



**Town Meeting Warrant
And
Secret Ballot Election**

**Monday, May 1, 2023
And
Tuesday, May 2, 2023**

County of Hancock, ss.

State of Maine

To: Chief John Hall, a Constable of the Town of Southwest Harbor, in the County of Hancock, State of Maine.

Greeting:

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of the Town of Southwest Harbor, in said county and state, qualified by law to vote in Town affairs, to meet in the Pemetic Elementary School, First Floor Auditorium, in said Town, on **Monday, the 1st day of May, 2023 at seven o'clock in the evening**, then and there to act on Articles numbered one [1] through forty-nine [49].

And to notify and warn said inhabitants to meet in the Southwest Harbor Fire Station Meeting Room on **Tuesday, the 2nd day of May, 2023 at ten o'clock in the forenoon**, then and there to act upon Articles numbered fifty [50] through fifty-three [53] by secret ballot, the polling hours therefore to be from 10:00 a.m. to 8:00 p.m.

Article 1: Election of Moderator – To choose a Moderator to preside at the meeting.

Article 2: To fix compensation for the Select Board Members of the Superintending School Committee and Members of the Board of Trustees of the Mount Desert Island Regional School District.

Article 3: To authorize the Select Board to choose and appoint all other non-elected municipal positions.

SOUTHWEST HARBOR SCHOOL DEPARTMENT

Note: Articles 4 through 14 authorize expenditures in cost center categories

Article 4 To see what sum the School Committee is authorized to expend for **Regular Instruction** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends **\$ 1,812,208**

Note: 2022-23 Amount was \$1,684,304

Article 5 To see what sum the School Committee is authorized to expend for **Special Education** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends **\$ 947,846**

Note: 2022-23 Amount was \$ 889,713

Article 6 To see what sum the School Committee is authorized to expend for **Career and Technical Education** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends **\$ -0-**

Note: 2022-23 Amount was \$ -0-

Article 7 To see what sum the School Committee is authorized to expend for **Other Instruction** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends **\$ 104,546**

Note: 2022-23 Amount was \$ 94,044

Article 8 To see what sum the School Committee is authorized to expend for **Student & Staff Support** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends **\$ 498,837**

Note: 2022-23 Amount was \$ 460,018

Article 9 To see what sum the School Committee is authorized to expend for **System Administration** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends **\$ 99,104**

Note: 2022-23 Amount was \$ 102,786

Article 10 To see what sum the School Committee is authorized to expend for **School Administration** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends **\$ 265,423**

Note: 2022-23 Amount was \$ 259,760

Article 11 To see what sum the School Committee is authorized to expend for **Transportation & Buses** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends **\$204,153**

Note: 2022-23 Amount was \$ 206,497

Article 12 To see what sum the School Committee is authorized to expend for **Facilities Maintenance** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends \$ 629,396

Note: 2022-23 Amount was \$ 591,381

Article 13 To see what sum the School Committee is authorized to expend for **Debt Service and Other Commitments** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends \$ -0-

Note: 2022-23 Amount was \$ -0-

Article 14 To see what sum the School Committee is authorized to expend for **All Other Expenditures** for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends \$ 65,000

Note: 2022-23 Amount was \$65,000

Note: Articles 4 – 14 authorize a total budget of \$ 4,626,513

Note: 2022-23 Amount was \$4,353,503

Note: Articles 15 – 17 raise funds for the Proposed School Budget

Hand Count

Article 15 To see what sum the voters of the Town of Southwest Harbor will appropriate for the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (**Recommend \$1,817,824**) and to see what sum the voters of the Town of Southwest Harbor will raise as the Town's contribution to the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688 for the period July 1, 2023 to June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends \$1,566,192

Explanation: The Town of Southwest Harbor's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise to receive the full amount of state dollars.

Hand Count

Article 16

To see what sum the voters of the Town of Southwest Harbor will raise and appropriate for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Town of Southwest Harbor's contribution to the total cost of funding public education from Kindergarten to grade 12 for the period July 1, 2023 to June 30, 2024.

School Committee, Select Board, and Warrant Committee recommends \$ -0-

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the Town of Southwest Harbor's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was approved by the voters on November 2, 1999.

Written Ballot Vote Required

Article 17

To see what sum the voters of the Town of Southwest Harbor will raise and appropriate in additional local funds for school purposes (**Recommend: \$2,480,070**) for the period July 1, 2023 to June 30, 2024, which exceeds the State's Essential Programs and Services allocation model (**Recommend: \$2,480,070**) as required to fund the budget recommended by the school committee.

The School Committee recommends \$2,480,070 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$2,480,070: The State funding model underestimates the actual costs to fully fund the 2023-2024 budget.

Explanation: The additional local funds are those locally raised funds over and above the Town of Southwest Harbor's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Town of Southwest Harbor's budget for educational programs.

Note: Articles 15, 16, & 17 raise a total town appropriation of \$4,046,262

Note: 2022-23 Total Town Appropriation was \$3,686,753

Note: Article 18 summarizes the proposed school budget and does not authorize any additional expenditures

Hand Count

Article 18

To see what sum the voters of the Town of Southwest Harbor will authorize the School Committee to expend for the fiscal year beginning July 1, 2022 and ending June 30, 2023 from the Town's contribution to the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

School Committee, Select Board, and Warrant Committee recommends **\$4,626,513**.

Note: 2022-23 Total Budget was \$4,353,503

Article 19

In addition to the amount in Articles 4 – 18, shall the School Committee be authorized to expend such other sums as may be received from federal or state grants or programs or other sources during the fiscal year 2023-2024 for school purposes provided that such grants, programs, or other sources do not require the expenditure of other funds not previously appropriated?

School Committee, Select Board, and Warrant Committee recommends passage.

Note: Current Year Totals: \$ 159,180

GENERAL GOVERNMENT

Article 20: To see what sum the Town will vote to raise and appropriate for Administration for the period July 1, 2023 to June 30, 2024.

Requested: \$ 3,155,302

Department	Approved FY 22/23	Requested FY 23/24 Appropriation
Administration	474,022	488,508
CEO/LPI	45,089	90,848
Boards and Committees	3,475	3,475
Contracted Services	714,265	716,363
Insurance	43,917	45,147
Municipal Buildings	38,361	40,027
Highway	307,306	312,609
Police	651,640	740,907
Dispatch	328,778	363,459
Fire	122,262	232,815
Harbor	123,396	128,498
Total	\$2,852,511	\$3,162,655

Select Board recommends passage.

Warrant Committee recommends an added \$3,000 to Contracted Services.

Note: 2022-23 Amount was \$2,852,511

Article 21: To see what sum the Town will vote to raise and appropriate for the Southwest Harbor Public Library for the period July 1, 2023 to June 30, 2024.

Requested: \$ 60,000

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$60,000

Article 22: To see what sum the Town will vote to raise and appropriate for Harbor House Youth Center and Recreation Programs for the period July 1, 2023 to June 30, 2024.

Requested: \$ 59,640

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$59,640

Article 23: To see what sum the Town will vote to raise and appropriate for the Mount Height Cemetery for the period July 1, 2023 to June 30, 2024.

Requested: \$ 12,500

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$12,500

Article 24: To see what sum the Town will vote to raise and appropriate for the Southwest Harbor / Tremont Nursing Service for the period July 1, 2023 to June 30, 2024.

Requested: \$ 90,000

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$78,000

Article 25: To see what sum the Town will vote to raise and appropriate for the Downeast Transportation (Explorer) for the period July 1, 2023 to June 30, 2024.

Requested: \$ 10,000

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$-0-

Article 26: To see what sum the Town will vote to raise and appropriate for Community Service Organizations for the period July 1, 2023 to June 30, 2024.

Requested: \$ 30,157

Organization	Approved FY 22/23	Requested FY 23/24 Appropriation
Bar Harbor Food Pantry	2,500	2,500
Downeast Community Partners	3574	3,574
Downeast Horizons/Health	1,800	1,800
Eastern Agency on Aging	1,500	1,500
Families First	n/a	1,000
Hospice of Hancock County	1,000	1,000
Island Connections	2,500	2,500
Island Housing Trust	2,500	2,500
Life Flight	882	878
MDI Community Campfire Coalition	3,000	3,000
MT Desert Nursing Association	n/a	2,000
Northern Light Home Care	1,870	1,870
SWH Historical Society	2,500	2,500
Westside Food Pantry	2,500	2,500
WIC	1,035	1,035
Total	\$27,161	\$30,157

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$27,161

Article 27: To see what sum the Town will vote to raise and appropriate for the Reserve Accounts for the period July 1, 2023 to June 30, 2024 with the Municipal Officers being authorized to draw funds from these accounts to be used in accordance with the purpose of the account.

Requested: \$ 381,685

Account	Goal Balance	Projected FY22/23 Year End Balance	Requested FY 23/24 Appropriation
State Revenue Sharing	200,000	172,959	n/a
Wage & Benefit	15,000	19,201	7,000
Tax Abatement	8,000	9,058	0
Legal & Accounting	45,000	43,505	10,000
Professional Development	20,000	3,088	18,000
Road Crossing Safety	20,000	19,640	360
Water & Sewer Infrastructure	200,000	236,559	73,440
D.A.R.E. Program		1,000	0
School Playground		45,000	0
Town-wide Planning	15,000	14,678	0
Unemployment Reserve	10,000	6,723	3,277
Rhoades Park	25,000	14,746	9,000
Tree Fund		0	2,300
Health Retirement Acct.	72,000	47,001	0
Historic Cemetery	15,000	1,365	13,635
Shellfish Conservation		6,767	0
Contract Snow Removal	10,000	5,000	5,000
Highway Small Projects	50,000	4,141	45,800
Culvert Replacement	5,000	18,261	0
Highway Salt & Sand	45,000	628	45,000
Paving	220,000	84,754	135,250
General Assistance	5,000	8,749	0
Records Preservation	15,000	5,300	9,723
Junior Fire Department	1,000	130	870
Sidewalk		0	0
Mapping Update	1,500	3,239	0
PD Cruiser Emergency Repair	8,000	14,064	0
Police Recruitment Reserve	40,000	39,650	350
Swap Shop	0	364	0
FD Equipment Emergency Repair	12,000	9,319	2,680
Property Revaluation	n/a	55,500	0
Fire Dept. Donation/Misc. Reserve	n/a	0	0
Police Dept. Donation/Misc. Reserve	n/a	0	0
Total:		\$890,389	\$381,685

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$342,950

Note: Credit amount \$9,723, from CIP Administration Records & Documents is allocated towards Records Preservation Reserve line.

Article 28: To see what sum the Town will vote to raise and appropriate for the Capital Improvement Plan Accounts for the period July 1, 2023 to June 30, 2024 with the Select Board being authorized to draw funds from these accounts to be used in accordance with the purpose of the account.

Requested: \$ 277,354

Account	Projected FY22/23 Year End Balance	Requested FY 23/24 Appropriation
Administration Equipment	44,418	0
Administration Records & Documents	0	-9,723
Administration Municipal Buildings	193,375	74,593
Highway Vehicles & Machinery	253,281	75,508
Highway Sidewalks	-39,089	0
Highway Equipment	61,375	-33,414
Police Vehicles	61,611	42,651
Police Protective Equipment	12,656	15,884
Police Dispatch Equipment	-11,646	12,880
Fire Vehicles	162,793	24,650
Fire Equipment	61,553	12,922
Harbor General	44,330	5,148
Harbor Upper Town Dock	90,161	14,669
Harbor Lower Town Dock	127,320	8,917
Harbor Manset Dock	279,259	32,667
Total	\$1,341,398	277,354

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$395,686

Note: \$9,723 will be transferred from the CIP Administration Records & Documents to the Records Preservation Reserve line.

Article 29: To see what sum the Town will vote to raise and appropriate for Debt Service for the period July 1, 2023 to June 30, 2024.

Requested: \$ 747,496

Bond/Loan	Payoff Year	Principal Balance 6/30/2024	Requested FY 23/24 Appropriation
Main Street -G.O.B.	2033	390,000	55,685
Main Street Constr. Wtr. Portion	2035	486,489	43,034
Main Street Constr. Swr. Portion	2033	236,824	26,712
2018 Road Improvement GOB	2038	1,131,769	114,995
2019 Road Improvement GOB	2039	194,264	17,890
Fire Station	2030	308,000	59,025
Wesley-Mansell Project	2030	668,841	106,410

2018 DW & Lift Station	2050	747,005	31,920
2018 Road Improvement CW	2050	177,012	8,115
Water Tank	2042	334,250	18,570
Re-fi Water Bonds	2027	110,514	61,510
Water Upgrade	2029	68,222	13,024
Water Upgrade	2029	121,776	23,248
Refi Sewer Bonds	2033	508,355	72,934
Main Street Improvement Project	2043	2,601,844	94,414
Total		8,085,164	747,496

Select Board and Warrant Committee recommends passage.

Note: 2022-23 Amount was \$687,846

Article 30: To see if the Town will vote to authorize the Select Board or its designee to apply for and receive money, without further action by Town Meeting, from the State of Maine, United States of America, Maine Municipal Association, and other organizations deemed appropriate by the Select Board which may become available during the ensuing year.

Select Board recommends passage.

Article 31: To see if the Town will vote to reduce the amount to be raised by taxation by using estimated revenues and fund balances for the Municipal Budget for the fiscal year of July 1, 2023 to June 30, 2024.

Source	Budgeted Amount
Homestead Reimbursement	91,816
BETE Reimbursement	1,523
Payments in Lieu of Taxes	28,115
Municipal Revenue Sharing	0
Maine Local Roads	18,524
Other Revenues	1,059,523
Unassigned Fund Balance	0
Revenue Sharing Reserve	199,422
Total	\$1,398,923

Select Board and Warrant Committee recommends passage.

Article 32: To see if the Town will vote to increase the property tax levy limit of \$3,425,211 established for Southwest Harbor by State Law if the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit.

Select Board recommends passage.

Article 33: To see if the Town will vote that the first half of taxes shall be due and payable on or before September 1, 2023 and that the second half of taxes shall be due and payable on or before February 2, 2024 and that interest shall be charged at the annual rate of 4% on any unpaid taxes due on September 1, 2023 beginning September 2, 2023 and on any unpaid taxes due February 2, 2024 beginning February 3, 2024.

Select Board recommends passage.

Article 34: To see if the Town will vote to establish the interest rate to be paid to a taxpayer who is found after abatement to have paid an amount of real estate taxes more than the amount finally assessed for 2023 at 4.0% per year on the amount of overpayment.

Select Board recommends passage.

Article 35: To see if the Town will vote to accept tax payments prior to the commitment date and to pay interest on said tax payments in the amount of 0% per year figured monthly until the tax commitment date is reached.

Select Board recommends passage.

Article 36: To see if the Town will vote to allow a Tax Club for the monthly payment of property taxes under such terms as the Select Board deems advisable.

Select Board recommends passage.

Article 37: To see if the Town will vote to accept all **Trust Funds** as received by the Town of Southwest Harbor Trust Officer during the fiscal year of July 1, 2023 to June 30, 2024.

Select Board recommends passage.

Article 38: To see if the Town will vote to have unexpended balances in the Town's accounts at the end of the fiscal year, except those which remain by law or are deemed necessary by the Select Board, transferred to the Unassigned Fund Balance or to any specified reserve fund, as deemed advisable by the Select Board, and to fund overdrafts in the Town's accounts from such unexpended balances, as deemed advisable by the Select Board.

Select Board recommends passage.

Article 39: To see if the Town will vote to allow the Select Board to reorganize and redistribute the current funds in the Capital Improvement Plan Accounts and the Reserve Accounts in accordance with the articles previously voted herein as deemed advisable by the Select Board.

Select Board recommends passage.

Article 40: To see if the Town will vote to authorize the Select Board to sell and/or dispose of any property acquired by tax liens after first offering the property to the previous owners for payment of all back taxes, fees and interest, and if they decline, advertising for sealed bids on same, and stating the lowest bid acceptable, and to allow the Select Board to authorize the Treasurer to waive automatic lien foreclosures when it is in the best interest of the Town.

Select Board recommends passage.

Article 41: To see if the Town will vote to authorize the Select Board to dispose of town owned personal property with a value of \$20,000 or less under such terms and conditions as they deem advisable.

Select Board recommends passage.

Article 42: To see if the Town will vote to allow the Select Board to enter multiyear contracts.

Select Board recommends passage.

Article 43: To see if the Town will vote to authorize the Select Board to accept on behalf of the Town unconditional gifts of property and/or donations which they feel are in the Town's best interest to accept.

Select Board recommends passage.

Article 44: To see if the Town will vote to authorize the Select Board to enter into an agreement with the Southwest Harbor Water and Sewer District to pay the debt service on the Wastewater Treatment Plant Bond under such terms as the Select Board deem appropriate.

Select Board recommends passage.

Article 45: To see if the Town will vote to authorize the Select Board to utilize funds in the Southwest Harbor Water and Sewer District Reserve Account for the replacement and upgrade of equipment and infrastructure with an estimated life more than Twenty (20) years as the Select Board deem appropriate.

Select Board recommends passage.

Article 46: To see if the Town will vote to authorize the Select Board to establish a reserve fund in the name of Fire Dept. Donation/Misc. Reserve, with the Select Board being authorized to draw funds from the reserve account to be used in accordance with the purpose of the account.

Select Board recommends passage.

Article 47: To see if the Town will vote to authorize the Select Board to establish a reserve fund in the name of Police Dept. Donation/Misc. Reserve, with the Select Board being authorized to draw funds from the reserve account to be used in accordance with the purpose of the account.

Select Board recommends passage.

Article 48: To see if the Town will vote to authorize the Select Board to accept a gift of land adjacent to Chris's Pond from Conservation Limited Development, LLC, a subsidiary of Maine Coast Heritage Trust, to be used in conjunction with Chris's Pond public park, with such boundaries, and on such terms and conditions, as the Select Board deems to be in the best interests of Town.

Select Board recommends passage.

Article 49: To see if the town will authorize the Select Board to sign an interlocal agreement to make the town a member of the Acadia Disposal District. The Acadia Disposal District is a non-profit, non-taxable, quasi-municipal corporation organized to coordinate waste disposal for the member communities. Each member town will have one voting director on the board of directors that will manage this corporation.

Select Board recommends passage.

**The following articles will be voted on by secret ballot on
Tuesday, May 2, 2023**

Article 50: Election of Officers – To elect all necessary Town Officers as are required to be elected by secret ballot:

Two [2] members of the Select Board for a three [3] year term.

Two [2] members of the Superintending School Committee for a three [3] year term.

One [1] member of the Board of Trustees of the Mount Desert Island Regional School District for a three [3] year term.

Article 51: Question 1-

Shall the Town vote to adopt the “Ordinance on the Use of Docks, Piers, Wharfs and Other Such Facilities to Transfer Ship Passengers,” (Amended through 5/18/2018), as an addendum to the “Coastal Waters and Harbor Ordinance for the Town of Southwest Harbor, Maine” (Amended through 7/14/2020)?

Article 52: Question 2-

Shall an Ordinance entitled “Coastal Waters and Harbor Ordinance for the Town of Southwest Harbor, Maine,” (updated 5/2/2023) be enacted to repeal the current “Coastal Waters and Harbor Ordinance for the Town of Southwest Harbor, Maine” (Amended through 7/14/2020)?

Where amendments are proposed to existing text, additions are underscoring, and deletions are crossed out.

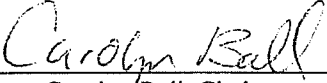
Article 53: Question 3-

Shall the following amendments to the Comprehensive Plan, sections noted as Workforce and Affordable Housing, Coastal Erosion and Stormwater Run-Off & Infiltration, be enacted as an addendum to the Comprehensive Plan?

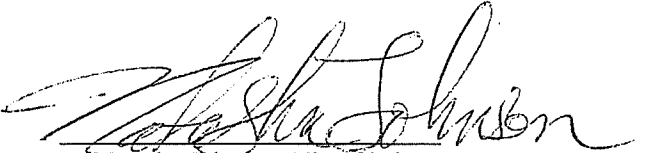
The polls will be open from 10:00 a.m. until 8:00 p.m. on Tuesday, May 2, 2023 for the Annual Town Meeting Referendum balloting.

The Select Board hereby gives notice that the Registrar of Voters will be in the Southwest Harbor Town Office in said Town of Southwest Harbor on Friday, April 28, 2023 from 9:00 a.m. until 3:00 p.m. for the purpose of registering new voters.

Given under our hands this 28th day of March, 2023




Carolyn Ball, Chair



Natasha Johnson, Vice Chair

George Jellison, Jr.



James Vallette



Luke Damon

The original warrant is on file at the Town Office. The attested copies are posted at the Town Office, Police Station, and Post Office.