

Agenda
Warrant Committee Meeting
Monday, March 21, 2022

I. Call to Order/Roll Call: 6:01pm by Chair Libby; 13 voting members present at roll call

Present: J. Berberian, C. Chappell, C. Cough, K. DesVeaux, M. Kelly, S. Libby, L. Lopez, C. Ryan, A. Sasner, E. Sassaman, C. Smith, K. St. Germain, J. Young; **Present but not at roll call:** B. Reece; **Absent excused:** B. Chaplin

II. Approval of prior meeting minutes: February 21, 2022

Chair Libby made a motion to accept the minutes from the February 21, 2022 Warrant Committee meeting. This motion was seconded by Vice Chair Berberian and was approved unanimously (14 Yes, 0 No).

III. Public Comment Period

Chair Libby opened the public comment period. No members of the public wished to speak, so the public comment period was closed.

IV. Opening remarks

Chair Libby stated the purpose of this meeting is to adjust recommendations to the Town Council. Warrant Committee subcommittees have met over the last week, and there are a couple of line items to vote on again so that the Warrant Committee's budget numbers align with those of the Town Council. The notice for the Education subcommittee did not get to all members of that group, so they will need to meet again briefly to make their final recommendations on Education revenues. With that and a vote on the budget adopted by the Town Council, the budget-related responsibilities of the Warrant Committee will be met for this season.

V. Final recommendations for outstanding budget line items, including previously voted on but subsequently amended by the Town Council and yet to be voted on.

A. General Government, Health & Welfare, & Cooperating Agencies

Chair Libby turned the meeting over to the Chair of the General Government, Health & Welfare, and Cooperating Agencies Subcommittee Ms. Chappell. Chair Chappell noted that the General Government subcommittee voted on town CIP expenses on February 7, but then the Town Council voted to reduce the town CIP expenses for a municipal building energy audit from \$2,000 to \$0 at their February 8 meeting. This change necessitated a new vote from the

General Government subcommittee. Chair Chappell moved and Chair Libby seconded a motion to recommend to the voters of Bar Harbor the amount of \$0 for Town CIP expenses line item 6136, municipal building energy audit.

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

B. Public Works, Recreation, Protections

Chair Libby turned the meeting over to the Chair of the Public Works, Recreation, and Protections Subcommittee, Vice Chair Berberian. Chair Berberian noted that two items that had been previously voted on by the Public Works, Recreation, and Protections subcommittee that related to the cruise ship budget had been since changed by the Town Council. Chair Berberian moved and Mr. DesVeaux seconded a motion to recommend to the voters of Bar Harbor that the Passenger Service Fee increase to \$2.68 to reflect this year's 5.9% COLA adjustment.

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

The second Town Council change was to increase the per passenger fee so that some additional Island Explorer routes planned in response to anticipated cruise ship use could be supported by passenger fees. Chair Berberian moved and Ms. Ryan seconded a motion to recommend to the voters of Bar Harbor a Port Development Fee increase of \$0.38 per passenger.

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

VI. Vote on recently adopted Town Council budget to the voters of Bar Harbor

Chair Libby noted that the Warrant Committee has brought its recommendations in line with the Town Council updates with the exception of the Education revenues. That will be voted on at a future meeting, and then there will be a vote by the full Warrant Committee on the Town Council's adopted budget as required in the Town Charter. Ms. St. Germain asked when Liz Graves would need to have our votes. Chair Libby answered that Liz will need these by April 15, but preferable by April 13. Ms. Chappell suggested pushing the Education revenue vote to the April 11 Warrant Committee meeting. Chair Libby agreed with this plan. Vice Chair Berberian asked whether when we vote on Education revenues if our budget would be different from the Town Council budget. Chair Libby responded that as it stands now, that is correct. The difference is that the Warrant Committee has approved a CIP expense of \$150,000, though the requested amount was \$250,000. Mr. Chaplin collected a list of school maintenance and repair projects that could be considered part of that CIP expenditure, but that failed to sway the Town Council. That means that the Town Council budget is the same as the Warrant Committee budget except for that single line. If that is not reconciled, then it goes to the floor of the Town Meeting and the voters will decide. Vice Chair Berberian asked if when the Warrant Committee votes on the budget if the vote would be on the Town Council budget or the Warrant Committee budget. Chair Libby responded that the motion would be to approve the Town Council budget except for that single line item. Vice Chair Berberian asked for clarification as to how a Warrant Committee member would vote if they were for or against the \$150,000 budget item. Chair Libby responded that historically the Town Council would give the Warrant

Committee an approved budget to review. We do still need to vote on a Town Council approved budget despite the changes to the budget process. If in responding to the adopted Town Council budget there is a difference, then that difference should be reflected in the motion. Mr. DesVeaux asked if we could be bringing two budgets to the Town Meeting. Chair Libby replied that this was the case, but the difference relates to a single line item. Mr. Cough asked for confirmation that the issue is related to the appropriation of funds rather than the spending of funds. Chair Libby confirmed that this was the case.

VII. Outline of Next Warrant Committee Schedule

Chair Libby discussed the upcoming Warrant Committee schedule and responsibilities. Other than finalizing the budget, there are Warrant Committee recommendations for items on the June ballot that will be first reviewed by the General Government subcommittee. He noted that this year's land use ordinance amendments have not been initiated by town officials but by private citizen initiatives, and as such will be the parties available during those presentations. At this time, Chair Libby turned the meeting over to Ms. Chappell, Chair of the General Government subcommittee. Chair Chappell briefly reviewed the non-budget amendments:

- A land use ordinance amendment to rezone the Oceanarium as a Marine Research District, to better align its zoning with intended use.
- A land use ordinance amendment to modify the zoning of some parcels owned by the Jackson Laboratory.
- A citizen's petition related to adult use marijuana retail licenses.
- A priority infrastructure improvement bond related to improvements needed for the town sewer system. This will be an approximately \$43 million dollar bond.
- An approximately \$4 million dollar proposal related to the engineering, design, and construction of the Higgins Pit solar array.

Chair Chappell stated that there would be a full Warrant Committee meeting for each item to be presented by the respective party. The presentations will each consist of a 6-minute presentation followed by 14 minutes for questions. She suggested that additional questions could be sent to her, and then the General Government subcommittee would collect answers and share those with the full Warrant Committee. The General Government subcommittee will convene and vote on their recommendations, and then there will be a full Warrant Committee meeting for the final recommendations. The estimated dates of these meetings are sometime from March 28 to 31 for the initial presentations and then April 11 for the full Warrant Committee meeting. Chair Chappell noted that the marijuana license item may need additional land use ordinance changes, and there are conflicting legal opinions on this matter. Chair Libby noted that having the presentations in advance should make the process easier than having information presented at the same meeting as the full Warrant Committee vote. Mr. Cough asked whether questions should be directed to Town Manager Sutherland, as was the case during the budget process. Chair Chappell responded that she thought finding the answers falls within the duties of the General Government subcommittee, along with making relevant

recommendations. Chair Libby concurred, adding that the town does not have a vested interest in representing private initiatives.

Chair Libby also reminded members of the Warrant Committee that the Town was entering into the Town Meeting period of the year. Warrant Committee members who were elected to fill a one-year term and wish to continue serving on the Warrant Committee need to take out papers and return them to the town office by April 15.

VIII. Adjournment

There being no further business, Chair Libby moved to adjourn the meeting. The meeting adjourned at 6:39pm.

Respectfully submitted,

Christine Smith
Secretary, Warrant Committee