

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