

WARRANT
SPECIAL TOWN MEETING
MUNICIPAL REFERENDUM
HARPSWELL, MAINE
MARCH 9, 2004

Cumberland, s.s.

State of Maine

To any Constable or Resident of the Town of Harpswell:

You are hereby required in the name of the State of Maine to notify and warn the inhabitants of the Town of Harpswell qualified to vote in Town affairs to assemble at the Harpswell Islands School, 308 Harpswell Islands Road, Harpswell, Maine on Tuesday the ninth day of March, 2004 at 9:00 a.m. of said day to act on Articles 1 through 5.

Art. 1 – To choose a Moderator to preside at said meeting.

(POLLS WILL OPEN AS SOON AS ARTICLE ONE HAS BEEN ACTED UPON AND WILL CLOSE AT 8:00 P.M.)

Art. 2 – To vote by secret ballot on the following Referendum Question:

Shall an Ordinance entitled “2004 Amendments to the Basic Land Use Ordinance, Shoreland Zoning Ordinance and Definitions Addendum Regarding Changes to the Official Shoreland Zoning Map and Companion Sections of the Basic Land Use Ordinance, Shoreland Zoning Ordinance and Definitions Addendum Text to Allow for the Reuse of the Fuel Depot Property and the Creation of the Shoreland Industrial District” be enacted, such amendments to be effective only if Articles 3, 4 and 5 are also enacted at the March 9, 2004 referendum?

Recommended by Selectmen

(The proposed ordinance amendments are available for review and inspection at the Town Clerk’s Office, the Town Planning Office and will also be available at the March 9, 2004 referendum.)

Art. 3 – To vote by secret ballot on the following Referendum Question:

To see if the Town will vote to adopt the “2004 Amendments to the Town of Harpswell Comprehensive Plan to Allow for the Reuse of the Fuel Depot Property and the Creation of the Shoreland Industrial Growth Area”, such amendments to be effective only if Articles 2, 4 and 5 are also enacted at the March 9, 2004 referendum.

Recommended by Selectmen

(The proposed Comprehensive Plan amendments are available for review and inspection at the Town Clerk’s Office, the Town Planning Office and will also be available at the March 9, 2004 referendum.)

Art. 4 – To vote by secret ballot on the following Referendum Question:

To see if the Town will vote to designate the Fairwinds Municipal Development and Tax Increment Financing District and adopt the Development Program for the District, such designation and adoption to be on the terms and provisions of the ‘Fairwinds Municipal Development and Tax Increment Financing District Development Program’ (‘Development Program’) as filed in the Town Clerk’s Office on January 30, 2004, a copy of which is incorporated herein by reference; make the findings set forth in the Development Program; adopt the financial plan including the percentage of increased assessed value of said District to be retained as captured assessed value in accordance with the Development Program; submit to the State of Maine Commissioner of Economic and Community Development for approval such applications and further documentation as may be necessary or appropriate for final approval and establishment of the Fairwinds Municipal Development and Tax Increment Financing District and its Development Program and financial plan pursuant to 30-A M.R.S.A. Chapter 206; and authorize and direct the Board of Selectmen to execute and deliver a Credit Enhancement Agreement with ConocoPhillips Company and TransCanada Pipelines Limited, substantially in the form attached to the Development Program, such designation, adoptions, findings and authorizations to be effective only if Articles 2, 3 and 5 are also enacted at the March 9, 2004 referendum.

Recommended by Selectmen

(The proposed Fairwinds Municipal Development and Tax Increment Financing District Development Program is available for review and inspection at the Town Clerk’s Office, the Town Planning Office and will also be available at the March 9, 2004 referendum.)

Art. 5 – To vote by secret ballot on the following Referendum Question:

To see if the Town will vote to authorize the Board of Selectmen to enter into a long-term Ground Lease Agreement with ConocoPhillips Company and TransCanada Pipelines Limited with respect to the Town’s Fuel Depot Property (Tax Map 13, Lot 4) relating to proposed development, construction, operation, maintenance, repair, removal and demolition of a liquefied natural gas terminal facility and associated improvements, to exercise all rights of the Town to enforce the Ground Lease Agreement, to give consents thereunder, to execute estoppel certificates and other documents contemplated by the Ground Lease Agreement and to exercise all other rights of the Town under the Ground Lease Agreement, such Ground Lease Agreement to be substantially in the form filed in the Town Clerk’s Office on February 6, 2004, a copy of which is incorporated herein by reference, such authorizations to be effective only if Articles 2, 3 and 4 are also enacted at the March 9, 2004 referendum.

Recommended by Selectmen

(The proposed Ground Lease Agreement is available for review and inspection at the Town Clerk's Office, the Town Planning Office and will also be available at the March 9, 2004 referendum.)

The Selectmen hereby give notice that the Registrar of Voters will be available at the Town Office during regular business hours for the entire week preceding said meeting to receive applications of persons claiming the right to vote at said meeting and to make corrections to the list of voters. Registrations will be accepted at the meeting.

Given under our hand this twenty-sixth day of February A.D., 2004.

James W. Knight

Lee E. Theberge

Gordon L. Weil
Harpwell Board of Selectmen