

Town of Mount Desert Selectboard
Meeting Minutes
March 4, 2024

Selectboard Members Present: Chair John Macauley, Wendy Littlefield, Geoff Wood, Martha Dudman, Rick Mooers

Town Officials and Department Heads Present: Town Manager Durlin Lunt, Public Works Director Brian Henkel, Tax Assessor Kyle Avila

Members of the Public were also present.

I. Call to order at 6:30 p.m.

Chair Macauley called the meeting to order at 6:30 p.m.

II. Appointments/Recognitions/Resignations

A. Appointment of Jonathan Mickel as a Mechanical Equipment Operator II at the probationary rate of \$24.93 per hour effective March 25th pending pre-employment physical and drug screen

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, appointment of Jonathan Mickel as a Mechanical Equipment Operator II at the probationary rate of \$24.93 per hour effective March 25th pending pre-employment physical and drug screen as presented.
Motion approved 5-0.

B. Appointment of Anne Dalton as Alternate to the Planning Board

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, appointment of Anne Dalton as Alternate to the Planning Board as presented.
Motion approved 5-0.

III. Consent Agenda

A. DRAFT of the Short-term Rental Ordinance

B. Warrant Committee Minutes of February 6 and 13, 2024

MOTION: Ms. Dudman moved, with Mr. Wood seconding, acceptance of the Consent Agenda as presented.

Ms. Littlefield inquired whether there was a conflict of interest for those Selectboard members who engage in short-term rental.

Mr. Mooers reported he had reviewed the Code of Ethics and disclosed that he had a conflict of interest and intended to abstain from voting on the issue. Ms. Littlefield also voiced concern about potential conflict of interest and believed she should abstain from voting as well.

Mr. Wood added that the Selectboard will be voting on whether to recommend the draft ordinance to the warrant for discussion at Town Meeting. Divulging whether there's any interest

satisfies the Code of Ethics. Chair Macauley noted that potentially three out of five Selectboard members have a potential conflict of interest in the matter. He agreed, the Board was only voting to allow the issue to be brought before the Town for discussion and vote. Stating the fact that a board member has a short-term rental is likely sufficient in this instance. It was suggested that getting a legal opinion on the issue would be wise.

Town Manager Lunt noted the question was the difference between voting on it or moving it forward. After some discussion, it was decided to ask for a legal opinion and table the short-term rental issue until that time.

Motion approved 5-0.

In answer to a resident's question, the public hearing for the short-term rental draft is scheduled for March 11, 2024, 6:30 p.m.

IV. Selectboard's Reports

There were none.

V. Unfinished Business

A. Non-profit Funding Request Recommendations

MOTION: Ms. Dudman moved, with Mr. Mooers seconding, to recommend funding the non-profit funding requests as received and reviewed, at the level requested, at the previous meeting.

Mr. Wood noted it was a \$20,000.00 increase from what was requested the previous year. Manager Lunt noted it is \$20,000.00 more with the agencies that requested, but there are agencies that are not being funded. Offsetting that, the total amount requested is less.

Motion approved 5-0.

B. Review and approve contract with EMR in Southwest Harbor for solid waste handling services

Public Works Director Henkel noted the issue was discussed at the last meeting. He has since received a legal opinion on the necessity of taking the issue to Town Meeting. Within the contract it states the original contract was required to go to Town Meeting. Subsequent renewals do not need to go to Town Meeting. Legal council deemed the contract had some minor revisions requiring updating. In light of this determination, there's no need to move the contract's auto-renewal date from March to May.

MOTION: Mr. Wood moved, with Mr. Mooers seconding, to approve allowing the contract with EMR in Southwest Harbor for solid waste handling services to move forward, with the understanding that any minor revisions determined necessary will be brought back for final approval.

Motion approved 5-0.

VI. New Business

A. MDES Budget Review

1 Superintendent Michael Zboray introduced the new principal of the Mount Desert Elementary
2 School Heather Dorr. Ms. Dorr reported on the state of the school.

3
4 Mr. Zboray introduced the proposed budget. He noted there is an addendum necessitated by new
5 information received recently about the school buses, as well as some capital needs that can be
6 addressed in the current budget and how it impacts the amended version of the budget.

7
8 Recently the school learned that two buses will not pass their next inspection leaving the school
9 short two buses. Additionally, the school needs an enclosed play area for the Pre-K students. In
10 looking at a way to redistribute funding they will be proposing to the School Committee to add
11 \$30,000 to the bus cost center to cover a second lease, increasing that line item by %38.27, and
12 removing \$150,000.00 from next year's capital outlay, reducing that line item by %18.62. The
13 current budget shows an increase of %6.08. The school hopes to amend the budget to an
14 increase of only %3.77. The current Town Appropriation shows an increase of %17.81. The
15 school hopes to reduce that increase to %15.07.

16
17 Mr. Zboray added that the AOS has some reserves the school can use when necessary.

18
19 Mr. Wood recalled additional expenses from last year almost matching the cost of the debt
20 reduction. Ms. Dorr reported most of those improvements were made. Window treatments were
21 not done; in the proposed building project, all windows will be replaced. Doing it once the
22 windows are replaced ensures accuracy in the sizing. The school is currently working on
23 accepting the bid for bleachers. Several budgeted items came in under budget.

24
25 It was noted the overall budget over the past two years has grown by almost %35. It's a
26 substantial increase. Ms. Dudman noted a lot of the increase appeared to be personnel related. It
27 was noted this kind of increase can be seen across all the schools. Mr. Zboray noted a salary
28 increase is scheduled for next year as well.

29
30 Discussion ensued regarding leasing versus owning buses. The school plans on looking into bus
31 purchase using a CIP system.

32
33 Warrant Committee member Katrina Carter asked whether full size buses were necessary.

34
35 Ms. Carter asked about the play space intended to be fenced in. Ms. Dorr noted the school is
36 planning a fenced-in play area just outside the door on the Gilpatrick Road-side of the building
37 specifically for Pre-K and Kindergarten students. The current playspace is designed for children
38 5 to 11 years old. Additionally, play area for this age group should be enclosed.

39
40 Ms. Carter asked about the special education services for Pre-K and Kindergarten. Ms. Dorr
41 explained that currently special education services for these age groups is being provided by
42 Child Development Services. Eventually the school will be providing those services. Mr.
43 Zboray reported the starting point would be the school providing case management for the
44 students. Currently Child Development Services comes to the school to provide special
45 education services and language services. The school contracts with the state and gets
46 reimbursed.

Ms. Dudman asked about the search for new employees. Mr. Zboray reported they've had some interest at a university job fair. Another job fair is occurring soon that they will attend. Mr. Zboray noted that the housing shortage has resulted in potential employees going elsewhere.

Ms. Dorr reported the gym floor is being refinished. The gym will not be available during that time, which will likely affect the Neighborhood House's summer use of the space. Other space in the school is in use by the custodians, or undergoing summer cleaning and maintenance. Ms. Littlefield noted that a gym floor can take over thirty days to be refinished and allowed to dry completely. Ms. Dorr noted the school was happy to have the Neighborhood House using their facilities, and they will be able to use some of the space.

B. Review and approve the rejection of bids for construction of sidewalks in Somesville

MOTION: Mr. Mooers moved, with Mr. Wood seconding, tabling the discussion.
Motion approved 5-0.

C. Consider authorizing the Mount Desert Regional High School to grant scholarships of \$350 from the Reynolds Trust Fund and \$100 from the Stanley Trust Fund, as described in memo from Finance Director Mae Wyler

MOTION: Mr. Mooers moved, with Mr. Wood seconding, authorizing the Mount Desert Regional High School to grant scholarships of \$350 from the Reynolds Trust Fund and \$100 from the Stanley Trust Fund, as described in memo from Finance Director Mae Wyler as presented.

Motion approved 4-0-1 (Littlefield in Abstention).

VII. Other Business

A. Such other business as may be legally conducted

There was no Other Business.

VIII. Treasurer's Warrants

A. Approve & Sign Treasurer's Warrant as shown below:

Town Invoices	AP#2454	09/09/2024	\$354,152.56
Total			\$354,152.56

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, approval and signature of Treasurer's Warrant as shown above.

Motion approved 5-0.

B. Approve Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown below:

State Fees & PR Benefits	AP#2451	02/21/2024	\$1,079.00
	AP#2453	02/09/2024	\$2,858.92
Town Payroll	PR#2421	03/01/2024	\$160,399.32
Total			\$164,337.24

MOTION: Mr. Mooers moved, with Mr. Wood seconding, approval of Signed Treasurer's Payroll, State Fees, & PR Benefit Warrants as shown above.

Motion approved 4-0-1 (Littlefield in Abstention).

*C. Acknowledge Treasurer's Town Voided Disbursements & School Board AP/Payroll
Warrants as shown below:*

School Invoices			\$0
School Payroll	PR#18	03/01/2024	\$88,556.13
Voided Disbursements			\$0
Total			\$88,556.13

MOTION: Mr. Mooers moved, with Mr. Wood seconding, acknowledgement of Treasurer's Town
Voided Disbursements & School Board AP/Payroll Warrants as shown above.
Motion approved 5-0.

Grand Total			\$607,045.93
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IX. Adjournment

MOTION: Mr. Mooers moved, with Ms. Dudman seconding, to adjourn.
Motion approved 5-0.

The Meeting adjourned at 7:32 p.m.

Respectfully submitted,



Geoffrey Wood