

Minutes
Special Bar Harbor Town Council Meeting
Joint Meeting with Warrant Committee
February 28, 2023

In attendance were **Councilors** Matthew Hochman, Valerie Peacock, Gary Friedmann, Joe Minutolo, Erin Cough, and Jill Goldthwait; and **Warrant Committee members** J. Berberian (remote), B. Chaplin, C. Cough, K. DesVeaux, M. Kelly, S. Libby, L. Lopez, A. Sasner, E. Salvatore, E. Sassaman, C. Smith, K. St. Germain; Absent excused: C. Chappell, B. Reece. J. Young.

I. CALL TO ORDER – 6:31 p.m.

- A.** Excused absences—Mr. Hochman with second by Ms. Cough, moved to excuse Councilor Jeff Dobbs as provided by Town Charter section C-12.B(1)(d). Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y
Motion passed 6-0.

Seth Libby called roll for the Warrant Committee.

II. ADOPTION OF AGENDA – Mr. Hochman, with second by Ms. Cough, moved to adopt the agenda as presented. Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y
Motion passed 6-0.

III. FY2024 Municipal Budget Review

- A. Warrant Committee Recommendations** – *Presentation of recommendations per Charter C-31 (D).*—Mr. Libby presented the following recommendations and answered questions. (Votes listed on these recommendations are from the Feb. 27 Warrant Committee meeting.)

Revenues

1030 Code Enforcement (Revenues 1)

The Warrant Committee recommends that the Town Council raise Code Enforcement fees, except for vacation rentals, by 6%. (Unanimous)

1034 Planning (Revenues 1)

The Warrant Committee recommends that the Town Council raise Planning Fees by 10%. (Unanimous)

1082 Unclassified

The Warrant Committee recommends that the Town Council form a working group to investigate and explore opportunities to garner more PILOT revenue from local tax-exempt organizations for use in school infrastructure purposes. (Unanimous)

1018 Legal / 5340 Contracted Service - Legal

The Warrant Committee recommends that the Town Council utilize the Town's longstanding insurance reserve fund (\$500,000), either to cover projected legal fees in whole, or supplement the existing amount of funds proposed by the Town Council. (14/1)

Expenses

1034 Planning department--5105 Wages-Hourly of MGR and Planner

The Warrant Committee recommends that the Town Council support and fund the creation of a Housing and Community Planner position. (14/1)

The Warrant Committee recommends that the Town Council does not fund the staff planner position—at this time. (9/6) Note: The Warrant Committee is open to revisiting this position pending an improved budget outlook.

1068 Cooperating Agencies (Tab 9; page 1)

The Warrant Committee recommends that the Town Council fund all Cooperating Agencies at the amounts initially requested for 2024, as reflected at Tab 9; page 1. (13/1/1)

1045 Police 5105 Wages

The Warrant Committee recommends that the Town Council fund the PD's request for the addition of a Shared Mental Health Liaison. (Unanimous)

Cruise Ship Fund

6338 Park Fountains

The Warrant Committee recommends the Town Council explore efforts to source grant funding for the repair and restoration of the Town's historical fountains. (Unanimous)

6342 Village Green Water Fill Station

The Warrant Committee recommends that the Town Council explore efforts to source grant funding for the construction and maintenance of the Village Green water fill station. (Unanimous)

Parking Meter Fund

The Warrant Committee recommends the Town Council increase municipal parking fee rates while also providing accommodations or discounts for MDI residents. (Unanimous).

CIP—Parks and Recreation 1059

Jesup—5930

The Warrant Committee recommends that the Town Council fund the Jesup Memorial Library at \$160,680, and does not fund the proposed service enhancement of \$119,320. (12/3) Note: this does not reflect the committee’s estimation of the Jesup’s work.

YMCA—1059-5934

The Warrant Committee recommends that the Town Council fund the YMCA at \$157,120, which includes the proposed \$50,000 Service Enhancement (14/0/1).

School Budget CIP

Van—CIP page 6—6656 (reflected in 6660)

The Warrant Committee recommends that the Town Council consider a more cost-effective alternative to the School's request (\$50,000) for a new hybrid-passenger van and two charging stations. (13/0/2)

Note: This could include working with one of 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 like-vehicle or partnering with one or more other schools in the district to fulfill this need.

Building Repair—CIP 6, 6654

The Warrant Committee recommends that the Town Council consider increasing funding for building maintenance and repairs at Connors Emerson. (Unanimous)

Note: Recent incidents at Connors Emerson have underscored the need for immediate and, perhaps, material repairs to ensure the school remains in safe and sound 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.

Pursuant to this additional funding for building maintenance and repairs at Connors Emerson, The Warrant Committee recommends that the Town Council require school officials to obtain an assessment (by civil engineer or like

professional) of known problem areas within school buildings (e.g., school roofs). The purpose of such an assessment would be to fully understand the scope of the problem and develop actionable solutions. (Unanimous)

Misc.

The Warrant Committee recommends that the Town Council work to expand the scope of bulk oil purchase contracts to include other schools and/or towns in the district. (Unanimous)

Note: 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 Island schools and/or towns.

Following this presentation and discussion, the Warrant Committee adjourned at 7:21 p.m.

B. Motions for Budget Adjustments – Possible Council motions to amend the budget.

Service Enhancements, Section 4

1. Mr. Hochman, with second by Ms. Cough, moved to remove TC 1, Facilitated Meetings. Roll Call Vote:
Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y
Motion passed 6-0.
2. Mr. Hochman, with second by Ms. Cough, moved to remove TM 1, Data Architect. Roll Call Vote:
Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y
Motion passed 6-0.
3. Mr. Hochman, with second by Ms. Cough, moved to remove TM 2, Energy Management. Roll Call Vote:
Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y

Friedmann Y
Motion passed 6-0.

4. Mr. Hochman, with second by Ms. Cough, moved to remove TM 3, GIS System Update. Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y
Motion passed 6-0.

5. Mr. Hochman, with second by Ms. Cough, moved to remove TM 4, Community Engagement and Outreach. Councilors noted that this remains an important goal.
Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y
Motion passed 6-0.

6. Mr. Hochman, with second by Ms. Cough, moved to remove TM 5, Professional Development. Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y
Motion passed 6-0.

7. Mr. Hochman, with second by Ms. Cough, moved to remove TM 6, Project Management. Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y
Motion passed 6-0.

8. Mr. Hochman, with second by Ms. Cough, moved to remove TM 9, Waste Reduction. Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y

Friedmann Y
Motion passed 6-0.

9. Mr. Hochman, with second by Ms. Cough, moved to add PL 3, Staff Planner. Mr. Minutolo was recused from this vote; earlier in the budget process, it was determined that he has the appearance of a conflict of interest on items related to the Planning Department budget due to a personal relationship. Roll Call Vote:

Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y

Motion passed 5-0.

10. Ms. Cough, with second by Mr. Hochman, moved to remove FIN 3, Replacement Office Equipment. Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y

Motion passed 6-0.

11. Mr. Hochman, with second by Ms. Cough, moved to remove FD 3, Increase Staffing by 4. Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y

Motion passed 6-0.

12. Mr. Hochman, with second by Ms. Cough, moved to remove PD 1, Shared Mental Health Liason. Roll Call Vote:

Minutolo Y
Goldthwait Y
Cough Y
Peacock Y
Hochman Y
Friedmann Y

Motion passed 6-0.

13. Mr. Hochman, with second by Ms. Cough, moved to remove PW 2, Jesup Library Operating Support (remove increase and maintain \$160,680 current funding). Following discussion of best procedure for allocating American Rescue Plan Act (ARPA) funds, motion was withdrawn.

At its Feb. 21 meeting, the Council voted to tentatively allocate funds in FY24 to meet the library's request for a funding increase. The following motion replaces

that action. Mr. Hochman, with second by Ms. Cough, moved to allocate \$119,320 in ARPA funds for the Jesup in FY23. Roll Call Vote:

- Minutolo Y
- Goldthwait Y
- Cough N
- Peacock Y
- Hochman Y
- Friedmann Y

Motion passed 5-1.

Then Mr. Hochman, with second by Ms. Cough, moved to remove PW 2, Jesup Library Operating Support (remove increase and maintain \$160,680 current funding). Roll Call Vote:

- Minutolo Y
- Goldthwait Y
- Cough Y
- Peacock Y
- Hochman Y
- Friedmann Y

Motion passed 6-0.

14. At its Feb. 21 meeting, the Council voted to tentatively allocate ARPA funds in FY24 to meet the YMCA’s request for a funding increase. The following motion replaces that action. Mr. Hochman, with second by Ms. Cough, moved to allocate \$50,000 in ARPA for the YMCA in FY23. Roll Call Vote:

- Minutolo Y
- Goldthwait Y
- Cough N
- Peacock Y
- Hochman Y
- Friedmann Y

Motion passed 5-1.

Then Mr. Hochman, with second by Ms. Cough, moved to remove PW 3, YMCA New/Continued/More Programs (remove increase and maintain \$107,120 in current funding). Roll Call Vote:

- Minutolo Y
- Goldthwait Y
- Cough Y
- Peacock Y
- Hochman Y
- Friedmann Y

Motion passed 6-0.

Revenues, Section 2

1. Mr. Hochman, with second by Ms. Cough, moved to increase the Taxi/Bus license fee by 6 percent. Roll Call Vote:

- Minutolo Y
- Goldthwait Y

Cough _____ Y

Peacock _____ Y

Hochman _____ Y

Friedmann _____ Y

Motion passed 6-0.

- 2. Mr. Hochman, with second by Ms. Cough, moved to increase Code Enforcement fees, with the exception of the Vacation Rental Fee, by 6 percent. Roll Call Vote:

Minutolo _____ Y

Goldthwait _____ Y

Cough _____ Y

Peacock _____ Y

Hochman _____ Y

Friedmann _____ Y

Motion passed 6-0.

- 3. Mr. Hochman, with second by Ms. Cough, moved to increase Planning fees by 10 percent. Mr. Minutolo was recused for this and the next two votes. Roll Call Vote:

Goldthwait _____ Y

Cough _____ Y

Peacock _____ Y

Hochman _____ Y

Friedmann _____ Y

Motion passed 5-0.

- 4. Mr. Hochman, with second by Ms. Cough, moved to increase the Short Term Rental Registration fee by \$65 to \$315. Following discussion, Roll Call Vote:

Goldthwait _____ N

Cough _____ Y

Peacock _____ N

Hochman _____ Y

Friedmann _____ N

Motion failed 2-3.

Following discussion, Mr. Hochman, with second by Ms. Cough, moved to increase the Short Term Rental Registration fee by 10 percent. Roll Call Vote:

Goldthwait _____ Y

Cough _____ Y

Peacock _____ Y

Hochman _____ Y

Friedmann _____ Y

Motion passed 5-0.

Expenses, Section 3

- 1. Mr. Hochman, with second by Ms. Goldthwait, moved to increase 1018-5340, Legal Services-General by \$50,000. Without objection, he amended the motion to instead increase 1018-5340, Legal Services-General by \$100,000. Roll Call Vote:

Minutolo _____ Y

Goldthwait _____ Y

Cough _____ Y

Peacock _____ Y

Hochman _____ Y

Friedmann _____ Y

Motion passed 6-0.

Council discussed whether legal services are an allowable use of Cruise Ship funds and asked Ms. Gilbert to seek more information on the question. If so, Council could adjust the budget at a future meeting to reflect a revenue change and this expenses line would not be affected.

- 2. Mr. Hochman, with second by Ms. Cough, moved to reduce Communications Coordinator position funding to half the year. Roll Call Vote:

Minutolo _____ N

Goldthwait _____ N

Cough _____ N

Peacock _____ Y

Hochman _____ Y

Friedmann _____ N

Motion failed 2-4.

Following discussion, Ms. Goldthwait, with second by Ms. Cough, moved to remove funding associated with the Communications Coordinator position funding and add a \$35,000 expense line for Communications Services. Roll Call Vote:

Minutolo _____ Y

Goldthwait _____ Y

Cough _____ Y

Peacock _____ N

Hochman _____ N

Friedmann _____ Y

Motion passed 4-2.

- 3. Mr. Hochman, with second by Ms. Cough, moved to reduce 1068-5954, Northern Light Home Care and Hospice, to \$4,000. Roll Call Vote:

Minutolo _____ Y

Goldthwait _____ Y

Cough _____ Y

Peacock _____ N

Hochman _____ N

Friedmann _____ Y

Motion passed 4-2.

- 4. Mr. Hochman, with second by Ms. Peacock, moved to increase 1068-5956, WIC/Maine Family Planning, to \$2,000. Roll Call Vote:

Minutolo _____ Y

Goldthwait _____ N

Cough _____ N

Peacock _____ Y

Hochman _____ N

Friedmann _____ Y

Motion failed 3-3.

Capital Improvement Program, Section 7

CIP Expenses page 2

- 1. Mr. Hochman, with second by Ms. Cough, moved to allocate \$52,500 of ARPA funds in FY23 for police cruiser replacement. Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman Y

Friedmann Y

Motion passed 6-0.

Then Mr. Hochman, with second by Ms. Cough, moved to reduce account line 2145-6134, Cruiser Replacement, to \$13,750, and account line 2145-6230, Cruiser Equipment, to \$9,888. Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman Y

Friedmann Y

Motion passed 6-0.

- 2. Mr. Hochman, with second by Ms. Cough, moved to increase account line 2142-6288, Dry Hydrant Repair, by \$6,300. Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman Y

Friedmann Y

Motion passed 6-0.

CIP Expenses page 5 (debt service payment corrections from original budget)

- 3. Mr. Hochman, with second by Ms. Cough, moved to reduce 2184-6520, Fiber Build, from \$50,412 to \$21,500. Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman Y

Friedmann Y

Motion passed 6-0.

- 4. Mr. Hochman, with second by Ms. Cough, moved to reduce 2184-6522, Solar Array, from \$316,000 to \$125,000. Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman Y

Friedmann Y

Motion passed 6-0.

- 5. Mr. Hochman, with second by Ms. Cough, moved to reduce 2184-6524, Stormwater/Infrastructure, from \$530,000 to \$227,000. Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman Y

Friedmann Y

Motion passed 6-0.

- 6. Mr. Hochman, with second by Ms. Cough, moved to reduce 2194-6704, School Architectural plans, from \$201,650 to \$86,000. Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman Y

Friedmann Y

Motion passed 6-0.

CIP Expenses page 6

- 7. Mr. Hochman, with second by Ms. Cough, moved to reduce 2194-6660, Boiler Replacement Reserve, by \$50,000 and increase 2194-6656, School Van, by \$50,000, to correct an error. Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman Y

Friedmann Y

Motion passed 6-0.

Then Mr. Friedmann moved to reduce account line 2194-6656, School Van, to \$0. Motion failed for lack of a second, but Council expressed a desire to seek information from school officials and discuss the Warrant Committee suggestion at a future meeting.

- 8. Mr. Hochman, with second by Ms. Cough, moved to reduce account line 2194-6614, Repaving P/Lot, to \$0 (funds available in account line 2177-6440, Highway, School Satellite Parking Lot). Roll Call Vote:

Minutolo Y

Goldthwait Y

Cough Y

Peacock Y

Hochman _____ Y
Friedmann _____ Y
Motion passed 6-0.

9. **ADJOURNMENT**-- Mr. Hochman, with second by Ms. Cough, moved to adjourn at 9:03 p.m. Roll Call Vote:

Minutolo _____ Y
Goldthwait _____ Y
Cough _____ Y
Peacock _____ Y
Hochman _____ Y
Friedmann _____ Y
Motion passed 6-0.

Elizabeth N. Graves, Town Clerk