

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

Meeting called to order by Michael Gurtler, Chair, at 8:30 AM.

Present: Julie Berberian, Anna Durand, Jill Goldthwait, Michael Gurtler, Peter St. Germain, Patricia Samuel, Martha Searchfield, Christopher Strout

Absent: Joseph Cough (illness)

1. Motion to approve the agenda (C. Strout, M. Searchfield): approved unanimously
2. Minutes: one correction; Motion to accept amended minutes (M. Searchfield, P. St. Germain); approved unanimously as amended
3. Public Comment Period: M. Gurtler asked the commission if all members had received Donna Karlson's letter; they had. He thanked Ms. Karlson for writing, then opened the Public Comment period.

- D. Karlson: --An example of a good review process is the one used to choose a new location for the Emera sub-station; it is now located on Eden Street, near West St.

--Warrant Com. should continue to be elected; consider a slate of approx.. 30 candidates, then vote.

--She can see that Planning Board is frustrated when Warrant Com. votes against its recommendation at the end of the planning process; suggests a subgroup of Warrant Com. members to attend Planning Board meetings.

--suggests more advice from the Town Attorney to Town Council and Planning Board at their meetings, as was done in the past.

As there were no other speakers, the Public Comment Period was closed.

4. Items for discussion:

A. Article IX-Initiative and Referendum

- re-write of C-48b(1) by P. Samuel, Secretary: it is OK but check the construction of the second sentence in section B(1)(a)(i)

B. Article VII-Warrant Committee

- All Commission members wanted changes to this article; spirited discussion followed.

- M. Searchfield: smaller, individually elected by secret ballot, budget review only

- A. Durand: smaller size OK, popular vote by secret ballot, nomination signatures yes, not just budget, listen to development and discussion of Land use ordinance amendments by Planning Board at their meetings

- J. Goldthwait: budget only
- P. Samuel: favors the staggered terms from Warrant Committee's proposal; would have to be persuaded about no Land Use Ordinance review
- C. Strout: staggered terms; make budget review process shorter
- P. St. Germain: smaller Warrant Com., primary work budget review; second set of eyes on Land Use Ordinance amendments, but not approving or disapproving; nominations by signatures implies a legislative body; recommendations by various bodies should not appear on the ballot
- much discussion about possible nomination process; a member urged caution
- M. Searchfield: some communities elect judges; regarding Land Use Ordinance amendments, often there is little interest - few attendees at meetings or public hearings
- J. Berberian: first consider what we would like to see for Warrant Com., then look at method
- M. Gurtler: Warrant Com. work with Town Council on budget all along
- M. Gurtler: need training for Chairs of all bodies on running a meeting, rules of order, etc.
- C. Strout: what about the by-laws of Warrant Com.?
- - discussion followed; some members pointed out that many committees & boards have by-laws or written procedures
- M. Gurtler: shall we set our destination first, or march through Article VII? A number of members agreed that destination should be set first.
- J. Goldthwait: let's test where we have consensus
- J. Berberian: would like to hear from all of us about (1) budget only, and (2) smaller size
- P. St. Germain: specific group of Warrant Com. members work with Town Council from the beginning of the budget review; wants efficiency and a smaller Warrant Com.
- A. Durand: streamline time required to aid staff; decrease animosity by Warrant Com. & Town Council working together
- M. Searchfield: agrees with A. Durand; more joint processes between Warrant Com. and Town Council, and four joint meetings per year between Warrant Com. and Planning Board
- C. Strout: a process is outlined in Article VI; agree that we should condense the process, presently cumbersome; look at the big picture: what is the ultimate purpose and goal?
- J. Goldthwait: likes streamlining, but is Town Council and the entire Warrant Com. meeting together unworkable? discussion time needed

- M. Searchfield: budget workshops, except the first one, could be smaller & everyone should come prepared
- J. Goldthwait: Warrant Com. responds now to the finished budget; it then recommends to the Town, not to the Council
- J. Berberian: attended Council workshops for information & found them very helpful; then conveyed information to her sub-com. (she is chair of Protections sub-com.), members had additional questions
- M. Gurtler: Is everyone as involved as you?
- J. Berberian: (1) you get involved when you feel you have input; this is how democracy works; you get voters interested by talking with neighbors & friends;
- (2) we have large-scale, almost city-type issues
- M. Gurtler: let's lay this aside for us to think over; return to the question of size
- C. Strout: now the Warrant Com. is advisory, how should we do the advice? T. Council & Planning Bd. have a back-and-forth process; why not the same process between Warrant Com. & Council and between Warrant Com. and Planning Bd.?
- M. Searchfield: likes the idea & size of a budget com., and such a committee discussing the budget together with T. Council
- J. Goldthwait: but it is defined now (in the Charter) as not a back-and-forth process; is a back-and-forth process not then just an expanded Town Council?
- A. Durand: it would not be advisory
- J. Goldthwait: an independent body now
- M. Gurtler: a board
- A. Durand: advisory compared with collaborative; if Warrant Com. looks (regularly) at Planning Bd. ideas, they would get up to speed earlier
- P. St. Germain: agree with M. Searchfield, wants a smaller Warrant Com.; T. Council does go through the budget line-by-line; joint meetings don't preclude a separate recommendation by Warrant Com.
- M. Gurtler: do we need par. C-36 section A ?
- A. Durand: we want as much democracy as possible; we need the process for Planning Board & Warrant Com.

- M. Searchfield: most towns in Maine use a budget review process, it could happen jointly; examples: Topsham, Jay, Norway have budget com. but Winthrop & Hallowell have no budget com.

- J. Berberian: she researched budget com. in some other Maine towns: many do things similar to our Warrant Com.

- discussion followed

- M. Gurtler: do we need the Warrant Com. as currently described in the Charter? If so, then what is the scope? Size? How elected? Budget only? Do we need a Warrant Com.? If yes, then what topics would it address?

- A. Durand: can we get a count of Town Meeting voting on issues compared to agreeing or disagreeing of Warrant Com. and T. Council? (yes, data supplied by Town Clerk, March 21)

P. Samuel: 1) The budget reflects the values of the body, what it thinks is important; 2) There is much money in our town, held by a small number of people.

5. Next meeting: Wednesday, April 3, 8:30 AM

6. Motion to adjourn (P. St. Germain, A. Durand): meeting adjourned 10:25 AM