

Minutes, Charter Commission, Town of Bar Harbor, April 17, 2019

The meeting was called to order at 8.35 AM by the Chair, Michael Gurtler.

Present: Present: Julie Berberian, Joseph Cough, Anna Durand, Jill Goldthwait, Michael Gurtler, Peter St. Germain, Patricia Samuel, Martha Searchfield (a few minutes late), Christopher Strout

1. It was moved and seconded (Peter St. Germain, Chris Strout) to adopt the agenda as published; motion carried unanimously.

2. It was moved and seconded (Peter St. Germain, Anna Durand) to adopt the minutes of the 3 April 2019 meeting, as distributed. Motion passed unanimously.

3. Public Comment period:

Donna Karlson: there is a consensus that the Warrant Com. acts as a second set of eyes for review of Land Use Ordinance (LUO) amendments

- all meetings of Warrant Com. and its sub-committees are announced well in advance and are open to the public, but Warrant Com. could consider adding public hearings.

- it is key to have a review by group process for LUO amendments

- process for asking for Public Comment is a *good* start; could also have neighborhood meetings

Carol Chappell spoke, as a voter: referring to the April 3, 2019 minutes, continue to support review of all Warrant Articles except elections; LUO review by Warrant Com. very important, voters will not approve a Warrant Com. without this feature

As there were no other people wishing to speak, the Chair closed the Public Comment period.

4. Discussion:

a. Article VII – Warrant Com.

* continued discussion of role of Warrant Com. – two plusses: generational knowledge and LUO review

* restore the oral reports to Council by all committees, task forces, and boards at regular intervals (every quarter, every 6 months, depending on the nature of the group reporting)

* also there were charrettes from time to time

* Planning Board (P.Bd.) needs to continue to have work sessions before an amendment is written

- (P.Bd. member) we do

* charrettes usually focus on one topic; town has many opportunities for public participation; the public needs to *choose* to be involved, and we all need to persuade people to take advantage of the opportunities that exist for information and discussion

* a member has noticed an increase over the last five years, much more emphasis that the Warrant Committee's "second set of eyes" function is on a different level than Public Hearings, etc., because people are very interested

- Warrant Com. members are a different set of folks who tend to be active, engaged

* observation: there have been times when a business member of Planning Board has been too focused on his/her own interests

*response: we're (P.Bd.) certainly not an arm of anything

** new topic: Warrant Com. review of the budget

* School Budget prepared by school staff & reviewed by the School Com.

*a plus: budget is so complicated; so it's a great way to learn how a budget comes together; people on the sub-committees become very knowledgeable

* School budget is in flux until the end of the municipal review due to last-minute quotes from insurance companies, etc; a member of the reviewing body needs to be aware of this flux; on the other hand, it's hard to do a deep review of the school budget

* all budgets need review, so the Warrant Com. work is good in that regard, but the timeline is a negative

* consider the broad context: Bar Harbor is the 5th-largest municipality in Maine during the summer; have we outgrown the model we have now?

- what are the implications for municipal staff with greatly increased public meetings?

- we have a goal of maximum public input but citizens are not necessarily prepared

- for staff it is hard to keep up with all the meetings

- is there something about Bar Harbor that requires large public input?

- the negative of budget review is the difficulty of getting people to serve

* how can we do it differently?

- School Com. agonizes over the budget and meets several times with Town Manager and the Treasurer

- with LUO amendments especially, lawyers can be involved

- we need a better process; wants do it better

* whatever we recommend, voters will decide

- - it's good to go outside the box, make practical suggestions

* tearing apart is not building something new

* data would be useful if possible to get

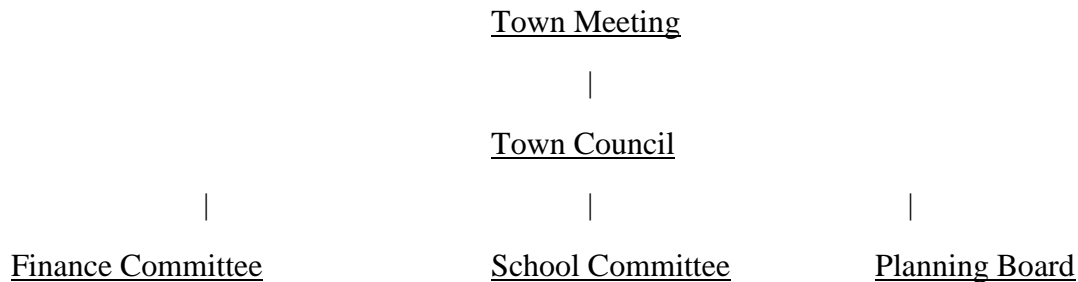
* three bodies - Town Council, School Com., Warrant Com. - look at the school budget; how could we improve the process? Ex: school budget review sub-com. meets with Town C. to review school budget; could the sub-com. *vote* with T. Council on items that both bodies support, if passed then these could be declared *decided* and no further review of those items would be necessary; if Town C. and the sub-com. are not agreed on an item, then work on it further; so, the work of the sub-com. rules the day.

* more eyes on a budget or legislation may not be expert eyes

* school budget has two elected bodies that assemble and review it, School Com. and Town Council

-- there is sufficient scrutiny of the school budget that Warrant Com. need not review it

* The Chair proposed an organizational chart:



And proposed three steps:

- 1) continue to elect School Com. and Town Council
- 2) people can attend any meetings and ask questions
- 3) then we vote (town meeting)

-- there are two large parts of our town's government, Planning and Budget

-- keep in mind that the function that Warrant Com. serves is a *good thing*: citizen participation and checks & balances

-- scrap Warrant Com. *as it is organized now* and reorganize it to focus on the capital improvements (CIP) and operating budgets

* agree; the school budget is an outlier, compared with the other sections of the budget; unlike the other sections, the school budget has no carryover, no buffer, and a lot of scrutiny; involvement in the school budget by the Warrant Com. is not needed

* want to look at reorganizing Warrant Com. to be something new

* agree that school budget be removed from Warrant Com.'s duties

* there could be a Budget Com. for the CIP (capital improvements) budget & the municipal budget; it would have 5 members and be proactive in budget development

* two more members agree with this idea

* what is it about Bar Harbor that requires so much citizen input? We have quality of life; tourists; a *very* small amount of developable land; Acadia National Park; and we, the town, are a small place in area.

* re: volunteers, yes, they are hard to get but there *is* recruitment

- * refer to the proposed organizational diagram, above: currently, Town Meeting elects Town Council, Warrant Com. (by slate), School Com., and votes on Land Use Ordinance (LUO) amendments. Is it prudent to elect the Planning Board?
- * torn about electing Planning Board because of the influence-of-big-money problem
- *we need data
- * supports election of Planning Bd.
- * not so sure about electing Planning Board
- * thinking about big-money problem but moving toward an elected Planning Board
- * what is the difference between a board & a committee?
- * regarding an elected Planning Bd., accepts the influence of money, but not all members would likely be under that influence
- * Planning Board has two different jobs, permitting (reviewing building applications for conformity to the LUO, a judicial action) and participating in the development of LUO amendments, a legislative action
- * (a previous speaker) if the size of Town Council continues to be seven members, and the sizes of the Planning Bd., School Com., and the proposed Budget Com. were 5 members each, then could accept an elected Planning Board
- * make some members of the Planning Board elected and some appointed
- * how to preserve institutional memory, rolling terms?
- * regarding institutional knowledge, a new member must learn about the work, while being asked to participate in the preparation of LUO items
- * is the proposed Budget Com. to help with budget preparation, or to review?
- * the Town Manager was asked to comment: the School Budget is over 50% of the total budget, so it needs more review
- * much discussion
- * proposed Budget Com., (for CIP and municipal budget sections): Staff prepares the budget, Budget Com. reviews, then on to Town Council (and Town Meeting)
- * for School Com., school staff develops budget, School Com. reviews, then to town Council,
- * Town Manager works with departments to develop the budget > > >Town Meeting: questions?
- * to speaker re: school budget – would School Com. *review* or *develop* budget?
- * response: *review*

** Chair: need to continue this at the next meeting. Meanwhile, for homework, please write down, for each of the two groups that would work on part of the budget, i.e. School & Budget/Finance, the following:

- board or committee?
- elected or appointed, or both?
- review or develop?
- number of members
- paid?

5. Next meeting: Wednesday, 1 May, 8.30 AM (our last morning meeting for a while); Mondays May 6th, May 20th, after 7 PM; then June 3rd, June 17th, possibly a Public Hearing on June 17th. J. Goldthwait to chair the May 20th meeting.

6. Motion (P. St. Germain, M. Searchfield) to adjourn, passed unanimously, 10.38 AM.

Respectfully submitted,

Patricia Samuel, Secretary