

Minutes, Town of Bar Harbor Charter Commission February 20, 2019

The meeting was called to order at 8.30 AM by the Vice-Chair, Jill Goldthwait.

Present: Julie Berberian, Anna Durand, Jill Goldthwait, Patricia Samuel, Peter St. Germain, Chris Strout;

Absent: Joseph Cough, Michael Gurtler, Martha Searchfield.

1. Approve Agenda: Move to adopt as presented (P. St. Germain, C. Strout); motion carried unanimously.

2. Minutes of February 6<sup>th</sup>, 2019 meeting: Move to approve as distributed (P. St. Germain, C. Strout); motion carried unanimously.

3. Public Comment: Could the DRAFT version of the minutes be posted on-line? Response: Secretary will post, making the "Draft Minutes" indicator prominent, to distinguish from the approved minutes.

No other members of the public spoke. Public Comment period closed.

4. Items for Discussion:

a. Management of technical and grammatical revisions: after some discussion, it was agreed that the Secretary will use the 2-column form created by C. Strout to monitor these revisions.

b. Charter Article V, Administrative Organization, continued from Feb. 6<sup>th</sup> meeting:

C-26, Superintending School Committee:

-Question about by-laws: yes, see section G(2), Rules and journal

-forfeiture of office for cause? School Com. does not have this in the Charter, will contact the School Com.

-should other committees be listed in the Charter? Some other towns do this

--discussion: Charter process cumbersome, it's very time-consuming to alter, but Town Council creates other committees and boards as necessary; discussion followed

-what about Planning Board, which is in the Charter?

--discussion: Land Use is particularly important for Bar Harbor, more so than almost any other subject; that's why land use ordinance amendments must be voted by Town Meeting, rather than Town Council

-roll call voting: School Com. required to do this by the Charter, do other bodies use roll-call?;

--discussion: Town Council does roll-call voting; more discussion, consider expanding this practice but need to find an efficient way to do it: research required

c. Charter Article II, Town Meeting

par. C-5, Annual and Special Town Meetings:

-question, keep Town Meeting form of government?

--many speakers: sense of community is "yes"

--how to make Town Meetings more efficient?

--regular voter turnout less than 50%

--using a digital tally in Open Town Meeting would be more efficient and private than current method of holding up colored cards

-language corrections needed in first sentence: "Except as otherwise provided in this Charter, the governing authority of the Town of Bar Harbor shall continue to be vested in the inhabitants of the Town of Bar Harbor, acting by means of Town Meetings."

-questions: move the month, day, and/or time of the Annual Town Meeting?

-why is attendance at the Open Town Meeting so dismal?

--much discussion; attendance data for past several years presented

--large attendance for controversial items

--how about meeting during the day on a Saturday, with child care provided?-

--Town Manager: regarding the budget, do you want to change the fiscal year?

-The Chair: test poll, June or November?

--because of the budget timeline, keep it in June (do not change fiscal year)

-Saturday or another day/evening?

--Tuesday better in June

-Written ballot portion of Town Meeting same time as currently set?

--leave this open to discussion, in order to gather more opinions

--use Polco? Other methods?

-What about floor amendments to the budget, especially the school portion?

--we need additional ways to get community opinion: besides Polco, printed box in newspaper that people could fill in, cut out, mail/bring to Town Office; town website, forms available in the Library, etc.

--we (Charter Comm.) need to write the questions: sometimes Polco questions are leading, directed in a particular way

-Open Town Meeting provides for *discussion* of issues

--there are lots of public hearings & that system works well

--keep open debate or expression of opinion at Town Meeting

--keep public comment

--favors public comment but not allowing amendments

--keep public opinions; sometimes amendments may be needed

C-5 B. OK in content

C-5 C. (1) Contents of ballots:

-keep (b) and (c), eliminate (a) and (d): See discussion below

C-5 C.(2) Warrant:

-keep (a) and (c), eliminate (b), (d), and (e):

Discussion of C(1) and (2): Town Council and Warrant Committee recommendations, including numbers of yea and nay votes, constitutes leading voters, a poor practice; voters need to do their own study of the issues. Only recommendations of the School Committee and Planning Board should be printed on the Warrant & the ballot.

-- but Town Council and Warrant Com. are people we vote for; why should the opinions of elected bodies (Town Council and Warrant Com.) not be included?

-- voters should trust *their own* judgement

-- another member hears from voters who like these printed recommendation for various reasons, e.g. poor internet connection, which makes on-line studying of the issues very inconvenient

-- not everyone has time to dive into issues and may not be as passionate about every item on the ballot as some others are

-- much discussion

-- another member likes having the recommendations on the printed ballot so can see them while in the voting booth

-- this is a really big item to keep; if we change it, people may vote other changes down, i.e. the entire charter

-- think about various ways to increase attendance, especially at Open Town Meeting

-- more discussion

-- maybe publish more about issues

Par. C-6, Powers and responsibilities

A. (1): list who is elected, i.e. Town Council, Warrant Com., School Com., Charter Commission;

- should Planning Board members be elected?

-- much discussion

-- elect Planning Board directly or remove their recommendations from the warrant & ballot

-- leanings of Planning Board members can be a problem

-- discussion

C-6, B: question, please define "Special Town Meeting"

- explanation given; Secretary was asked to prepare language to be inserted

C-6, B (1) through (7): no change needed

C-6, C: no change needed

C-6, D: a grammatical change: remove the comma following "report"

- clarify "written ballot" with respect to method: are electronic clickers ok in this instance?

-- discussion; ruling will be sought

General question on voting: Can we make ballot questions consistent, and cast positively, e.g. "adopt" is a "yes" ?

- another member believes all warrant articles are cast as positive; the member will check

5. Agenda for March 6<sup>th</sup> meeting

- Acting Chair will be Peter St. Germain

- be prepared to discuss Articles VIII, IX, X, XI

- check calendars for dates for meetings following the May 1<sup>st</sup> meeting

8. Motion to adjourn (P. St. Germain, A. Durand); meeting adjourned at 10.32 AM

Respectfully submitted,

Patricia L. Samuel, Secretary