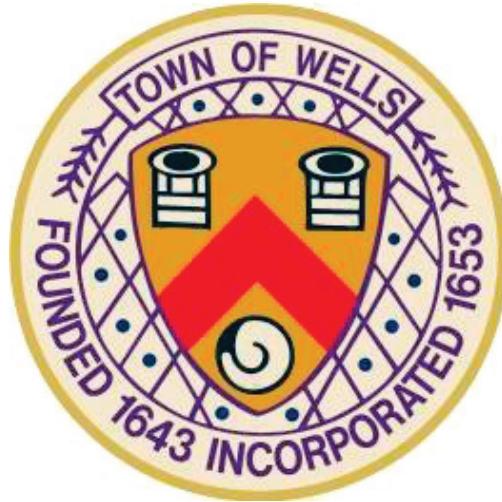


TOWN OF WELLS



Annual Town Meeting

Tuesday, June 13, 2023 – 8:00AM to 8:00PM

Warrant and Plans for the Fiscal Year 2024

Town of Wells
Town Office
208 Sanford Road
Wells, Maine 04090

BULK RATE
U.S. POSTAGE PAID
WELLS, ME 04090
PERMIT NO. 3
CARRIER ROUTE – SORT

POSTAL PATRON

FY 2024 PROPOSED BUDGET SUMMARY

ARTICLE	ARTICLE DESCRIPTION	FY 24 PROPOSED AMOUNT	TAXES	OTHER REVENUE / PASS THRU	SURPLUS	RESERVES	EXPENSE FROM SURPLUS
ARTICLE 4	ESTIMATED REVENUE	\$ 7,206,196		\$ 7,206,196			
ARTICLE 5	PASS THROUGH ACCOUNTS	\$ 852,500		\$ 852,500			
ARTICLE 6	SALARIES AND BENEFITS	\$ 10,881,143	\$ 10,881,143				
ARTICLE 7	OPERATIONS	\$ 7,743,211	\$ 7,728,211			\$ 15,000	
ARTICLE 8	POTENTIAL EMPLOYEE EXPENSES	\$ 40,000					\$ 40,000
ARTICLE 9	POTENTIAL TOWN LIABILITIES	\$ 500,000					\$ 500,000
ARTICLE 10	CAPITAL IMPROVEMENT PLAN	\$ 3,798,641	\$ 1,522,284		\$ 1,600,000	\$ 676,357	
ARTICLE 11	CAPITAL EXPENDITURES	\$ 3,338,394				\$ 3,338,394	
ARTICLE 12	EXPENDITURES FROM . CIP FUNDS						
ARTICLE 13	GENERAL ASSISTANCE	\$ 45,000					\$ 45,000
ARTICLE 14	TOWN CLERK COMPENSATION	\$ 75,000	\$ 75,000				
ARTICLE 15	CONVERT PT. ASSESSING CLERK TO FT	\$ 28,712	\$ 28,712				
ARTICLE 16	INCREASE LIBRARY ASSIST HOURS	\$ 3,720	\$ 3,720				
ARTICLE 17	ONE FT ASST CODE OFFICER	\$ 78,771	\$ 78,771				
ARTICLE 18	ONE FT. ASST FIRE CHIEF	\$ 94,918	\$ 94,918				
ARTICLE 19	FOUR FT FIREFIGHTER/PARAMEDICS	\$ 443,336	\$ 443,336				
ARTICLE 20	TWO FT DISPATCHERS	\$ 110,774	\$ 110,774				
ARTICLE 21	TWO FT PATROL OFFICERS	\$ 122,748	\$ 122,748				
	TOTAL MUNICIPAL BUDGET	\$ 28,156,868					
	Subtotals of Revenue		\$ 21,089,617	\$ 8,058,696	\$ 1,600,000	\$ 4,029,751	\$ 585,000
	Less Revenue & Pass Through	\$ (8,058,696)					
	Less Surplus	\$ (1,600,000)					
	Less Reserves	\$ (4,029,751)					
	Less Use of Revenue	\$ -					
	Less Use of Enterprise Funds	\$ -					
	Less Exposed Surplus	\$ (585,000)					
	Balance to be Raised by Taxation	\$ 13,883,421					

FY 2024 TAX RATE INFORMATION AND PROJECTIONS

ESTIMATED TOWN TAXES			Est. Tax Rate		
Proposed Municipal FY 24	\$ 13,883,421		\$ 3.96		
Estimated County Tax FY 24	\$ 1,907,175		\$ 0.54		
Estimated School Budget FY 24	\$ 21,464,360		\$ 6.12		
Estimated Overlay Budget FY 24	\$ 800,000		\$ 0.23		
Total Estimated Tax Revenue FY 24	\$ 38,054,955		\$ 10.85		
COMPARATIVE TAX RATES	EST. FY 24	% Change	FY 23	FY 22	FY 21
TOWN	\$ 3.96	5.56%	3.75	3.69	3.50
COUNTY	\$ 0.54	2.60%	0.53	0.53	0.54
SCHOOL	\$ 6.12	2.51%	5.97	6.23	6.20
OVERLAY	\$ 0.23	8.62%	0.21	0.07	0.24
TOTAL	\$ 10.85	3.73%	10.46	10.52	10.48
	FY 20	FY 19	FY 18	FY 17	FY 16
TOWN	3.27	3.29	3.08	3.08	3.00
COUNTY	0.53	0.53	0.55	0.55	0.54
SCHOOL	6.24	6.25	6.23	6.17	6.04
OVERLAY	0.38	0.25	0.30	0.26	0.37
TOTAL	10.42	10.32	10.16	10.06	9.95
VALUATIONS					
Projected Valuation FY 24	3,507,318,799	1.0%			
Actual Valuation FY 23	3,472,592,870	2.7%			
Actual Valuation FY 22	3,382,800,634	3.3%			
Actual Valuation FY 21	3,275,941,562	1.2%			
Actual Valuation FY 20	3,238,015,584	2.0%			
Actual Valuation FY 19	3,174,708,336	2.3%			
Actual Valuation FY 18	3,103,810,973	2.0%			
Actual Valuation FY 17	3,042,534,224	1.4%			
Actual Valuation FY 16	3,001,040,603	1.7%			
Actual Valuation FY 15	2,951,308,116	2.1%			
Actual Valuation FY 14	2,890,663,097	-4.9%	REVALUATION YEAR		
Actual Valuation FY 13	3,039,040,053	1.1%			

WARRANT

June 13, 2023
STATE OF MAINE
COUNTY OF YORK, ss.

To: Marianne Goodine, Michele Stivaletta-Noble, Cindy Appleby, Mark Dupuis, Keeley Lambert, and/or Mike Livingston, residents of the Town of Wells, County of York, and State of Maine;

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Wells, qualified by law to vote in Town affairs, to meet at the Wells Junior High School Gymnasium, 1470 Post Road, in said Town of Wells on **Tuesday, June 13, 2023 at 8:00 AM** in the forenoon and then and there to vote on Article 1 and by secret ballot to act on all remaining Articles set out below. The polling hours therefore to be from 8:00 AM in the forenoon to 8:00 PM in the evening. Pursuant to Title 21-A, Section 759(7), **absentee ballots will be processed at the polls at the following times: 9:00, 10:00, 11:00 a.m., 12:00, 1:00, 2:00, 3:00, 4:00, 5:00, 6:00, 7:00 and 8:00 p.m.**

ARTICLE 1. To elect a Moderator to preside in said meeting.

ARTICLE 2. To elect all necessary Town officials for the ensuing terms by secret ballot, **except** that if Article 3 is adopted, then the Office of Town Clerk shall be an appointed position and any election of a Town Clerk will be a nullity.

ARTICLE 3. Shall the Town approve the charter amendments reprinted below, which change the Office of Town Clerk from an elected to an appointed position immediately upon enactment?

Article XI of the Town Charter, entitled, "Nominations, Elections, and Town Meetings," Section 11.01 entitled, "Elected officials" is hereby amended as follows:

The elected officials of the Town of Wells shall include the ~~Town Clerk and the~~ Board of Selectmen and do not include those quasi-municipal officials governed by charters and/or bylaws other than the Charter of the Town of Wells. Upon expiration of the term of the Town Clerk elected at the 2020 Annual Town Meeting, the Office of Town Clerk shall immediately become an appointed position in the Town of Wells.

Explanation: The charter amendments proposed in Article 3 will take effect immediately upon adoption by the Town Meeting. If Article 3 is adopted, then the Office of Town Clerk shall immediately be an appointed position and any election of a Town Clerk by the Town Meeting under Article 2 will be a nullity.

ARTICLE 4. ESTIMATED REVENUES: Shall the Town vote to collect and appropriate the estimated amounts in Town Generated Revenue and State Revenue in the amount of \$7,206,196 to reduce the amount to be raised by taxation as shown in Table 1 of the Annual Town Meeting Warrant?

If this Article is defeated, the appropriation for this Article shall be the amount approved at last year's Annual Town Meeting, which was \$5,963,595.

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (6 in Favor / 1 Against)

ARTICLE 5. PASS THROUGH ACCOUNTS: Shall the Town vote to appropriate and authorize the Town Treasurer to accept and pay out Pass Through Funds in the estimated amount of \$852,500 from specified sources as shown on Table 2 of the Annual Town Meeting Warrant?

If this Article is defeated, the appropriation for this Article shall be the amount approved at last year's Annual Town Meeting, which was \$852,500.

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

ARTICLE 6. SALARIES AND BENEFITS: Shall the Town vote to raise and appropriate \$10,881,143 and transfer said monies (\$10,881,143) into various department salary and benefit lines for municipal employees' salaries, wages and benefits during FY 2024 as shown on Table 3 of the Annual Town Meeting Warrant?

If this Article is defeated, the appropriation for this Article shall be the amount approved at last year's Annual Town Meeting, which was \$10,092,364.

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (6 in Favor / 1 Against)

ARTICLE 7. OPERATIONS: Shall the Town vote to raise and appropriate \$7,728,211 and appropriate \$15,000 from Special Reserve Fund 0201-Animal Control and transfer said monies (\$7,743,211) into various department operation lines as shown on Table 4 of the Annual Town Meeting Warrant for the operation of municipal departments and committees during FY 2024?

If this Article is defeated, the appropriation for this Article shall be the amount approved at last year's Annual Town Meeting, which was \$7,112,026.

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

ARTICLE 8. POTENTIAL EMPLOYEE-RELATED EXPENSES: Shall the Town vote to appropriate and expend up to \$40,000 from Undesignated Fund Balance (Surplus) for the following:

Retirement Benefit Reimbursement - \$30,000 to fund payment, when necessary, of accrued benefits to employees who are retiring or leaving Town Service; and

Educational Reimbursement Fund - \$10,000 to fund educational course reimbursement in FY 2024 for eligible union and non-union employees based on contract requirements and the Non-Union Educational Assistance Program guidelines.

If this Article is defeated, the appropriation for this Article shall be the amount approved at last year's Annual Town Meeting, which was \$25,000.

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

ARTICLE 9. POTENTIAL TOWN LIABILITIES: Shall the Town vote to appropriate and expend up to \$500,000 from the Undesignated Fund Balance (Surplus) for the following potential liabilities:

Legal Services Fund - \$75,000 to be used at the discretion of the Board of Selectmen, following a public hearing, to fund legal services for significant legal and/or legislative matters beyond the normal legal budget; and

Self-Insurance Claims Coverage - \$17,500 to fund payment of the Town's deductible and other expenses associated with accepted claims made against the Town; and

Emergency Fuel and Utilities Account - \$32,500 to be expended, following a public hearing by the Board of Selectmen, to cover potential shortfalls in the FY 2024 fuel and utilities budgets due to the unpredictable markets for diesel, unleaded gasoline, propane and electricity; and

Emergency Facility Repair and Energy Efficiency Improvement Fund - \$52,500 to be used at the discretion of the Board of Selectmen, following a public hearing, to pay for emergency repairs and energy efficiency improvements to town-owned facilities that are not contemplated in the FY 2024 operating budget; and

Shortfall on State Revenue Projected to offset Town Budget Funding - \$40,000 to be used in case at the discretion of the Board of Selectmen, following a public hearing, at the end of the fiscal year to balance any shortfall in State Revenue projected to be received that offset the budget for property tax purposes; and

Health Reimbursement Account Fund - \$30,000 to fund payment of the Town's portion of employee's health insurance deductibles for employees covered by high deductible health insurance plans; and

Winter Operations Fund - \$200,000 to be used at the discretion of the Board of Selectmen, following a public hearing, to cover potential shortfalls in the FY 2024 hired equipment/operator-snow/ice and salt budget lines; and

Facility Maintenance and Repair Fund - \$52,500 to be used at the discretion of the Board of Selectmen, following a public hearing, to pay for maintenance and repairs to town-owned facilities and property that are not contemplated in the FY 2024 operating budget.

If this Article is defeated, the appropriation for this Article shall be the amount approved at last year's Annual Town Meeting, which was \$290,000.

Select Board Recommends YES (5 in Favor / 0 Against)

Budget Committee Recommends YES (7 in Favor / 0 Against)

ARTICLE 10. CAPITAL IMPROVEMENT PLAN (Raising and Appropriating from Taxation, and Appropriating and Transferring Funds From Reserves, Surplus, and the State to Fund the Capital Improvement Plan): Shall the Town vote to raise and appropriate \$1,522,284, appropriate \$1,600,000 from the Undesignated Fund Balance (Surplus); appropriate \$676,357 from various CIP Reserve Funds; and transfer said monies (\$3,798,641) into various CIP reserve funds, which will be used to fund the CIP program as specified in Table 5 of the Annual Town Meeting Warrant?

If this Article is defeated, the appropriation for this Article shall be the same amount approved at last year's Annual Town Meeting, which was \$3,531,070.

Select Board Recommends YES (5 in Favor / 0 Against)

Budget Committee Recommends YES (7 in Favor / 0 Against)

ARTICLE 11. CAPITAL EXPENDITURES (Appropriations (Spending) of Fund Monies): Shall the Town vote to appropriate and expend \$3,338,394 from the Capital Reserve Funds to fund the Capital Expenditures as specified in Table 5 of the Annual Town Meeting Warrant?

If this Article is defeated, the appropriation for this Article shall be the same amount approved at last year's Annual Town Meeting, which was \$4,541,841.

Select Board Recommends YES (5 in Favor / 0 Against)

Budget Committee Recommends YES (7 in Favor / 0 Against)

ARTICLE 12. EXPENDITURES FROM SPECIFIC CIP RESERVE ACCOUNTS: Shall the Town vote to authorize the Board of Selectmen, in the event of emergency and after a public hearing, to expend up to the fund balance (as specified in Table 5 of the Annual Town Meeting Warrant) in the following CIP reserve accounts: Infrastructure, Technology, and Ambulance?

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (6 in Favor / 1 Against)

ARTICLE 13. GENERAL ASSISTANCE: Shall the Town vote to appropriate and expend from the Undesignated Fund Balance (Surplus) up to \$45,000 to fund the Town of Wells General Assistance Program?

If this Article is defeated, the appropriation for this Article shall be the amount approved at last year's Annual Town Meeting, which was \$45,000.

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

ARTICLE 14. TOWN CLERK COMPENSATION: Shall the Town vote to raise and appropriate \$75,000 and transfer said monies (\$75,000) into the Town Clerk regular salary line to fund the Town Clerk's compensation in FY 2024?

If this Article is defeated, the appropriation for this Article shall be the amount approved at last year's Annual Town Meeting, which with adjustment was \$75,470.

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

Explanation: The Town Meeting is asked to approve the Elected Town Clerk's compensation for FY 2024. The appropriation requested in Article 14 is sought regardless of whether the Office of Town Clerk is elected or appointed.

ARTICLE 15. CONVERT PART-TIME ASSESSING CLERK TO FULL-TIME: Shall the Town vote to raise and appropriate \$28,712 and transfer said monies (\$28,712) into the assessing department salary and benefit lines during FY 2024 to fund the change in the Assessing Clerk's position from part-time to full-time?

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

Explanation: This is currently a 24-hour a week position, which handles all the campground data, tax bill returns, new address research, filing all building permits, and any special projects need in the office. The number of employees and hours in the Assessing office have not changed since the mid-80's, which was almost 40 years ago. At that time, there were three full-time staff members and one property lister who worked for three months per year to manage about 8,500 tax accounts. The Town now has over 16,000 tax accounts. The demands on the office have increased significantly. Despite the use of new technology to efficiently manage staff hours, and restructuring the deputy assessor's job description to include the duties of the lister, the department requires additional staff hours to manage its increasing workload.

ARTICLE 16. INCREASE LIBRARY ASSISTANT HOURS FROM 27 TO 30: Shall the Town vote to raise and appropriate \$3,720 and transfer said monies (\$3,720) into the library department salary and benefit lines during FY 2024 to fund an additional 3 hours per week for the Library Assistant?

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

Explanation: This position staffs the circulation desk; provides technology assistance on public computers, copier and printer; processes held materials delivered by van; provides outreach to homebound patrons and shelves materials. As the town population and library usage grow, the library needs more hours from circulation staff to handle the increased assistance that patrons require and the growing number of inter library loan (ILL) materials that must be processed. (In FY 2019 pre-covid, 20,144 ILLs were processed. In FY 2022, 24,016 were processed.)

ARTICLE 17. ONE FULL-TIME ASSISTANT CODE ENFORCEMENT OFFICER: Shall the Town vote to raise and appropriate \$78,771 and transfer said monies (\$78,771) into the Code Enforcement salary and benefit lines during FY 2024?

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

Explanation: The Code Enforcement Office is at a pivotal point in being able to maintain the current level of service the community has grown accustomed to receiving. Since 2004, the code office has not added additional staff. However, from 2009 to present, 1,675 new dwelling units have been constructed and 13,244 building permits have been issued as of November 22, 2022. With those new homes, services and associated expectations have increased in the office, including but not limited to, building additions and alterations, plumbing and sub-surface permits, complaints, land use violations, inspections and property research.

The practical upshot of the increasing demands on the Code Enforcement Office over a fairly short timeline is consistent with the results of a customer service study of the Wells Code Enforcement/Planning Office conducted in 2018 by BerryDunn, which predicted that that the *Code Office would not be able to sustain the level of service it was providing.*

ARTICLE 18. ONE FULL-TIME ASSISTANT FIRE CHIEF: Shall the Town vote to raise and appropriate \$94,918 and transfer said monies (\$94,918) into the Fire Department salary and benefit lines during FY 2024 to fund a full-time Assistant Fire Chief?

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (6 in Favor / 1 Against)

Explanation: This request would fund the proposed position for nine (9) months with the position being filled starting in October. The full funding for this position would be \$126,557.

The Fire Department and Fire Chief continue to get busier as a result of increasing training requirements and professional duties.

The role of the Assistant Fire Chief will be to work directly with the Fire Chief and the Captains to work as a liaison between shift personnel and the Chief. The Assistant Chief will also be the training officer for the department, ensuring that all the necessary training is conducted and attended in order to keep the department in a ready state and in compliance with governing requirements.

This position will work with the Chief to respond to emergencies as an additional responder along with or in place of the Chief when necessary. This position will also allow for greater control at fires with an operations division that will work directly for command at larger incidents.

In addition, the Assistant Chief will work collaboratively with the Chief and department members to help establish best practices, procedures and directives, as well as sharing the workload of the department as required.

ARTICLE 19. FOUR FULL-TIME FIREFIGHTER/ PARAMEDICS: Shall the Town vote to raise and appropriate \$443,336 and transfer said monies (\$443,336) into the Fire Department salary and benefit lines during FY 2024 to fund four full-time firefighter/paramedics?

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (6 in Favor / 1 Against)

Explanation: This request would fund the proposed positions for nine (9) months starting in October. The full funding for these positions would be \$591,115.

The request for four full-time firefighter/paramedics is partially in response to the recent Wells EMS/Fire Department Study. In addition, and in light of the current national first responder shortage, the ability to retain and attract qualified firefighters and paramedics in Wells presents a challenge due to more competitive wages and work schedules in other communities throughout Maine. The additional four firefighters will allow Wells to establish a competitive working schedule that will be in line with other Maine communities. Additionally, given increasing demand for EMS services, the Town is seeking to cross-staff an ambulance, the revenue generated from which will help offset the cost of additional personnel.

ARTICLE 20. TWO FULL-TIME DISPATCHERS: Shall the Town vote to raise and appropriate \$110,774 and transfer said monies (\$110,774) into the Police Department salary and benefit lines during FY 2024 to fund two full-time dispatchers?

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (7 in Favor / 0 Against)

Explanation: This request would fund one (1) dispatcher starting in July and one (1) dispatcher starting in January. The full funding needed for two dispatchers would be \$147,699.

The growth of the community has resulted in an increased volume of calls received by the Wells Communications Center. Currently, dispatch personnel handle more than 75,000 incoming calls annually, with "Calls for Service (CFS)" having increased by 98% between the years of 2000 (20,356 CFS) and 2022 (40,460 CFS). This tremendous increase in call volume has resulted in dispatch staff having to prioritize caller needs.

This increased staffing will allow the Town to meet the amplified calls in a more expedient and effective manner, ensure continued compliance with Criminal Justice Information Service (CJIS) requirements, and provide for the assignment of a Lead Dispatcher responsible for meeting annual audit requirements. These additional personnel will also allow the Communications Center to avoid relying on an auto attendant for non-emergency calls, allowing callers to speak with a person, rather than a recording.

ARTICLE 21. TWO FULL-TIME PATROL OFFICERS: Shall the Town vote to raise and appropriate \$122,748 and transfer said monies (\$122,748) into the Police Department salary and benefit lines during FY 2024 to fund two full-time patrol officers?

Select Board Recommends YES (5 in Favor / 0 Against)
Budget Committee Recommends YES (6 in Favor / 1 Against)

Explanation: This request would fund one (1) patrol officer starting in July and one (1) patrol officer starting in January. The full funding needed for two patrol officers would be \$163,662.

Over the past twenty-three years, which was the last time a dedicated police patrol officer position was hired by the Town, Wells has experienced a tremendous amount of growth. During that period, the Town's population has risen more than 20%, while tourism has continued to surge.

This upsurge in population and tourism has resulted in calls for police services rising exponentially, as has the severity of many of those calls. Police response to calls that should require a two-officer response due to the potential high risk associated with the call, are often being handled by a single officer, resulting in an increased

risk to officer safety. Many of those calls involve one or more people experiencing a mental health crisis, and in need of services that require the presence of police personnel for a prolonged period.

The addition of two police officers will significantly aid the department with addressing officer safety concerns, while allowing the officers to be more proactive as necessitated by the Town demographics and sharply increased service needs of our community.

ARTICLE 22. Shall the Ordinance entitled, “A Retroactive Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells to Update the Definition of a Registered Medical Marijuana Dispensary, Restrict the Number and Location of Registered Medical Marijuana Dispensaries, and Change the Performance Standards Requirements for a Registered Medical Marijuana Dispensary” be enacted?

A copy of the ordinance is posted together with this warrant as Appendix 1 and is hereby incorporated by reference.

ARTICLE 23. Shall the Ordinance entitled, “An Ordinance to Amend Chapter 53 (Planning Board) of the Code of the Town of Wells to Change the Quorum Requirements of the Planning Board and to Eliminate References to Historical Planning Board” be enacted?

A copy of the ordinance is posted together with this warrant as Appendix 2 and is hereby incorporated by reference.

ARTICLE 24. CONVEYANCE OF LAND AND LONG-TERM PARKING LEASE TO CARDINALI'S REAL ESTATE, LLC (D/B/A FISHERMAN'S CATCH RESTAURANT) IN EXCHANGE FOR LAND TO ACCESS THE OLD WHARF: Shall the Town vote to authorize the Board of Selectmen to: (1) convey two parcels of Town owned land (1,813 sf + 1,537 sf = 3,350 sf) to Cardinali's Real Estate, LLC (d/b/a Fisherman's Catch Restaurant) (“Cardinali's”) to adjust and confirm the sideline of Harbor Road; (2) convey a long-term lease to Cardinali's for non-exclusive parking use of 4,011 sf of Town-owned land along Harbor Road in exchange for 15,587 sf of land owned by Cardinali's to be conveyed to the Town for access to the old town wharf and marsh; and (3) take all steps necessary to negotiate the terms and conditions of said conveyances and to execute all related documents?

A copy of a plan depicting said land swap and long-term lease, together with the associated proposed deeds and lease, are posted in Appendix 3

Explanation. A portion of the Fisherman's Catch restaurant, as well as portions of its outdoor patio and food truck area are located within the Town's right-of-way on Harbor Road. The proposed lease and land swap will allow the restaurant owner and its employees and patrons to continued use of these areas and will address the encroachments. The restaurant owner will convey to the Town 15,587 sf of land, which will allow the public to access the old town wharf and marsh. In exchange, the Town will: (a) convey 3,350 sf of Town-owned property to the restaurant owner (to define the property line in front of the restaurant and to accommodate the outdoor patio and food truck areas); and (b) enter a long-term Lease with the property owner for non-exclusive rights to park on Harbor Road in front of the restaurant.

Given under our hands this 4th day of April 2023.

BOARD OF SELECTMEN OF THE TOWN OF WELLS:

John MacLeod III

Scott DeFelice

Kathleen Chase

Robert Foley

Timothy Roche

A True Copy, ATTEST:

Town Clerk

APPENDICES

APPENDIX 1

A Retroactive Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells to Update the Definition of a Registered Medical Marijuana Dispensary, Restrict the Number and Location of Registered Medical Marijuana Dispensaries, and Change the Performance Standards Requirements for a Registered Medical Marijuana Dispensary

NOTE: Proposed additions to existing Code sections are underlined.
Proposed deletions of existing Code sections are ~~crossed out~~.
Other sections of the Ordinance are unchanged.

The Town of Wells hereby ordains and enacts “A Retroactive Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells to Update the Definition of a Registered Medical Marijuana Dispensary, Restrict the Number and Location of Registered Medical Marijuana Dispensaries, and Change the Performance Standards Requirements for a Registered Medical Marijuana Dispensary” to read as follows:

Part 1: Recitals

WHEREAS, Chapter 145 of the Town Code defines and establishes “Registered Marijuana Dispensaries” and “Stand-Alone Registered Marijuana Dispensaries” (hereinafter collectively referred to as “Registered Marijuana Dispensaries”) as permitted uses requiring the approval of a site plan in the Residential-Commercial District and the General Business District;

WHEREAS, Chapter 145, Section 145-58.2 of the Town Code establishes certain performance standards for Registered Marijuana Dispensaries and Stand-Alone Registered Marijuana Dispensaries;

WHEREAS, the definitions, performance standards, and district regulations related to Registered Marijuana Dispensaries were adopted by the Town of Wells on June 14, 2011;

WHEREAS, at the time of the adoption of these ordinance provisions on June 14, 2011, state law, enshrined in 22 M.R.S. § 2428(11), allowed only a single Registered Marijuana Dispensary in the entirety of York County;

WHEREAS, at the time of the adoption of the Town’s ordinances related to Registered Marijuana Dispensaries on June 14, 2011, it was understood that, at most, one (1) Registered Marijuana Dispensary or Stand-Alone Registered Marijuana Dispensary would be permitted in the Town of Wells pursuant to state law;

WHEREAS, it has come to the Town’s attention that, on July 9, 2018, L.D. 1539 was enacted, which repealed 22 M.R.S. § 2428(11) and directed that as of January 1, 2021, there would no longer be any cap on the number of Registered Marijuana Dispensaries in York County or anywhere else in the state;

WHEREAS, it was the intent of the ordinance amendments adopted by the Town Meeting on June 14, 2011 to allow no more than one (1) Registered Marijuana Dispensary or Stand-Alone Registered Marijuana Dispensary within the Town of Wells consistent with state law as it then existed;

WHEREAS, the Town seeks to honor the original intent of the June 14, 2011 Town Meeting when it enacted the ordinance amendments relating to Registered Marijuana Dispensaries that they be limited in number;

WHEREAS, on December 20, 2022, the Board of Selectmen held a public hearing to consider a proposed ordinance entitled, "A Retroactive Ordinance to Amend Chapter 145 (Land Use) of the Town Code to Clarify That the Number of Registered Marijuana Dispensaries Allowed in the Town of Wells is Capped at One (1), the Number That Was Allowed When the Original Ordinance Amendments Regarding Registered Marijuana Dispensaries Were Enacted in 2011" (the "December 20, 2022 Proposed Retroactive Ordinance");

WHEREAS, at said public hearing of the December 20, 2022 Proposed Retroactive Ordinance, it came to the Board of Selectmen's attention that two (2) applications for Registered Marijuana Dispensaries had been filed with the Town prior to the December 20, 2022 public hearing at which the December 20, 2022 Proposed Retroactive Ordinance was being considered; and

WHEREAS, the Board of Selectmen believes that capping the number of Registered Marijuana Dispensaries that will henceforth be allowed in the Town of Wells to three (3) is: (a) consistent with the intent of the June 2011 town meeting; (b) promotes the health, safety, and welfare of the general public; and (c) promotes fairness to those two applicants who purchased and/or leased property in reliance on the provisions of the existing Town Code prior to having notice of the December 20, 2022 Proposed Retroactive Ordinance.

NOW THEREFORE, The Town of Wells hereby ordains as follows:

Part 2: Article VII (Performance Standards), § 145-58.2, entitled "Registered marijuana dispensaries" is hereby amended as follows:

§ 145-58.2 Registered medical marijuana dispensaries.

A. ~~Stand alone~~ Registered medical marijuana dispensaries are allowed subject to the following performance standards in addition to the requirements of the districts in which the dispensaries are located.

B. Notwithstanding any other provision of the Wells Code, a combined total of no more than three (3) registered medical marijuana dispensaries shall be allowed to be approved at any given time in the Town of Wells. Approved means a property which has received a Site Plan approval from the Wells Planning Board.

BC. Notwithstanding any other provision of the Wells Code, all registered medical marijuana dispensaries must be reviewed by the Wells Planning Board, and not by the Staff Review Committee.

CD. Registered medical marijuana dispensaries must meet all of the standards and conditions imposed by the Maine Department of ~~Health and Human Administration~~ Health and Human Administration and Financial Services issued under the aegis of the Maine Medical Use of Marijuana Program.

DE. Notwithstanding the Maine Department of ~~Health and Human Administration~~ Health and Human Administration and Financial Services Rules Governing the Maine Medical Use of Marijuana Program, no registered medical marijuana dispensary in Wells may be located where any of the lot lines of the lot on which the dispensary will be located are within 1,000 feet of the lot line of any preexisting public or private school facility; or any preexisting and licensed child-care facility.

EF. There shall be opaque windows or walls for any building involved in the ~~cultivation of~~ registered medical marijuana dispensary, so that the interior is completely screened from lot lines and from any person passing along the normal street boundaries of the lot on which it is located.

FG. All buildings associated with a registered medical marijuana dispensary ~~or cultivation facility, including the growing facility itself,~~ shall be protected by use of fire suppression sprinkler systems, or other effective fire suppression system that may be approved by the Chief of the Wells Fire Department.

GH. The registered medical marijuana dispensary shall have a Knox-Box® ~~or~~ and shall provide the Fire Department with the necessary information to allow entry by Fire Department personnel in the event of an emergency at the location.

HI. A registered medical marijuana dispensary shall have at least one parking space for each employee on the two largest shifts combined, and such additional customer parking as may be required by the Planning Board.

IJ. With any registered medical marijuana dispensary abutting a residential use ~~in a residential zoning district~~, the setback shall be equal to at least two times the required structure setback or 25 feet, whichever is greater (e.g., required fifteen-foot setback x 2 = 30 feet). This setback requirement shall not be required when the lot adjacent to any proposed registered medical marijuana dispensary is undeveloped. In such case, the normal setback requirements of the zoning district in which the facility is to be located shall govern.

JK. The operator of a registered medical marijuana dispensary must provide a security plan to the Chief of Police for the Town of Wells, who will provide the Planning Board with a report and recommendations for specific conditions of approval as regards required security measures to be incorporated. The requirements for this plan should be coordinated with the requirements for any security plan that the State of Maine may require for such a facility.

KL. The hours of operation for any registered medical marijuana dispensary, including the hours that persons other than staff of the facility may be present ~~at a cultivation facility~~, shall be limited. No sales or dispensing of materials may take place prior to 7:00 a.m. nor later than 8:00 p.m. on any day.

LM. Signs for a registered medical marijuana dispensary or cultivation facility may not contain any visual depiction of marijuana or marijuana paraphernalia.

N. Only qualifying patients, visiting qualifying patients, registered caregivers, as those terms are defined in 22 M.R.S. § 2422, as amended or employees of the registered medical marijuana dispensary are allowed to enter the registered medical marijuana dispensary use building. The security plan shall include a method of controlling all entry into the building as approved by the Planning Board to adhere to this restriction.

Part 32: Article II (Word Usage and Definitions), § 145-10, entitled "Definitions" is hereby amended as follows:

REGISTERED MEDICAL MARIJUANA DISPENSARY

A registered medical marijuana dispensary means an ~~not-for-profit~~ entity registered and licensed pursuant to the Maine Medical Use of Marijuana Program that acquires, possesses, ~~cultivates, manufactures~~, delivers, transfers, transports, sells, supplies or dispenses medical marijuana products, paraphernalia or related supplies and educational materials to registered qualifying patients or visiting qualifying patients and registered caregivers, as those terms are defined in 22 M.R.S. § 2422, as amended ~~who have designated the registered marijuana dispensary to cultivate marijuana for their medical use and the registered primary caregivers of those patients.~~ See also Maine Title 22 Chapter 558-C and Maine Department of Health and Human Services' Rules Governing the Maine Medical Use of Marijuana Program, 18-691, Chapter 2 (formerly 10-144 CMR Chapter 122, § 1.29), as amended, now administered by the Maine Department of Administration and Financial Services. A registered medical marijuana dispensary is neither a caregiver retail store, as defined in 22 M.R.S. § 2422(1-F), as amended, nor a cannabis store, as defined in 28-B M.R.S. § 102(34), as amended, which uses are specifically prohibited in the Town of Wells. A registered marijuana dispensary is not a caregiver retail store. A registered medical marijuana dispensary is not an adult use retail store. No more than three (3) registered medical marijuana dispensaries shall be allowed to be approved at any given time in the Town of Wells.

STAND-ALONE REGISTERED MARIJUANA DISPENSARY

A registered marijuana dispensary which is not operated as part of a hospital, nursing home, hospice, or other medical practice, or which may be operated as part of a hospital, nursing home, hospice, or other

medical practice but which is not located at the primary facility of such hospital, nursing home, hospice, or other medical practice.

Part 43: Article V (District Regulations), § 145-26, entitled “General Business District” is hereby amended as follows:

C. Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:

(36) Registered medical marijuana dispensary. No more than three (3) registered medical marijuana dispensaries shall be allowed to be approved at any given time in the Town of Wells.

~~(43) Stand-alone registered marijuana dispensary.~~

Part 5-4: Article V (District Regulations), § 145-24, entitled “Residential-Commercial District” is hereby amended as follows:

C. Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:

~~(29) Registered marijuana dispensary (Note: A registered marijuana Dispensary will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.)]~~

(30) (29) Restaurant, standard, containing 36 seats or fewer and located west of Route 1 and east of the turnpike on Route 109.

(31) (30) School, public and private.

~~(32) Stand-alone registered marijuana dispensary.~~

Part 6: Date of Applicability and Retroactivity. Except as limited or prohibited by 30-A M.R.S. Section 3007(6), and notwithstanding the provisions of 1 M.R.S. § 302 or any other law to the contrary, and regardless of the Effective Date specified below, this Ordinance shall govern and apply to all proceedings and applications for Registered Marijuana Dispensaries and/or Stand-alone Registered Marijuana Dispensaries that were filed with the Town prior to December 20, 2022, or, that were or are pending before the Town on or at any time after December 20, 2022, that would result in the maximum number of said dispensaries allowed by this Ordinance to be exceeded.

Part 75: Effective Date.

This Ordinance shall take effect upon adoption by the Town Meeting.

APPENDIX 2

An Ordinance to Amend Chapter 53 (Planning Board) of the Code of the Town of Wells to Change the Quorum Requirements of the Planning Board and to Eliminate References to Historical Planning Board

NOTE: Proposed additions to existing Code sections are underlined.

Proposed deletions of existing Code sections are ~~crossed out~~.

Other sections of the Ordinance are unchanged.

The Town of Wells hereby ordains and enacts “An Ordinance to Amend Chapter 53 (Planning Board) of the Code of the Town of Wells to Change the Quorum Requirements of the Planning Board and to Eliminate References to Historical Planning Board” to read as follows:

Part 1: § 53-2. Membership; appointments; officers; rules of conduct is hereby amended as follows:

G. A quorum of the Board shall consist of ~~four~~ three, and any action by the Board to approve or deny an application shall require three affirmative votes.

~~H. The existing Planning Board is hereby disbanded on December 31, 1993, and a new Planning Board shall be appointed with terms beginning January 1, 1994.~~

Part 2: Effective Date.

This Ordinance shall take effect upon adoption by the Town Meeting.

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that the **Inhabitants of the Town of Wells**, a Maine body corporate and politic municipality organized under the laws of the State of Maine, for adequate consideration, GRANTS, CONVEYS and RELEASES unto **Cardinali Real Estate, LLC**, a Maine Limited Liability Company with a principal place of business in Wells, Maine with WARRANTY COVENANTS, a certain lot or parcels of land, with any improvements thereon situated in the Town of Wells, County of York, State of Maine and being more particularly bounded and described as follows:

SEE EXHIBIT A ATTACHED HERETO AND
INCORPORATED HEREIN BY REFERENCE

This conveyance is made by the authority given by a Town Meeting vote, on June 13, 2023.

IN WITNESS WHEREOF, the undersigned parties caused this instrument to be executed under seal by their respective duly authorized representatives as of the ___ day of June, 2023.

THE INHABITANTS OF THE TOWN OF WELLS

Witness

By: _____
John K. MacLeod III, Board Member
and Chair

Witness

By: _____
Kathleen Chase, Board Member and
Vice Chair

Witness

By: _____
Scott DeFelice, Board Member

Witness

By: _____
Robert Foley, Board Member

Witness

By: _____
Timothy Roche, Board Member

STATE OF MAINE
COUNTY OF YORK, ss.

June __, 2023

Personally appeared the above-named John K. MacLeod II, Chair of the Town of Wells Board of Selectmen, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the Town of Wells.

Before me,

Notary Public/Maine Attorney at Law

Print Name

My Commission Expires: _____

EXHIBIT A

Conveyance by the Town of Wells
to Cardinali Real Estate, LLC

(1,537 Square Feet) (1,813 Square Feet)

A certain lot or parcel of land, together with the improvements thereon, situated northerly of the centerline of Harbor Road and being a portion of said Harbor Road, in the Town of Wells, County of York, State of Maine bounded and described as follows:

Beginning on the northerly side of Harbor Road at the southwesterly corner of land to be conveyed by the Grantees herein to the Town of Wells, said point of beginning being northwesterly, 18.37 feet from an iron rod set at the intersection of the northerly sideline of said Harbor Road with the centerline of the former Lower Landing Road, at the northwesterly corner of land of United States of America as described as Tract 185b in deed recorded at the York County Registry of Deeds in book 1829, page 147, as measured along the northerly side of said Harbor Road;

Thence, generally Westerly by land now or formerly of the Grantees herein and a circular curve deflecting to the left an arc distance of 73.96 feet, the chord of said curve bearing North 57°-53'-16" West, 73.92 feet, the radius of said curve being 668.46 feet;

Thence, North 78°-03'-41" West, 16.86 feet by said land of the Grantees herein;

Thence, North 74°-27'-55" West, 2.37 feet by said land of the Grantees herein;

Thence, South 28°-25'-53" West, 3.18 feet by said land of the Grantees herein;

Thence, North 65°-12'-27" West, 19.25 feet by said land of the Grantees herein;

Thence, North 74°-27'-55" West, 28.21 feet by said land of the Grantees herein to a nail set in pavement;

Thence, South 62°-55'-58" East, 78.49 feet;

Thence, South 30°-07'-02" West, 3.00 feet;

Thence, South 57°-26'-34" East, 36.37 feet to the centerline of former Lower Landing Road;

Thence, South 78°-03'-41" East, 24.31 feet by the centerline of said Lower Landing Road;

Thence, North 35°-16'-54" East, 8.18 feet to the point of beginning.

Containing 1,537 Square Feet.

Also, a certain lot or parcel of land, together with the improvements thereon, situated northerly of the centerline of Harbor Road and being a portion of said Harbor Road, in the Town of Wells, County of York, State of Maine bounded and described as follows:

Beginning at an iron rod set on the northerly side of said Harbor Road at the southeasterly corner of land of Ocean View Cottages & Campground, Inc. and the southeasterly corner of said land of the Grantees herein;

Thence, North 83°-17'-39" East, 30.95 feet by said land of the Grantees herein to an iron rod set;

Thence, North 90°-00'-00" West, 41.19 feet by said land of the Grantees herein to an iron rod set;

Thence, South 83°-34'-30" East, 58.41 feet by said land of the Grantees herein to an iron rod set;

Thence, South 72°-48'-41" East, 94.33 feet by said land of the Grantees herein to said Harbor Road;

Thence, North 80°-00'-44" West, 90.57 feet;

Thence, North 84°-25'-11" West, 64.44 feet;

Thence, North 82°-28'-10" West, 67.34 feet to the point of beginning.

Containing 1,813 Square Feet.

The above bearings refer to Grid North on the Maine State Plane Coordinate System, Maine West Zone 4101, FIPS Zone 1802, North American Datum 1983.

The above described iron rods set are 5/8 inch with plastic survey cap marked "**CNR POST LAND SURV PLS 1350**"

The above description was prepared from "**Plan Showing Proposed Land Swaps and Easement Made For Cardinali's Real Estate, LLC**" dated November 2, 2022, last revised February 14, 2023 and surveyed by Corner Post Land Surveying.

Being a portion of the property known as Harbor Road as described in Wells Town Clerk's records volume B, page 52 dated March 13, 1786, and new location as described in Wells Town Clerk's records Volume N, page 166.

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **Cardinali Real Estate, LLC**, a Maine Limited Liability Company with a principal place of business in Wells, Maine, for adequate consideration, GRANTS, CONVEYS and RELEASES unto the **Inhabitants of the Town of Wells**, a Maine body corporate and politic municipality organized under the laws of the State of Maine, with WARRANTY COVENANTS, a certain lot or parcels of land, with any improvements thereon situated in the Town of Wells, County of York, State of Maine and being more particularly bounded and described as follows:

SEE EXHIBIT A ATTACHED HERETO AND
INCORPORATED HEREIN BY REFERENCE

Witness my hand and seal this ___ day of June, 2023.

Cardinali Real Estate, LLC

Witness

By: Ned Cardinali
Its: Sole Authorized Member

STATE OF MAINE
York,ss

June __, 2023

Personally appeared the above named Ned Cardinali as the sole authorized member of **Cardinelli Real Estate, LLC**, and acknowledged the foregoing instrument to be his free act and deed, and the free act and deed of the LLC.

Before me,

Print Name

EXHIBIT A

Conveyance to Town of Wells (15,587± Square Feet)

A certain lot or parcel of land, together with the improvements thereon, situated on the northeasterly side of Harbor Road and being a portion of the former Lower Landing Road in the Town of Wells, County of York, State of Maine bounded and described as follows:

Beginning at an iron rod set at the intersection of the northerly sideline of Harbor Road with the centerline of the former Lower Landing Road, at the northwesterly corner of land of United States of America as described as Tract 185b in deed recorded at the York County Registry of Deeds in book 1829, page 147;

Thence, generally Westerly by a circular curve deflecting to the left an arc distance of 18.37 feet to remaining land of the Grantors herein, the chord of said curve bearing North 53°-55'-52" West, 18.36 feet, the radius of said curve being 668.46 feet;

Thence, the following nine (9) courses by said remaining land of the Grantors herein:

1. North 35°-16'-54" East, 13.61 feet;
2. South 78°-03'-41" East, 123.75 feet;
3. South 71°-58'-58" East, 39.05 feet;
4. South 76°-29'-07" East, 33.10 feet;
5. South 76°-56'-33" East, 23.04 feet;
6. South 80°-32'-05" East, 43.82 feet;
7. South 72°-33'-37" East, 76.35 feet;
8. South 79°-26'-50" East, 42.70 feet;
9. South 80°-10'-15" East, 48.64 feet to the southeasterly corner of said remaining land of the

Grantors herein;

Thence, North 12°-34'-39" East, 14.6 feet, more or less, by said remaining land of the Grantors herein to Doctor's Creek;

Thence, generally Northeasterly, Southeasterly, and Southwesterly, 217.4 feet, more or less, by said Doctor's Creek to said centerline of the former Lower Landing Road and said land of United States of America;

Thence, the following nine (9) courses by said centerline of the former Lower Landing Road and said land of United States of America:

1. North 80°-10'-15" West, 60.4 feet, more or less, to an iron rod set, said iron rod set being North 60°-17'-58" West, 58.84 feet from the above mentioned southeasterly corner of remaining land of the Grantors herein;
2. Continuing North 80°-10'-15" West, 104.10 feet to an iron rod set;
3. North 79°-26'-50" West, 44.03 feet to an iron rod set;
4. North 72°-33'-37" West, 76.16 feet to an iron rod set;
5. North 80°-32'-05" West, 43.05 feet to an iron rod set;
6. North 76°-56'-33" West, 23.75 feet to an iron rod set;
7. North 76°-29'-07" West, 33.96 feet to an iron rod set;
8. North 71°-58'-58" West, 38.77 feet to an iron rod set;
9. North 78°-03'-41" West, 111.32 feet to the point of beginning.

Containing 15,587 Square Feet, more or less.

The above described iron rods set are 5/8 inch with plastic survey cap marked "CNR POST LAND SURV PLS 1350"

The above description was prepared from "Plan Showing Proposed Land Swaps and Easement Made For Cardinali's Real Estate, LLC" dated November 2, 2022, last revised February 14, 2023 and surveyed by Corner Post Land Surveying.

Being a portion of the property conveyed to the Grantors by dated April 14, 2005 and recorded at the York County Registry of Deeds in book 14432 page 473.

LEASE AGREEMENT

This Lease Agreement ("Lease") is made this ____ day of _____, 2023 (the "Effective Date"), by and between **The Inhabitants of the Town of Wells**, a Maine body corporate and politic municipality organized under the laws of the State of Maine ("Landlord"), and **Cardinali's Real Estate, LLC**, a Maine limited liability company with a principal place of business in Wells, Maine ("Tenant").

WHEREAS, by virtue of a Deed dated April 14, 2005, and recorded in the York County Registry of Deeds in Book 14432, Page 473, Tenant is the owner of real property located at 134 Harbor Road in the Town of Wells, and shown as Lot 23A on Town of Wells Tax Map 135 (the "Premises"), and as depicted on a plan entitled "Plan Showing Proposed Land Swaps and Lease for Cardinali's Real Estate, LLC" by Corner Post Surveying, Inc., dated _____, 2023, most recently revised _____, 2023, and recorded in the York County Registry of Deeds in Plan Book _____, Page _____ (the "Plan"); and

WHEREAS, Tenant currently operates a restaurant on the Premises known as Fisherman's Catch Restaurant (the "Restaurant"), which has from its initial creation established a parking area between the front of the Restaurant and beyond the northerly traveled section of Harbor Road (the "Parking Area"); and

WHEREAS, by virtue of the dedication of Harbor Road, formerly known as Lower Landing Road, as shown in the Town Clerk's records Volume B, Page 52, dated March 13, 1786, and Volume N. Page 166, and a recent survey of Harbor Road, it was discovered that Landlord's right of way of Harbor Road overlaps and encompasses most of the Parking Area; and

WHEREAS, Landlord is willing to allow the continued use of the Parking Area for parking of vehicles by the Tenant and its patrons within a certain portion of the Harbor Road right of way which does not interfere with or otherwise affect the use of Harbor Road by Landlord and the general public, pursuant to the terms and conditions of this Lease; and

WHEREAS, at a Town meeting duly held on June 13, 2023, the inhabitants of the Town of Wells voted to approve Landlord's entering into this Lease with Tenant.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby covenant and agree as follows.

1. The foregoing Recitals shall be incorporated herein as if fully set forth in the text of this Lease.
2. Landlord hereby leases to Tenant the right by Tenant, and its employees, patrons, guests and agents, to utilize the Parking Area more particularly shown on the Plan and described in Exhibit A attached hereto and made a part hereof.
3. Nothing in this Lease confers any exclusive rights by the Tenant, or its employees, patrons, guests and agents, to utilize the Parking Area, and Landlord and the general public shall, at all time, have the right to park any vehicles within the Parking Area.
4. Tenant shall have the sole responsibility to establish, maintain and repair, as necessary, the Parking Area, and no structures of any kind shall be allowed within the Parking Area at any time and Landlord shall have no such responsibility whatsoever.

5. Tenant shall maintain a policy of general liability insurance on its business that includes the use of the Parking Area, which policy shall name Landlord as an additional insured thereunder, and shall provide a copy of such, or a certificate thereof, to Landlord the Town Manager each year during the term of this Lease.
6. Tenant shall hold Landlord, and its officials, officers, employees, agents, contractors, and volunteers, harmless from and shall indemnify them from and against all liability for any judgment, award, costs, losses, expenses and attorneys' fees arising out of any liability or claim of liability for any injury, death, property damage, or any other claim to such persons resulting directly or indirectly from Tenant's use of the Parking Area or use by its employees, patrons, guests and agents, regardless of whether such use was authorized or not, and regardless of whether the liability or claim of liability arises out of the act or omission of the Tenant.
7. Unless otherwise earlier terminated by Landlord in accordance with the terms and provisions hereof, the Term of this Lease shall commence on the Effective Date and shall terminate at such time as Tenant no longer operates a restaurant on the Premises.
8. This Lease may be assigned by Tenant to any subsequent owner of the Premises, subject to the prior written consent of Landlord, which consent shall not be unreasonably withheld, conditioned or delayed, provided that any such assignee continues to operate a restaurant on the Premises, and by the acceptance of the assignment of this Lease, such assignee shall acknowledge in writing to be bound by all the responsibilities and obligations of Tenant under this Lease.
9. Tenant shall, upon the termination of Lease, remove at its sole expense any improvements made within the Parking Area unless otherwise agreed to by Landlord in writing.
10. If Tenant shall be in default in any of the covenants, agreements, or obligations by it to be performed hereunder, written notice of such default shall be sent to Tenant by Landlord at the address listed in the Landlord's real estate tax records, and if such default has not been cured within forty-five (45) days after receipt of such written notice by Tenant, unless Landlord agrees in writing to an extension of such cure period prior to the expiration thereof,, this Lease shall terminate.
11. Nothing contained in this Lease shall in any way alter or lessen Landlord's immunity from lawsuit as set forth in the Maine Tort Claims Act, 14 M.R.S.A. § 8101 et seq., as the same may be amended from time to time, and Landlord is not waiving any defense, immunity or limitation of liability which may be available to it, its officers, agents or employees, under the Maine Tort Claims Act, or any other defenses, privileges or immunities as may be provided by law.
12. Nothing contained in this Lease shall be deemed to waive the applicability of any requirements under local ordinances or regulations, as those provisions may be amended from time to time, relating to the use of the Parking Area by Tenant.
13. This Lease shall be binding upon and shall inure to the benefit of the parties hereto, and their successors and permitted assigns. This Lease completely expresses the obligations of the parties hereto and shall not be modified without the written consent of all the parties. This Lease shall be governed by and construed in accordance with the laws of the State of Maine.

IN WITNESS WHEREOF, the undersigned parties caused this instrument to be executed under seal by their respective duly authorized representatives as of the date set forth above.

[End of Page. Execution Pages Follow.]

THE INHABITANTS OF THE TOWN OF WELLS

Witness

By: _____
John K. MacLeod III, Board Member
and Chair

Witness

By: _____
Kathleen Chase, Board Member and
Vice Chair

Witness

By: _____
Scott DeFelice, Board Member

Witness

By: _____
Robert Foley, Board Member

Witness

By: _____
Timothy Roche, Board Member

STATE OF MAINE
COUNTY OF YORK, ss.

_____, 2023

Personally appeared the above-named John K. MacLeod II, Chair of the Town of Wells Board of Selectmen, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the Town of Wells.

Before me,

Notary Public/Maine Attorney at Law

Print Name

My Commission Expires: _____

CARDINALI'S REAL ESTATE, LLC

Witness

By: _____
Edward Cardinali, its Member,
hereunto duly authorized

STATE OF MAINE
COUNTY OF YORK, ss.

_____, 2022

Personally appeared the above-named Edward Cardinali, Member of Cardinali's Real Estate, LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Cardinali's Real Estate, LLC.

Before me,

Notary Public/Maine Attorney at Law

Print Name

My Commission Expires: _____

TABLE 1
FY 2024 MUNICIPAL REVENUE PROJECTIONS

<u>DESCRIPTION</u>	<u>FY 23 PROPOSED BUDGET</u>	<u>FY 24 PROPOSED BUDGET</u>	<u>CHANGE</u>
Town Clerk Fees-Lodging	29,000.00	29,000.00	-
Town Clerk Fees (Marriage lic, etc.)	28,000.00	28,000.00	-
Town Clerk Fees-H&F Agent	2,000.00	2,000.00	-
Liquor Licenses	2,000.00	2,000.00	-
Boat Excise Taxes	12,000.00	12,000.00	-
Background Checks	700.00	700.00	-
Legal Ads	3,900.00	3,700.00	(200.00)
Town Clerk Recording Fee	2,000.00	2,000.00	-
Total Town Clerk	79,600.00	79,400.00	(200.00)
Auto Excise Tax	3,100,000.00	3,500,000.00	400,000.00
Interest & Penalties	56,000.00	57,000.00	1,000.00
Auto Registrations	52,000.00	60,000.00	8,000.00
Interest Earned	20,000.00	30,000.00	10,000.00
Cable TV Fees	200,000.00	200,000.00	-
Chick A Dee Fund	300.00	-	(300.00)
Admin Misc	1,000.00	1,000.00	-
State- Mun Rev Sharing	525,000.00	750,000.00	225,000.00
Snowmobile	1,500.00	1,650.00	150.00
Tree Growth	30,000.00	30,000.00	-
Homestead	500,000.00	500,000.00	-
Veteran Reimbursement	12,500.00	12,000.00	(500.00)
State Park Reimbursement	-	1,200.00	1,200.00
BETE reimbursement	72,000.00	87,000.00	15,000.00
General Assistance	15,000.00	15,000.00	-
Rachel Carson	7,500.00	7,200.00	(300.00)
Crediford Solar Lease	-	30,000.00	30,000.00
Littlefield Solar Lease	-	14,388.00	14,388.00
Sub Total- Finance Office	4,592,800.00	5,296,438.00	703,638.00
Appeals Board	500.00	500.00	-
Plumbing permits	30,000.00	38,000.00	8,000.00
Building permits	175,000.00	200,000.00	25,000.00
Street Openings	1,000.00	1,000.00	-
Code Enforcement Fines	8,000.00	10,000.00	2,000.00
Base Fee	20,000.00	35,000.00	15,000.00
Re- Inspections	1,000.00	500.00	(500.00)
ZBA Legal	1,000.00	1,000.00	-
ZBA Postage	500.00	500.00	-

Flood	8,000.00	8,000.00	-
Plumb Surcharge	4,000.00	4,000.00	-
Miscellaneous	500.00	500.00	-
Sub Total Code	249,500.00	299,000.00	49,500.00
Miscellaneous	200.00	200.00	-
Planner Time	-	200.00	200.00
Planning Board	16,000.00	20,000.00	4,000.00
Staff Review Fees	1,000.00	1,500.00	500.00
Plan/CEO Application Fee	1,000.00	1,000.00	-
Sub Total Planning	18,200.00	22,900.00	4,700.00
Gun Permits	900.00	900.00	-
Accident Reports	2,000.00	2,200.00	200.00
Police Fines	20,000.00	25,000.00	5,000.00
Miscellaneous	500.00	1,500.00	1,000.00
Salary Reimbursement	134,000.00	134,000.00	-
Sub Total Police	157,400.00	163,600.00	6,200.00
Dispatch	115,000.00	120,000.00	5,000.00
Public Works	-	1,000.00	1,000.00
Miscellaneous	8,000.00	8,000.00	-
Tires	2,000.00	3,000.00	1,000.00
Trash Bags	250,000.00	550,000.00	300,000.00
Transfer Station Sticker	-	25,000.00	25,000.00
Metal & White Goods	1,000.00	1,000.00	-
Brush & Wood	7,500.00	10,000.00	2,500.00
Demolition	175,000.00	300,000.00	125,000.00
Shingles	4,500.00	-	(4,500.00)
Rental Income	6,000.00	6,000.00	-
Sub Total Transfer Station	454,000.00	903,000.00	449,000.00
Restaurant Lease	83,833.00	91,008.00	7,175.00
Marina Lease	6,312.00	12,000.00	5,688.00
Bait Locker/Public Hoist	1,000.00	4,500.00	3,500.00
Pumpout Fees	-	100.00	100.00
Ice Sales	-	1,250.00	1,250.00
Sub Total Harbor	91,145.00	108,858.00	17,713.00
Community Room Rental	300.00	300.00	-
Meetingroom Rental	150.00	700.00	550.00
Fees & Fines	5,500.00	6,000.00	500.00
Library	5,950.00	7,000.00	1,050.00

Local Roads Assistance Program	200,000.00	205,000.00	5,000.00
Totals	5,963,595.00	7,206,196.00	1,242,601.00

TABLE 2
FY 2024 PASS THROUGH ACCOUNTS

<u>PURPOSE</u>	<u>RECEIPT</u>	<u>AMOUNT</u>
State IF&W	Town Clerk	71,000.00
Vital Records	Town Clerk	2,000.00
Dogs	Town Clerk	7,000.00
Applicant Costs/ Legal Ads & Postage	ZBA/ Planning	2,500.00
State Auto Registrations	General Office	770,000.00
Total		852,500.00

<u>PURPOSE</u>	<u>PAYMENT TO</u>	<u>AMOUNT</u>
State IF&W	Town Clerk	71,000.00
Vital Records	Town Clerk	2,000.00
Dogs	Town Clerk	7,000.00
Applicant Costs/ Legal Ads & Postage	ZBA/ Planning	2,500.00
State Auto Registrations	General Office	770,000.00
Total		852,500.00

**TABLE 3
FY 2024 PROPOSED SALARIES AND BENEFITS**

	FY 2023	FY 2023	FY 2024	DOLLAR
DESCRIPTION	PROPOSED	REVISED	PROPOSED	CHANGE
TOWN CLERK				
OVERTIME	\$ 2,000	\$ 2,000	\$ 2,000	\$ -
FULL-TIME DEPUTY	\$ 103,365	\$ 103,365	\$ 160,098	\$ 56,733
ELECTION WORKERS	\$ 30,000	\$ 30,000	\$ 30,000	\$ -
FICA	\$ 15,007	\$ 15,007	\$ 19,232	\$ 4,225
MSRS + ICMA	\$ 15,202	\$ 15,202	\$ 21,468	\$ 6,266
HEALTH INSURANCE	\$ 56,128	\$ 56,128	\$ 77,424	\$ 21,296
TOTAL TOWN CLERK	\$ 221,702	\$ 221,702	\$ 310,222	\$ 88,520
FINANCE				
REGULAR	\$ 101,107	\$ 105,151	\$ 109,196	\$ 4,045
ADMINISTRATIVE	\$ 297,829	\$ 300,013	\$ 305,369	\$ 5,356
OVERTIME	\$ 1,100	\$ 1,100	\$ 1,500	\$ 400
FICA	\$ 28,242	\$ 28,718	\$ 30,343	\$ 1,625
MSRS + ICMA	\$ 33,912	\$ 34,442	\$ 37,019	\$ 2,577
HEALTH INSURANCE	\$ 114,880	\$ 114,880	\$ 101,609	\$ (13,271)
TOTAL FINANCE	\$ 577,070	\$ 584,304	\$ 585,036	\$ 732
ASSESSING				
REGULAR	\$ 91,286	\$ 92,884	\$ 94,481	\$ 1,597
PART-TIME	\$ 24,589	\$ 24,589	\$ 23,991	\$ (598)
ADMINISTRATIVE	\$ 112,974	\$ 112,974	\$ 112,925	\$ (49)
RESERVE/SEASONAL	\$ -	\$ -	\$ 10,000	\$ 10,000
OVERTIME	\$ -	\$ -	\$ 500	\$ 500
FICA	\$ 16,367	\$ 16,489	\$ 18,303	\$ 1,814
MSRS + ICMA	\$ 19,454	\$ 19,590	\$ 20,636	\$ 1,046
HEALTH INSURANCE	\$ 37,137	\$ 37,137	\$ 46,979	\$ 9,842
TOTAL ASSESSING	\$ 301,807	\$ 303,663	\$ 327,815	\$ 24,152
TOWN MANAGER				
REGULAR	\$ 123,179	\$ 123,179	\$ 142,000	\$ 18,821
PART-TIME	\$ 39,892	\$ 41,946	\$ 13,908	\$ (28,038)
ADMINISTRATIVE	\$ -	\$ -	\$ 49,754	\$ 49,754
OVERTIME	\$ 1,000	\$ 1,000	\$ 1,000	\$ -
TOWN MANAGER'S ASSISTANT	\$ 61,448	\$ 61,448	\$ 61,578	\$ 130
TM TRANSPORTATION STIPEND	\$ 4,800	\$ 4,800	\$ 4,800	\$ -
FICA	\$ 15,789	\$ 15,946	\$ 20,933	\$ 4,987
MSRS + ICMA	\$ 23,084	\$ 23,228	\$ 45,352	\$ 22,124
HEALTH INSURANCE	\$ 49,847	\$ 49,847	\$ 32,516	\$ (17,331)
TOTAL TOWN MANAGER	\$ 319,039	\$ 321,394	\$ 371,841	\$ 50,447

SELECTMEN

SELECTMEN STIPEND	\$ 5,000	\$ 5,000	\$ 7,500	\$ 2,500
FICA	\$ 385	\$ 385	\$ 574	\$ 189
TOTAL SELECTMEN	\$ 5,385	\$ 5,385	\$ 8,074	\$ 2,689

PLANNING

REGULAR	\$ 101,121	\$ 104,407	\$ 107,694	\$ 3,287
PLANNER'S ASSISTANT	\$ 59,874	\$ 59,874	\$ 62,842	\$ 2,968
PERFORMANCE BONUS	\$ -	\$ -	\$ -	\$ -
FICA	\$ 11,023	\$ 11,274	\$ 11,747	\$ 473
MSRS + ICMA	\$ 13,684	\$ 13,963	\$ 15,161	\$ 1,198
HEALTH INSURANCE	\$ 41,133	\$ 41,133	\$ 41,616	\$ 483
TOTAL PLANNING	\$ 226,835	\$ 230,651	\$ 239,060	\$ 8,409

CODE ENFORCEMENT

REGULAR	\$ 353,071	\$ 355,369	\$ 357,009	\$ 1,640
RESERVE/SEASONAL	\$ 3,500	\$ 3,500	\$ 3,500	\$ -
OVERTIME	\$ 500	\$ 500	\$ 500	\$ -
FICA	\$ 25,988	\$ 26,164	\$ 26,442	\$ 278
MSRS + ICMA	\$ 23,125	\$ 23,320	\$ 23,265	\$ (55)
HEALTH INSURANCE	\$ 73,868	\$ 73,868	\$ 70,959	\$ (2,909)
TOTAL CODE ENFORCEMENT	\$ 480,052	\$ 482,721	\$ 481,675	\$ (1,046)

CABLE TV

PART-TIME	\$ 6,200	\$ 6,200	\$ 7,000	\$ 800
FICA	\$ 475	\$ 475	\$ 536	\$ 61
MSRS + ICMA	\$ -	\$ -	\$ -	\$ -
HEALTH INSURANCE	\$ -	\$ -	\$ -	\$ -
TOTAL CABLE TV	\$ 6,675	\$ 6,675	\$ 7,536	\$ 861

TRANSPORTATION CENTER

PART-TIME	\$ 32,830	\$ 32,830	\$ 32,830	\$ -
FICA	\$ 2,511	\$ 2,511	\$ 2,511	\$ -
HEALTH INSURANCE	\$ -	\$ -	\$ 600	\$ 600
TOTAL TRANSPORTATION CENTER	\$ 35,341	\$ 35,341	\$ 35,941	\$ 600

SALARY ADJUSTMENT

UNION NON UNION SAL ADJS	\$ 30,000	\$ 82	\$ 385,000	\$ 384,918
FICA	\$ 2,295	\$ 9	\$ 25,603	\$ 25,594
MSRS + ICMA	\$ 3,000	\$ 605	\$ 32,074	\$ 31,469
TOTAL SALARY ADJUSTMENT	\$ 35,295	\$ 696	\$ 442,677	\$ 441,981

POLICE

REGULAR	\$ 1,466,079	\$ 1,466,079	\$ 1,448,404	\$ (17,675)
CUSTODIAL	\$ -	\$ -	\$ -	\$ -
ADMINISTRATIVE	\$ 425,263	\$ 425,263	\$ 425,767	\$ 504

RESERVE/SEASONAL	\$ 153,725	\$ 153,725	\$ 153,725	\$ -
BANKED HOLIDAYS	\$ 88,000	\$ -		\$ -
OVERTIME	\$ 215,000	\$ 303,000	\$ 360,911	\$ 57,911
FICA	\$ 170,070	\$ 170,070	\$ 212,679	\$ 42,609
MSRS + ICMA	\$ 232,011	\$ 232,011	\$ 203,284	\$ (28,727)
HEALTH INSURANCE	\$ 304,233	\$ 304,233	\$ 331,271	\$ 27,038
TOTAL POLICE	\$ 3,054,381	\$ 3,054,381	\$ 3,136,041	\$ 81,660

FIRE

REGULAR	\$ 798,643	\$ 798,643	\$ 824,867	\$ 26,224
ADMINISTRATIVE	\$ 56,767	\$ 56,767	\$ 56,659	\$ (108)
RESERVE/SEASONAL	\$ -	\$ -	\$ -	\$ -
BANKED HOLIDAYS	\$ 40,000	\$ -	\$ -	\$ -
OVERTIME	\$ 158,000	\$ 198,000	\$ 200,000	\$ 2,000
FIRE CHIEF	\$ 102,490	\$ 104,284	\$ 106,077	\$ 1,793
FIRE CALL STIPEND	\$ 45,000	\$ 45,000	\$ 45,000	\$ -
FICA	\$ 86,409	\$ 86,546	\$ 90,307	\$ 3,761
MSRS + ICMA	\$ 136,744	\$ 136,949	\$ 136,231	\$ (718)
HEALTH INSURANCE	\$ 204,738	\$ 204,738	\$ 195,747	\$ (8,991)
TOTAL FIRE	\$ 1,628,791	\$ 1,630,927	\$ 1,654,888	\$ 23,961

DISPATCH

REGULAR	\$ 423,326	\$ 423,326	\$ 429,384	\$ 6,058
PART-TIME	\$ 24,000	\$ 24,000	\$ 24,000	\$ -
BANKED HOLIDAYS	\$ 18,000	\$ -	\$ -	\$ -
OVERTIME	\$ 63,860	\$ 81,860	\$ 98,810	\$ 16,950
FICA	\$ 37,449	\$ 37,449	\$ 37,319	\$ (130)
MSRS + ICMA	\$ 57,508	\$ 57,508	\$ 58,340	\$ 832
HEALTH INSURANCE	\$ 94,162	\$ 94,162	\$ 94,040	\$ (122)
TOTAL DISPATCH	\$ 718,305	\$ 718,305	\$ 741,893	\$ 23,588

EMA

PART-TIME	\$ 1,000	\$ 1,000	\$ 5,000	\$ 4,000
FICA	\$ 76	\$ 76	\$ 383	\$ 307
MSRS + ICMA	\$ -	\$ -	\$ -	\$ -
HEALTH INSURANCE	\$ -	\$ -	\$ -	\$ -
TOTAL EMA	\$ 1,076	\$ 1,076	\$ 5,383	\$ 4,307

ACO

REGULAR	\$ 50,493	\$ 50,493	\$ 49,254	\$ (1,239)
RESERVE/SEASONAL	\$ 3,100	\$ 3,100	\$ 3,100	\$ -
FICA	\$ 4,100	\$ 4,100	\$ 4,468	\$ 368
MSRS + ICMA	\$ 4,303	\$ 4,303	\$ 4,384	\$ 81
HEALTH INSURANCE	\$ 21,528	\$ 21,528	\$ 6,040	\$ (15,488)
TOTAL ACO	\$ 83,524	\$ 83,524	\$ 67,246	\$ (16,278)

PUBLIC WORKS

REGULAR	\$ 672,781	\$ 672,781	\$ 660,578	\$ (12,203)
RESERVE/SEASONAL	\$ 20,000	\$ 20,000	\$ 20,000	\$ -
OVERTIME	\$ 45,000	\$ 45,000	\$ 45,000	\$ -
GRAVESITE BEAUTIFICATION/MAINT	\$ 8,000	\$ 8,000	\$ 8,000	\$ -
FICA	\$ 53,420	\$ 53,420	\$ 51,919	\$ (1,501)
MSRS + ICMA	\$ 49,538	\$ 49,538	\$ 53,240	\$ 3,702
HEALTH INSURANCE	\$ 165,380	\$ 165,380	\$ 176,526	\$ 11,146
TOTAL PUBLIC WORKS	\$ 1,014,119	\$ 1,014,119	\$ 1,015,263	\$ 1,144

TRANSFER STATION

REGULAR	\$ 153,756	\$ 153,756	\$ 157,726	\$ 3,970
PART-TIME	\$ 12,500	\$ 12,500	\$ 20,000	\$ 7,500
OVERTIME	\$ 6,000	\$ 6,000	\$ 6,000	\$ -
FICA	\$ 12,232	\$ 12,232	\$ 13,144	\$ 912
MSRS + ICMA	\$ 8,988	\$ 8,988	\$ 9,843	\$ 855
HEALTH INSURANCE	\$ 44,966	\$ 44,966	\$ 44,064	\$ (902)
TOTAL TRANSFER STATION	\$ 238,442	\$ 238,442	\$ 250,777	\$ 12,335

RECREATION

REGULAR	\$ 172,363	\$ 175,046	\$ 173,169	\$ (1,877)
ADMINISTRATIVE	\$ 43,194	\$ 43,194	\$ 42,572	\$ (622)
RESERVE/SEASONAL	\$ 3,000	\$ 3,000	\$ 6,000	\$ 3,000
OVERTIME	\$ 3,000	\$ 3,000	\$ 3,000	\$ -
MAINTENANCE	\$ 52,080	\$ 52,080	\$ 52,132	\$ 52
FICA	\$ 18,856	\$ 19,061	\$ 19,303	\$ 242
MSRS + ICMA	\$ 22,494	\$ 22,722	\$ 23,818	\$ 1,096
HEALTH INSURANCE	\$ 71,174	\$ 71,174	\$ 65,796	\$ (5,378)
TOTAL RECREATION	\$ 386,161	\$ 389,277	\$ 385,790	\$ (3,487)

LIBRARY

REGULAR	\$ 229,857	\$ 234,687	\$ 237,907	\$ 3,220
PART-TIME	\$ 143,215	\$ 147,279	\$ 150,292	\$ 3,013
FICA	\$ 26,699	\$ 27,378	\$ 27,530	\$ 152
MSRS + ICMA	\$ 24,375	\$ 24,961	\$ 26,350	\$ 1,389
HEALTH INSURANCE	\$ 65,607	\$ 65,607	\$ 95,885	\$ 30,278
TOTAL LIBRARY	\$ 489,753	\$ 499,912	\$ 537,964	\$ 38,052

HARBOR

REGULAR	\$ 74,083	\$ 74,453	\$ 74,824	\$ 371
PART-TIME	\$ 19,413	\$ 19,413	\$ 22,500	\$ 3,087
FICA	\$ 6,818	\$ 6,846	\$ 7,105	\$ 259
MSRS + ICMA	\$ 6,297	\$ 6,328	\$ 6,659	\$ 331
HEALTH INSURANCE	\$ 19,610	\$ 19,610	\$ 20,054	\$ 444
TOTAL HARBOR	\$ 126,221	\$ 126,650	\$ 131,142	\$ 4,492

FACILITIES MANAGEMENT

REGULAR	\$ 92,584	\$ 93,297	\$ 94,116	\$ 819
OVERTIME	\$ 2,000	\$ 2,000	\$ 2,000	\$ -
FICA	\$ 6,491	\$ 6,546	\$ 6,629	\$ 83
MSRS + ICMA	\$ 7,881	\$ 7,942	\$ 8,554	\$ 612
HEALTH INSURANCE	\$ 33,434	\$ 33,434	\$ 33,580	\$ 146
TOTAL FACILITIES MANAGEMENT	\$ 142,390	\$ 143,219	\$ 144,879	\$ 1,660

TOTAL SALARIES	\$10,092,364	\$10,092,364	\$10,881,143	\$ 788,779
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TABLE 4
FY 2024 OPERATING EXPENSES BUDGET SUMMARY

<u>OPERATIONS</u>	<u>FY 23</u> <u>APPROVED</u>	<u>FY 23</u> <u>REVISED</u>	<u>FY 24</u> <u>PROPOSED</u>	<u>DOLLAR</u> <u>CHANGE</u>
<i>BOARDS & COMMITTEES</i>				
CONSERVATION BOARD	\$ 8,500	\$ 8,500	\$ 11,100	\$ 2,600
TOTAL BOARDS	\$ 8,500	\$ 8,500	\$ 11,100	\$ 2,600
<i>DEBT SERVICE</i>				
BOND REPAYMENT	\$ 2,006,488	\$ 2,006,488	\$ 1,942,238	\$ (64,250)
TOTAL DEBT SERVICE	\$ 2,006,488	\$ 2,006,488	\$ 1,942,238	\$ (64,250)
<i>GENERAL GOVERNMENT</i>				
TOWN CLERK	\$ 27,050	\$ 27,050	\$ 26,740	\$ (310)
ADMINISTRATION	\$ 199,280	\$ 199,280	\$ 205,020	\$ 5,740
ASSESSOR	\$ 14,300	\$ 14,300	\$ 14,800	\$ 500
TOWN MANAGER	\$ 192,300	\$ 193,300	\$ 204,300	\$ 11,000
GENERAL GOVERNMENT	\$ 71,900	\$ 71,900	\$ 73,500	\$ 1,600
CABLE TV STUDIO	\$ 12,000	\$ 12,000	\$ 10,000	\$ (2,000)
PLANNING	\$ 37,000	\$ 37,000	\$ 40,800	\$ 3,800
CODE ENFORCEMENT	\$ 17,500	\$ 16,500	\$ 17,500	\$ 1,000
IT INFRASTRUCTURE	\$ 340,000	\$ 340,000	\$ 432,000	\$ 92,000
INFORMATION CTR	\$ 56,935	\$ 56,935	\$ 62,376	\$ 5,441
BENEFITS & INSURANCE	\$ 16,000	\$ 16,000	\$ 18,000	\$ 2,000
PROPERTY & LIABILITY	\$ 650,000	\$ 650,000	\$ 658,000	\$ 8,000
SELECTBOARD	\$ 7,500	\$ 7,500	\$ 5,000	\$ (2,500)
TRANSPORTATION CENTER	\$ 38,900	\$ 38,900	\$ 40,300	\$ 1,400
TOTAL GENERAL GOVERNMENT	\$ 1,680,665	\$ 1,680,665	\$ 1,808,336	\$ 127,671
<i>HARBOR AND FACILITIES</i>				
HARBOR MASTER	\$ 43,570	\$ 43,570	\$ 52,220	\$ 8,650
FACILITIES	\$ 82,760	\$ 82,760	\$ 130,600	\$ 47,840
TOTAL BEACH AND HARBOR	\$ 126,330	\$ 126,330	\$ 182,820	\$ 56,490
<i>PUBLIC SAFETY</i>				
POLICE	\$ 590,650	\$ 590,650	\$ 609,400	\$ 18,750
FIRE	\$ 466,949	\$ 466,949	\$ 605,953	\$ 139,004
DISPATCH	\$ 111,350	\$ 111,350	\$ 129,450	\$ 18,100
EMA	\$ 52,500	\$ 52,500	\$ 52,500	\$ -
ANIMAL CONTROL	\$ 15,800	\$ 15,800	\$ 16,700	\$ 900
WEMS	\$ 400,000	\$ 400,000	\$ 400,000	\$ -
PUBLIC SAFETY FACILITY	\$ 133,340	\$ 133,340	\$ 135,580	\$ 2,240
TOTAL PUBLIC SAFETY	\$ 1,770,589	\$ 1,770,589	\$ 1,949,583	\$ 178,994

PUBLIC WORKS

PUBLIC WORKS	\$ 675,820	\$ 675,820	\$ 902,920	\$ 227,100
TRANSFER STATION	\$ 484,500	\$ 484,500	\$ 567,530	\$ 83,030
TOTAL PUBLIC WORKS	\$ 1,160,320	\$ 1,160,320	\$ 1,470,450	\$ 310,130

EDUCATION & LEISURE

RECREATION	\$ 72,000	\$ 72,000	\$ 83,200	\$ 11,200
LIBRARY	\$ 114,100	\$ 114,100	\$ 118,700	\$ 4,600
WELLS ACTIVITY CENTER	\$ 25,140	\$ 25,140	\$ 34,390	\$ 9,250
TOTAL EDUCATION & LEISURE	\$ 211,240	\$ 211,240	\$ 236,290	\$ 25,050

SOCIAL SERVICES

GRANTS	\$ 147,894	\$ 147,894	\$ 142,394	\$ (5,500)
TOTAL SOCIAL SERVICES	\$ 147,894	\$ 147,894	\$ 142,394	\$ (5,500)

GRAND TOTAL	\$ 7,112,026	\$7,112,026	\$ 7,743,211	\$ 631,185
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**TABLE 5
CIP FUNDING PROGRAM**

<u>EXISTING FUND</u>	<u>Balance 3/22/2023</u>	<u>Proposed</u>	<u>Appropriate</u>	<u>Taxes</u>	<u>Undistributed Budget</u>	<u>Reserves</u>	<u>Enterprise Funds</u>
<u>Buildings and Building Improvements</u>							
0906	19,123.83	20,000.00	41,000.00	20,000.00			
0817	123,075.65		70,000.00				
0701	585,212.26	150,000.00	150,000.00	150,000.00			
Sub Total- Building Improvements		170,000.00	261,000.00	170,000.00	-		
<u>Conservation</u>							
0705	428,578.11	200,000.00	88,000.00	200,000.00			
Sub Total- Conservation		200,000.00	88,000.00	200,000.00	-		
<u>Vehicles</u>							
0827	38,841.36	9,019.00	12,342.00	9,019.00			
0827	38,841.36		33,411.00				
0703	227,324.58	125,000.00		125,000.00			
0715	336,634.07	292,000.00	292,000.00	292,000.00			
Sub Total- Vehicles		426,019.00	337,753.00	426,019.00	0.00		
<u>Technology Plan</u>							
0845	50,000.00	50,000.00		49,494.00		506.00	
0830	12,806.90	20,000.00	20,000.00	20,000.00			
0701	585,212.26	25,000.00	25,000.00	1,300.00		23,700.00	
0740	250,584.73	319,150.00	438,150.00	318,301.00		849.00	
Sub Total- Technology Plan		414,150.00	483,150.00	389,095.00	0.00	25,055.00	
<u>Infrastructure</u>							
0012	583,292.51		70,000.00				
0723	1,573,135.70	800,000.00	800,000.00		800,000.00		
0708	1,365,565.85	463,381.00	300,000.00		300,000.00	163,381.00	

**TABLE 5
CIP FUNDING PROGRAM (Cont'd.)**

	EXISTING FUND	Balance 3/22/2023	Proposed	Appropriate	Taxes	Undistributed Budget	Reserves	Enterprise Funds
Parks and Recreation – Activity Center Parking Lot	0729	3,780.00	10,220.00	14,000.00	10,220.00			
Parks and Recreation – Rec Parking Lot Reseal	0732	5,000.00	19,000.00	24,000.00	19,000.00		1,389.00	
Parks and Recreation – Tennis Courts	0510	100,000.00	150,000.00	250,000.00	148,611.00		164,770.00	
Sub Total- Infrastructure			1,442,601.00	1,458,000.00	177,831.00	1,100,000.00		
Equipment								
Public Works – Equipment Replacement	0701	585,212.26	500,000.00	500,000.00	-	500,000.00	20,747.00	
Fire – Portable Radios	0734	111,680.76	80,491.00	80,491.00	59,744.00		405.00	
Town Clerk – Voting Machine	0736	14,612.78	19,000.00		18,595.00			
WEMS – Major Medical Devices	0735	26,485.68	50,000.00	50,000.00	50,000.00			
Sub Total- Equipment			649,491.00	630,491.00	128,339.00	500,000.00	21,152.00	
Other								
Harbor – Beach Erosion and Dredge Funding	0805	136,660.13	465,380.00	60,000.00			465,380.00	
Planning – Comp Plan Update and Implementation	0739	28,064.84	20,000.00	20,000.00	20,000.00			
Public Works – Facilities Needs Study	0818	11,000.00	11,000.00		11,000.00			
Sub Total - Other			496,380.00	80,000.00	31,000.00	-	465,380.00	-
Grand Total			3,798,641.00	3,338,394.00	1,522,284.00	1,600,000.00	676,357.00	0.00
FY 2023 Totals			3,531,070.00	4,541,841.00	1,856,467.00	1,300,000.00	312,942.00	61,661.00
Difference			267,571.00	(1,203,447.00)	(334,183.00)	300,000.00	363,415.00	(61,661.00)

**TABLE 6
FY 2024 ENTERPRISE FUNDS**

			FY 24 PROJECTION	
BEACH OPERATIONS ENTERPRISE				
	BEACH REVENUE		648,000.00	Note A
	BEACH SALARIES		396,750.00	
	BEACH OPERATIONS		356,700.00	
	CIP FUND EXPENDITURES		20,000.00	
	EASTERN SHORE GATE	20,000.00		
RECREATION PROGRAM ENTERPRISE				
	PROGRAM REVENUE		520,000.00	Note B
	PROGRAM SALARIES		359,605.00	
	PROGRAM OPERATIONS		248,500.00	
	CIP PROJECT EXPENDITURES		30,000.00	
	TOP COAT PAVING OF EXTENED LOT	30,000.00		

Note A

The Selectmen created the Beach Enterprise in FY 13. An Enterprise Fund is self-supporting, that is, Revenues cover all Operating Expenses. The Revenue for the Beach Operations Fund will be from the sale of beach passes and parking at the Municipal lots. The Expenses will be to maintain the beach, beach restrooms, lifeguard operations, the parking lots, and the cost of the pay and display meters. The Salaries for Restroom Cleaning, Community Service Officers, Lifeguards and

Piping Plovers are funded from the Beach Operations Enterprise.

Note B

The Selectmen under the authority of the Town Charter created a Recreation Program Enterprise Fund for FY 14. The Revenue for the Recreation Program Enterprise will be from enrollment in Recreation Programs. The Expenses will be to run the advertised Recreation Programs. The Salaries for the Recreation Program Seasonal Staff and Before/After Care Program are paid by the Recreation Program Enterprise Fund. The Recreation Enterprise also designates funds toward Future CIP Project.

**TABLE 7
ENTERPRISE CAPITAL IMPROVEMENT PROGRAM**

	EXISTING	Balance	CIP FY 24	CIP FY 24	Transfer To
	FUND	3/22/2023	Allocate	Spend from	Reserve
			for Expense	Fund	Fund
Infrastructure					
Recreation - Top Coat Paving on Extended Lot	0505			30,000.00	
Sub Total- Infrastructure			0.00	30,000.00	0.00
Other					
Beach - Eastern Shore Gate	0900			20,000.00	
Sub Total- Other			0.00	20,000.00	0.00
Grand Total			0.00	50,000.00	0.00
FY 2022 Totals			26,000.00	149,000.00	61,661.00
Difference			-26,000.00	-99,000.00	-61,661.00

**Background Notes for both Additions to funds (Proposed) and Expenditures
(Appropriations) from funds**

Buildings and Building Improvements

- 1) **Code – 1710 House Preservation (0906):** This is for the on-going maintenance needed for the 1710 House which includes staining and replacing all rotting clapboard on the exterior of the building, address window disrepair and any rotting/structural issues under and around the sills. The fund balance of 0906 as of March 22, 2023, is \$19,123.83. The proposed amount requested is \$20,000 and the expenditure requested is \$41,000. Proposed funding is proposed to come from taxation.
- 2) **Code – Town Hall Site Plan/Drainage (0817):** The drainage at Town Hall needs to be addressed given safety concerns that could arise during winter months at the front entrance of Town Hall as a result of poor drainage. Drainage needs to extend to the east side of the parking lot and drain into the current infrastructure or updated infrastructure. A site plan needs to be created to capture existing conditions and site work improvements such as drainage, parking and lighting that need to be addressed in the short term. The fund balance of 0817 as of March 22, 2023 is \$123,075.65. The proposed expenditure is \$70,000.
- 3) **Public Works – Generator (0701):** Public Works needs to have a generator not only comes on instantly when the power goes out, but that is also properly sized to power the public works garage, round building, old public works building, fuel pumps and any future facility needs. The fund balance of 0701 as of March 22, 2023, is \$585,212.26. The proposed and expenditure amount request is \$150,000. Proposed funding is proposed to come from taxation.

Conservation Commission

- 1) **Conservation – Land Acquisition and Maintenance (0705):** The Conservation Commission annual request for funds to be added to the reserve account for potential open space land purchases. Request asks that up to \$88,000 be allocated for surveys and comprehensive management planning of conservation lands. The fund balance of 0705 as of March 22, 2023, is \$428,578.11. The proposed amount requested is \$200,000 and the expenditure requested is \$88,000. Proposed funding is proposed to come from taxation.

Vehicles

- 1) **Assessing – Vehicle Purchase (0827):** The Assessing office is currently using a leased 2019 Nissan Leaf to do their annual seasonal pick up as well as go on various inspections with the Code Enforcement Office to help keep all the tax records current. The request is to purchase the current vehicle at the end of the lease. The Kelly Blue Book value on the vehicle runs between \$21,000 and \$22,500. The fund balance of 0827 as of March 22, 2023, is \$38,841.36. The proposed amount requested is \$9,019 and the expenditure requested is \$12,342. Proposed funding is proposed to come from taxation.
- 2) **Code – Vehicle Purchase (0827):** The Code Office has been leasing two (2) 2019 Toyota Rav4's for the past three years. To purchase the vehicles at the end of the lease would be \$33,411. The current book value is in the range of \$28,000 per vehicle. To purchase new the starting range is \$44,000 for a fuel model and \$32,000 for electric. The fund balance of 0827 as of March 22, 2023, is \$38,841.36. The expenditure request is \$33,411.
- 3) **Fire – Fire Truck Replacement (0703):** The Fire Chief requests that future funding be put into the fund for the anticipated future replacement of fire trucks in the Town's fleet. Engine 4 is currently the next truck in the fleet scheduled to be replaced. Engine 4 is a 2013 E-One Engine, which is 10 years old and is scheduled to be replaced in FY 2028. The fund balance of 0703 as of March 22, 2023, is \$227,324.58. The proposed amount requested is \$125,000. Proposed funding is proposed to come from taxation.
- 4) **WEMS – Ambulance Replacement (0715):** Proposed annual addition to this fund for future ambulance replacement in addition to the purchase of an ambulance. The ambulance scheduled for replacement is a 2015 Chevrolet Type III Ambulance. The fund balance of 0715 as of March

22, 2023, is \$336,634.07. The proposed and expenditure request is \$292,000. Proposed funding is proposed to come from taxation.

Technology Plan

- 1) **Police & Dispatch – Software (0845):** The current software used by the Police and Dispatch is over 13 years old and according to the vendor will only be around for possibly 10 more years. This request adds additional funding into the reserve for the future purchase of replacement software. The fund balance of 0845 as of March 22, 2023, is \$50,000. The proposed amount requested is \$50,000. Proposed funding is proposed to come from taxation and closing fund 0947 – Dispatch OGT.
- 2) **Planning – GIS Updates and Maintenance (0830):** This has been an ongoing CIP project since the late 2000's. The project is to maintain and improve the GIS mapping and tax map information. Every 3 to 5 years the State GIS Office helps Town acquire regional updated aerial imagery by a regional contract with a provider. The items projected for the next 3 years are new imagery, updated lidar topography, updated building footprints and associated georeferencing updates to state plan coordinates. The fund balance of 0830 as of March 22, 2023, is \$12,806.90. The proposed and expenditure amount requested is \$20,000. Proposed funding is proposed to come from taxation.
- 3) **Public Works – Fleet Maintenance and Asset Management (0701):** Public Works is looking to update its current software that tracks fleet and field work orders. The current software does not offer an electronic fleet management system. The new software would allow the department to generate work orders, track work order costs and manage inventory. The software can anticipate remaining service life of each piece of equipment. For field work, the new software will be integrated with GIS to keep updated asset condition information such as new drainage or signs. The new technology will be available for use on desktop computers, laptops or mobile devices. The fund balance of 0701 as of March 22, 2023, is \$585,212.26. The proposed and expenditure amount requested is \$25,000. Proposed funding is proposed to come from taxation and closing fund 0747 – Nautilus Solar Lease.
- 4) **Town Manager – IT Projects & Hardware (0740):** The Town's outside IT provider has given the Town a long-range projection of replacement needs for FY 24 and beyond. This request addresses the projects and purchases that need to be done in the fiscal year. The fund balance of 0740 as of March 22, 2023, is \$250,584.73. The proposed amount requested is \$319,150 and the expenditure amount requested is \$438,150. Proposed funding is proposed to come from taxation and closing fund 0741 -Sans 2.

Infrastructure

- 1) **Harbor – Floats (0012):** The floats at Eastern Shore are approximately 20 years old. The Harbor Master attempts to replace approximately 6 floats per year depending on the cost of materials at the time. The old floats are then rehabilitated with new connection hardware and plank replacement where needed. The old floats are then put back into service at different places in the harbor, which goes hand in hand with the effort to move to all floating docks in the harbor. This plan will keep all infrastructure above the water for a longer life span and easy maintenance. The fund balance of 0012 as of March 22, 2023, is \$583,292.51. The expenditure amount requested is \$70,000.
- 2) **Public Works – Paving/Culverts and Bridges (0723):** The Public Works Director following the existing pavement management plan has a long list of paving projects and additional surface coats to streets previously reconstructed. The fund balance of 0723 as of March 22, 2023, is \$1,573,135.70. The proposed and expenditure request is \$800,000. Proposed funding is proposed to come from undistributed budget/surplus.
- 3) **Public Works – Infrastructure (0708):** In the past this fund has been used for future infrastructure needs or as the Town's match for FEMA grant funding. This year, the Public Works director has identified drainage in several locations that needs to be reconstructed or constructed to take care of current storm water volumes. Solutions like improved ditches, catch basins with new outfalls, underdrains, or other spot improvements are needed to handle the Town's storm water runoff. The fund balance of 0708 as of March 22, 2023, is \$1,365,565.85. The proposed

amount requested is \$463,381 and the expenditure amount requested is \$300,000. Proposed funding is proposed to come from undistributed budget/surplus and closing fund 0704 – Sidewalk & Bicycle.

- 4) **Parks and Recreation – Activity Center Parking Lot (0729):** The parking lot at the Activity Center needs to be relined to meet the lot requirements per the planning board. The fund balance of 0729 as of March 22, 2023, is \$3,780. The proposed amount requested is \$10,220 and the expenditure amount requested is \$14,000. Proposed funding is proposed to come from taxation.
- 5) **Parks and Recreation – Rec Parking Lots Resealing and Lining (0732):** The parking lots at the Walter Marsh Recreation Area need to be resealed and relined for safety and to protect infrastructure of the lots. The fund balance of 0732 as of March 22, 2023, is \$5,000. The proposed amount requested is \$19,000 and the expenditure amount requested is \$24,000. Proposed funding is proposed to come from taxation.
- 6) **Parks and Recreation – Tennis Courts (0510):** All four courts need to be completely renovated as they are too damaged to repair anymore. The department is looking to do the complete renovation in FY 24. The fund balance of 0510 as of March 22, 2023, is \$100,000. The proposed amount requested is \$150,000 and the expenditure amount requested is \$250,000. Proposed funding is proposed to come from taxation and closing fund 0824 – Walter Marsh Field Area.

Equipment

- 1) **Public Works – Equipment Replacement (0701):** The Public Works department seeks to add funds to the equipment reserve to be used toward vehicle and equipment purchases. The department also seeks authorization for the following purchases: a) replace a 2017 Chevy pickup with a 2-ton pickup with plow and sander; b) replace a 10-wheel 2015 Western Star with either a 6-wheel or 10-wheel International with plow/wing/safety lights/sander; c) purchase a new roadside mower. The fund balance of 0701 as of March 22, 2023, is \$585,212.26. The proposed and expenditure amount requested is \$500,000. Proposed funding is proposed to come from undistributed budget/surplus.
- 2) **Fire – Portable Radios (0734):** This project is for the purchase of 19 ruggedized radios designed for use in a firefighting environment and replace 12 radios with similar radios to what they currently have but are newer, more reliable, and safer to use. The fund balance of 0734 as of March 22, 2023, is \$111,680.76. The proposed and expenditure amount requested is \$80,491. Proposed funding is proposed to come from taxation and closing fund 0940 – Fire Department Grants.
- 3) **Town Clerk – Voting Machine (0736):** The tabulators for elections are used at least twice a year for voting in June and November. The State of Maine currently leases the Town four machines to supplement the two machines owned by the Town. On occasion the Town will lease two additional machines for busy elections. The State of Maine has been telling clerks for three years that new machines will need to be purchased. A new machine is expected to cost at least \$3,000. This request is to add additional funding to the reserve fund so that ten machines can be purchased. The fund balance of 0736 as of March 22, 2023, is \$14,612.78. The proposed amount requested is \$19,000. Proposed funding is proposed to come from taxation and closing fund 0470 – Background Checks.
- 4) **WEMS – Major Medical Devices (0735):** This request is to replace the 2012 Lifepack 15 Cardiac Monitor and replace three 2005 intravenous pumps required for medications. The oldest Lifepack 15 is now running out of its maintenance agreement and is also outdated in technology. The intravenous pumps have outdated technology and are more complicated to program than the new technology of today. The fund balance of 0735 as of March 22, 2023, is \$26,485.68. The proposed and expenditure amount requested is \$50,000. Proposed funding is proposed to come from taxation.

Other

- 1) **Harbor – Beach Erosion and Dredge Funding (0805):** This request is to continue the practice of setting aside funding for a future maintenance dredge to keep the harbor functional as a commercial and recreational port. The fund balance of 0805 as of March 22, 2023, is \$136,660.13. The proposed amount requested is \$465,380 and the expenditure amount

requested is \$60,000. Proposed funding is proposed to come from merging fund 0804 – Beach Erosion with 0805 – Harbor Dredge.

- 2) **Planning – Comp Plan Update and Implementation (0739):** The current Comp Plan Update is scheduled to be on the November 2023 Special Town Meeting for possible adoption, but may be delayed. Costs for consultants, public notice and hearings, document copying, and other expenses may be required in FY 23. The next phase is implementing of the plan which will continue 2 to 3 years after adoption. Meeting, legal and possible consultant costs will be needed. The fund balance of 0739 as of March 22, 2023, is \$28,064.84. The proposed and expenditure amount requested is \$20,000. Proposed funding is proposed to come from taxation.
- 3) **Public Works – Facilities Needs Study (0818):** This is the second year of a 3-year plan to set aside funding to support a DPW facilities long range plan. The existing Public Works garage was designed and sized for only the space needed in 2012. The garage does not allow any additional bays to be added because the septic system is on one side of the building and the other side has the pump that feeds to the septic system. All existing bays are full, plus the “old” garage and the round buildings are also full of equipment. The department is currently storing summer equipment and tools at the old High Pine Fire Station to have room for winter operations. The fund balance of 0818 as of March 22, 2023, is \$11,000. The proposed amount requested is \$11,000. Proposed funding is proposed to come from taxation.



TOWN OF WELLS

208 Sanford Road
Wells, Maine 04090

To: Wells Taxpayers

From: Michael W. Pardue, Town Manager
Jodie Sanborn, Finance Director

Subj: FY23-24 Proposed Budget Summary

Date: April 20, 2023

We are pleased to present to you the proposed FY23-24 Annual Budget for the Town of Wells.

This budget was developed with the philosophy of providing services to the level necessary to meet the needs and expectations of our community, particularly in the areas of public safety and public services. During the formulation of this budget proposal, personnel remained cost-conscious, while working to meet the increasing needs and expectations of our citizens. For the coming year, the net operational increase in the proposed budget is **5.40%**.

To arrive at the net operational percentage increases presented, budgeted non-property tax revenues, use of surplus, use of reserve funds, use of enterprise or grant funds and exposures to surplus are deducted from the gross operational budget. The total of all projected revenues for FY23-24 are expected to increase 6.58% over the current fiscal year. The total of the budgeted non-property tax revenues can be found in Table 1 on page 28. The total of projected non-property tax revenues are projected to increase by **18.2%** with the following items having significant increases:

Auto Excise	12.9%
Town Agent Fee for Vehicle Registration	15.4%
Interest Earned	50.0%
Revenue Sharing	42.9%
Police Fines	25.0%
Building Permits	14.3%
Base Fees	75.0%
Transfer Station Disposal Sticker	100.0%
Trash Bags	120.0%
Demolition Disposal	67.1%

Budget Summary

The budget comparison below outlines budget totals for FY23-24 that were discussed in detail during our budget meetings.

	Final FY20-21	Final FY21-22	Final FY22-23	As Presented FY23-24
Gross General Fund Budget	\$23,175,036	\$23,576,522	\$26,565,271	\$28,156,868
Salaries & Benefits	\$9,551,038	\$9,563,715	\$10,092,364	\$10,881,143
Operating Expenses	\$6,786,954	\$6,580,185	\$7,112,026	\$7,743,211
Revenue & Use of General Fund Balance	\$11,520,943	\$11,091,234	\$13,392,539	\$14,273,447
Capital Vehicles, Equipment & Projects	\$5,153,570	\$5,786,600	\$8,072,911	\$7,137,035
Net Budget	\$11,654,093	\$12,485,288	\$13,172,732	\$13,883,421
% Net Budget Increase	9.24%	7.13%	5.51%	5.40%
New Bond Debt Authorized		\$4,000,000 Infrastructure Bond	\$2,250,000 Infrastructure Bond	

As in past years, the budget has been divided into three major categories: operational, capital and staffing.

FY23-24 LD1 Cap Amount

The submitted budget and supporting data in the preceding pages falls within the municipal cap (LD1), and therefore, no separate over-the-cap warrant article is needed. For FY23-24, the property growth factor has been determined to be 2.89%, (new gross real and personal property growth) while the "Average Personal Income Growth" has been calculated to be 4.31%, for a total growth factor of 7.20%. This equates to an estimated allowable net increase to the LD1 ceiling of \$1,231,313. The recommended net budget of \$13,883,421 is under the calculated cap by (\$782,724).

Staffing Changes

As citizen demands and expectations for enhanced community services continue to increase, there is a need to strengthen some areas of staffing. This budget as presented provides for one part-time position for Assessing Assistant converting to a full-time employee. There is also an

increase of three hours for one part-time position for Library Assistant, adjusting from twenty-seven to thirty hours. This budget includes funding for added full-time positions as indicated below.

- Code Enforcement – One Code Enforcement Officer
- Dispatch – Two Dispatchers (budget reflects starting one in July and one in January)
- Fire – Assistant Chief (budget reflects position starting in October)
- Fire – Four firefighter/paramedics (budget reflects positions starting in October)
- Police – Two Police Officers (budget reflects starting one in July and one in January)

Contractually Required and Recognized Increases

Currently all four union contracts are up for re-negotiation. Department salary budgets remain current except for longevity/step increases.

The shared health insurance contribution varies between bargaining units and non-union employees. The overall budgeted increase for health insurance is 5.0% based on market increases.

Other major recognized increases (=>\$5,000):

- Activity Center – Operating supplies
- All Buildings – Electricity, heating, water, and sewer costs
- Ambulance – Quarterly payment
- Dispatch – PSAP services and radio console
- Employee Benefits - Unemployment
- Facilities Management – Town landscaping/winter services
- Finance – Audit services
- Fire – Apparatus leases, computer/software, turnout gear and hydrant rental
- General Government – Building (line for Town Hall)
- Harbor – Pier maintenance
- Information Center – Other services and charges (annual support)
- Insurance – Property and casualty insurance
- IT Infrastructure – Logically contract for managed services and software licensing fees
- Parks and Rec – Operating supplies
- Police – Vehicle replacement and traffic light repair and maintenance
- Public Works – Repair/maintenance equipment, agreements/contracts, tree removal, storm repair, fuel and lubricants, tech updates-mechanic, hired equip/operators for snow/ice removal, line striping, grading and salt
- Transfer Station – trash bag purchases, brush removal, demo disposal, MSW (trash) disposal, single source/recycling disposal, paper disposal, metal disposal and electronic/light bulb disposal
- Town Manager – Legal services

Unassigned General Fund Balance

The Unassigned General Fund Balance available after applying the Town's Fund Balance Policy is approximately \$1,600,000 on June 30, 2022. These funds are redistributed in the capital budget.

Capital Items

This year's capital budget is designed to address building and building improvements,

conservation, vehicles, technology, infrastructure, equipment, and other projects.

The following summarizes the major (>= \$25,000) assets and projects to be discussed:

- Code Enforcement – Purchase of two vehicles (currently leased by the Town)
- Conservation – Landbank funding
- Fire - Future Fire Truck Purchase
- Fire – Portable Radios
- Harbor - Floats
- Harbor – Beach Erosion and Dredge Funding
- Police and Dispatch – Software
- Public Works – Equipment Replacement
- Public Works – Fleet Maintenance & Asset Management Program
- Public Works – Infrastructure Program
- Public Works - Paving
- Recreation – Tennis Court Replacement
- Town Manager – IT Projects and Hardware
- WEMS – Ambulance
- WEMS – Major Medical Devices

Recreation Enterprise

The Recreation Enterprise consists of recreation programs and before/aftercare. They are part of a special enterprise (fee-for-service) account and is not in the current budget.

Beach Enterprise

Beach Enterprise consists of beach stickers and parking enforcement, lifeguards, beach cleaning, trash disposal and piping plover management. It is part of a special enterprise (fee-for-service) account and is not in the current budget.

FY23-24 BUDGET SCHEDULE

Informational Public Hearings on the proposed FY23-24 Budget will be held in the Littlefield Meeting Room in the Town Hall on the following dates:

Hearing #1	Tuesday, May 2	6:00 pm
Hearing #2	Tuesday, May 16	6:00 pm
Hearing #3	Tuesday, June 6	6:00 pm

Budget meetings are open to the public and can be viewed in person at the Town Hall, on Cable TV channel 3, or online (live and archived for viewing anytime) **at** www.townhallstreams.com.

The information provided in the budget book (budget schedule, backup information, etc.) can be viewed online at: <https://www.wellstown.org/802/Budget>

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