

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

The meeting was convened at 6.58 PM by Vice-chair Jill Goldthwait, in the Chair.

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

Absent: J. Cough, M. Gurtler

1. Moved and seconded (M. Searchfield, C. Strout) to adopt the agenda as printed. Approved unanimously.

2. Moved and seconded (C. Strout, P. St. Germain) to approve the minutes of the meeting of May 6, 2019, as distributed. Approved unanimously.

3. Public Comment Period: one member of the public was present to observe the meeting, but did not wish to speak.

4. a. Budget Review Committee Structure: J. Goldthwait distributed draft language, which she had modelled on the existing text for the School Committee (Article V, C-26, A.-G.)

- discussion followed

* what body should review initiative petitions?

- possibly Budget Review Committee, since Warrant Com. does this currently, as does Town Council

- initiative petitions are different from all other Warrant articles, since they are brought forward directly by voters, rather than a board/committee or Council; after a petition has been checked for legality then it is presented to Town Council; Council will either adopt the petition or send it to Town Meeting for a vote

- more discussion, including which, if any, body should review initiative petitions

- a question: use of the word, streamlining, in what sense? like a business?

- government can't be run like a business

- more discussion

- is it personalities on Warrant Committee or structure that is driving this proposed Charter change?

- Warrant Com. frustration is many years old

- a member is opposed to voting on a slate of Warrant Committee candidates

- more discussion
- make the process for initiative petition the same as for other Warrant articles
- * Change of topic, to budget process
- Budget Committee would get the budget first, rather than Council; charter section C-31 would need to be reworked: Staff gives requests to Town Manager, Manager creates budget (except for School budget), then presents it to Budget Committee and Town Council at the same time; then Budget Com., at separate meetings, reviews budget & may call for changes
- a member agrees that Budget Committee should get the budget first, as the Committee may find items that need changing
- another member proposes: Town Mngr. presents, then Budget meets by itself and Town Council meets by itself (in parallel), then the two bodies come back together
- a different member likes the sequence: Budget Com. and Town Council hear budget presentation together, then Budget Com. deliberates on its own, then sends budget to Town Council, then there is reconciliation, if necessary
- another member likes the concurrent deliberation model because it is cleaner; another agrees
- another member: concurrent deliberation would facilitate independent thinking in both bodies
- a member who has been researching budget review in other towns: in some towns Council attends Budget meetings but can't speak
- another member envisions four joint presentations by Staff, followed by separate deliberations by the two bodies, then a joint meeting to reconcile differences, or attempt to
- another proposal: Town Council would react to the Budget Committee; Budget Committee does the work, then sends revised budget to Town Council, which may like it or not

b. Planning Board

- elected or appointed board members? A variety of responses
- a member spoke with the Planning Director, who said that an elected Planning Board is very problematic because of the board's quasi-judicial role (permitting); we should spend more time on this

- another member: we talked before about splitting the two current Planning Bd functions between two bodies
 - a member: we should put off messing with this stuff for now
 - member who spoke previously has reconsidered and argues now for splitting off long range planning and for Planning Board members to be appointed; dislikes the situation of unopposed candidates, which gives voters no choice
 - a member reminded us that a knowledgeable member of this body stated that, if the Planning Board functions were split, no-one would want to only judge applications
 - an observation: no-one has asked us (Charter Commission) for changes to the Planning Board
 - another member favors an elected Planning Board, with duties as they are now
 - should Planning Board be in the Charter? generally positive response, but minimum language to allow flexibility for the future
 - a member has thought more about Planning Board, now thinks an appointed board, as it currently is, would be better
 - another member: Council can find Planning Board members with particular skills when such are lacking
 - J. Goldthwait volunteered to develop Planning Board language for the Charter that leaves the basic structure and functions as they are now and provides for future flexibility
5. Next meeting: June 3, consideration of rough outline of what we've described.
6. Motion to adjourn (P. St. Germain, C. Strout); meeting adjourned 8.44 PM

Respectfully submitted,

Patricia L. Samuel, Secretary