

Town Meeting Warrant And Secret Ballot Election Minutes

Saturday, June 5, 2021 And Tuesday, June 8, 2021 County of Hancock, ss.

State of Maine

To: Chief Michael Miller, 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 Southwest Harbor Fire Station, in said Town on **Saturday, the 5th day of June 2021 A.D. at ten o'clock in the forenoon,** then and there to act upon Articles numbered one [1] through forty-three [43].

And to notify and warn said inhabitants to meet in the Southwest Harbor Fire Station Meeting Room on Tuesday, the 8th day of June, 2021 A.D. at ten o'clock in the forenoon, then and there to act upon Article numbered forty-four [44] by secret ballot, the polling hours therefore to be from 10:00 a.m. to 8:00 p.m.

Article 1: To elect a moderator by written ballot to preside at said meeting.

Nominations were accepted for Moderator; Joe Marshall's name was presented. There were no other nominations. Mr. Marshall was sworn in by the Town Clerk. Mr. Marshall then appointed Adam Babbitt to act as his deputy.

The business under the warrant was transacted at the SWH Fire Station, opening at 10:24 a.m.

Mr. Marshall opened the meeting by announcing that the meeting would be run according to the Rules of the Maine Moderator's Manual. Motion made, seconded and passed.

<u>Article 2:</u> Shall the compensation for the Board of Selectmen, Members of the Superintending School Committee and Members of the Board of Trustees of the Mount Desert Island Regional School District be the same as approved by the most recent Town Meeting.

<u>Article 3:</u> Shall the Select Board be authorized to choose and appoint all other non-elected municipal positions.

Motion made and seconded. Passed as Written.

SOUTHWEST HARBOR SCHOOL DEPARTMENT

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

<u>Article 4:</u> Shall the School Committee is authorized to expend \$1,612,705 for Regular Instruction for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$1,346,061

Motion made and seconded. Passed as Written.

<u>Article 5:</u> Shall the School Committee be authorized to expend \$887,058 for Special Education for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$937.882

Motion made and seconded. Passed as Written.

<u>Article 6:</u> Shall the School Committee be authorized to expend \$0.00 for Career and Technical Education for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$ -0-

Motion made and seconded. Passed as Written.

<u>Article 7:</u> Shall the School Committee be authorized to expend \$94,866 for Other Instruction for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$89,859

<u>Article 8:</u> Shall the School Committee be authorized to expend \$416,647 for Student & Staff Support for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$395,984

Motion made and seconded. Passed as Written.

<u>Article 9:</u> Shall the School Committee be authorized to expend \$90,642 for System Administration for the fiscal year beginning July 1, 2021 and ending June 30, 2022. School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$75,964

Motion made and seconded. Passed as Written.

<u>Article 10:</u> Shall the School Committee be authorized to expend \$272,723 for School Administration for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$270,935

Motion made and seconded. Passed as Written.

<u>Article 11:</u> Shall the School Committee be authorized to expend \$276,681 for Transportation & Buses for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$172,446

Motion made and seconded. Passed as Written.

<u>Article 12:</u> Shall the School Committee be authorized to expend \$504,152 for Facilities Maintenance for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$370,711

<u>Article 13:</u> Shall the School Committee be authorized to expend \$0.00 for Debt Service and Other Commitments for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$261,050

Motion made and seconded. Passed as Written.

<u>Article 14:</u> Shall the School Committee be authorized to expend \$65,000 for All Other Expenditures for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

School Committee, Select Board, and Warrant Committee Recommend Passage.

Note: 2020-21 Amount was \$80,000

Motion made and seconded. Passed as Written.

Note: Articles 4 - 14 authorize a total budget of \$4,220,474

Note: 2020-21 Amount was \$4,000,892

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 Program and Services Funding Act (Recommend \$1,917,328) 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, 2021 to June 30, 2022.

School Committee recommends \$1,615,169

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

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 in order to receive the full amount of state dollars.

Motion made and seconded. Yes ~ 96, No ~ 0. Passed as Written. (Hand Count)

Hand Count

<u>Article 16:</u> 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, 2018 to June 30, 2019.

School board recommends \$ -0-

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

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.

Motion made and seconded. Yes ~ 104, *No* ~ 0. *Passed as Written. (Hand Count)*

Written Ballot Vote Required

<u>Article 17:</u> To see what sum the voters of the Town of Southwest Harbor will raise and appropriate in additional local funds for school purposes (**Recommend: \$1,869,985**) for the period July 1, 2021 to June 30, 2022, which exceeds the State's Essential Programs and Services allocation model (**Recommend: \$1,869,985**) as required to fund the budget recommended by the school committee.

The School Committee recommends \$ 1,869,985 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$ 1,869,985: The State funding model underestimates the actual costs to fully fund the 2021-2022 budget.

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

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 \$3,485,154

Note: 2020-21 Total Town Appropriation was \$3, 437,621

Motion made and seconded. Yes ~ 91, No ~ 3. Passed as Written. (Written Ballot)

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, 2021 and ending June 30, 2022 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 recommends **\$4,220,474**

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

Note: 2020-21 Total Town Appropriation was \$4,000,892

Motion made and seconded. Yes ~ 90, No ~ 0. Passed as Written. (Hand Count)

<u>Article 19</u>: 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 2021-2022 for school purposes provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated?

Note: Current Year Totals: \$589,814 (Including COVID Relief Funds)

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

Motion made and seconded. Passed as Written.

GENERAL GOVERNMENT

<u>Article 20:</u> Shall the Town vote to raise and appropriate for \$2,674,318 for Municipal Operations for the period July 1, 2021 to June 30, 2022.

Department	Approved FY21	Requested FY22
Administration	\$435,749	\$457,148
CEO/LPI	\$49,442	\$52,914
Boards and Committees	\$1,975	\$4,975
Contracted Services	\$655,600	\$665,100
Insurance	\$42,400	\$48,700
Municipal Buildings	\$33,700	\$39,036
Highway	\$263,557	\$281,234
Police	\$541,214	\$576,599
Dispatch	\$297,599	\$318,145
Fire	\$102,593	\$111,041
Harbor	\$110,344	\$119,426
Total	\$2,534,175	\$2,674,318

Select Board recommends passage.

Warrant Committee recommends \$10,000 less for Contracted Services.

<u>Article 21:</u> Shall the Town raise and appropriate \$60,000 for the Southwest Harbor Public Library for the period July 1, 2021 to June 30, 2022.

Select Board and Warrant Committee recommend passage.

Note: 2020-21 Amount was \$60,000

Motion made and seconded. Passed as Written.

<u>Article 22:</u> Shall the Town raise and appropriate \$59,640 for Harbor House Youth Center and Recreation Programs for the period July 1, 2021 to June 30, 2022.

Select Board and Warrant Committee recommend passage.

Note: 2020-21 Amount was \$59,640

Motion made and seconded. Passed as Written.

<u>Article 23:</u> Shall the Town raise and appropriate \$78,000 for the Southwest Harbor/Tremont Nursing Service for the period July 1, 2021 to June 30, 2022.

Select Board and Warrant Committee recommend passage.

Note: 2020-21 Amount was \$67,000

<u>Article 24:</u> Shall the Town raise and appropriate \$42,659 for the Community Service Organization for the period July 1, 2021 to June 30, 2022.

Organization	Approved FY22	Select Board Recommends	Warrant Committee Recommends
Bar Harbor Food Pantry	\$2,500	\$2,500	\$2,500
Downeast Health/WIC	\$1,035	\$1,035	\$1,035
Downeast Horizons	\$1,800	\$1,800	\$1,800
Eastern Area on Aging	\$1,500	\$1,500	\$1,500
Northern Light Home Care	\$1,870	\$1,870	\$1,870
Hospice of Hancock County	\$1,000	\$1,000	\$1,000
Island Connections	\$2,500	\$2,500	\$2,500
MDI Community Campfire Coalition	\$3,000	\$3,000	\$3,000
Mt Height Cemetery	\$12,500	\$12,500	\$12,500
Westside Food Pantry	\$2,500	\$2,500	\$2,500
Downeast Community Partners	\$3,574	\$3,574	\$3,574
Families First	\$1,000	\$1,000	\$1,000
Life Flight	\$880	\$880	\$880
Mt Desert Nursing Assoc.	\$2,000	\$2,000	\$2,000
SW Harbor Historical Society	\$2,500	\$2,500	\$2,500
Island Housing Trust	\$2,500	\$2,500	\$2,500
Total	\$42,659	\$42,659	\$42,659

Note: 2020-21 Amount was \$26,659

Motion made and seconded. Passed as Written.

<u>Article 25:</u> Shall the Town raise and appropriate \$403,125 for the Capital Improvement Plan Accounts for the period July 1, 2021 to June 30, 2022 with the Select Board being authorized to draw funds from these accounts to be used in accordance with the purpose of the account.

Account	Requested
	Appropriation
Harbor Department General	5,400
Harbor Department Upper Town Dock	32,525
Harbor Department Lower Town Dock	30,700
Harbor Department Manset Town Dock	28,350
Fire Department Vehicles	88,400
Fire Department Equipment	14,000
Police Department Vehicles	12,450
Police Department Protective Equipment	5,250
Dispatch Department Equipment	4,350
Admin Department Equipment	6,300
Admin Department Records	12,800
Admin Department Municipal Buildings	50,900
Highway Department Vehicles/Machinery	108,300
Highway Department Equipment	3,400
Total	\$403,125

Note: 2020-21 Amount was \$492,225

Motion made and seconded. Passed as Written.

<u>Article 26:</u> Shall the Town raise and appropriate \$478,800 for the Reserve Accounts for the period July 1, 2021 to June 30, 2022 with the Select Board being authorized to draw funds from these accounts to be used in accordance with the purpose of the account.

Account	FY21	Requested
	Appropriation	Appropriation
Wage & Benefit	15,000	15,000
Tax Abatement	10,000	0
Legal & Accounting	24,000	24,000
Professional Development	5,000	2,000
Road Crossing Safety	5,000	3,000
D.A.R.E. Program	0	0
Town-wide Planning	5,000	10,000
Unemployment Reserve	4,000	4,000
General Assistance	4,000	3,500
Conservation, Rhoades Park	25,000	20,000
Shellfish Reserve	0	0
Swap Shop Reserve	0	0
Salt & Sand	20,000	45,000
Culverts	4,000	5,000
Paving	87,000	135,000
Contract Snow Removal	2,500	3,500
Highway Small Projects	0	35,000
HRA Insurance	21,000	52,000
SWH Historic Cemetery	2,500	0
Mapping Update	3,000	1,000
Junior Fire Department	0	300
Water and Sewer Infrastructure	100,000	100,000
Records Preservation	0	0
Fire Equipment Emergency Repair	1,400	4,000
Police Cruiser Emergency Repair	4,000	4,500
Police Recruitment Reserve	6,000	12,000
Total:	\$336,400	\$478,800

Note: 2020-21 Amount was \$336,400

Motion and second made to amend and add Tree Reserve Fund \$2,250. Motion and second dissolved.

Motion made and seconded. Passed as Written.

<u>Article 27:</u> Shall the Town raise and appropriate \$865,800 for **Debt Service** for the period July 1, 2021 to June 30, 2022.

Bond/Loan	Payoff	Principal Balance	FY22 Payments
	Year		
Main Street Construction	2033	507,000	58,000
Main Street Construction	2035	599,302	43,100
Main Street Construction	2033	301,146	26,800
Fire Station	2030	528,000	60,800
Ferrero Fire Truck	PAID	-0-	-0-
Wesley-Mansell Project	2030	926,375	105,700
Water Tank	2042	389,958	18,600
2018 Infrastructure GO	2038	1,358,123	118,700
2018 Infrastructure GO	2039	230,689	15,500
2018 DW and Lift Station	2050	822,440	31,900
2018 Infrastructure CW	2049	194,623	8,200
Wastewater Treatment Plant	2064	8,000,000	25,000
FD SCBA Equipment	2023	54,570	63,900
Re-fi Water Bonds	2027	282,693	63,900
Water Upgrade	2029	105,434	13,100
Water Upgrade	2029	188,199	23,300
Refi Sewer Bonds	2033	669,770	75,100
Total		15,158,322	865,800

Note: 2020-21 Amount was \$812,900

Motion made and seconded. Passed as Written.

<u>Article 28:</u> Shall the Town 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.

<u>Article 29:</u> Shall the Town reduce the amount to be raised by taxation by using \$1,309,701 from estimated revenues and fund balances for the Municipal Budget for the fiscal year of July 1, 2021 to June 30, 2022.

Source	Budgeted Amount
Homestead Reimbursement	\$ 90,000
BETE Reimbursement	\$ 1,500
Payments in Lieu of Taxes	\$ 23,700
Municipal Revenue Sharing	\$ 75,000
Maine Local Roads	\$ 17,800
Other Revenues	\$949,201
Unassigned Fund Balance	\$152,500
Revenue Sharing Reserve	-0-
Total	\$1,309,701

Select Board recommends passage.

Motion made and seconded. Passed as Written.

<u>Article 30:</u> Shall the Town increase the property tax levy limit of \$2,951,652 established for Southwest Harbor by State Law in the event that 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 and Warrant Committee recommend passage.

Motion made and seconded. Passed as Written.

Article 31: Shall the Town establish that the first half of taxes shall be due and payable on or before September 3, 2021 and that the second half of taxes shall be due and payable on or before February 4, 2022 and that interest shall be charged at the annual rate of 1% on any unpaid taxes due on September 3, 2021 beginning September 4, 2021 and on any unpaid taxes due February 4, 2022 beginning February 5, 2022.

Select Board recommends passage.

Motion made and seconded. Passed as Written

<u>Article 32:</u> Shall the Town establish the interest rate to be paid to a taxpayer who is determined after abatement to have paid an amount of real estate taxes in excess of the amount finally assessed for 2021 at 0% per year on the amount of over payment.

Select Board recommends passage.

Article 33: Shall the Town accept tax payments prior to the commitment date and to pay interest on said tax payments in the amount of 0% per year figured on a monthly basis until the tax commitment date is reached.

Select Board recommends passage.

Motion made and seconded. Passed as Written

<u>Article 34:</u> Shall the Town allow a Tax Club for the monthly payment of property taxes under such terms as the Select Board deems advisable.

Select Board recommends passage.

Motion made and seconded. Passed as Written

Article 35: Shall the Town accept all Trust Funds as received by the Town of Southwest Harbor Trust Officer during the fiscal year of July 1, 2021 to June 30, 2022.

Select Board recommends passage.

Motion made and seconded. Passed as Written

Article 36: Shall the Town 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 Surplus Account 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.

Motion made and seconded. Passed as Written

Article 37: Shall the Town authorize the Selectmen 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 Selectmen to authorize the Treasurer to waive automatic lien foreclosures when it is in the best interest of the Town.

Select Board recommends passage.

Article 38: Shall the Town authorize the municipal officers 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.

Motion made and seconded. Passed as Written

Article 39: Shall the Town authorize the Municipal Officers to enter into multiyear contracts.

Select Board recommends passage.

Motion made and seconded. Passed as Written

<u>Article 40:</u> Shall the Town authorize the Municipal Officers 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.

Motion made and seconded. Passed as Written

<u>Article 41:</u> Shall the Town 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 in excess of Twenty (20) years as the Select Board deems appropriate.

Select Board recommends passage.

Motion made and seconded. Passed as Written

Article 42: Main Street Project: Shall the Town (1) appropriate the sum of \$205,135 to provide additional funds for the Main Street sidewalk project that was approved at the 2018 town meeting, including engineering and design costs, transaction costs and other expenses reasonably related thereto; (2) authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$205,135 to fund the appropriation; (3) delegate to the Treasurer and Chair of the Select Board the authority and discretion to fix the dates, maturities, interest rates, denominations, calls for redemption (with or without premium), form and other details of said securities, including authority to execute and deliver the securities on behalf of the Town; and (4) approve a clarification of the scope of work so as to include drainage, utility and road resurfacing work that may be required or desirable in connection with the project?

Explanatory Note: The Town approved the Main Street sidewalk project at the 2018 annual town meeting to consist of upgrading and installing sidewalks on the west side of Main Street south of 400 Main Street to Ocean's End. The 2018 approval included an authorization to fund the project by accepting such funds as may be available from the Maine Department of Transportation or other sources, and to issue general obligation securities in the amount of \$850,000. An additional \$205,135 in Town funds is needed to complete the project as designed due to additional, grading, drainage, utility and right of way work required for the project. The 2018 approval also authorized other expenses reasonably related to the project. This article provides more detail regarding the intended scope of the related activities and expenses.

Select Board recommends passage.

Motion made and seconded. Passed as Written

Municipal Treasurer's Financial Statement

1. Total Town Indebtedness.

A. Bonds outstanding and unpaid: \$15,158,322 B. Bonds authorized and un-issued: \$850,000 C. Bonds to be issued if this question is approved: \$205,135

2. Costs.

At an estimated maximum interest rate of 2.0% with a maturity of 20 years, the estimated costs of this bond issue will be:

 Principal:
 \$ 205,135

 Interest:
 \$ 58,041

 Total Debt Service:
 \$ 263,176

3. <u>Validity</u>. The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service or the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Treasurer	

Article 43: Chris' Pond/Manset Recreation Improvements: To see if the Town will authorize the Select Board to apply, on behalf of the Town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the development of Chris' Pond/Manset recreation improvements; and further authorize the Select Board or its designee to enter into the Land

and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project.

Select Board recommends passage.

Motion made and seconded. Passed as Written

The following articles will be voted on by secret ballot on Tuesday, June 8, 2021

<u>Article 44:</u> <u>Election of Officers</u> – To elect all necessary Town Officers as are required to be elected by secret ballot:

One Selectmen	[3 year]	Dan Norwood	128
Two Superintending School	[3 year]	Susan Allen	129
Committee Member		John Bench	92
One Board of Trustees of the	[3 year]	Ann Ratcliff	139
Mount Desert Island Regional Scho	ool District		

The polls were opened at 10:00 a.m. until 8:00 p.m. at the **Southwest Harbor Fire Station.**

Elections were closed at 8:00 p.m. on Tuesday, June 8, 2021, by Deputy Moderator, Adam Babbitt.

Respectfully Submitted,

Marilyn J. Lowell Town Clerk