

**Minutes**  
**Bar Harbor Town Council**  
**January 4, 2022**

**I. CALL TO ORDER**—7:00 P.M.—In attendance were Councilors Jefferson Dobbs, Matthew Hochman, Valerie Peacock, Gary Friedmann, Joe Minutolo, Erin Cough, Jill Goldthwait; and Town Manager Kevin Sutherland.

**A. Excused Absence(s)**—None.

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

**III. COMMITTEE APPOINTMENTS**

**A. Planning Board**

1. *Earl Brechlin, term expiring 2024*—Appointments Committee recommends and Ms. Goldthwait moved to nominate Earl Brechlin to the Planning Board a term expiring 2024. There were no further nominations. Ms. Cough asked whether she needs to be recused because she is employed by a nonprofit on whose board Mr. Brechlin is a member; the consensus was that she does not need to be recused. Ms. Peacock moved to appoint Mr. Brechlin. Roll Call Vote:

<u>Dobbs</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Peacock</u>	<u>Y</u>
<u>Friedmann</u>	<u>Y</u>
<u>Minutolo</u>	<u>Y</u>
<u>Goldthwait</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>
<u>Motion passed 7-0.</u>	

**B. Board of Assessment Review**

1. *Stewart Brecher, term expiring 2023*— Appointments Committee recommends and Ms. Goldthwait moved to nominate Stewart Brecher to the Board of Assessment Review to a term expiring 2023. There were no further nominations. Ms. Peacock moved to appoint Mr. Brecher. Roll Call Vote:

<u>Dobbs</u>	<u>Y</u>
<u>Hochman</u>	<u>Y</u>
<u>Peacock</u>	<u>Y</u>
<u>Friedmann</u>	<u>Y</u>
<u>Minutolo</u>	<u>Y</u>
<u>Goldthwait</u>	<u>Y</u>
<u>Cough</u>	<u>Y</u>
<u>Motion passed 7-0.</u>	

2. *Charles Saul, term expiring 2024*—Appointments Committee recommends and Ms. Goldthwait moved to nominate Charles Saul to the Board of Assessment Review to a term expiring 2024. There were no further nominations. Ms. Peacock moved to appoint Mr. Saul. Roll Call Vote:

Dobbs \_\_\_\_\_ Y  
Hochman \_\_\_\_\_ Y  
Peacock \_\_\_\_\_ Y  
Friedmann \_\_\_\_\_ Y  
Minutolo \_\_\_\_\_ Y  
Goldthwait \_\_\_\_\_ Y  
Cough \_\_\_\_\_ Y  
Motion passed 7-0.

**C. Age Friendly Committee**

1. *Andea Lepcio, term expiring 2024*—Appointments Committee recommends and Ms. Goldthwait moved to nominate Andrea Lepcio to the Age Friendly Committee to a term expiring 2024. There were no further nominations. Ms. Peacock moved to appoint Ms. Lepcio. Roll Call Vote:

Dobbs \_\_\_\_\_ Y  
Hochman \_\_\_\_\_ Y  
Peacock \_\_\_\_\_ Y  
Friedmann \_\_\_\_\_ Y  
Minutolo \_\_\_\_\_ Y  
Goldthwait \_\_\_\_\_ Y  
Cough \_\_\_\_\_ Y  
Motion passed 7-0.

**IV. 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.*—Nina Barufaldi St. Germain spoke on behalf of the Chamber of Commerce Board of Directors and membership. She welcomed Mr. Sutherland and said the majority of the town’s problems stem from abundance, which cannot be said for many other towns. She said in the new year, the Chamber hopes the town will seek the Chamber’s voice and they will always help to the best of their ability when needed.

**V. APPROVAL OF MINUTES – December 21, 2021 Regular Meeting**—Mr. Hochman, with second by Ms. Cough, moved to approve the December 21, 2021 Regular Meeting minutes as presented. Roll Call Vote:

Dobbs \_\_\_\_\_ Y  
Hochman \_\_\_\_\_ Y  
Peacock \_\_\_\_\_ Y  
Friedmann \_\_\_\_\_ Y  
Minutolo \_\_\_\_\_ Y  
Goldthwait \_\_\_\_\_ Y  
Cough \_\_\_\_\_ Y  
Motion passed 7-0.

**VI. ADOPTION OF AGENDA**—Mr. Hochman, with second by Ms. Cough, moved to adopt the agenda as presented. Roll Call Vote:

Dobbs \_\_\_\_\_ Y  
Hochman \_\_\_\_\_ Y  
Peacock \_\_\_\_\_ Y  
Friedmann \_\_\_\_\_ Y  
Minutolo \_\_\_\_\_ Y

Goldthwait     Y  
Cough           Y  
Motion passed 7-0.

**VII. CONSENT AGENDA—None.**

**VIII. REGULAR BUSINESS:**

**A. Town Manager**—*Welcome new Town Manager Kevin Sutherland.*—Mr. Dobbs welcomed Mr. Sutherland. No action was taken.

**B. Public Works Garage**—*Possible motion to purchase solar array, tabled from Dec. 21 meeting.*—Mr. Hochman, with second by Ms. Cough, moved to remove this item from the table. Roll Call Vote:

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

Mr. Hochman, with second by Ms. Cough, moved to purchase the solar array on the Public Works Garage building from ReVision Energy at the fair market value from account 2177-6438. Roll Call Vote:

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

**C. Communication & Technologies Committee**—*Recommendation on municipal fiber project.*—CTC Chair Clark Stivers and Technology Systems Administrator Steve Cornell answered Council questions. Following discussion, Mr. Hochman, with second by Ms. Cough, moved that the Town Council not accept the responses to the RFP, build a town-owned municipal-use-only network, and negotiate a sole-source agreement with a construction firm for building that network. Roll Call Vote:

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

**D. Island Explorer**—*Funding request for FY23.*—Paul Murphy, executive director of Downeast Transportation, and planner Tom Crikelair explained the request and answered Council question. Following discussion, Mr. Hochman, with second by Mr. Friedmann,

moved to tentatively increase funding to Island Explorer in the FY 2023 budget by \$284,878 with \$211,438 coming from the Parking Fund and \$73,440 to be paid from the Cruise Ship Fund with an increase in fees to cover the increase. Roll Call Vote:

Dobbs \_\_\_\_\_ Y

Hochman \_\_\_\_\_ Y

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

Friedmann \_\_\_\_\_ Y

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

Goldthwait \_\_\_\_\_ N

Cough \_\_\_\_\_ Y

Motion passed 6-1.

- E. Jones Marsh Road**—*Presentation from Marla O’Byrne, Island Housing Trust.*—Marla O’Byrne presented the project and answered Council questions.

Mr. Friedmann raised a possible conflict of interest on this item. As an independent contractor, Mr. Friedmann said he worked with IHT to raise the funds for the project. His contract ended in 2021. Mr. Hochman, with second by Ms. Cough, moved to recuse Mr. Friedmann from consideration of the Jones Marsh Road due to the appearance of a conflict of interest. Motion failed 0-6.

Following discussion, no action was taken.

- F. Cruise Ships**—*Discussion on 2022 draft schedule and getting legal advice from a maritime attorney at Jan. 18 meeting.*—Eben Salvatore, chair of the Cruise Ship Committee, participated in the discussion. Following discussion, Mr. Hochman, with second by Ms. Goldthwait, moved to schedule an executive session with attorney Sandy Welte at the next Council meeting. Roll Call Vote:

Dobbs \_\_\_\_\_ Y

Hochman \_\_\_\_\_ Y

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

Friedmann \_\_\_\_\_ Y

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

Goldthwait \_\_\_\_\_ Y

Cough \_\_\_\_\_ Y

Motion passed 7-0.

- G. Treasurer’s Warrants**—*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

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

Friedmann \_\_\_\_\_ Y

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

Goldthwait \_\_\_\_\_ Y

Cough \_\_\_\_\_ Y

Motion passed 7-0.

**IX. TOWN MANAGER’S COMMENTS**

Mr. Sutherland said it has been a very welcoming couple of days. There is clearly a lot to do, but we need to collectively decide what our priorities are and begin working down that list. He hopes to schedule a retreat to talk about priorities. He’s very excited to work with the Council and the Town.

**X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS**

Councilors welcomed Mr. Sutherland and said they look forward to working with him.

Mr. Friedmann said he thought the memo from the exit interview with former Town Manager Cornell Knight was very informative. He especially liked the suggestion that the annual goal-setting session be extended to a longer meeting, perhaps also inviting staff.

Ms. Peacock said Covid is on people’s minds and she thinks committee chairs could use help with norms and technology for remote or hybrid meetings.

Mr. Hochman asked whether changing the Charter, C-14(C)1 to not require a roll call vote for all council votes would be a substantive or non-substantive change. Mr. Sutherland said it would be a substantive change and would need to be sent to referendum. Mr. Hochman said he would like to start the process to propose that change.

Ms. Goldthwait said her Weekly Winner is Jen Turcotte, who runs the employee wellness program and is doing so in a way that is actually luring employees in to participate. Good on you, Jen!

Ms. Cough said she’s excited about setting priorities and having more structure in the process for doing that.

Mr. Minutolo wished everybody a healthy and prosperous 2022.

Mr. Dobbs said the Councilors usually are all on the same page, but often need help from the Manager at getting to the answers.

**XI. EXECUTIVE SESSION—None.**

**XII. ADJOURNMENT—Mr. Hochman, with second by Ms. Cough, moved to adjourn at 9:03 p.m.**

Roll Call Vote:

Dobbs Y

Hochman Y

Peacock Y

Friedmann Y

Minutolo Y

Goldthwait Y

Cough Y

Motion passed 7-0.