to approve the agenda as presented. Roll Call Vote:

- Dobbs Y
- Hochman Y
- Coston Y
- Friedmann Y
- Minutolo Y
- Goldthwait Y
- Cough Y

Motion passed 7-0.

VI. PUBLIC HEARINGS- *The public can call in at 288-1710 and enter code 0132895 to speak during the following public hearings.*

A. Special Amusement Permit Renewals

1. **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. Hochman, with second by Mr. Coston, moved to approve the Special Amusement Permit for the Holiday Inn Bar Harbor Regency for a Class 3ad permit as presented. Roll Call Vote:

- Dobbs Y
- Hochman Y
- Coston Y
- Friedmann Y
- Minutolo Y
- Goldthwait Y
- Cough Y

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. Hochman, with second

by Mr. Coston, moved to approve the Special Amusement Permit for the Harborside Hotel & Marina for a Class 3ad permit as presented. Roll Call

Vote:

Dobbs _____ Y

Hochman _____ Y

Coston _____ Y

Friedmann _____ Y

Minutolo _____ Y

Goldthwait _____ Y

Cough _____ Y

Motion passed 7-0.

- 3. **Bar Harbor Inn, 8 Newport Dr, request for Class 3ad, three or more musicians with mechanical amplification and dancing as submitted by David C. Witham.** There being no public comment, Mr. Hochman, with second by Mr. Coston, moved to approve the Special Amusement Permit for the Bar Harbor Inn for a Class 3ad as presented. Roll Call Vote:

Dobbs _____ Y

Hochman _____ Y

Coston _____ Y

Friedmann _____ Y

Minutolo _____ Y

Goldthwait _____ Y

Cough _____ Y

Motion passed 7-0.

- 4. **Tailgate Sports & Pizza, 131 Cottage St, request for Class 3a, three or more musicians with mechanical amplification as submitted by Greg Duperey.** There being no public comment, Mr. Hochman, with second by Mr. Coston, moved to approve the Special Amusement Permit for the Tailgate Sports & Pizza for a Class 3a as presented. Roll Call Vote:

Dobbs _____ Y

Hochman _____ Y

Coston _____ Y

Friedmann _____ Y

Minutolo _____ Y

Goldthwait _____ Y

Cough _____ Y

Motion passed 7-0.

VII. REGULAR BUSINESS:

- A. **Charter Commission – Final Report Presentation by Chair Michael Gurtler.** Councilor Goldthwait disclosed she served on the Charter Commission. Mr. Gurtler summarized the report. Council thanked Mr. Gurtler and the Commission for their work. Mr. Friedmann, with second by Mr. Hochman, moved to accept the report of the Charter Commission and sign the order to place it on the November ballot at a future meeting. Roll Call Vote:

Dobbs _____ Y

Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

B. Citizens' Petition: Vacation Rentals – *Presentation of petition for final determination of sufficiency.* Petition coordinator Julia Thomas presented the petition. Mr. Hochman, with second by Mr. Friedmann, moved to approve the Town Clerk's certification of the vacation rental petition for sufficient number of signatures and schedule consideration of the petition at the May 19, 2020 Town Council meeting. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

C. Tabled from 3/30/20 Cruise Ship Season Status- *possible motion to extend suspension of port calls.*

Mr. Hochman, with second by Mr. Friedmann, moved to remove this item from the table. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

Mr. Knight presented updates to the cruise ship schedule provided by Harbormaster Charlie Phippen and read a memo from Eben Salvatore, Chair of the Cruise Ship Committee. Chamber of Commerce Executive Director Alf Anderson participated in the discussion. Mr. Hochman, with second by Ms. Cough, moved to extend the suspension of cruise ships visiting Bar Harbor thru the last day of June. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y

Cough Y
Motion passed 7-0.

D. Tabled from 3/30/20 Letter to visitors, residents and seasonal residents discouraging travel.

Ms. Cough, with second by Mr. Hochman, moved to remove this item from the table. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann N
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 6-1 (Nay: Friedmann).

Following a brief discussion, no action taken.

E. Tabled from 3/30/20 Task Force on the Climate Emergency – Review changes to bylaws and possible motion to amend. Following the proposed amendment, Appointments Committee recommendations to appoint the following:

1. *Brian Booher, term expiring July 31, 2021*
2. *Norman Burdzel, term expiring July 31, 2021*
3. *Tobin Peacock, term expiring July 31, 2021*
4. *Darron Collins, term expiring July 31, 2022*
5. *Spencer Gray, term expiring July 31, 2022*
6. *Tom St. Germain, term expiring July 31, 2023*
7. *Jennifer Crandall, term expiring July 31, 2023*
8. *Margaret Jeffery, term expiring July 31, 2023*
9. *Sirohi Kumar, Student Representative, term expiring July 31, 2022*
10. *Jill Goldthwait, Town Councilor, term expiring June 9, 2020*

Mr. Friedmann, with second by Mr. Hochman, moved to remove this item from the table. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 7-0.

Mr. Friedmann, with second by Mr. Hochman, moved to approve the amendments to the Task Force on Climate Emergency bylaws. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

Mr. Friedmann nominated the slate but changing the expiration date on Councilor Goldthwait's term to the date of the 2020 town meeting. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

The slate as amended was appointed by a vote of 7-0.

F. Age Friendly Committee Ordinance Amendment – Review proposed changes and possible motion to schedule a Public Hearing for May 19, 2020. Mr. Hochman expressed concerns with the requested changes. Mr. Coston, with second by Ms. Cough, moved to table this item to our next regular meeting. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 7-0.

G. Ethics Ordinance Amendment – Review proposed changes and possible motion to schedule a Public Hearing for May 19, 2020. Mr. Hochman, with second by Ms. Cough, moved to approve the proposed changes to Chapter 78 of the Municipal Code as presented and schedule a public hearing for May 19, 2020.

Roll Call Vote:
Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y

Motion passed 7-0.

H. Cruise Ship Committee Ordinance Amendment – *Review proposed changes and possible motion to schedule a Public Hearing for May 19, 2020.* Mr. Hochman, with second by Ms. Cough, moved to approve the proposed changes to Chapter 31 of the Municipal Code as presented and schedule a public hearing for May 19, 2020. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

I. Treasurer’s Warrant - *Request of Treasurer to authorize paid bills.* – Mr. Hochman, with second by Ms. Cough, moved to sign the Treasurer’s Warrants for paid bills. Roll Call Vote:

Dobbs Y
Hochman Y
Coston Y
Friedmann Y
Minutolo Y
Goldthwait Y
Cough Y
Motion passed 7-0.

VIII. TOWN MANAGER’S COMMENTS – Mr. Knight congratulated Sharon Linscott, Town Clerk, on being certified by the Maine Town & City Clerks Association. Stan Harmon, Finance Director, is preparing the sewer and water budgets with anticipation of no rate increase for either of those. Fire and EMS received a shipment of PPE (gowns, N95 masks and patient masks) from Maine Emergency Management. COVID-19 updates are being posted to the town’s website and Facebook about every other day; Nina St. Germain is doing a good job with that. The streetlight project is just about wrapped up. There are about a half dozen that are within 10 feet of a high voltage line. Emera will need to do those to complete the project.

IX. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Mr. Minutolo wished everybody to stay healthy. We’re in for a couple of very stressful and tough weeks ahead. Keep doing what you are doing today and we’ll get through this.

Ms. Goldthwait thanked our dedicated town staff. She inquired about creating a resource group for businesses and individuals. Mr. Dobbs mentioned the banks, the Chamber and Nina. Mr. Knight stated the town is posting information on Facebook and the town’s website.

Mr. Hochman requested 2 agenda items: 1) before May 1, have a discussion on suspending the parking program and 2) pushing back the due date for weekly rental licenses and the \$250 fee while they are closed. He thanked the Council for all their hard

work and thanked all the people who emailed us, especially those few who gave us a little praise. And again, be kind to people.

Mr. Friedmann announced an effort he is involved in called SOS, or Share Our Stimulus, to encourage people who may not need all or part of their stimulus check to share them. The organizations involved can get it to the people most impacted by this crisis. There will be more info in this week’s Islander.

Ms. Cough expressed worry about this community, the most vulnerable, the business owners, and the future for this town. It isn’t easy. Councilors take a lot of time to make sure this is working for you. We are all here to listen to you. And thank you to Chris Popper for hometown heroes, highlighting people who are making a difference.

Mr. Dobbs echoed the sentiments of other Councilors and thanked Cornell Knight for going down to the Shore Path to turn over some boards with nails in them, when public works could not.

X. EXECUTIVE SESSION: (none)

XI. ADJOURNMENT – Ms. Cough, with second by Mr. Friedmann, moved to adjourn at 5:42 p.m. Roll Call Vote:

- Dobbs Y
- Hochman Y
- Coston Y
- Friedmann Y
- Minutolo Y
- Goldthwait Y
- Cough Y
- Motion passed 7-0.

Sharon M Linscott, Town Clerk

Memo



To: Town Councilors; Cornell Knight
 From: Stan Harmon, Finance Director
 CC: Department Heads - SHARON
 Date: 4/7/2020
 Re: Fiscal Year 2020 – March 31, 2020 – 9 Months Results

General Fund

Attached are the financial results for 9 months of operations for FY 2020 through March.

Expenditures (75% goal)

The March summary statements show 75% spent versus a comparable 76% of the budget spent last year. 75.4% of the \$4.1 million in budgeted municipal wages are spent year-to-date compared to 76% in March 2019. Legal continues to trend higher right now along with Dispatch and Town Offices; however, early savings in Streetlight electricity is beginning to appear even though completion of the LED conversion project was delayed. As of the end of March, the Town has expended approximately \$2,000 due to the Coronavirus outbreak, but more expenses, including overtime from Public Safety personnel will be reflected in April.

Non-Property Tax Revenues (75% goal)

79% of the budget for non-property tax revenues is now collected versus 82% at this point last year. With nine months of activity booked we still remain on the path to hit most of the various budget targets for the year with the likely exceptions of Vacation rental permit income for the year (\$250), as that is still a relative unknown and we are experiencing a full year of the loss of Sonogee runs in Ambulance. All the PILOT contributions are now in and Interest Income has easily hit its budget target along with the Misc Income (primarily cable franchise fees). COV19 is impacting unfavorably Ambulance run activity, vacation rental permits and vehicle excise taxes collected.

Ambulance Revenues - Loss of Sonogee explains the lower runs

FY 2020	9 Months YTD Runs Billed	448	Ave. <u>Gross</u> Billing (per run)	\$702
FY 2019	9 Months YTD Runs Billed	592	Avg. <u>Gross</u> Billing (per run)	\$665

FY 2018	9 Months YTD Runs Billed	632	Avg. <u>Gross</u> Billing (per run)	\$654
FY 2020	9 Months YTD Runs billed	448	<u>Net</u> Collections (per run)	\$316
FY 2019	9 Months YTD Runs billed	592	<u>Net</u> Collections (per run)	\$369
FY 2018	9 Months YTD Runs billed	632	<u>Net</u> Collections (per run)	\$376

	<u>3/31/2020</u>	<u>3/31/2019</u>
Ambulance Accounts Receivable	\$207,236	\$192,210

Excise-Motor Vehicle Revenues- data indicates we are flat with last year in gross \$; the CVirus put the breaks on registration activity; however, there was a record 100 on line re-reg's; double from last March!

FY 2020	9 Months YTD	3330 units	\$767,945	= \$215 / per vehicle
FY 2019	9 Months YTD	3645 units	\$772,731	= \$212 / per vehicle
FY 2018	9 Months YTD	3531 units	\$759,097	= \$215 / per vehicle
FY 2017	9 Months YTD	3417 units	\$729,256	= \$213 / per vehicle

Building Permitting Revenue-

FY 2020	9 Months YTD	206 permits	\$ 81,383	= \$395 / permit
FY 2019	9 Months YTD	189 permits	\$ 78,304	= \$414 / permit
FY 2018	9 Months YTD	174 permits	\$ 73,336	= \$421 / permit

Vacation Rentals-rentals expire & renew May 31st

		<u>Budget</u>	<u>Actual</u>
FY2020	9 Months YTD (289 so far)	\$175,000	\$72,300
FY2019	9 Months YTD	\$ 900	\$ 2,350

FY '20 Previously Authorized Council Budget Adjustments or Transfers:

Contingency Fund Activity for FY '20:

Beginning Balance	(Town Meeting Approval)	\$53,366
Minutes-10/15/10-Park St. School Landscape Design (cancelled)		- 0
Minutes-11/19/19-Ambulance Billing software (to #1042-5368)		-7,188
Minutes-1/7/20-Fire Alarm System-Kids Corner (not to exceed)		-8,721
Minutes-3/16/20-Prelim Transfer for Emerg Mgt exps-CV19 (#1063)		<u>-10,000</u>
Ending Balance	@ 3/31/20 (available #1036-5906)	\$27,457

Other General Fund Transfers: Town Council 10/1/2019

From: #1022-5700 -TSA Comp. Eqpmt	-\$ 10,000
Town Council 1/21/2020	
To: #1053-5830 Marine Resource Com	\$ 3,800
Rev:#1053-4512 MCF Clam Grant	\$ 3,800

Capital Improvement Transfers/Adjustments:

To: #2122-6117 -PD-Virtual Desktops	\$ 5,000
To: #2122-6124 -PD-Car Video Storage	\$ 5,000
From: 2142-6214-Fire Tr#2	-\$173,005
From: 2142-6218-Ladder Tr	-\$ 36,865
To: 2142-6220-Fire Eng Tr #5	\$209,870
TC 1/21/20	
From: 2182-6190-Undesignated	-\$ 60,000
To: 2149-6246-PSBldg Renov.	\$ 60,000

Cruise Ship Fund Transfers: NONE

Parking Fund Transfers: NONE

Property Tax Collection & Receivable Update:

The 2019 tax collections certainly lagged compared to the prior year due to the emergency action taken by Council to defer payments and interest to 4/30/20.

Tax Year	Property Taxes Outstanding Balance	@ 3/31/20 %	@ 3/31/19 Balance	@ 3/31/19 %
2006-12	\$ 20,676	0.1%	\$ 20,617	0.1%
2013	\$ 2,870	0.1%	\$ 3,097	0.1%
2014	\$ 3,071	0.1%	\$ 3,105	0.1%
2015	\$ 3,728	0.1%	\$ 3,751	0.1%
2016	\$ 3,565	0.1%	\$ 3,935	0.1%
2017	\$ 11,811	0.1%	\$ 180,874	1.1%
2018	\$ 350,108	2.0%	\$ 1,691,890	9.7%
2019	\$ 2,713,677	15.2%		

Cash Investment and Status Report / Banking

On March 31st, the Town had \$17,800,000 on hand in all funds—approximately \$1.9 million more than last year’s total balances at this same time period, due to new Parking fees received, the timing of CIP payments and higher fund balances, but partially offset by approximately \$1 million in taxes that did not come in by the Council deferring the 2nd half tax due date. Checking interest rates have dropped to .99% vs. 2.1% last year.

Wastewater Division Fund

Financials (75% - 9 month Benchmark)

	Annual Budget	Mar YTD Actual	% Spent
Spending shows the following:			
<i>Oper & Maint-FY2020-this year</i>	\$1,505,039	\$1,070,273	71%
<i>Oper & Maint-FY2019-last year</i>	\$1,469,846	\$1,010,739	69%
	<u>3/31/2020</u>	<u>3/31/2019</u>	
Accounts Receivable-Wastewater	\$77,639	\$65,201	

Water Division Fund

Financials (75%-9 month Benchmark)

	Annual Budget	Mar YTD Actual	% Spent
Spending shows the following:			
<i>Oper & Maint-FY2020-this year</i>	\$1,126,055	\$845,724	75%
<i>Oper & Maint-FY2019-last year</i>	\$1,106,634	\$759,627	69%
	<u>3/31/2020</u>	<u>3/31/2019</u>	
Accounts Receivable-Water	\$11,218	\$3,478	

Technology

March was chaotic for Steve. Basically, he spent much time creating remote support and access for most staff on a priority basis. He was still working on a major server upgrade that will allow for a *Munis* software update; also assisted on the continuing Dispatch renovations, set up PD pc's in the Port Security building, set up Zoom accounts and trained, built/bought some laptops for staff home use, built a new server for use in the broadcast booth, spec and configure wireless access for a Town garage camera, oversee a replacement air conditioner installation in the main server room and gone live with local backups done daily and copying our critical servers data to *FirstLight*, a cloud based storage provider---backups to the backups.

Assessing

In March Assessing finished its annual spring review of added taxable properties and will confirm the field inspections with the Code/permit records. Also, the annual personal property declarations were mailed to businesses on a timely basis. Because of the pandemic challenges many businesses have asked for extensions, alternatives, limited resources and staffing to complete these. It will be a bit more complicated this year. Steve and Catherine also sent out the first 2021 Valuation update survey related to commercial properties at the end of March. Vision will concentrate on the commercial properties with their expertise. Steve will concentrate on the residential properties. The notice is requesting information for income/expenses tied to the real estate (building income), not the business that resides in it. Lodging properties are a little different since "business income" and "building income" are the same thing. The Governor also extended the deadline for filing any exemption applications for this upcoming tax year. The Assessor and Deputy are working primarily from home; only coming in to pick up mail and print necessary forms, etc.

Discretionary Direct spending:

<u>Cruise Ship Fund</u> – Direct Expenses: FY20	<u>Budget</u>	<u>Actual-Mar</u>	
Chamber, Dues, Ins., Isl Explor, etc. FY19	\$173,139	\$95,985	55%
	\$150,112	\$94,482	63%
<u>Parking Fund</u> – Direct Expenses: FY20	<u>Budget</u>	<u>Actual-Mar</u>	
Wages, signs, IPS lic fees, supplies etc.	\$142,865	\$109,504	77%

Town of Bar Harbor
Expenses - Period Ending
3/31/20

06-Apr-20

75% of Year Completed

General Fund	Dept	A FY '20 Annual Adj'd Budget	B FY '20 9 Months Actual	C FY '19 12 Months Pre-Audit	D Bud Variance Under (over) Col. A-B	E % Spent of Budget (B/A=E)	FY '18 12 Months Actual	Comments on variances
Town Council	10	\$ 39,992	\$ 25,206	\$ 35,212	4,788	63.0%	\$ 33,267	Timing
Town Manager	12	\$ 131,109	\$ 94,860	\$ 124,862	3,472	72.4%	\$ 120,121	
Town Clerk	14	\$ 126,986	\$ 92,002	\$ 118,345	3,238	72.5%	\$ 111,685	
Finance Dept.	16	\$ 357,476	\$ 278,723	\$ 352,773	(10,616)	78.0%	\$ 322,520	Timing
Town Attorney	18	\$ 47,950	\$ 44,487	\$ 54,220	(8,525)	92.8%	\$ 18,858	Higher Trend
Elections	20	\$ 18,734	\$ 6,391	\$ 13,189	7,660	34.1%	\$ 18,326	Timing
Technology	22	\$ 165,474	\$ 121,911	\$ 155,231	2,195	73.7%	\$ 125,165	
Municipal Building	24	\$ 79,511	\$ 58,720	\$ 86,046	913	73.9%	\$ 73,551	
Town Offices	26	\$ 42,745	\$ 41,189	\$ 43,163	(9,130)	96.4%	\$ 37,465	Timing/Higher trend
Employee Benefits	28	\$ 1,606,159	\$ 1,182,639	\$ 1,505,015	21,980	73.6%	\$ 1,436,019	
Code Enforcement	30	\$ 101,923	\$ 74,366	\$ 74,430	2,076	73.0%	\$ 65,125	
Assessing Dept.	32	\$ 151,158	\$ 114,352	\$ 137,892	(984)	75.7%	\$ 126,884	
Planning Dept.	34	\$ 221,203	\$ 148,984	\$ 126,426	16,918	67.4%	\$ 134,624	Timing
Miscellaneous	36	\$ 229,395	\$ 161,018	\$ 201,464	11,028	70.2%	\$ 209,267	
Fire / Ambulance Dept	42	\$ 941,785	\$ 725,730	\$ 885,013	(19,391)	77.1%	\$ 800,244	
Hydrants-Public Fire	43	\$ 585,602	\$ 439,203	\$ 585,604	(2)	75.0%	\$ 585,604	
Police Dept.	45	\$ 1,283,376	\$ 955,108	\$ 1,272,780	7,424	74.4%	\$ 1,036,534	
Dispatch Division	47	\$ 234,854	\$ 182,910	\$ 220,185	(6,770)	77.9%	\$ 214,261	Higher Trend
Public Safety Bldg.	49	\$ 49,904	\$ 37,508	\$ 45,930	(80)	75.2%	\$ 35,282	
Street Lights	51	\$ 73,575	\$ 39,594	\$ 65,925	15,587	53.8%	\$ 71,608	Lower Trend
Harbor Dept.	53	\$ 129,558	\$ 94,214	\$ 126,722	2,955	72.7%	\$ 111,474	
Parks & Rec & Glen M	59	\$ 438,577	\$ 383,329	\$ 416,358	(54,396)	87.4%	\$ 236,375	Timing
EmrgMgt/Gen. Assist	63/66	\$ 11,187	\$ 2,048	\$ 496	6,342	18.3%	\$ 1,700	
Cooperating Agencies	68	\$ 57,681	\$ 57,681	\$ 45,092	(14,420)	100.0%	\$ 40,038	Timing
Comfort Station	70	\$ 99,728	\$ 77,233	\$ 100,368	(2,437)	77.4%	\$ 93,438	Timing-seasonal
Public Works	75	\$ 153,081	\$ 85,536	\$ 148,951	29,275	55.9%	\$ 143,258	Staff vacancy
Highway Dept	77	\$ 1,125,114	\$ 853,183	\$ 1,082,238	(9,348)	75.8%	\$ 1,033,837	
Solid Waste	79	\$ 727,340	\$ 515,946	\$ 773,154	29,559	70.9%	\$ 641,258	Timing
General Fund Totals		\$ 9,231,177	\$ 6,894,071	\$ 8,797,084	\$ 29,312	74.7%	\$ 7,877,788	
payroll periods		26	20	26		76.9%	26	

FY20 Budget Includes \$55,776 in carryover encumbrances from FY2019 & \$3800 MCF Clam grant in Harbor

General Fund - Revenues

Town of Bar Harbor
YTD March 31, 2020
75% - 9 Months

<u>Department</u>	<u>Budget FY'20 12 Months</u>	<u>Actual FY'20 9 Months</u>	<u>Audited FY'19 12 Months</u>	<u>Bud. Var. Favorable (Unfavorable)</u>	<u>% Rev's Received 75% Goal</u>	<u>Variances From Budget Goal Comments</u>
Town Clerk Fees	\$ 24,320	\$ 14,320	\$ 28,186	(3,920)	59%	Timing
Finance Department	\$ 179,396	\$ 137,316	\$ 181,058	2,769	77%	
Municipal Building Rents	\$ 33,000	\$ 30,943	\$ 36,705	6,193	94%	Timing-Prepayments
Code Enforcement Permits	\$ 328,800	\$ 203,096	\$ 214,213	(43,504)	62%	Lower tremd-vacation rentals
Planning Fees	\$ 16,550	\$ 22,150	\$ 29,347	9,738	134%	
Ambulance/Fire Fees	\$ 333,200	\$ 141,411	\$ 342,354	(108,489)	42%	Old write offs & Sonogee runs
Police/Dispatch Department	\$ 170,727	\$ 116,840	\$ 216,286	(11,205)	68%	Timing
Harbor Department	\$ 62,700	\$ 65,608	\$ 68,841	18,583	105%	Timing-Seasonal-Budget met
Parks & Recreation	\$ 800	\$ 800	\$ 900	200	100%	Timing-Budget met
Highway Division	\$ 11,785	\$ 16,178	\$ 13,442	7,339	137%	Timing-Seasonal-Budget met
Solid Waste-Recycling	\$ 420	\$ 4,274	\$ 10,275	3,959	1018%	Timing-Budget met
Departmental	\$ 1,161,698	\$ 752,936	\$ 1,141,607	(118,338)	65%	
P.I.L.O.T.'s	\$ 137,265	\$ 156,339	\$ 147,061	53,390	114%	Timing-All PILT's paid
Interest Income	\$ 54,000	\$ 85,850	\$ 149,787	45,350	159%	Higher trend-Budget met
Misc, Cable Franch., other	\$ 124,910	\$ 136,534	\$ 135,699	42,852	109%	Timing-Budget met
Excise & Other Taxes	\$ 1,035,000	\$ 803,714	\$ 1,167,836	27,464	78%	On target
Intergovernmental	\$ 396,369	\$ 348,688	\$ 336,068	51,411	88%	Timing
Revenues-Subtotal	\$ 2,909,242	\$ 2,284,061	\$ 3,078,058	102,130	79%	
Property Taxes	\$ 17,892,429	\$ 17,917,087	\$ 17,241,788		100%	
Transfers In-CS & Other Funds	\$ 435,692	\$ 429,568	\$ 363,941		99%	Timing
Fund Balance Used	\$ 55,000	\$ -	\$ -		0%	
Grand Total-General Fund	\$ 21,292,363	\$ 20,630,716	\$ 20,683,787		96.9%	
Wastewater Revenues	\$ 2,144,400	\$ 1,408,995	\$ 2,411,183		66%	2 Qtrs billed - in arrears
Water Revenues	\$ 2,151,302	\$ 1,624,714	\$ 2,295,858		76%	3 qtrs billed in Advance
CIP Fund Rev's/Transfers	\$ 3,759,290	\$ 3,710,258	\$ 7,328,506		99%	Timing
Cruise Ship Fund Rev's	\$ 1,133,839	\$ 930,055	\$ 1,023,708		82%	May & June to go
Parking Fund (net of Trans Fees)	\$ 510,750	\$ 1,287,069	\$ 315,765		252%	May & June to go

TOWN OF BAR HARBOR
CASH / INVESTMENT STATUS @ March 31, 2020

Note	Bank	Acct. No.	Purchase	Maturity	Interest Rate	Amount
**CHECKING ACCOUNTS						
GENERAL	BHBT	77548521	GL #10-1140		0.99%	\$ 7,550,000
SEWER	MACHIAS SB	8100333860 / 930	GL #35-1135		0.05%	\$ 7,000
PARKING	MACHIAS SB	100184337	GL #64-1140		0.25%	\$ 19,000
SEWER	BHBT	77548513	GL #35-1140		0.99%	\$ 1,796,000
WATER	BHBT	77548556	GL #40-1140		0.99%	\$ 1,608,000
	Total Checking Accounts					\$ 10,980,000
GENERAL	The 1st		collateralized securities	GL #10-1145	1.26%	\$ 1,201,000
GENERAL	The 1st		collateralized securities	GL #10-1146	1.26%	\$ 1,046,000
PARKING	MACHIAS SB	ICS - CDARS	FDIC custodial bank deposits	GL #64-1120	1.10%	\$ 1,076,000
SEWER	MACHIAS SB	ICS - CDARS	FDIC custodial bank deposits	GL #35-1120	1.10%	\$ 623,000
**CERTIFICATES OF DEPOSIT: money market						
Gen Fnd	The First	18 months	27-Nov-18	27-Apr-20	2.71%	\$ 90,537
Gen Fnd	BHS&L	18 Months	28-Jun-19	28-Dec-20	2.05%	\$ 116,933
Gen Fnd	BHS&L	18 Months	19-Jun-19	19-Dec-20	2.05%	\$ 117,242
Gen Fnd	UTC-Camden	12 Month CD	11-Feb-20	11-Feb-21	0.35%	\$ 110,347
Gen Fnd	UTC-Camden	12 Month CD	10-Feb-20	10-Feb-21	0.20%	\$ 109,546
Gen Fnd	UTC-Camden	6 Mos.-CDARS	27-Sep-19	26-Mar-20	1.75%	\$ 243,378
#10-1160	Total Certificates of Deposit					\$ 787,983
CIP Reserves: Bar Harbor Banking & Trust - Trust Department						
				@ 12/31/19		
GENERAL	COMB-combined funds		Money Mkt Funds Sweep		1.69%	\$ 170,155
	Toyota Motor Credit Corp		Bond - AA- S&P	4/13/2021	2.95%	\$ 101,508
	JP Morgan Chase Co.		Bond - A- S&P	10/29/2020	2.55%	\$ 100,455
	Mead Johnson		Bond - A- S&P	11/15/2020	3.00%	\$ 70,622
	Apple, Inc.		Bond - AA+ S&P	11/13/2020	2.00%	\$ 110,280
	Bank America Corp.		Bond - A- S&P	10/21/2022	2.52%	\$ 100,973
	ABBVIE Inc.		Bond - A- S&P	11/6/2022	2.90%	\$ 102,062
	Qualcomm Inc.		Bond - A S&P	5/20/2020	2.27%	\$ 100,110
	Boeing		Bond - A+ S&P	10/30/2021	2.35%	\$ 50,486
	Morgan Stanley		CD	1/5/2021	2.00%	\$ 150,508
	US Treasury Note		Note - AAA S&P	9/30/2020	2.75%	\$ 201,610
	Goldman Sachs Bank		CD - AAA S&P	1/31/2020	2.30%	\$ 150,085
	IBM Credit LLC		Bond - A S&P	11/30/2021	3.51%	\$ 103,355
	United Technologies Corp		Bond - A- S&P	5/4/2020	1.90%	\$ 99,951
	Wells Fargo Co.		Bond - A- S&P	7/22/2027	4.30%	\$ 100,382
	Canadian Natl Rwy Co.		Bond - A S&P	12/15/2021	2.85%	\$ 101,467
	Intercontinental Exchange		Bond - A S&P	12/1/2020	2.74%	\$ 100,960
	Wells Fargo Bank NA		CD	9/8/2021	3.06%	\$ 102,408
	UBS AG		Bond - A+ S&P	3/13/2023	2.20%	\$ 96,983
#10-1170	Total In Trust Fund	(45/50-1170)				\$ 2,114,360
TOTALS: All CASH & INVESTMENTS						\$ 17,828,343

Notes: Checking Accounts and money markets above \$250,000 are protected by Bar Harbor Bank's collateral (US Gov't or agency securities) that are held in joint custody at the Federal Reserve Bank of Boston.

GENERAL = Combined General, CIP, School and Cruise Ship Cash

BHBT = Bar Harbor Bank & Trust Co.
The First = First National Bank Of Damariscotta
UTC = Camden National Bank
BHS&L = Bar Harbor Savings & Loan Co.
MSB = Machias Savings

Town Bond Rating:	Affirmed	March '19	Aa2 Moody's
	Affirmed	March '19	AAA S & P's
State of Maine Bond Rating:		May '12	AA S & P's
State of Maine Bond Rating:		June '14	Aa2 Moody's
State of Maine Bond Rating:		Jan '13	AA Fitch
Hancock County Rating		Jan '11	Aa2 Moody's
Hancock County Rating		Jan '11	AA S & P's
U.S. Government Rating		August '11	AA S & P's



Town of Bar Harbor Application for Special Amusement Permit

VI A I

Special Amusement Permits are valid only for the license year of the applicant's existing liquor license.

Date: 03-02-2020 Application Type: New Renewal Permit Number: _____
(assigned by Town)

Applicant Name: Lafayette Bluenose LLC Business Name: Bluenose Inn

Business Address: 90 Eden St. Bar Harbor Mailing Address: 90 Eden St. Bar Harbor, ME 04609
Physical Address in Bar Harbor If different

Type of Business: hotel Location to be used: The Great Room Lounge Looking Glass Restaurant
Restaurant, Bar, Nightclub, etc. Where on the premises will the amusement take place? Use back of page if necessary.

Phone: 207-288-3348

Has a liquor license or special amusement permit for this business ever been denied or revoked? Yes No
If yes, describe the circumstances in the space below:

Has the applicant, any partners or corporate officers of the business ever been convicted of a felony? Yes No
If yes, describe the circumstances in the space below:

The Town Council requests all applicants or their representatives attend the public hearing to answer any questions. Please be advised that the absence of your representative may delay the Council's decision.

Application is hereby made for a Special Amusement Permit for one of the following:

Without Mechanical Amplification

- Class 1 – Single musician
- Class 2 – Two musicians
- Class 3 – Three or more musicians

With Mechanical Amplification

- Class 1a – Single musician
- Class 2a – Two musicians
- Class 3a – Three or more musicians

With Mechanical Amplification and Dancing*

- Class 1ad – Single musician
- Class 2ad – Two musicians
- Class 3ad – Three or more musicians

Other Entertainment or Amusement

- Class 4 – any other type of entertainment, as provided by 28A MRSA 1054.1.C

*Dancing also requires a state permit & Fire Marshall inspection

I certify that this application is true and correct, that I have received a copy of the Special Amusement Ordinance and that I will read said ordinance prior to offering any special amusement.

Shirley Conway
Applicant's Signature

The Municipal Officers of Bar Harbor hereby approve deny this application on _____
Date

Sharon M Linscott, Town Clerk

VI A2



Town of Bar Harbor Application for Special Amusement Permit

Permit Fee
\$129

Special Amusement Permits are valid only for the license year of the applicant's existing liquor license.

Date: 03/10/2020 Application Type: New _____ Renewal X Permit Number: _____
(assigned by Town)

Applicant Name: THIRSTY WHALE, INC. Business Name: THIRSTY WHALE

Business Address: 40 COTTAGE STREET Mailing Address: P.O. BOX 274; BH
Physical Address in Bar Harbor If different

Type of Business: RESTAURANT Location to be used: REAR OF DINING ROOM
Restaurant, Bar, Nightclub, etc. Where on the premises will the amusement take place?
Use back of page if necessary.

Phone: 207.288.9335

Has a liquor license or special amusement permit for this business ever been denied or revoked? Yes _____ No X
If yes, describe the circumstances in the space below:

Has the applicant, any partners or corporate officers of the business ever been convicted of a felony? Yes _____ No X
If yes, describe the circumstances in the space below:

The Town Council requests all applicants or their representatives attend the public hearing to answer any questions. Please be advised that the absence of your representative may delay the Council's decision.

Application is hereby made for a Special Amusement Permit for one of the following:

- Without Mechanical Amplification**
- Class 1 – Single musician
 - Class 2 – Two musicians
 - Class 3 – Three or more musicians

- With Mechanical Amplification**
- Class 1a – Single musician
 - Class 2a – Two musicians
 - Class 3a – Three or more musicians

- With Mechanical Amplification and Dancing***
- Class 1ad – Single musician
 - Class 2ad – Two musicians
 - Class 3ad – Three or more musicians

- Other Entertainment or Amusement**
- Class 4 – any other type of entertainment, as provided by 28A MRSA 1054.1.C

*Dancing also requires a state permit & Fire Marshall inspection

I certify that this application is true and correct, that I have received a copy of the Special Amusement Ordinance and that I will read said ordinance prior to offering any special amusement.

Applicant's Signature

The Municipal Officers of Bar Harbor hereby approve deny this application on _____
Date

Sharon M Linscott, Town Clerk

VI A3



Town of Bar Harbor Application for Special Amusement Permit

Permit Fee
\$129

Special Amusement Permits are valid only for the license year of the applicant's existing liquor license.

Date: 03/16/2020 Application Type: New Renewal Permit Number: _____

Applicant: David Closson Applicant's Address: 614 Bayside Rd Ellsworth ME 04605
Name Mailing Address

Business Name: Kebo Valley Golf Club Business Address: PO Box 27 Bar Harbor ME 04609
Physical Address in Bar Harbor

Type of Business: Golf/Pub Location to be used: 136 Eagle Lake Road Bar Harbor, Me
Restaurant, Bar, Nightclub, etc. Where on the premises will the amusement take place? Use back of page if necessary.

Phone: 207-288-3000

Has a liquor license or special amusement permit for this business ever been denied or revoked? Yes No
If yes, describe the circumstances in the space below:

Has the applicant, any partners or corporate officers of the business ever been convicted of a felony? Yes No
If yes, describe the circumstances in the space below:

The Town Council requests all applicants or their representatives attend the public hearing to answer any questions. Please be advised that the absence of your representative may delay the Council's decision.

Application is hereby made for a Special Amusement Permit for one of the following:

Without Mechanical Amplification

- Class 1 – Single musician
- Class 2 – Two musicians
- Class 3 – Three or more musicians

With Mechanical Amplification

- Class 1a – Single musician
- Class 2a – Two musicians
- Class 3a – Three or more musicians

With Mechanical Amplification and Dancing

- Class 1ad – Single musician
- Class 2ad – Two musicians
- Class 3ad – Three or more musicians

Other Entertainment or Amusement

- Class 4 – any other type of entertainment, as provided by 28A MRSA 1054.1.C

I certify that this application is true and correct, that I have received a copy of the Special Amusement Ordinance and that I will read said ordinance prior to offering any special amusement.


Applicant's Signature

The Municipal Officers of Bar Harbor hereby approve deny this application on _____
Date

Sharon M Linscott, Town Clerk



Town of Bar Harbor Application for Special Amusement Permit

VI A4

Permit Fee
\$129

Special Amusement Permits are valid only for the license year of the applicant's existing liquor license.

Date: 3/27/20 Application Type: New Renewal Permit Number: _____
(assigned by Town)

Applicant Name: Larrance FINGERHUT Business Name: Improv Acadia

Business Address: 15 Cottage St. 2nd fl. Mailing Address: 75 Oak St Ellsworth ME
Physical Address in Bar Harbor If different

Type of Business: NIGHT CLUB Location to be used: 15 Cottage St 2nd BH, ME
Restaurant, Bar, Nightclub, etc. Where on the premises will the amusement take place?
Use back of page if necessary.

Phone: 207 288 2503

Has a liquor license or special amusement permit for this business ever been denied or revoked? Yes No
If yes, describe the circumstances in the space below:

Has the applicant, any partners or corporate officers of the business ever been convicted of a felony? Yes No
If yes, describe the circumstances in the space below:

**The Town Council requests all applicants or their representatives attend the public hearing to answer any questions.
Please be advised that the absence of your representative may delay the Council's decision.**

Application is hereby made for a Special Amusement Permit for one of the following:

Without Mechanical Amplification

- Class 1 - Single musician
- Class 2 - Two musicians
- Class 3 - Three or more musicians

With Mechanical Amplification

- Class 1a - Single musician
- Class 2a - Two musicians
- Class 3a - Three or more musicians

With Mechanical Amplification and Dancing*

- Class 1ad - Single musician
- Class 2ad - Two musicians
- Class 3ad - Three or more musicians

Other Entertainment or Amusement

- Class 4 - any other type of entertainment,
as provided by 28A MRSA 1054.1.C

*Dancing also requires a state permit & Fire Marshall inspection

I certify that this application is true and correct, that I have received a copy of the Special Amusement Ordinance and that I will read said ordinance prior to offering any special amusement.

Larrance Fingerhut
Applicant's Signature

The Municipal Officers of Bar Harbor hereby approve deny this application on _____
Date

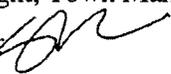
Sharon M Linscott, Town Clerk

Revised 07/08/2019

VII A

Memo



To: Town Council; Cornell Knight, Town Manager
From: Sarah Gilbert, Tax Collector 
CC: Stan Harmon, Treasurer
Date: April 14, 2020
Re: Property Tax Write Offs

Every year at this time the Tax Collector requests permission to write off remaining small balances in the outstanding tax files--our request this year remains at balances of \$10.00 or less. In 2018, we wrote off \$156 from 147 accounts, and in 2019, we wrote off \$168 from 114 accounts. I anticipate a similar amount to last year.

A little historical background on this procedure--the reason for the request is that it would not be prudent or cost effective to attempt lien procedures with its inherent administrative time and costs in trying to collect these very minor accounts...neither would it be particularly taxpayer friendly to lien someone's home or business for a \$4.00 remaining tax balance. Many of these small amounts remain simply due to tax payments coming in late by a day or two, or by a discount erroneously taken by the taxpayer. Please note that the Finance Office does make a reasonable effort to notify taxpayers that there is a residual balance remaining and many do pay in response.

The Assessor can only abate for an error in assessment or ownership, thus leaving the Town Council with the exclusive authority to allow any other abatement or write offs prior to starting the tax lien process. I would like to formally request that authority once again.

Order, that the Tax Collector and Treasurer have the discretionary authority to write off any residual tax balances up to \$10.00.



Dobbs Productions ~ Box 541 ~ Bar Harbor, Maine 04609

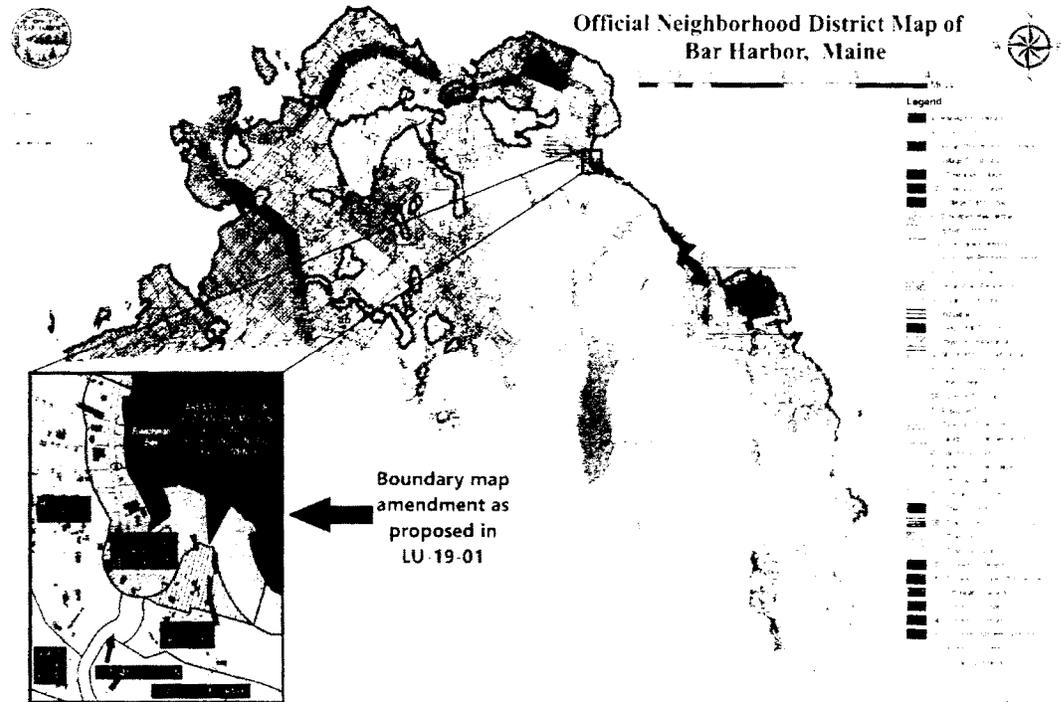
Stan Harmon
Finance Director: Town of Bar Harbor
93 Cottage Street
Bar Harbor, Maine 04609

March 27, 2020

Dear Stan

On behalf of Dobbs Productions Inc., I would hereby request permission to use Public Access channel 1301 on Mount Desert Island for summer 2020 and winter 2021, to broadcast The Acadia Channel (May 15 – October 31), and all MDI TV Public Access related programming such as the bulletin board, Christmas concerts, exercise, local health, educational and informational programming. Hopefully our PEG channels will return to 2,5, and 7 locations and be upgraded to High Definition according to the mandates of LD 1371 that was passed unanimously by the Maine State Senate and House of Representatives last year. LD 1371 is still in litigation thanks to the cable companies.

Sincerely Yours, Jeff Dobbs: President



IX. REGULAR BUSINESS:

- A. Age Friendly Committee Report** – Annual update by Committee Member Martha Searchfield. Committee Chair Doreen Willett presented the report and spoke to future efforts. The committee is requesting to change their mission statement which requires an ordinance amendment and will be on the next agenda. Mr. Hochman, with second by Ms. Cough, moved to thank Doreen for the Age Friendly Committee's report and place it on file. Motion passed 6-0.
- B. Vacation Rentals** – Update from Planning Director and possible motion to schedule a workshop with the Planning Board. Ms. Gagnon presented her memo and answered Council questions. Mr. Coston, with second by Mr. Hochman, moved to schedule a workshop with the Planning Board for Wednesday, March 11 at 7 pm to discuss vacation rental amendments. Motion passed 6-0.
- C. Treasurer's Warrant** - Request of Treasurer to authorize paid bills. – Mr. Hochman, with second by Ms. Cough, moved to sign the Treasurer's Warrants for paid bills. Motion passed 6-0.

X. TOWN MANAGER'S COMMENTS – None.

XI. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Mr. Hochman requested an update on where we stand with retail marijuana and processing facilities since about 60% of people from both a town vote and POLCO were interested. He also asked if we could reach out to MDOT to see if they could hasten their repair of Route 3 between Cromwell Harbor Road and Jax Lab, it is in really bad shape.

Mr. Friedmann asked if there was an upcoming meeting with the national park regarding uses of the parcel of land in Town Hill, including opportunities for both private

DRAFT

Age Friendly Committee Ordinance Amendment
Town of Bar Harbor
#2020-xx

An amendment to change the mission statement.

The Town of Bar Harbor hereby ordains that Chapter 31, Boards, Committees and Commissions, Article I: Age Friendly Committee, of the Town Code is amended as follows:

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

CHAPTER 31 – BOARDS, COMMITTEES AND COMMISSIONS

Article I: Age Friendly Committee

§31-1 Mission.

The Age Friendly Committee is ~~to provide services and advocacy that enable all residents of Bar Harbor to live in their homes for as long as possible as well as provide programs geared to keeping older adults active and engaged in the community~~ strives for a community where all of the residents of Bar Harbor, regardless of age, can live, grow and thrive.

[End of Ordinance]

VIII B

Charles A. Phippen
Harbormaster
1 Town Pier
Bar Harbor, Maine 04609



(207) 288-5571
FAX 288-1034
VHF 16 & 09
bhhmaster@barharbormaine.gov

Memorandum

To: Cornell Knight
From: Charlie Phippen
Date: April 15, 2020
Re: 2020 Cruise Ship Standard Operating Procedures

As a result of input from concerned citizens and in keeping with the effort to minimize the impact of Cruise Ship visitation, I have proposed revisions to the SOP concerning environmental impacts. We already require ships to do everything possible to prevent oceanic and atmospheric pollution. I have added light and noise pollution to the environmental criteria. In addition to holding all wastewater, we would like all ships, and particularly those in Anchorage A to minimize their use of exterior loud speaker systems to Official ship board announcements only. We are also asking ships to minimize exterior lighting and exterior big screen projection screens.

The remainder of the SOP is a continuation of our requirements from 2019.

Charles A. Phippen
Harbormaster

Charles A. Phippen
Harbormaster
1 Town Pier
Bar Harbor, Maine 04609



(207) 288-5571
FAX 288-1034
VHF 16 & 09
bhhmaster@barharbormaine.gov

Town of Bar Harbor, Maine 2020 Cruise Ship standard operating procedures

PORT CALL RESERVATIONS AND PROCEDURES

Under Federal, State and Local laws, the Town of Bar Harbor has regulatory authority over anchorage and disembarkation of passengers into the Town. To reserve anchorage, contact the Harbormaster at (207)288-5571, fax (207)288-1034 or e-mail bhhmaster@barharbormaine.gov. **Upon making reservations, the Cruise Line agrees to abide by all Federal and State laws and regulations, as well as those of the Town of Bar Harbor as outlined in this document.**

Bar Harbor has two General Anchorages capable of accommodating a maximum of three ships per day. One ship in anchorage "A" approximately one half mile east of the tender landing and two ships in anchorage "B", north of Bar Island, approximately one mile from the tender landing. Normally the first ship scheduled will be assigned anchorage "A", however this is not always the case. Ships on their maiden voyages may be assigned anchorage "A" regardless of when the reservation is received. Other instances when departure from this procedure might occur are significant passenger count differences and ship customs clearance requirements. The final determination of anchorage assignment will be made by the Harbormaster and will be in the best interest of safety and expediency of operations.

In addition to the limit of three ships per day, there is a daily passenger cap during the season which runs from May 1st through October 31st. The passenger cap in May, June, September and October is 5,500 passengers based on the LOWER BERTH capacity of a given ship. During July and August the passenger cap is 3,500 based on LOWER BERTH capacity.

There is a Port Fee for cruise ships occupying Bar Harbor anchorages and at present the fee is \$4.55 per passenger based on the LOWER BERTH capacity of the ship regardless of the actual manifested passengers. Agents and cruise line personnel must carefully review the passenger count listed in the ship specification portion of the Bar Harbor Cruise Ship List to ensure that the correct pax count is listed. Payment of all fees is expected the day of the ship visit unless other arrangements are made in advance.

The Town of Bar Harbor has the expectation and requirement that visiting ships will do everything possible to prevent oceanic, atmospheric, *light and noise* pollution. All cruise ships calling in Bar Harbor, whether in anchorage A or B or laying alongside the Town Pier floats, are **expected to hold all waste water including gray water while in port. Ships should minimize exterior lighting and public announcements to official or safety related levels, including music and large projection screens.**

Bar Harbor presently has two approved 33 CFR 105 Secure Facilities for embarkation and disembarkation of passengers from foreign flagged cruise ships. The facilities used at present are located immediately to the west of the Town Pier. The tender floats are located at Harbor Place and the Harborside Marina.

The tender landings are in close proximity to Bar Harbor's downtown area and the main tour bus queuing area is located on West Street across from the entrance to Harbor Place.

In the event of a medical emergency aboard a cruise ship at anchorage contact the Harbormaster or EMS Dispatch. The patient will be met by ambulance at the tender landing point on the Bar Harbor waterfront. EMS personnel will not be available to transport to cruise ships at anchor.

USE OF RECOMMENDED ROUTE

Cruise Ship operators should be aware that the waters on the approach to Bar Harbor are heavily fished by the use of fixed fishing gear. Lobster fishing gear is set throughout the area, near shore as well as off shore. The presence of colored floats will indicate fixed fishing gear and should be avoided. Loss of fishing gear due to transits by large vessels is of concern to both the fisherman and the Town of Bar Harbor.

Please schedule arrival at the pilot station carefully to avoid unnecessary maneuvering. There are charted **RECOMMENDED ROUTES** on NOAA Chart #13318 and 13312 which should be strictly followed in order to avoid damaging fixed fishing gear. If gear is present within the Recommended Route the fisherman risks losing his gear. In general, local fishermen are aware of the amount of Cruise Ship traffic and avoid placing their gear within the charted route. All Frenchman Bay Pilots are familiar with the recommended route into Bar Harbor. Your cooperation will be greatly appreciated and if this office can be of further assistance please contact the Harbormaster.

Cruise Ships visiting Bar Harbor are encouraged to use the tendering service available at Harbor Place. Ships which use their own tenders to transport passengers to and from landing facilities in Bar Harbor must ensure that all tender operators abide by all applicable navigational rules. Navigation lights and sound signals should be used during periods of reduced visibility and during periods of darkness.

Ships assigned Anchorage B and tendering passengers should be aware of the presence of two private aids to navigation which will be in the channel normally used to transit from and to Anchorage B. The aids will be set between western Sheep Porcupine Island and the small islet east of Bar Island from May through October annually. The channel will be marked with a lighted nun on the east side and an unlighted can on the west side. Transit through the narrow channel is generally north/south. A point of reference south of this channel is the USCG Anchorage nun (white with blue stripe) located in the northwest corner of Anchorage A. Tenders should pass this buoy on the eastern side and continue south to the inner harbor entrance which is marked by an unlighted nun and a lighted white no wake buoy.

Ships intending to tender passengers shall assign an officer to supervise the operation of the tenders for the duration of the port call. This officer must have direct communications with the tender operators and correct non-compliant operations immediately. Bar Harbor inner harbor is a NO WAKE ZONE and is clearly marked as such with private aids to navigation. Tenders are responsible for the effects of their operation within the confines of the inner harbor including prop wash. Tenders should be made fast to the landing float and shut down to reduce negative effects on other vessels operating in the vicinity and minimize exhaust emissions.

Bar Harbor Points of Contact

Harbormaster	Charlie Phippen	(207)288-5571
Town Manager	Cornell Knight	(207)288-4098
Police/Fire/EMS	Bar Harbor Dispatch	(207)288-3391
Chamber of Commerce	C of C Welcome Ctr.	(207)288-5103
Frenchman Bay Pilot	Dave Gelinis	(207)548-1077
Harbor Place FSO	Mike Siemion	(207)288-2386

Draft Cruise Ship Committee Minutes 3/12/20

Mr. Phippen spoke to item VI, c., the World Dream Request change from four dates to one. In addition, the number of cruise ships booked for the near future include 197 (198 with the World Dream addition) for 2020, 157 ships for 2021 and 94 ships for 2022.

Mr. Willis stated they are working to create a job description for a new position that will manage the cruise ships and parking.

Town Manager, Cornell Knight did not have any further updates.

Fire Chief, Matt Bartlett addressed Coronavirus procedures in place, stating that they are continuously monitoring John Hopkins case map and the CDC websites. Many local organizations are currently coordinating with local officials to update their plans in place. Updates from the Town of Bar Harbor can be viewed and continually updated on the Town's website.

VI. REGULAR BUSINESS

a. Final SOP and press release

Mr. Phippen quoted, from the 2020 Cruise Ship standard operating procedures, that "The Town of Bar Harbor has the expectation and requirement that visiting ships will do everything possible to prevent oceanic, atmospheric, *light and noise* pollution. All cruise ships calling in Bar Harbor, whether in anchorage A or B or laying alongside the Town Pier floats, are **expected to hold all waste water including gray water while in port. Ships should minimize exterior lighting and public announcements to official or safety related levels, including music and large projection screens.**" This addresses the concerns on cruise ship regulations and applies to all vessels.

Mr. Dobbs moved to send the Cruise Ship SOP to Council for official adoption. Mr. Smith seconded. Motion passed 12-0.

Mr. Willis' update on the Cruise Ship Tour Bus and Tour Vehicle Policy included changes to how buses would be laid out, with two buses on days with less than 2000 people and on busier days, four buses total side by side. In addition, the pier will be one way and only small buses will be allowed up Main St. hill, freeing the space by 11:00 a.m.. Mr. Willis also mentioned a change in staging area for buses and that the tendering on West St. is limited to one, with a max of two, buses at a time. The Police Department retains discretion at all times. Ms. Powers asked about communication resolution with the buses. AT&T is in process of adding cell on wheels at the public safety building for better communications signal and plans to have a more permanent solution for next year.

Mr. Smith moved to send the Cruise Ship Tour Bus and Tour Vehicle Policy SOP to Council for official adoption. Mr. Dobbs seconded. Motion passed 12-0.



**MOUNT DESERT POLICE DEPARTMENT
BAR HARBOR POLICE DEPARTMENT**

James K. Willis, Chief of Police



BHPD
37 Firefly Lane
Bar Harbor, Maine 04609
Tel: 207-288-3391
jwillis@barharbormaine.gov

MDPD
21 Sea Street, PO Box 248
NE Harbor, ME 04662
Tel: 207-276-5111
jwillis@mdpolic.org

To: Town Manager Cornell Knight
From: Chief James Willis
Subject: Cruise Ship Tour Bus Police Update
Date: April 16, 2020

The attached draft update to the Town Council Tour Bus Policy is intended to represent best practices for managing tour busses and other ground transportation vehicles transporting passengers to and from cruise ships. Last year we experimented with several recommendations from the CLIA funded study completed by Simon Veronneau of Operations and Maritime LLC..

We feel that pedestrian and traffic safety was enhanced with the changes contained the recommended update. Further safety enhancements may be available in the future, which involve hardscape changes to the area.

We met with staff from the tendering facility at the Bar Harbor Whale Watch, along with representatives from the tour companies serving the cruise industry in Bar Harbor. We reached group consensus on the concepts in the draft, while agreeing small adjustments will be needed during day-to-day activities. Those expected small changes can be addressed by PD staff on site.

The Cruise Ship Committee approved the draft update at their March 12, 2020 meeting.

Please note that this work was completed prior to the current COVID emergency and no related precautions are included.

Draft Cruise Ship Committee Minutes 3/12/20

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Mr. Smith moved to send the Cruise Ship Tour Bus and Tour Vehicle Policy SOP to Council for official adoption. Mr. Dobbs seconded. Motion passed 12-0.

Cruise Ship Tour Bus and Tour Vehicle Policy

Town of Bar Harbor

In order to address traffic and congestion problems in the vicinity of the Town Pier, the following policy is hereby adopted:

1. These rules shall be enforced by officers and/or designated employees of the Bar Harbor Police Department (BHPD). It is understood that the BHPD may apply alternative rules to address unique conditions at their discretion.
2. Cruise ship tour buses may utilize ~~the parking lot on the south side of West Street between Agamont Lane and Main Street~~the parking areas and the travel portion of West Street between Agamont Lane and Main Street. This area will be referred to as the "Loading Area". Cruise ship tour buses with no passengers aboard should not stage in the Loading Area for more than fifteen minutes prior to loading passengers at any time unless special circumstances arise.
3. ~~Cruise ship tour buses may utilize the parking spaces on the West side of Agamont Park on Main Street at its intersection with West Street until 11am, motor coaches shall be parked as far towards West Street as practical. After 11AM there shall be no tour bus parking on Main Street.~~ On days where cruise ships tendering to One West Street floats with a lower berth capacity of 2000 passengers or less, the Loading Area and street closure will be maintained as follows:
 - A. Cruise ship tour buses shall be loaded on the North side of the Loading Area with a maximum of two buses at any one time.
 - B. The East side of Main Street from Newport Drive to West Street may be used until 11AM, for loading cruise ship tour buses holding no more than 30 passengers each. Parking spaces may be opened to the public at or before 11AM.
 - C. The Loading Area may remain open to one-way traffic all day, but can be closed at the discretion of the duty Officer.
4. ~~Cruise ship tour buses may utilize the Newport Drive Parking Lot as operationally necessary at the discretion of the Bar Harbor Police Department.~~ On days where cruise ships tendering to One West Street floats with a lower berth capacity of 2000 passenger or more, the Loading Area and street closure will be maintained as follows:
 - A. The Loading Area shall be blocked using stanchions, queuing lines or other suitable devices at 7AM until 11AM and closed to all traffic unrelated to cruise ship operations. The duty Officer shall reserve the right to continue road closure after 11AM.
 - B. Cruise ship tour buses shall load passengers on the North side of the Loading Area and may load a maximum of four buses at any time. The South side of the loading area shall remain free of parked vehicles to allow for emergency vehicles and other circumstances when vehicles may need to access the pier through the Loading Area.

DRAFT

- C. After 11AM the Loading Area may be opened to one-way traffic and a maximum of two cruise ship tour buses may be loaded at any time on the North side of the loading area.
- D. The East side of Main Street from Newport Drive to West Street may be used until 11AM for loading cruise ship tour buses holding no more than 30 passengers each. Parking spaces may be opened to the public at or before 11AM.
5. ~~Motor Coaches may utilize parking spaces for 2 busses on the North side of West Street beginning at the entrance to the Harborside Hotel as needed~~Cruise ship tour companies not actively loading passengers may only stage a maximum of two busses in the four spaces designated by the duty Officer at the Newport Drive Parking Lot. Additional bus staging space is available in the open area owned by the Town at the corner of Cromwell Harbor Road and Great Meadow Drive (former Highway Garage location).
6. ~~Overflow cruise ship tour buses shall queue between the Park Street athletic fields as operationally necessary at the discretion of the Bar Harbor Police Department~~Cruise ship tour companies utilizing vehicles designed to carry 15 or fewer passengers shall utilize the last four regular parking spaces on the right as you exit the Town Pier Lot.
7. On days where a cruise ship is tendering passengers to the Harborside Pier, a maximum of four public parking spaces may be utilized for one (1) cruise ship tour bus on the North side of West Street beginning at the entrance to the Harborside Hotel.
- ~~7~~8. Cruise ship tour buses shall turn off their engines at all times except when underway. Exceptions shall be permitted to accommodate special circumstances such as wheel chair lift operation.
9. When cruise ships are in port and the Loading Area is in use, all commercial delivery vehicles shall park along the curb of Agamont Park just outside the East side of the Loading Area, near the public boat launch. The delivery vehicles should position themselves between the crosswalks when possible.
- ~~8~~10. When utilizing the drop-off area on the South side of Mt. Desert Street motor coaches shall park within areas designated by BHPD.
- ~~9~~11. No more than ~~two~~one motor coaches at a time shall be allowed at the drop-off area on the south side of Mt. Desert Street.
- ~~10~~12. Motor coach drop-off areas shall not be used unless drop-off personnel are present and wearing identifying clothing.
- ~~11~~13. Drop-off coning and signage shall be stored out of view from the public way when not in use.
- ~~12~~14. Prior to the first Cruise Ship visit of each season, staff shall ensure that a mandatory meeting of the Bar Harbor Police, Bar Harbor Chamber of Commerce, tour operators, and motor coach companies is held to ensure that all parties are aware of policies and procedures regarding Cruise Ship Motor Coach tour operations.

DRAFT

LEGISLATIVE HISTORY

3/18/03 Adopted by Town Council

3/7/11 Cruise Ship Committee recommended amendment

4/11/11 Town Manager suggested non-substantive edits

10/24/11 Cruise Ship Committee recommended amendment

12/20/11 Council adopted Cruise Ship Committee draft

1/16/18 Cruise Ship Committee recommended amendment

1/16/18 Council adopted Cruise Ship Committee draft

03/12/20 Cruise Ship Committee recommended amendment



VIII D

MEMORANDUM

TO: Cornell Knight, Town Manager
FROM: Angela M Chamberlain, Code Enforcement Officer *AC*
DATE: February 20, 2020
SUBJECT: Richardson Consent Agreement

.....

I have recently received a request that the Town Council consider a consent agreement to resolve a violation as authorized in section 125-101 A.(2) of the Land Use Ordinance.

Mr. Richardson's property is located at 180 Thundermist Road, Bar Harbor Tax Map 205, Lot 018-000. He applied for, and was granted, a building permit on April 9, 2019 to construct an addition to his dwelling and to construct a 20' X 22' garage. During a recent mortgage loan inspection, Tom Benson, Land Surveyor, determined that the garage is located within the 75' front setback.

Mr. Richardson is aware that a variance issued by the Board of Appeals is not an option because he cannot meet the four hardship tests. He also does not have any options to relocate property lines to correct this violation. It appears that relocating the structure to meet the front setback, or requesting a consent agreement are his only options.

Please advise on how best to proceed with the consent agreement process.

CONSENT AGREEMENT

THIS AGREEMENT is made this day of April, 2020 between Tom Richardson of Bar Harbor, Hancock County, Maine (hereinafter “Property Owner”) and **the Town of Bar Harbor**, a duly organized and existing municipal corporation located in Bar Harbor, Hancock County, Maine (hereinafter the “Town”).

WHEREAS, Property Owner owns a certain parcel of land, with two buildings thereon, located at 180 Thundermist Road, Bar Harbor, Maine, identified in the Town Assessor’s records as Map 205, Lot 018-000 (hereinafter the “Premises”); and

WHEREAS, it is the opinion of the Town’s Code Enforcement Officer that setback violations of the Town of Bar Harbor Land Use Ordinance (hereinafter the “Ordinance”) exist on the Premises; and

WHEREAS, the Town is considering a Land Use Enforcement action pursuant to Article X (Enforcement) and pursuant to Title 30-A M.R.S.A. §4452 (Enforcement of land use laws and ordinances); and

AND WHEREAS, the following facts and relevant Ordinance sections are found by the Town Council to exist and apply with respect to alleged setback violations:

1. On April 3, 2019, the Property Owner submitted a permit application to build an addition and a garage on the Premises; the permit was granted on April 9, 2019.
2. Ordinance Section 125-45 (Land Use Activities and Standards: Town Hill Residential) requires that all structures be located at least 75 feet from the center line of the road.
3. A survey plan entitled “Mortgage Loan Inspection for Thomas G. Richardson” Showing the building locations and setback requirements Bar Harbor, Maine” dated January 23, 2020 by Thomas Benson, P.L.S. #2282 (hereinafter the “survey plan”) to be recorded in the Hancock County Registry of Deeds, the relevant portion of which is attached hereto as Exhibit A, shows that the garage is within the 75 foot front yard setback area.
4. On February 19, 2020, Property Owner notified the Town of Bar Harbor, that the newly constructed garage encroached on the setback.

5. The Town Council is authorized, pursuant to Ordinance Section 125-101(A)(2), to enter into administrative consent agreements for the purpose of eliminating violations of this ordinance and recovering fines without court action.

NOW THEREFORE, in consideration of mutual promises and covenants contained herein, the parties agree as follows:

1. Property Owner shall pay to the Town upon execution of this Agreement the Town's legal fees in the amount of \$250, the Town's administrative costs in the amount of \$250, plus a fine to the Town in the amount of \$ 1,000, which sum shall be in settlement of the Town's potential claim for fines and penalties, which amount shall be in lieu of any other fines, penalties or additional costs that might otherwise be associated herewith.

2. By accepting said amount, and providing that Property Owner complies with the terms and conditions of this Agreement, the Town shall forego its rights under 30-A M.R.S.A. §4452 and the Ordinance to pursue judicial relief against the following setback violations and allow that portion of the garage currently existing within the required front yard setback as shown on the attached Exhibit to remain and to be treated as a nonconforming structure under the Town of Bar Harbor Land Use Ordinance.:

3. The Property Owner covenants on behalf of himself, his heirs, successors, and assigns that any further construction within the front yard setback area is prohibited.

4. This Agreement shall be recorded at the Hancock County Registry of deeds as evidence that the violations set forth above are deemed cured as to the Property Owner and his successors, heirs and assigns, subject to the conditions stated herein.

Thomas Richardson

TOWN OF BAR HARBOR

By: _____
Its Town Manager, duly authorized by Town
Council on April , 2020

STATE OF MAINE
HANCOCK COUNTY, ss.

Personally appeared the above named Thomas Richardson and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public/Attorney at Law
Printed name _____
My commission expires _____

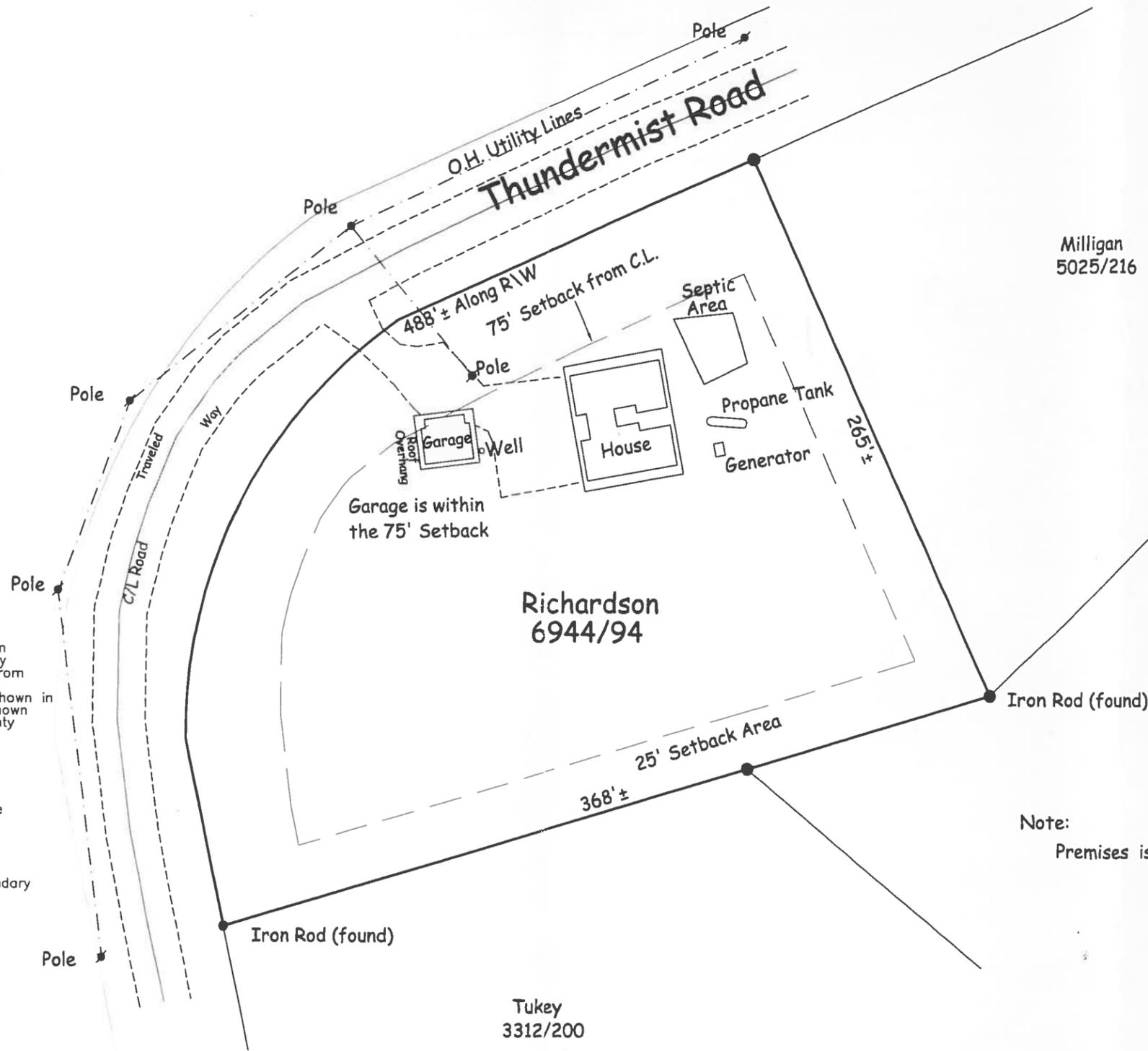
STATE OF MAINE
HANCOCK COUNTY, ss.

Personally appeared the above named Cornell Knight in his said capacity and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public/Attorney at Law
Printed name _____
My commission expires _____

N:\CARLSON 2013\WORK\1710RICHARDSON\TOMCLASSDTHUNDER.dwg, 2/17/2020 3:53:15 PM, Xerox WorkCentre 7232 GPD PCL6 11x17.pc3,



To: The First National Bank and the title insurer, CATIC Title Insurance Company I certify:

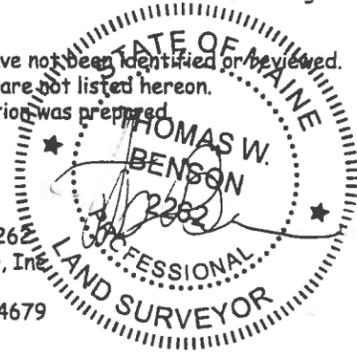
The information shown on this plan is the result of an inspection of the property for mortgage purposes only. All locations are by approximate measurement. Boundary locations are determined from visible evidence and or deed descriptions. All buildings, visible easements and encroachments are located on the ground and shown in relationship to the approximate boundary lines. The premises shown are presumed to be the same as recorded in the Hancock County Registry of Deeds in: Book 6944 Page 94

At the time of the inspection the improvements shown are in violation of the local zoning ordinances per the local zoning officials. Structures shown are not located in the Flood Hazard area as defined on the Flood Insurance Rate Map by the Federal Emergency Management Agency.

Survey work and plan shown hereon is not a boundary survey. This plan shows major improvements in relation to approximate boundaries. Additional survey work is required to establish boundary lines.

The survey shown hereon conforms to the Board of Licensure for Land Surveyors Standards of Practice with the following exceptions:

- All Private Records have not been identified or reviewed.
- All Deeds referenced are not listed hereon.
- No Report or Description was prepared.



Thomas W. Benson, PLS #2262
T.W. Benson Land Surveying, Inc.
7 Freeman Ridge Road
Southwest Harbor, Maine 04679
207-244-7820

Front setback distances shall be measured from the center line of the traveled way in all districts except the Village Historic, Mount Desert Street Corridor District, Downtown Village, Downtown Residential, Halls Cove Business, Village Residential and Shoreland General Development I Districts where setback distances shall be measured from the edge of the lot line. [Amended 11-2-2010] Section 125-67 -b.2 of the Land Use Ordinance per Patrick Lessard Deputy CEO of Bar Harbor.

Note: Premises is served by private water and sewer.

Mortgage Loan Inspection
For
Thomas G. Richardson
180 Thundermist Road
Bar Harbor, Maine

January 23, 2020 Scale 1" = 60'



Consent Agreement Policy

Town of Bar Harbor

The following policy is hereby established in order to standardize the way in which the Town Council will process requests for consent agreements proposed to settle Land Use Ordinance violations.

Authority

Article X “Enforcement” of the Bar Harbor Land Use Ordinance § 125-101. “Proceedings; Violations and Penalties” provides in pertinent part:

A. Actions and consent agreements.

....

(2) The Town Council or its authorized agent is hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this chapter and recovering fines without court action. Such agreements shall not allow an illegal structure or use to continue in a shoreland district unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.

....

D. Attorneys' fees and costs. An applicant shall pay to the Town all attorneys' fees, court costs and out-of-pocket expenses incurred by the Town in any enforcement action undertaken to correct the applicant's violation of this chapter.

Intent

Since the Land Use Ordinance has been adopted by the voters at a lawfully called election, it is the expectation of the Town Council that all parties shall bring their property into compliance with the Land Use Ordinance to the maximum extent reasonably possible before approaching the Council with a request for a consent agreement. It is the intent of the Town Council to enter into consent agreements only upon an admission that a violation does in fact exist and upon a showing of why a negotiated settlement is in the best interest of the Town.

Typical Procedure

Enumeration of the following procedure is meant for illustrative purposes only and may be adjusted by the Town Council at any time as needed to meet the current situation or as deemed by the Council to be in the best interest of the Town. Steps shown in italics are to be considered optional at the discretion of staff.

- I. Code Officer sends Notice of Violation (NOV)
- II. Owner indicates to the Code Officer an interest in admitting the violation and using a consent agreement to resolve the case, rather than complying with the law or appealing the NOV.
 - A. Code Officer sets up a meeting with Fire Chief and Town Manager.
 - B. The CEO, Chief and Manager all start recording their time to track the Town's expenses.
- III. Code Officer, Fire Chief and Town Manager meet to discuss:
 - A. Details of case,
 - B. Information to be provided by the applicant, and
 - C. Possible resolutions for the violation
- IV. In a letter to the Town Manager the owner:
 - A. Admits to the violation,
 - B. Invites the Council to a site visit,
 1. Gives permission for the public to attend the site visit,
 - C. Explains why a negotiated settlement is in the best interest of the Town,
 - D. Suggests a comprehensive resolution for all open issues, offering to settle the case by paying the Town's costs as required by LUO 125-101.D and:
 1. Correcting the violation,
 2. Paying a stipulated penalty, or
 3. Combination of the two
 - E. *If deemed pertinent by the Town Manager, the owner shall attach a scale drawing of the property, sealed by a Registered Land Surveyor, and showing:*
 1. *Property Lines,*
 2. *All structures on the property,*
 3. *Setback lines, and*
 4. *Surveyor's name, north arrow, scale, date, etc.*
- V. Code Enforcement Officer submits a written report and recommendation to the Manager.
- VI. Manager submits to Council:
 - A. Manager's analysis of the situation,
 - B. Code Enforcement Officer's report, with recommendation, and
 - C. The owner's letter and any required attachments.
- VII. Town Council holds a preliminary meeting:
 - A. *Executive session – to discuss the Town's rights and duties with legal counsel, as permitted by 1 M RSA 405.6.E.*
 - B. Open Session – Councilors vote to determine if they are interested in considering a consent agreement, subject to negotiation of acceptable terms.
- VIII. Council holds a second meeting:
 - A. Site visit – The purpose of the site visit is to observe site conditions, not to debate the merits of the case. Owners wishing to overturn the Notice of Violation should file an appeal. Accordingly, presentations by the owner, past owner and/or the owner's advocate will not be accepted, although they may answer any questions posed by Councilors.

1. As required by law, this will be a public meeting, and the public will be allowed to attend.
 2. Meeting notices will be sent, by email or first class mail, to the owner, his/her attorney or agent and the immediate abutters, including those across the street.
- B. Executive session:
1. Council discusses settlement options with the Town Attorney.
 2. Owner should be available, although outside the Council's meeting room.
 3. Manager acts as an intermediary to negotiate a settlement.
- IX. Detailed consent agreement is drafted:
- A. Town provides the owner's attorney with a copy of a previous agreement.
 - B. Owner's attorney drafts a consent agreement modeled on the Town's previous consent agreement.
 - C. Town Attorney works directly with owner's attorney to develop an acceptable draft.
- X. Consent agreement finalized:
- A. Owner signs the consent agreement and pays any amount due, plus the estimated amount of the Town's cost to prepare and record the agreement at the Registry, including a reasonable amount for the legal expenses of doing so.
 - B. Town Manager places the matter on a Town Council agenda.
 - C. Council votes in open session to approve the consent agreement.
 - D. If payment has been made by check, staff deposits the check to make sure it clears.
 - E. After the check clears, the Town Manager signs the agreement and provides a copy to the owner and the Code Enforcement Officer.
 - F. Town Clerk records the consent agreement at the Registry of Deeds.

LEGISLATIVE HISTORY

3-16-10	New policy requested by Council
4-20-10	Council directed changes to draft
5-18-10	Amendment Adopted by Council



Town of Bar Harbor Planning & Code Department

Memorandum

To: Cornell Knight, Town Manager
From: Michele Gagnon, Planning Director
Copy: Steve Fuller, Assistant Planner
Re: Vacation Rental Proposed Regulatory Approaches
Date: April 17, 2020

If you are interested in having the Town vote on vacation rental Land Use Ordinance amendments in November 2020, we ask for consideration to hold a joint zoom workshop of the Town Council and the Planning Board. The purpose is to review and get input on four elements of the proposed VR Regulatory Approaches, as revised with the input of the ZAG on March 23, 2020.

The four elements for consideration are, per the attached document - VR Regulatory Approaches dated April 2, 2020: 1) clarification of what is a VRI; 2) placing the CAP requirement in Ch. 190; 3) providing for all registered VR to continue operating, as is, if it the amendment passes; and 4) maintaining the minimum number of nights for VR II to 4 nights.

Also attached is a revised schedule developed to meet the June 3 deadline marking the start of the formal (six month long) process of deadlines required for a land use amendment to be on the November 2020 ballot. This is an extremely tight timeline. The best would be for that deadline to be postponed and the schedule of deadlines reorganized because of the impacts of the Covid-19 pandemic, which has now set us back five weeks, on our ability to delivery planning services. Notwithstanding a postponement of the start of the formal process, we may be able to meet the June 3 deadline if the VR regulatory approaches are well received. We also have provided an alternative to a formal public information session, as we told attendees of the Listening Sessions we would hold, which would consist of a pre-recorded solo zoom session presenting the proposed VR regulatory approaches uploaded to Town Hall Streams. Notice of this pre-recorded information session would be accomplished via the web page, Facebook, and the press. People would be invited to email comments and questions. Using our best judgement, we would incorporate some of the input in the VR regulatory approaches document and consequently into the proposed land use amendment, and if it proves to be helpful and necessary, we would draft and post answer to frequently asked questions. If you do decide to move forward and try to meet the June 3 deadline, we are willing to give it a try, however, I would like to reserve the right to push it pack to June 2021 ballot if it becomes necessary.

2020 Schedule for Vacation Rental Land Use Amendment

Meeting	Date and Time	Activities
Public Listening Sessions	Tues Jan. 28 6:30 PM @ MDI Bio Lab Wed Jan. 29 6:30 PM @ Munic. Bldg. Thu Jan. 30 6:30 PM @ Town Hill VIS	Staff presents same as above to public and hears comments
ZAG	Thursday Jan. 23, 4 - 5:30 PM	Pre-screening of the Listening Session - presentation of history, data, issues, benefits, and existing regulations and get feedback
ZAG	Thu Feb. 6, 4 - 5:30 PM	Work on goals, purposes, policy objectives
ZAG	Mon Feb 10, 4 - 5:30 PM	Work on goals, purposes, policy objectives
ZAG	Mon Feb. 24, 4 - 5:30 PM	Work on regulatory approaches
ZAG	Thu Feb. 27, 4 - 5:30 PM	Work on regulatory approaches
ZAG	Mon March 2, 4 - 5:30 PM	Work on regulatory approaches
ZAG	Thurs March 5, 8 - 9:30 AM	Work on regulatory approaches
ZAG	Mon March 23, 5 - 6:30 PM	Work on regulatory approaches
TC	Tues Feb 18, 7 PM @ TC meeting	Present goals, purposes, and policy objectives
PB	Wed March 4, 4 PM @ reg. meeting	Update PB
PB/TC	Wed March 11, 6 PM	Update at joint workshop of PB/Council
Public Info. Session	Wed March 18, 6:30 PM	Present goals, purposes, policy objectives, regulatory approaches with Q&A
PB	Wed April 1, 7 PM @ regular meeting	Update PB
Public Info. Session	Wed April 15, 6:30 PM	Present revised regulatory approaches w/ Q&A
PB	Wed April 22, 7 PM special meeting	Finalize LUO language
PB	Wed April 29, 7 PM special meeting	Finalize LUO language
PB/TC	Tues April 28, 4 - 5:30 PM	Finalize regulatory approaches
Public Info Session	Between April 29 and May 6	Recorded presentation posted on zoom, comments and questions taken by email.
PB	Wed May 6, 7 PM @ regular meeting	PB calls for public hearing @ June 3 PB meeting

Guide to Acronyms: ZAG = Zoning Advisory Group, TC = Town Council, PB = Planning Board, VR = Vacation Rental

Updates pertaining to this project will be shared with the Town Council, the Planning Board, and the Town Manager.

Members of the VR ZAG: Earl Brechlin, John Fitzpatrick, Mike Gurtler, Rob Jordan, Kristi Losquadro and Nichole Treston.

****June 3 is the start of the 5-month period of formal public hearings for LUO amendments to be possibly voted on in November 2020 ballot.**

January 2, 2020 revised on February 10 and April 17, 2020

01. VR REGULATORY APPROACHES

	VR-I	VR-II
<p>Examples and requirements:</p> <p>a) VR is a dwelling unit that is rented for less than 30 days.</p> <p>b) VR excludes the short-term rental of RVs, campers, tents, tree houses, etc.</p>	<ul style="list-style-type: none"> • Must be permanent resident at, and owner of, the residence • Max of 2 VR registrations on the same parcel than the resident's permanent residence. • May be hosted or non-hosted. • If the VR is a room(s), the room(s) must be in a dwelling unit and the renter must have access to the amenities of the dwelling unit • Could be someone who rents an apartment over the garage and/or a room in the house; or someone who leaves their permanent residence to go to camp for the summer and rent their house and/or another detached dwelling unit on the lot. 	<ul style="list-style-type: none"> • Must be the whole dwelling • Cannot be a room in a dwelling • Could be a Bar Harbor property owner in the case where dwelling unit is not the owner's permanent residence. • Could be any dwelling unit that is owned by non-Bar Harbor resident.

01. VR REGULATORY APPROACHES

	VR-I	VR-II
Ch. 190 – VR Registration		
Require posting of BH registration # on all advertisement including, but not limited to, online platforms such as Airbnb, HomeAway, etc. Visual clue	YES	YES
Annual registration	YES	YES
Annual Fee ¹	\$250/registration	\$250/registration
Inspection cycle for life safety standards ²	Every 3 years by Fire Dept. Annual check-off by owner	Every 3 years by Fire Dept. Annual check-off by owner
Ch. 64 - Disorderly Houses (that would cover problems with large gatherings)	YES - Add VR to the definition of building (to make it clear)	YES - Add VR to the definition of building (to make it clear)
License revocation (based on multiple, recurring and/or significant code violations and non-compliance, and in some cases criminal activity)	The Council could revoke the license for a min of 3 and max of 8 months after a public hearing.	The Council could revoke the license for a min of 3 and max of 8 months after a public hearing.

¹ The fee may need to be re-evaluated to ensure it is commensurate with the work associated with vacation rental registration.

² Will need to assess the impacts on staffing.

01. VR REGULATORY APPROACHES

	VR-I	VR-II
Operating without a registration	Would have to wait 12 months from the date of the violation before applying for a VR registration	Would have to wait 12 months from the date of the violation before applying for a VR registration and would be placed at the bottom of the wait list
Applicant must be current on all taxes, water/sewer/other fees ³	YES	YES
Require indoor posting of license certificate (to include the physical address of VR and owner/contact information). <i>This reaffirms existing requirement in 190-3 E., partly.</i>	YES	YES
Require a one-time notification by the town to immediate abutters (includes across a road/ROW) within 30 days of issuance of VR license ⁴	YES	YES
Weekly trash removal	YES	YES

³Will need to assess the impacts on staffing.

⁴Will need to assess the impacts on staffing.

01. VR REGULATORY APPROACHES

	VR-I	VR-II
Regulate the max number of people per bedrooms	NO	NO
Regulate the max number of people/septic capacity	NO	NO
Require proof of insurance	NO	NO
Regulate the max number of people on property for special event (i.e. wedding, etc.)	NO - See Disorderly Houses	NO - See Disorderly Houses
Require a VR placard outside	NO	NO
Require posting by the town of all VR licenses (to include location and name of licensee) on town website.	NO	NO

01. VR REGULATORY APPROACHES

	VR-I	VR-II
Town-wide cap	NO	<p>Cap of 175⁵ with a 3:1 entry ratio until cap is met (i.e. for every three expired licenses one is issued until the cap is met at which time the number of license issued would not exceed the cap).</p> <p>From time to time, the Town Council shall consider adjustments to the cap for the calendar year.</p>

⁵ 175 represents about 5% of the Bar Harbor Housing Stock. We know that at least 236 of the towns 438 vacation rentals registrations are to non-Bar Harbor addresses. The remaining 202 vacation rental registrations are to Bar-Harbor addresses but this does not imply that these vacation rentals are all taking place on the property of a permanent resident.

01. VR REGULATORY APPROACHES

	VR-I	VR-II
Ch. 125 - Land Use Ordinance		
VR registration protection clause	N/A	<p>Duly registered VR will be able to continue operating under the current regulations of a minimum of 5-days (4 nights) and in the same districts, as long as the VR registration is renewed annually.</p> <p>If the registration is not renewed or if the property is transferred, the above-mentioned protection expires.</p>
<p>Districts Presently VRs are allowed in 34 of the 40 districts for a period of 5 days or more.</p> <p>The six districts where VRs are not allowed are Industrial, Scientific Research, Marine Research, Shoreland Maritime, Stream Protection, and Resource Protection.</p>	No change	No Change
Length of stay	No minimum length of stay	No change - stays 4 nights minimum

01. VR REGULATORY APPROACHES

	VR-I	VR-II
Different length of stay in off season	NO	NO
Cap on number of VR by type/by owner	De facto maximum of 2 VR registrations	NONE
Parking standards	No change	No change
Residential or commercial use?	Residential use with limited commercial activity	Residential use with 100% Commercial activity
Cap per zone	NO	NO
Cap per neighborhood	NO	NO
Require a certain occupancy time of the dwelling prior to using it as VR	NO	NO
Require a lapse of time between the construction of a dwelling unit and it being used as VR	NO	NO

DRAFT DRAFT DRAFT – Jill G
April 9, 2020
Governor Janet Mills
1 Statehouse Station
Augusta, Maine 04333

The Bar Harbor Town Council moved quickly to protect our community during the pandemic. We appreciate your taking actions that correspond with our own. Bar Harbor residents and business owners have been extremely supportive of our efforts but it helps immeasurably when state guidance is similar or identical.

As the town in Maine with the highest seasonal visitation and the largest number of cruise ship visits, Bar Harbor is in a uniquely vulnerable position. Since the process is necessarily opaque due to the speed at which you must work and conditions and recommendations that change day to day, we assume, but have been unable to confirm, that our situation is on your radar screen.

Once restrictions begin to be relaxed, even if that is “step-wise,” we anticipate a rapid influx of visitors to Mt. Desert Island. They will come from around the country and around the world, from places that managed their own pandemic challenges well and places that did less to prevent the spread of disease. We will have no way of knowing or managing visitors based on the conditions at their home locations, and no practical way to test visitors as they arrive.

Health care: We have a hospital with 24 beds and three ICU beds. Even prior to the pandemic we had a regular flow of patients to our ER from cruise ships seeking treatment for illness or injury. We also address the needs of the far greater number of visitors arriving by car, and MDI Hospital treats everything from sunburn to falls in Acadia National Park that require a 6-hour “carry out” to get a hiker, sometimes critically injured, to emergency care.

Cruise ships: We have banned cruise ship visits to Bar Harbor until July 1. We will be considering whether to extend this ban by early/mid-June. We had about 200 visits scheduled for this season, but fully half of those are scheduled for September and October. It is too soon to judge, but even if it becomes necessary to extend the ban through July and August we could still see half of the scheduled ships in the fall if conditions permit.

Banning cruise ships for July and August would alleviate a major source of local anxiety and still have limited impact on Maine coastal towns except for Bar Harbor, and so far our community supports such a ban. The state would still have the flexibility to manage other tourist boats (tours, whale watch, etc.) as you see fit.

Social distancing: At the moment, many experts seem to agree that even when we relax some restrictions we will need to continue to observe social distancing. During tourist season in Bar Harbor that is simply not possible. There is commonly less than two feet between people on the sidewalks and in stores. We have one grocery store. (They have been heroic.) Our resident

population, many of whom are in the “senior” category, will have no choice but to shop for food in crowded aisles with tourists from around the world.

Lodging and restaurant bans: Opening lodging but not restaurants will mean our hard-pressed grocery store will be scoured out by visitors. Opening restaurants but not lodging is possible but will be a major draw for day visitors with increased crowding both in restaurants and on the streets.

Our sincere thanks for considering our input. We are not looking for specific outcomes as much as we are seeking reassurance that your COVID-19 team has the information it needs to consider our particular challenges.

Thank you for leading a strong Maine team that is putting countless hours into innumerable, complex management questions. We can provide any documentation that might be useful, including visitor numbers and seasonal weekly highs and lows, cruise ship visits (dates scheduled and passenger loads), and impact numbers for our local grocery store.

BHTC

Town Manager contact info

Cornell Knight

From: Gary Friedmann <gary@garyfriedmann.com>
Sent: Monday, April 13, 2020 1:13 PM
To: Cornell Knight
Cc: Jeff Dobbs
Subject: Agenda Item for April 21 Counsel Meeting: Community Forum or Forums

Hi Cornell,

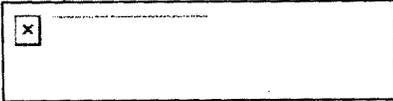
I am writing to request that the Council consider sponsoring at least one town virtual forum to discuss how Bar Harbor will confront the current crisis. I believe that local residents and businesses are looking for leadership that is listening, communicating, and planning to protect lives and restore livelihoods.

I hope that Cornell will work with Nina St. Germain to develop an appropriate format and select a moderator for these events, as well as present to Council possible focal points for each forum. We might ask officials from State government and the State Office of Tourism to join as expert panelists.

We must begin thinking about long-term strategies to prevent potential devastation of our tourist industry and the families who depend on it for their livelihood, while keeping residents safe and healthy. Let's start by hearing what our community thinks about key issues, challenges, and possible solutions.

Thank you,
Gary

Gary Friedmann, *Senior Counsel*
Gary Friedmann & Associates



207.460.7362
www.garyfriedmann.com

Visit Share Our Stimulus MDI:



Cornell Knight

From: Nina St.Germain <nina@barharbormaine.gov>
Sent: Tuesday, April 14, 2020 9:37 AM
To: Cornell Knight
Subject: part 3, sry
Attachments: Covid Task Force(3).pdf

Whoops, I attached the wrong one twice...

Cornell,

Thanks for passing along Gary's idea for the agenda. I agree, we do need discussion. I would add that we need directed discussion that occurs with the ability to create change.

Given the long term nature of Covid, 12-18 months, and the need to have thoughtful community discussion on how to allow business and protect the health of Bar Harbor, I think Bar Harbor should form a task force that could help Council take on this monumental job. I have attached a draft of what it could look like, what the focus should be, and ways to gather information. (I've never formed a taskforce so please forgive what must be a crude draft, it's really meant to create discussion.)

While premature in some regard, since we don't have any mandates yet nor rules about how to conduct ourselves, we do know that tourism will be hard hit due to lack of travel, financial limitations, and obviously acquiring or transmitting Covid. We also know that our health is paramount. So how do we move forward keeping both as priorities?

Off the top of my head, I can see the potential for needing outdoor areas to eat take out-food that are covered (think canvas pavilions), increased recycling stations, fourth of July, hand washing stations, more public benches, washing of benches, meters, and kiosks. These are just a few, and when we get into the nitty gritty there will be many more levels of decision making that it's important we are thinking ahead and have communication channels set up for when the right time comes and business begins again.

Thanks for considering,

Nina

Covid Taskforce

To focus on protecting community health while restoring livelihoods in Bar Harbor

The intention behind this task force is to honor **both** the health and economic vitality of Bar Harbor as it pertains to the 2020 Covid 19 virus.

CTF will create recommendations to the Council based on the direction received by the state and federal governments for restoring business in Bar Harbor while maintaining the highest level of health practical within the community.

CTF will help the Town of Bar Harbor adapt to the many anticipated changes due to Covid 19. So many of our normal routines will be altered as we get our Town moving again. Recognizing the foundation of the Bar Harbor economy lies in tourism and that visitors who may bring Covid 19 pose a threat to our community, Bar Harbor needs to discuss implementation of best practices to prevent and limit transmission once State and Federal guidelines have been determined.

The suggested makeup of the CTF could be:

Cornell Knight, Town Manager
Matt Bartlett, Fire Chief
Jim Willis, Police Chief
Bethany Leavitt, Public Works
Alf Anderson, Bar Harbor Chamber of Commerce
Kevin Schneider, ANP
Heather Webster, CES
And one member from each category:
Council Member
MDI Hospital
Hospitality
Transportation
Vacation Rentals
Senior Community
Island Connections

Establishing a working group that recognizes the need for both health and economic wellness is paramount to Bar Harbor's reemergence from this devastating virus. The levels of anxiety on

both fronts will certainly intensify as our country opens up and visitation to Bar Harbor increases.

Due to the nature and timing of this situation, I suggest that Council waive the typical appointment process as you are able, given the need for quick action and compressed timelines and appoint members to the taskforce directly.

This Taskforce should collect opinions and information from residents using zoom, the Polco platform, and direct solicitation of communication via email.

EMERGENCY ORDINANCE

Whereas, the Governor has declared a civil emergency; and

Whereas, a pandemic emergency exists; and

Whereas, the Town Council has the authority to take control measures to reduce the spread of the Covid-19 virus; and

Whereas, the Town Council has the authority to enact emergency ordinances under Section C-16 of the Town Charter; and

Whereas, the town is following guidelines established by the Maine CDC; and

Whereas, the safety of our residents, especially the seniors and those residents with underlying health issues which make them particularly vulnerable to illness; and

Whereas, in order to reduce the potential of any viral transmission within our community; and

Whereas, reducing social interaction will help flatten the curve and reduce the spread of Covid-19; and

Whereas, The Governor has extended the civil state of emergency until May 15, 2020.

Now Therefore be it ordained that the Town Council declares a pandemic emergency and orders the following actions:

The closure of public access to the Municipal Building offices, Highway Garage, Wastewater Plant, Police Station, Fire Station and the Harbormaster's office shall continue until May 15, 2020.

Staff shall be working remotely, where feasible, and/or staffing levels will be reduced to abide by social distance requirements.

Town departments shall be available through telephone and email to respond to the public.

Cancellation of all municipal meetings except Town Council and Planning Board, which will be conducted remotely, until May 15, 2020.

The open town meeting shall be held on June 30, 2020.

The secret ballot town meeting shall be held on July 14, 2020.

Suspension of all deadlines or timing requirements set forth in the Town Charter Sections C-5, 31, 34, 36, and 39, as such may pertain to budget review by the Council and/or Warrant Committee, nominations for elected public office and other matters reserved for town meeting vote including, but not necessarily limited to, amendments to the Land Use Ordinance.