

**Warrant Committee Meeting Monday,
February 27, 2023**

1. Call to Order/Roll Call: 7:01 pm by Chair Libby; 15 voting members present at roll call

Present: J. Berberian, B. Chaplin, C. Chappell, C. Cough, K. DesVeaux, M. Kelly, S. Libby, L. Lopez, B. Reece, E. Salvatore, A. Sasner, E. Sassaman, C. Smith, K. St. Germain, J. Young

2. Approval of Prior Warrant Committee Meeting Minutes: January 18, 2023

Chair Libby tabled this item for a future meeting. As Ms. Smith was joining remotely at that meeting, Chair Libby was acting Secretary.

3. Public Comment Period

Chair Libby opened the public comment period of this meeting. There being no members of the public in attendance who wished to speak, he subsequently closed the public comment period.

4. Opening Remarks

Chair Libby thanked the Town staff and members of the Warrant Committee. He requested feedback on how the process unfolded this budget season. He also provided a reminder for the next joint meeting with the Town Council, happening the next night at 6:30pm.

Chair Libby also took a moment to outline the weeks ahead. The Town Council will adopt the budget, at which point the Warrant Committee will have to review this budget and make its recommendations on these items as well as ballot items such as Land Use Ordinance warrants. The Warrant Committee's full recommendations are due by April 12, which includes votes on all Articles, including such items as the tax cap override. The Warrant Committee's subcommittees will likely convene in March to vote on their recommendations to the full Warrant Committee.

The conclusion of the budget process for this season was described, which now proceeds in a bifurcated manner. The Town Council will make changes and adopt a final budget while the Warrant Committee reviews the draft budget. The Warrant Committee will have the opportunity to make recommendations to the Town Council before they adopt the final budget. If there are differences between that budget and our final votes, those are taken to the floor of the Town Meeting to be decided by the voters. The Town Clerk reminded the Warrant Committee that the Town Council could make changes to the budget up to and including March 21. For this evening's meeting, recommendations will be read as motions, and what is recommended will be brought to the Town Council.

5. Presentation by Subcommittee Chairs and Discussion of Member Budget Recommendations to Town Council

a. General Government Subcommittee (Chair: Carol Chappell)

Chair Chappell noted that she may have to declare that as a vacation rental owner she may have a financial conflict of interest as pertains to changes in vacation rental fees. There was a review of the Town's Ethics Ordinance, and the amount at which a matter becomes a financial conflict of interest. Ultimately, it was decided that action on this could be tabled until that section of the budget was being discussed.

i. Chair Chappell moved and Ms. Lopez seconded a motion that the Warrant Committee support the Planning Department's recommendation that Code Enforcement fees, except vacation rentals, be increased to COLA (6%).

Town staff provided additional details related to these fees and how they fit into the overall Planning Department budget. The Town Council had not yet voted on this item, but indicated that they would likely support this change.

The motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

ii. Chair Chappell moved and Ms. Lopez seconded a motion that the Warrant Committee support the Planning Department's recommendation that Planning fees be increased to equal the overall budget increase of 10%.

Town staff noted that the last time that these fees were increased was in 2017. Chair Chappell added that fees cover approximately 30% of the actual effort and cost recovery.

The motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

iii. Chair Chappell noted that there had been discussion during the General Government subcommittee meeting about the various PILOT payments made by non-profit entities. The subcommittee wondered what could be done to encourage some of the nonprofits to contribute larger PILOT amounts, with an eye to the FY25 budget.

1. Mr. Salvatore moved and Mr. Sassaman seconded a motion for the Warrant Committee to form a working group to raise \$2,000,000 in funds from local nonprofit organizations for the Connors Emerson school over a period of 20 years in lieu of increasing PILOT amounts.

Items discussed included the following points:

- Whether forming a working group independent of an initiative from the Town Council is within the purview of the Warrant Committee
- Preference to not single out particular nonprofit organizations
- Has been a long-standing topic of discussion with respect to the budget
- Whether speaking to leadership at the PILOT nonprofits falls within the purview of the General Government subcommittee, as a related budget item
- Possible support of making a more general recommendation to the Town Council to research additional PILOT funds
- Importance of these efforts being coordinated among various town and school boards

2. Mr. Salvatore moved and Mr. Sassaman seconded a motion to revise the main motion for the Warrant Committee to form a working group to approach nonprofit organizations in Bar Harbor for funds to support the Connors Emerson school over a period of 20 years in lieu of increasing PILOT amounts.

The motion to amend the main motion failed (5 in favor, 10 opposed, 0 abstain).

3. The main motion remained on the floor as originally presented.

The main motion failed (3 in favor, 12 opposed, 0 abstain).

There was interest in a motion that would recommend to the Town Council that they review PILOT funding, and to have these payments go to the support of the school. This could be an additional source of revenue, and the school is used as a recruitment tool for some of these same nonprofit organizations. Town staff advised against specifying a particular section of the budget, as the Acadia National Park is in a different section of the budget; it is better to just refer to PILOT payments in general. After initially considering having additional PILOT funds support the new school, it was decided that referring to school infrastructure generally could support both the current school and the new school, while remaining independent of the pending school bond vote.

4. Vice Chair Berberian moved and Mr. Cough seconded a motion that the Warrant Committee recommend that the Town Council explore how

to solicit more PILOT revenue from all PILOT sources for school infrastructure purposes.

The main passed unanimously (15 in favor, 0 opposed, 0 abstain).

iv. Chair Chappell moved and Chair Libby seconded a motion that the Warrant Committee recommend that the Town Council utilize the Town's longstanding insurance reserve funds, either to cover projected legal fees in whole, or supplement the existing amount proposed by the Town Council.

Chair Libby noted this is a \$500,000 fund, and this could be a good time to use some of that funding, as there is an increase in the amount budgeted for legal fees over prior years. Finance Director and Interim Town Manager Sarah Gilbert added that the fund was started June 30, 2010. She also clarified the definition of an assigned fund balance, as a reserve. It is considered good housekeeping to keep that funded, but the intent of this motion was to make the Town Council aware of these funds if they were not already.

The motion passed (14 in favor, 1 opposed, 0 abstain).

v. Chair Chappell moved and Ms. Kelly seconded a motion that the Warrant Committee support the creation of a Housing and Community Planner that is included in the February 2, 2023 "Manager Recommended" budget column.

The estimated starting time of this position was discussed with Town staff. This position is related to the new Comprehensive Plan but is not directly tied to it.

The motion passed (14 in favor, 1 opposed, 0 abstain).

vi. Chair Chappell moved and Ms. St. Germain seconded a motion that the Warrant Committee recommend to the Town Council that the Staff Planner position not be added to the budget at this time.

Chair Chappell noted that this was a difficult recommendation for the General Government subcommittee to make, but the budget numbers are not final. It will be good to consider in the future if and when there are funds available to support the position.

The motion passed (9 in favor, 6 opposed, 0 abstain).

vii. Chair Chappell moved and Chair Libby seconded a motion that the Warrant Committee recommend to the Town Council that all Cooperating Agencies be funded at the amount requested for FY24.

There was some concern about combining all cooperating agency requests into a single vote. This motion is meant to honor those requests and the people they serve. Town staff noted that this total amount is \$86,005, as reflected on page 1 of tab 9 in the Town budget book.

The motion passed (13 in favor, 1 opposed, 1 abstain).

Planning Director Michele Gagnon asked whether the Warrant Committee could consider the Staff Planner position once the final budget was adopted. Chair Libby responded that this could be expressed by the Warrant Committee during the next evening's joint meeting with the Town Council.

viii. Chair Chappell moved and Ms. Lopez seconded a motion that the Warrant Committee recommend to the Town Council that all of the \$60,000 Lower Main Street streetscape CIP funding for FY24 be from Parking Funds rather than split \$30,000 each between the Parking and Cruise Ship Funds.

Chair Chappell noted that there was a bill before the State legislature which would ease restrictions on how parking meter funds could be spent. Items discussed included the following points:

- Concern that this motion was contingent on the legislation passing
- Consideration of moving this change forward to next year's budget
- Whether spending cruise ship funds requires the presence of cruise ship passengers
- Cruise Ship and Parking Fund balance projections
- Possible need to be more selective about what CIP expenses come from this funding source in the future, particularly given the spending restrictions on these funds

Town staff noted that this item had been exclusively funded by the Cruise Ship Fund, and then with the emergence of the Parking Fund, it was decided to split the CIP expenses between the two. Depending on the outcome of this vote, Chair Chappell may ask a similar question about the funding of the Cottage Street streetscape.

The motion failed (4 in favor, 10 opposed, 1 abstain).

At this point in the meeting, Chair Libby moved and Ms. Kelly seconded a motion to continue the meeting past the two hour time point.

The motion passed (13 in favor, 1 opposed, 0 abstain; 1 absent for vote).

b. Public Safety (Chair: Julie Berberian)

i. Chair Berberian moved and Ms. Sasner seconded a motion that the Warrant Committee recommend to the Town Council that they fund the proposed shared mental health liaison position.

Town staff noted that the Town Council had assigned ARPA funds for this service enhancement. This motion is intended to show the Warrant Committee support of the position in general, rather than specifying the particular funding mechanism (ARPA or municipal funding).

The motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

Chair Berberian noted that Fire Chief Bartlett decided to withdraw his service enhancement request for extra staff.

ii. Chair Berberian moved and Ms. Lopez seconded a motion for the Warrant Committee to recommend to the Town Council the removal of \$30,000 CIP funding for park fountains, and to instead seek grant funding to restore the Town's historical fountains.

There was some concern about the timing of the budget and the lack of funding if grants failed to materialize.

1. Chair Berberian made and Ms. Reece seconded a motion to amend the main motion to recommend to the Town Council that they seek grant funding to help offset the CIP expenses of restoring and maintaining the Town's historical fountains.

The motion to amend the main motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

2. Chair Berberian made and Ms. St. Germain seconded the amended main motion for the Warrant Committee to recommend to the Town Council that they seek grant funding to help offset the CIP expenses of restoring and maintaining the Town's historical fountains.

The amended motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

iii. Chair Berberian moved and Ms. Reece seconded a motion for the Warrant Committee to recommend to the Town Council that they seek grant funding to help offset the CIP expenses of the Village Green water fill station.

The motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

iv. Chair Berberian moved and Mr. DesVeaux seconded a motion for the Warrant Committee to recommend to the Town Council an increase of downtown parking fees to \$4/hour, while also identifying ways to provide discounts for MDI residents.

Town staff noted that the budget sets a revenue goal, and that the Town Council works with the Parking Solutions Task Force on potential changes to meet those goals.

The motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

c. Public Infrastructure (Chair: Meagan Kelly)

i. Chair Kelly moved and Ms. Sasner seconded a motion that the Warrant Committee recommend to the Town Council that they remove the \$119,320 service enhancement request for the Jesup Library and fund that line item at the \$160,680 level.

Town staff noted that the Town Council will be voting on a similar motion, as they are likely to use ARPA funds for this particular service enhancement. The Town Council's vote for this year is not meant to indicate their intention for equivalent funding in the future, after ARPA funds are no longer available. It was noted that the increase was largely related to the support of Jesup staff benefits, and that there was concern not to set a precedent of reliance on these funds. It was also suggested that ARPA funded items could be flagged in next year's budget. It was additionally noted that this vote does not reflect general sentiment about the library and its importance to the community.

The motion passed (12 in favor, 3 opposed, 0 abstain).

ii. Chair Kelly moved and Mr. DesVeaux seconded a motion that the Warrant Committee recommend to the Town Council that the \$50,000 service enhancement request for the YMCA be included in the FY24 budget.

1. Mr. Cough declared a potential conflict of interest, as his stepfather currently serves on the board of the YMCA.

The conflict of interest motion failed (1 in favor, 13 opposed, 0 abstain).

It was noted that the Town Council has tentatively allocated federal ARPA grant funding for this request. The general feeling was that it would be good to have Warrant Committee support for either funding mechanism.

The motion passed (14 in favor, 0 opposed, 1 abstain).

iii. Chair Kelly moved and Ms. Reece seconded a motion that the Warrant Committee recommend to the Town Council that the FY24 \$27,000 CIP funding for Glen Mary be removed as a private donor may be providing this funding.

The motion failed (2 in favor, 12 opposed, 1 abstention).

d. Education (Chair: Bob Chaplin)

i. Chair Chaplin moved and Chair Libby seconded a motion that the Warrant Committee recommend that the Town Council consider a more cost-effective alternative to the School's request for a new hybrid-passenger van and two charging stations.

Chair Chaplin noted that this could include working with one or more locally licensed and insured cab companies, Island Explorer, Island Connections, or Cyr Bus Lines to address most of these intermittent transportation needs. Alternatively, consider purchasing a second-hand mini-school bus or similar vehicle, or partnering with one or more schools in the district to fulfill this need.

Town staff noted that the \$50,000 funding in FY24 for the boiler replacement reserves should be with line 6656, the school van. There was a motion to remove the line item in its entirety, but that was not seconded. There was general support for a solution that did not require the use of personal vehicles to transport students. It was also noted that the line item did not include associated costs such as auto insurance.

The motion passed (13 in favor, 0 opposed, 2 abstain).

ii. Chair Chaplin moved and Chair Libby seconded a motion that the Warrant Committee recommend that the Town Council consider increasing funding for building maintenance and repairs at Connors Emerson.

Chair Chaplin added that recent incidents at Connors Emerson have underscored the need for immediate and possibly material repairs to ensure that the school remains in safe condition. This need is real, may be exacerbated by further delay, and will persist for the near future regardless of what decision voters make regarding the expected school bond later this year.

It was noted that the Warrant Committee is not giving the Town Council a different number, but that the goal of the motion was to indicate the importance of the subject. Principal Webster stated that the school was comfortable with the proposed CIP funding amount, given current needs and expectations. Some Warrant Committee members were still concerned because it seemed that the building had recently taken a turn for the worse. The school still needs to be safe and provide a healthy environment for at least a few years regardless of the outcome of the pending school bond vote.

The motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

iii. Chair Chaplin moved and Chair Libby seconded a motion that the Warrant Committee recommend that the Town Council require school officials to obtain an assessment by a civil engineer or similar professional of known problem areas within school buildings (e.g., school roofs).

Chair Chaplin noted that the purpose of such an assessment would be to fully understand the scope of current problems and to develop actionable solutions accordingly. There was concern about the integrity of the school roof, despite ongoing patching in response to leaks. Town staff noted that a roof report was completed this summer by Harriman and Associates, and the repair project was put out to bid.

The motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

iv. Chair Chaplin moved and Chair Libby seconded a motion that the Warrant Committee recommend that the Town Council work to expand the scope of bulk oil purchase contracts to include other schools and/or towns in the district.

Chair Chaplin added that combining the Town's and the school's anticipated annual heating oil purchases in a bulk purchase contract has yielded substantial savings over the years. Additional savings are likely if the scope of the bulk purchase effort was expanded to include other MDI schools and/or towns. He also noted that this might be easier to do if the school moves to the Regional School Unit (RSU) organizational structure.

The motion passed unanimously (15 in favor, 0 opposed, 0 abstain).

Chair Chaplin thanked school officials and other members of the Education subcommittee.

6. Closing remarks/Adjournment

There being no further business, Chair Libby moved to adjourn the meeting. The meeting adjourned at 10:08 pm.

Respectfully submitted,

Christine Smith
Secretary, Warrant Committee