

Minutes
Bar Harbor Town Council
February 20, 2018

- I. CALL TO ORDER** – 7:00 P.M. – In attendance were Councilors: Paul Paradis, Gary Friedmann, Stephen Coston, Peter St. Germain, Erin Cough, Judie Noonan, Matthew Hochman; and Town Manager Cornell Knight.
- A. Excused Absence(s)** – *All were present.*
- II. PUBLIC COMMENT PERIOD** - *The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person.* – Resident Joe Minutolo stated he wanted to take the time to speak about democracy. He went to Augusta a few times for the weigh-in on LD1400. One of the comments he heard was, ‘how can we stop citizens of Bar Harbor from having a vote on a Port Authority’. He felt, before LD1400 reached Augusta, we should have had a little more democratic process. It’s a very big decision for our town and requests if there is any way of forming a committee before any vote to educate the citizens about a Port Authority and the pros and cons.
- Resident Liz Kase’s commented, ditto to Mr. Minutolo’s comments.
- III. APPROVAL OF MINUTES** – *February 6, 2018 – Regular Meeting* – Councilor Noonan noted on page 2, item III, last paragraph should read: “property for cruise ship berthing pier would be detrimental”, not property for commercial cruise ship use would be detrimental. Councilor Friedmann noted on page 8 his comments in paragraph 3 and 4 past tense should be used on the following words, “obtained, concerned, and encouraged”. Mr. St. Germain, with second by Mr. Hochman, moved to approve the minutes of February 6, 2018 regular meeting as amended. Motion passed 7-0.
- IV. ADOPTION OF AGENDA** – Mr. Friedmann, with second by Mr. Hochman, moved to adopt the agenda as published. Motion passed 7-0.
- V. FINANCIAL REPORT** - *Review and possible adoption of a motion to accept the financial statements as presented.* – Following an overview by Finance Director Stan Harmon, Mr. St. Germain, with second by Mr. Hochman, moved to accept and file the financial statements as presented in the Finance Director’s memo dated 1/31/18. Motion passed 7-0.
- VI. CONSENT AGENDA** - *A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:*
- A. Memorial Day Ceremony** – *Possible motion to approve the Chamber of Commerce request to hold a Memorial Day ceremony on the town pier, May 28, 2018 starting at 10:00 a.m.*
- B. July Fourth** – *Possible adoption of a motion to authorize the Bar Harbor Chamber of Commerce to hold a parade, Harborside concert, and fireworks on July Fourth,*

with rain date of July 5th, as outlined in their request, and thank them for their continued willingness to organize these events.

- C. Easement** – *Possible motion* to approve an easement to EMERA Maine for a twenty foot strip on Map 110 Lot 56, Transfer Station, White Spruce Road.

Mr. Coston, with second by Mr. Hochman, moved to approve the consent agenda as published. Motion passed 7-0.

VII. PUBLIC HEARINGS:

- A. FY19 Budget** - *Public hearing on and possible adoption of the fiscal year 2019 budget, for the period July 1, 2018 to June 30, 2019.* - Town Manager Cornell Knight summarized the proposed budget as published which includes 3 bonds: \$600,000 Parking Meter System, \$3.5 million to purchase the ferry terminal, and \$5,128,500 school renovations. The proposed budget also includes an additional fireman/EMT, bond premiums for the transfer station renovations, ladder truck, and fire station floor. The operations and capital expenditures for the Town's portion is 5.3%. The school's portion is 3.6%. It was noted the published FY19 Budget does not include the latest changes. The County's final assessment is \$21,000 greater than estimated or a tax rate change of 8.1% increase which brings the overall tax rate increase to 4.6%. The proposed budget does exceed LD 1 limits by \$27,993. The school board met following Council's budget meeting, and the proposed bond of \$5,128,500 has grown to \$6,400,000. The school staff will be meeting with the Council to discuss the amended amount.

1. *Public comment on the proposed budget.* – Tom Burton inquired why the original payment for the Ferry Terminal bond to purchase was coming from cruise ship funds, and now it's proposed as a general obligation bond that puts the taxpayers responsible.

Town Manager Cornell Knight responded that when the cruise ship budget is done next year, as much as possible from cruise ship funds will be applied. It remains unknown until a business plan is developed with the projected revenues.

David Bowden expressed his disapproval and frustration to hear raising taxes 4.6% and another estimated 5% the following year, if the three bonds pass. He stated it's not sustainable for this small town.

2. *Possible approval of a motion to adopt the proposed budget, (with or) without changes and recommend it to the Warrant Committee.* – Following Town Council comments regarding further discussion on the proposed school bond and the amount, as well, as comments regarding the purchase of the ferry terminal; Mr. Friedmann, with second by Mr. St. Germain, moved to adopt the proposed 2019 municipal budget as presented by Town Manager today and recommend to Warrant Committee. Motion passed 7-0.

VIII. REGULAR BUSINESS:

- A. Street Lights** – *Presentation on LED streetlight conversion by Paul Vesel of Realterm Energy.* – Mark Carter of Realterm Energy gave a PowerPoint presentation on transitioning to LED street lights based on acquisition of street lights owned by Emera Maine. Estimated cost of the project is \$232,388, annual energy savings of 60%, with a 4.8 years payback. To determine photometric design, a GIS audit is done. Proposed is the Cobra head fixtures, installation includes Smart ready control technology to be activated when ready at an additional cost. There is opportunity for additional savings if Town owned lights were included. Generally, a pilot program with mix lighting in designated areas is done before a full installation to get public feedback. Town of Mount Desert is currently in the pilot program phase, and it is an opportunity to check out the various lighting. Financial options are available, if interested. Following Council comments, Mr. Hochman, with second by Mr. St. Germain, moved to authorize the town manager to bring back a contract with Realterm Energy to convert all town street lights to LED's. Motion passed 7-0.
- B. Planning Director** – *Confirmation of Town Manager's appointment of Janna N. Richards of Surry as Planning Director.* – Town Manager Cornell Knight was pleased to introduce Janna Richards as the new Town Planner. She is currently the Town of Orono Planner, and also served as assistant City Planner for Ellsworth. She has a master's degree from Tufts University. Ms. Richards introduced herself to Council and gave background information of her qualifications, interests, and experience. Mr. St. Germain, with second by Mr. Hochman, moved to confirm the appointment of Janna Richards as Planning Director with a three-year contract. Motion passed 7-0.
- C. Island Housing Trust** – *Request for Town participation in housing study.* – Following a brief outline of the IHT goals for an Island wide housing study by committee member Ted Koffman, Mr. Hochman, with second by Ms. Noonan, moved to contribute \$5000 towards the cost of the Island Housing Trust's island wide housing study. Motion passed 7-0.
- D. Parking Meter System Bond** - *Possible motion to sign the Order placing Parking Meter System bond for \$600,000 on the June 12, 2018 annual Town Meeting Warrant.* – Mr. St. Germain, with second by Mr. Hochman, moved to sign the Order placing Parking Meter System bond for \$600,000 on the June 12, 2018 Town Meeting Warrant. Motion passed 7-0.

Order

Of the Bar Harbor Town Council

For the June 12, 2018 Town Meeting

It is hereby ordered that the following article be placed on the town meeting warrant with voting to be held by Australian ballot.

Warrant Article

Article ____ PARKING METER SYSTEM – Shall the Town of Bar Harbor:

1. **Authorize** the Town Council to provide for purchase and installation of downtown parking meter system, said project, known as the **Parking Meter System** to include the following:

- Purchase of 400+ electronic parking meters, including, but not limited to, parking meters, kiosks, accompanying software, handheld citation meters and all other equipment costs
- Other activities or expenses that are reasonably related to the project

2. **Appropriate** the sum of Six Hundred Thousand dollars (\$600,000) to provide for the costs of said project, including design work and transaction costs;

3. **Authorize** the Treasurer and Chair of the Town Council, acting pursuant to the provisions of 30-A M.R.S.A. Section 5772, to issue general obligation securities of the Town of Bar Harbor (with or without call provisions and with or without premium, and including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed Six Hundred Thousand Dollars (\$600,000); and

4. **Delegate** the discretion to fix the date(s), maturity(ies), interest rate(s), denominations(s), place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Bar Harbor, and to provide for the sale thereof, to the Treasurer and Chair of the Town Council.

FINANCIAL STATEMENT

As of June 12, 2018

1. Total Town Indebtedness- Principal	
A. Bonds outstanding and unpaid	\$18,648,778
B. Bonds authorized and unissued (June 2018)	- 0
C. Bonds to be issued if this article is approved:	\$600,000

2. Costs

At an estimated interest rate of 3.25% for a Two (2) year maturity, the estimated costs for this bond issue will be:

Principal:	\$600,000
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Interest:	<u>\$ 29,406</u>
<u>Total Debt Service:</u>	<u>\$629,406</u>

3. Validity

The validity of the bond and of the voters’ ratification of the bond may not be affected by any error in the above statements. If the actual amount of the total debt service for the bond issues varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/ _____
Stanley W. Harmon
Treasurer
Town of Bar Harbor

Explanation:

The Town Council and the Parking Solutions Task Force have formed a plan to implement seasonal (May to October) paid day-time parking in the downtown area, potentially generating over \$500,000 per year in new revenue for the Town. Revenues will be deposited into a new special parking fund used to reduce demand for parking and congestion in the commercial downtown district, making all areas of town more walkable and bikeable, and funding pedestrian improvements. Examples of items funded can be; Town infrastructure, such as sidewalks, LED streetlights, satellite parking and shuttle service, upgrading existing streetscapes, pedestrian and bike friendly projects. Projects funded in this way will not increase the property tax burden. The Parking Kiosk/Meter System will include handheld electronic devices for enforcement/ticketing. Most fees will not be paid in coins, but via debit or credit cards. Experience elsewhere demonstrates that paid parking, electronic monitoring and ticketing increases turnover and more effectively allocates demand. Projected revenues from the program would repay the bond in the first two years, while other projects, as outlined above, are planned and readied for implementation.

E. Treasurer’s Warrant - Request of Treasurer to authorize paid bills. – Mr. Friedmann, with second by Mr. St. Germain, moved to sign the Treasurer’s warrants for paid bills. Motion passed 7-0.

IX. TOWN MANAGER’S COMMENTS – Town Manager gave an update on the Council’s request for documents from the Warrant Committee’s General Government sub-committee members. One member acknowledged the request was received. One member lawyered up. Her lawyer husband made a FOAA request to the Town which was fulfilled. One member was too busy, and also requested FOAA for documents and we provided them. There was a sheet of paper describing an April 20, 2017 meeting at a house to discuss and strategize for Articles 12 and 13, notes showed Warrant Committee members in attendance and were doing fundraising. One member did not acknowledge, but read in the newspaper the member referencing a memo, nearly four years ago, about two Warrant Committee members speaking at a meeting. This memo was written by the

town attorney that members have the right to speak on matters, however, this differs from the current situation. In addition, the article states that this member may ask the Town for legal representation. This member has not contacted the Manager's office. The last member is involved in the Blanchard lawsuit, and communications is through his attorney. The attorney has not responded.

X. COUNCIL COMMENTS AND REQUESTS FOR FUTURE AGENDAS

Ms. Noonan congratulated the MDI Boys' Swim team on their Class B Championship.

Ms. Cough reported she has spoken to several people who voiced concerns about the ferry terminal purchase and development plans. She is requesting to create and publish a timeline.

Mr. Hochman stated he would like to take time out and speak about the horrific school shooting in Parkland, Florida. He is proud of our MDIHS students who peacefully protested and spoke up with their thoughts.

Mr. St. Germain echoed Ms. Noonan's congratulations. He further recognized Liam Sullivan for his outstanding performance at the championship swim meet.

He also acknowledged the students protest and was pleased to see young folks speak their passion.

Mr. Friedmann thanked the people who came out tonight.

Mr. Paradis welcomed our new Town Planner, Janna Richards.

He acknowledged the Port Authority issue continuously coming up. A Port Authority is irrelevant until there is a business plan, without an income stream, there is no Port Authority. The focus needs to be on the business plan.

XI. EXECUTIVE SESSION: (None)

XII. ADJOURNMENT – Mr. St. Germain, with second by Mr. Hochman, moved to adjourn at 9:00 p.m. Motion passed 7-0.

Patricia A. Gray, Town Clerk