

**Minutes**  
**Bar Harbor Town Council**  
**January 20, 2026**

**I. CALL TO ORDER** – 6:30 P.M.—In attendance were Councilors Valerie Peacock, Steven Boucher, Earl Brechlin, Maya Caines, David Kief, and Joe Minutolo; and Town Manager James L. Smith.

A. Excused Absence—Ms. Caines, with second by Mr. Brechlin, moved to excuse Councilor Sprague. Roll Call Vote:

Kief                    Y

Boucher                Y

Brechlin               Y

Peacock               Y

Caines                Y

Minutolo              Y

Motion passed 6-0.

**II. READING OF THE MEETING GROUND RULES**

**III. APPROVAL OF MINUTES**

A. December 16, 2025 Regular Meeting

B. December 29, 2025 Special Meeting

C. January 6, 2026 Special Meeting

Ms. Caines, with second by Mr. Brechlin, moved to approve the December 16, 2025, December 29, 2025 and January 6, 2026 minutes presented. Roll Call Vote:

Kief                    Y

Boucher                Y

Brechlin               Y

Peacock               Y

Caines                Y

Minutolo              Y

Motion passed 6-0.

**IV. ADOPTION OF AGENDA**—Ms. Caines, with second by Mr. Brechlin, moved to amend the agenda to remove Reports and Updates Item D. Sustainable Tourism Management. Roll Call Vote:

Kief                    Y

Boucher                Y

Brechlin               Y

Peacock               Y

Caines                Y

Minutolo              Y

Motion passed 6-0.

Ms. Caines, with second by Mr. Brechlin, moved to adopt the agenda as amended. Roll Call Vote:

Kief            Y

Boucher       Y

Brechlin      Y

Peacock       Y

Caines        Y

Minutolo      Y

Motion passed 6-0.

**V. 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.*—John O’Brien spoke about concerns for the rights and safety of residents in potential interaction with federal immigration enforcement officers. He asked for a Town ordinance complementing the new state law (LD1971) restricting local law enforcement engagement and cooperation with federal law enforcement.

**VI. REPORTS AND UPDATES**

**A. Manager’s Comments**

Mr. Smith said the FY27 proposed budget is complete and he looks forward to sharing it at the budget workshops beginning later this week.

A new Water Superintendent has been hired and started work, Jason Sockbeson.

He shared news of ongoing projects including the West Street Pump Station. Lot clearing has begun for the Up-Island Water Storage Tank. Water main is being installed on Cromwell Harbor Road and this includes some traffic impacts. The fuel system at the Public Works facility is up and running for all the Town departments that rely on access to gas or diesel.

He said the next phase of design work for the ferry terminal property will be coming to Council shortly.

**B. Financial Report**

Finance Director Sarah Gilbert spoke about the financial report for the first six months of the fiscal year. She said that non-tax revenues in the General Fund are at 52.4% of budget, above the 50% benchmark. Revenue sharing from the state has been below the amount projected. In the parking fund, the only revenue in the off-season is citation payments, until users start to purchase parking permits in the spring ahead of the season.

Expenditures are at 49%, just under the benchmark. She said her office is monitoring General Government expenses.

Property tax revenue is 59.6% collected. Vehicle excise tax revenue is up 6%, to \$35,000.

For the Water and Wastewater funds, 37% of budgeted revenue has been received.

Ms. Caines, with second by Mr. Brechlin, moved to accept the financial report, with thanks. Roll Call Vote:

Kief            Y

Boucher       Y

Brechlin Y

Peacock Y

Caines Y

Minutolo Y

Motion passed 6-0.

**C. Proposed Water Rate Adjustment**

Public Works Director Bethany Leavitt, Finance Director Sarah Gilbert, and consultant Annaleis Hafford of Olver Associates gave a presentation about the user rate review, expanding on the information presented at the January 6 meeting. They noted that there is a grace period even after the rate case is filed with the PUC when it can be amended.

Ms. Leavitt said that while 70% of the water system customers are residential, they use about 23% of the water. Commercial customers are 25% and use 52%. She shared pros and cons of different options for implementing the rate increase—all 35% at once, or phased over two or three years, which is the maximum the PUC would consider. She said that while a phased implementation would reduce the impact to household and organizational budgets, it would also impact planned capital projects, leading to delays and/or reduced efficiencies (synergies between water projects and sewer, sidewalk, and road improvements).

**D. Vision Zero Safety Action Plan**

Staff Planner Hailey Bondy and consultant Paul Pottle of Stantec gave an update on the project. The draft Safety Action Plan has been prepared and it is being shared at another round of public meetings, and engagement sessions in the coming weeks. There is a resident survey open through mid-February.

They gave examples of sections of the plan—the “priority network” of roads and intersections with potential for safety improvements, recommended strategies, and next steps. Demonstration projects related to these strategies can help the Town qualify for next-stage grant funding for these projects.

**E. Land Use Ordinance Amendments Update**

Planning staff discussed the five amendments proposed for the June ballot. Drafts of the amendments were included in the agenda packet for this meeting.

The **Holy Redeemer Church** re-zone would allow increased lot coverage and reduced setbacks for the church, which is on Mount Desert Street, to improve parking and access while preserving neighborhood character.

The **Design Review** amendment is a proposed repeal and replace of Article XIII of the Land Use Ordinance to clarify standards and the review process. It would not change or expand the scope of this review.

The **Campgrounds and Private Campsites** amendment creates a single definition of campground in the ordinance, where currently there are two. There is no change to the districts where campgrounds are allowed. It also adjusts the standards and districts for Individual Private Campsites.

The **Lodging Regulations** amendment grew out of the work related to the Moratorium Ordinance on Certain Transient Accommodations. It replaces the term “guest room” in the

ordinance with “guest unit,” amends the definitions of the lodging uses L2, L3, L6, and L7, and creates new terms “guest capacity” and “gross floor area.” It removes Lodging 1 as an allowed use and removes other lodging uses from certain districts.

The **Minimum Area per Family** amendment is intended to move towards both local and state housing goals, to promote the development of affordable housing choices for all ages and household types. It promotes more inclusive zoning by allowing a wider array of housing types in many districts, including accessory dwelling units, duplexes, or buildings with three or four housing units.

**F. Marine Resources Committee**

Committee chair Chris Petersen said the committee does not plan to make any changes to the shellfish license allocation for the coming year, but will be asking the Council to reduce the cost of commercial licenses, since commercial harvesters will be asked to complete more conservation hours.

He also shared findings from the committee’s research, that clam recruitment and survival are both dramatically lower in the last few years, and ideas for other collaborative work on shore access, ecology and education.

**VII. LICENSES AND PERMITS—None.**

**VIII. 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. Order 2, confirm the Manager’s annual appointment of statutory officers.
- B. Order 3, authorize acceptance of Maine DOT Small Harbor Improvement Program grant for construction and design of a heavy-duty ADA compliant gangway.
- C. Order 4, authorize the transfer of funds in the Capital Improvement Program for helipad expenses.

Ms. Caines, with second by Mr. Brechlin, moved that the consent agenda have passage. Roll Call Vote:

Kief \_\_\_\_\_ Y

Boucher \_\_\_\_\_ Y

Brechlin \_\_\_\_\_ Y

Peacock \_\_\_\_\_ Y

Caines \_\_\_\_\_ Y

Minutolo \_\_\_\_\_ Y

Motion passed 6-0.

**IX. RESOLVES AND ORDERS**

- A. Treasurer’s Warrant—*Request of Treasurer to authorize paid bills.*—Ms. Caines, with second by Mr. Brechlin, moved to sign the treasurer’s warrants for paid bills. Roll Call Vote:

Kief \_\_\_\_\_ Y

Boucher \_\_\_\_\_ Y

Brechlin \_\_\_\_\_ Y

Peacock \_\_\_\_\_ Y  
Caines \_\_\_\_\_ Y  
Minutolo \_\_\_\_\_ Y  
Motion passed 6-0.

**X. ORDINANCES IN FINAL READING, PUBLIC HEARING AND ADOPTION—None.**

**XI. ORDINANCES IN FIRST READING**

- A. Order 5, schedule public hearing on amendment to Chapter 201, Water, to adjust water rate structure and rates.

Ms. Caines, with second by Mr. Brechlin, moved to waive the reading that that the order have passage. Roll Call Vote:

Kief \_\_\_\_\_ Y  
Boucher \_\_\_\_\_ Y  
Brechlin \_\_\_\_\_ Y  
Peacock \_\_\_\_\_ Y  
Caines \_\_\_\_\_ Y  
Minutolo \_\_\_\_\_ Y  
Motion passed 6-0.

- B. Order 6, schedule public hearing on amendment to Chapter 194, Food and Beverage, to assist in managing the commercial use of public spaces.

Code Enforcement Officer Michael Gurtler introduced the amendment and answered Council questions. Police Chief David Kerns participated in the discussion. Brad Jordan, Joanna Fogg and Rachel D’Angeli offered comment.

Following discussion, Ms. Caines, with second by Mr. Brechlin, moved to waive the reading that that the order have passage. Roll Call Vote:

Kief \_\_\_\_\_ Y  
Boucher \_\_\_\_\_ N  
Brechlin \_\_\_\_\_ Y  
Peacock \_\_\_\_\_ N  
Caines \_\_\_\_\_ N  
Minutolo \_\_\_\_\_ N  
Motion failed 2-4.

**XII. COUNCIL COMMENTS**

Mr. Brechlin said he is concerned about potholes on Route 102 and asked if the Town could reach out to Maine DOT to ask about how to improve it.

**XIII. EXECUTIVE SESSION**

*Executive session with pursuant to 1 MRS §405(6)(D) to discuss ongoing labor contract negotiations.— Ms. Caines, with second by Mr. Brechlin, moved to enter into executive session pursuant to 1 MRS §405(6)(D) to discuss ongoing labor contract negotiations. Roll Call Vote:*

Kief \_\_\_\_\_ Y

Boucher \_\_\_\_\_ Y

Brechlin \_\_\_\_\_ Y

Peacock \_\_\_\_\_ Y

Caines \_\_\_\_\_ Y

Minutolo \_\_\_\_\_ Y

Motion passed 6-0.

Mr. Smith, Public Works Director Bethany Leavitt, and Finance Director Sarah Gilbert participated in the executive session. Council returned to regular session at 10:15 p.m.

**XIV. ADJOURNMENT**— Ms. Caines, with second by Mr. Brechlin, moved to adjourn at 10:15 p.m. Roll Call Vote:

Kief \_\_\_\_\_ Y

Boucher \_\_\_\_\_ Y

Brechlin \_\_\_\_\_ Y

Peacock \_\_\_\_\_ Y

Caines \_\_\_\_\_ Y

Minutolo \_\_\_\_\_ Y

Motion passed 6-0.

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Elizabeth N. Graves, Town Clerk