

**Warrant Committee Meeting
Public Works, Recreation, Protections
Wednesday, February 16, 2022**

I. Call to Order/Roll Call: 6:02pm by Chair Libby; 15 voting members present

Present: J. Berberian, B. Chaplin, C. Chappell, C. Cough, K. DesVeaux, M. Kelly, S. Libby, L. Lopez, B. Reece, C. Ryan, A. Sasner, E. Sassaman, C. Smith, K. St. Germain, J. Young

II. Approval of Prior Meeting Minutes

A. February 7, 2022

Chair Libby made a motion to accept the minutes from the February 7, 2022 Warrant Committee meeting, with minor typographical corrections. This motion was seconded by Mr. Chaplin and was approved unanimously (15 Yes, 0 No).

III. Public Comment Period

Chair Libby opened the public comment period, and Mr. Sutherland indicated that there were no members of the public who wished to speak. Chair Libby closed the public comment period.

IV. Public Works, Recreation, Protections Subcommittee: Findings and Recommendations

Chair Libby turned the meeting over to Vice Chair Berberian, Chair of the Public Works, Recreation, and Protections subcommittee. Before proceeding, Chair Berberian noted that during the subcommittee meetings there were some questions related to budget details, but that the subcommittee proceeded with its review and vote of the budget items.

A. Public Works Department

Chair Berberian moved and Ms. Smith seconded a motion to recommend to the voters of Bar Harbor the Public Works Department budget for FY23 as presented by the Town Council. Chair Berberian noted that this included the CIP, expenses, and revenue amounts. Ms. St. Germain asked if this included the changes that the Town Council made, and whether there was a need to include the date that those changes were made. Mr. Cough had the same concern. Chair Libby suggested that the motion on the floor could be amended to include the date when the Town Council made changes to budget items in this department: February 10, 2022. The motion to amend the main motion to include "as amended by Town Council on February 10, 2022" was approved by Chair Berberian and Ms. Smith.

The motion to amend the main motion passed unanimously (15 Yes, 0 No).

Mr. Sutherland noted that he concurred with the Town Council's amended use of parking meter funds to cover CIP expenses, so long as some portion of the overall expenditure was from water, sewer, or general fund balances. Mr. DesVeaux asked who audits the use of parking meter funds. Mr. Sutherland responded that the State does not, but the Town Council hires an auditor. Town staff could also analyze the budget to make an assessment. His concern was that the funding was sufficiently justified in case the funds became involved in a civil court case. *The motion passed unanimously (15 Yes, 0 No).*

B. Parks and Recreation

Chair Berberian moved and Ms. St. Germain seconded a motion to recommend to the voters of Bar Harbor the Parks and Recreation Department budget for FY23 as presented and amended by the Town Council on February 10, 2022.

Ms. Smith noted that during the subcommittee meeting, she suggested that the information provided by nonprofit agencies for their support requests should more closely align with what is required of cooperating agencies. The information in the budget book suggests that the nonprofit agencies, which request more funding support, are required to provide fewer details related to their overall budget and financial picture than the cooperating agencies. Chair Libby made a note to bring this suggestion forward to the Town Council at a later date, perhaps after a vote by the full Warrant Committee. Ms. Lopez requested confirmation that during the budget workshop on February 10, 2022 the Town Council had changed the CIP funding related to tree planting to \$0 and the CIP funding related to the town bandstand to \$5,000. This was confirmed by other members of the Warrant Committee.

The motion passed unanimously (15 Yes, 0 No).

C. Protections

Chair Berberian moved and Mr. DesVeaux seconded a motion to recommend to the voters of Bar Harbor the Protections budget for FY23 as presented and amended by the Town Council on February 10, 2022. Chair Berberian noted that this section includes Police, Fire, Harbor, Ambulance, Emergency Management, Dispatch, Street Lights, and Public Safety Buildings sections of the budget.

Ms. Chappell requested confirmation that at the February 10, 2022 budget workshop the Town Council voted to fully fund the Harbor CIP item related to the ferry terminal lot with parking meter funds. Chair Berberian confirmed that this was the case. There was discussion concerning whether the ferry terminal would be open to public parking. Ms. Chappell noted that during Harbor Committee meetings there are different opinions on the matter, but there is interest in reserving space for a marina and associated parking. Mr. Sassaman stated that he had sent Chair Berberian an email concerning the weaponry in the Police Department CIP and asked whether that was discussed during the subcommittee meeting. Chair Berberian confirmed that this was discussed, and that one concerning issue raised was that modifying this section of the

budget could complicate the efforts to have the same resources and tools available for both the Bar Harbor and Mount Desert police departments. She understood his concerns. Mr. DesVeaux confirmed that this echoed what he heard from Chief Willis. Mr. Sassaman asked about the funds required for 15 tasers, and Chair Berberian suggested that the police department may need specific models not available to the public. She suggested that she could email Chief Willis for more details. Chair Libby noted that in prior years, there would have been time for these details to percolate and be answered well within the budget process. He would make a note to bring this matter up with Town Council during the upcoming joint meeting. Mr. DesVeaux shared that in his experience the tasers purchased by police were not a type that could be purchased by the public, and their purchase price may include service contracts and training. Ms. Ryan suggested that going forward we could specifically request when town staff should join meetings, rather than have them automatically attend all meetings. Chair Libby noted that the Town Charter does include that town staff will meet with the Warrant Committee as requested. There is a lot of information to process quickly. Mr. Chaplin noted that at the recent Education subcommittee meeting the relevant staff were present. Ms. St. Germain noted that the February 10 budget workshop included large groups with large budgets and was more complex than the prior budget workshops. Ms. Chappell suggested that the Police Department CIP could be removed from the current vote and tabled until such time as additional information was provided. Ms. Reece asked whether these details may have been included in the budget presentation; Chair Berberian determined that the presentation did not include those details. Mr. Cough noted that the replacement schedule suggests that the replacements are done in concert with replacements in Mount Desert. Ms. Ryan asked whether the taser line item reduced the overall dependence on firearms. She supported pulling the CIP from the current motion. Chair Libby stated that Mr. Sassaman's concerns were valid and that checking line items and making inquiries were part of our role. The Police Department CIP could be tabled until the February 21 meeting. He made and Chair Berberian seconded a motion to amend the motion on the floor by removing the Police Department CIP for review and vote until the next meeting. Mr. Cough clarified that a "yes" vote was to remove the Police Department CIP for the next meeting, and a "no" vote was to return to the main motion. Chair Libby confirmed that this was the case.

The motion to amend the main motion passed (10 Yes, 5 No).

Ms. Lopez requested confirmation that at the February 10, 2022 budget workshop the Town Council voted to remove funding for gangways in the Harbor CIP for FY23, and that the funding for fisherman's hoists remained in the Harbor CIP budget. This was confirmed.

The amended motion passed unanimously (15 Yes, 0 No).

Chair Berberian noted that she would contact Mr. Sutherland about the Police Department CIP, so he could reach out to Chief Willis for those additional details.

D. Cruise Ship Fund

Chair Berberian moved and Ms. Reece seconded a motion to recommend to the voters of Bar Harbor the Cruise Ship Fund budget for FY23 as presented and amended by the Town Council on February 10, 2022.

Mr. Chaplin asked if these numbers assume the full cruise ship season. Chair Berberian replied that it was too late to make any changes for this year. Mr. Sutherland added that one of the cruise lines has gone bankrupt since cruise ships were last in Bar Harbor, so there will be a reduction. The budgeted amount of cruise ship funding was 70% of 2019. If additional funds are collected, those would go toward the Cruise Ship Fund Balance.

The motion passed unanimously (15 Yes, 0 No).

E. Parking Meter Fund

Chair Berberian moved and Ms. Reece seconded a motion to recommend to the voters of Bar Harbor the Parking Meter Fund budget for FY23 as presented and amended by the Town Council on February 10, 2022.

Ms. St. Germain asked whether there was an updated total amount of expenses that had been shifted during the budget process from being covered by the general fund to the parking meter fund. Mr. Sutherland responded that there was still a fair amount left in the parking meter fund balance. Though he expressed interest in making sure to use those funds, he also mentioned the need to be conservative with their use in case there is a year with fewer visitors. He added that most of the parking meter fund use in this particular budget was slated for one-time capital expense items. He added that in the future more of the parking meter funds can cover road maintenance expenses. There will be close to \$1.8 million collected in parking meter funds by the end of the current fiscal year, which is the amount budgeted for next year. Ms. Ryan asked about raising parking meter fees. Mr. Sutherland referred to the book, "The High Cost of Free Parking," and its formula that parking should be 20% empty. He added that it was worth keeping an eye on fees and maybe adjusting those rates as well as a possible gradation of rates from the most desirable parking spots. Ms. St. Germain asked if parklets would be available for the coming summer, and if not, were parking meter funds being adjusted accordingly. Mr. Sutherland responded that he was not sure but that he did like the use of parklets. Mr. Young's internet connection dropped just prior to the vote, and he was unable to rejoin.

The motion passed unanimously (14 Yes, 0 No).

Chair Berberian concluded her section of the meeting and said that she would follow up with Mr. Sutherland about the Police Department CIP.

V. Adjournment

Prior to adjournment, Chair Libby noted that the last regular Warrant Committee meeting of this budget season will be on Monday February 21, 2022. It will cover the Education section of the budget as well as the tabled CIP for the Police Department. Then the Warrant Committee

will meet with the Town Council on Tuesday February 22, 2022 and at that meeting the Warrant Committee will present its recommendations. If there are general suggestions from members of the Warrant Committee, Chair Libby would like to vote on those items so that they may be presented with support from the Warrant Committee as a whole.

There being no further business, Chair Libby moved to adjourn the meeting. The meeting adjourned at 7:21pm.

Respectfully submitted,

Christine Smith
Secretary, Warrant Committee