

WARRANT  
ANNUAL TOWN MEETING  
HARPSWELL, MAINE  
MARCH 11, 2017

Cumberland, s.s.

State of Maine

**To Catherine J. Doughty, a 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 Harpswell Community School, Route 24, Harpswell, Maine on Saturday the eleventh day of March, 2017 at 9:00 a.m. of said day, to act on Articles 1 through 3. The business meeting to act on Article 4 and others that follow will begin at 10:00 a.m.

**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 5:00 P.M.)**

**Art. 2 — To choose by secret ballot one Selectman, who shall be an Assessor and Overseer of the Poor, for a three-year term; one Selectman, who shall be an Assessor and Overseer of the Poor, for a one-year term; and two M.S.A.D. # 75 Directors, each for a three-year term.**

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

**To see if the Town will vote to raise and appropriate the sum of \$137,104 for Curtis Memorial Library in Brunswick. (\$135,345 raised & appropriated in 2016; \$135,345 expended)**

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 4 — Shall an Ordinance entitled “2017 Amendment to the Basic Land Use Ordinance to Correct the Numbering in Section 11.5 Timber Harvesting and Vegetative Buffers” be enacted?**

*Recommended by Selectmen*

The Town of Harpswell Basic Land Use Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••  
11.15.916. Prior to all timber harvesting, written notification shall be provided to the Code Enforcement Officer.

**Art. 5 — Shall an Ordinance entitled “2017 Amendments to the Basic Land Use Ordinance, Shoreland Zoning Ordinance, and Subdivision Ordinance dealing with the Deduction of Wetlands and other Areas from the Area of a Lot” be enacted?**

*Recommended by Selectmen*

The Town of Harpswell Basic Land Use Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••  
11.1.3. Land below the maximum high water line of a water body, tributary stream, or upland edge of a wetland and land which is part of a road, or a transportation right-of-way, or easement serving more than two (2) lots, except rights-of-way or easements used exclusively for pedestrian access, shall not be included when calculating minimum lot area. The following land shall not be included in the calculation of the area of a lot for the purposes of meeting minimum lot size or other density or dimensional requirements:

11.1.3.1 Land below the maximum high water line of a great pond, stream, or tributary stream.

11.1.3.2 Land below the HAT of a coastal wetland.

11.1.3.3 Land below the upland edge of a freshwater wetland with a contiguous area of more than twenty thousand 20,000 square feet.

11.1.3.4 Land which is part of a road, or a transportation right-of-way, or easement serving more than two (2) lots, except rights-of-way or easements used exclusively for pedestrian access, and

11.1.3.5 Land created by the filling or draining of a great pond, stream, tributary stream, or coastal or freshwater wetland.

The Town of Harpswell Shoreland Zoning Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••

~~15.1.1. Land below the maximum high water line of a great pond, stream, tributary stream, HAT of the coastal wetland or upland edge of a freshwater wetland described in Section 3 of this Ordinance, and land that is part of a road or transportation right-of-way serving more than two (2) lots except rights-of-way or easements used exclusively for pedestrian access, shall not be included when calculating minimum lot area. The following land shall not be included in the calculation of the area of a lot for the purposes of meeting minimum lot size or other density or dimensional requirements:~~

15.1.1.1 Land below the maximum high water line of a great pond, stream, or tributary stream,

15.1.1.2 Land below the HAT of a coastal wetland,

15.1.1.3 Land below the upland edge of a freshwater wetland with a contiguous area of more than twenty thousand 20,000 square feet,

15.1.1.4 Land which is part of a road, or a transportation right-of-way, or easement serving more than two (2) lots, except rights-of-way or easements used exclusively for pedestrian access, and

15.1.1.5 Land created by the filling or draining of a great pond, stream, tributary stream, or coastal or freshwater wetland.

The Town of Harpswell Subdivision Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••

#### **9.5. Land Not Suitable for Development**

~~The following land may not be included in the calculations of lot area: The following land shall not be included in the calculation of the area of a lot for the purposes of meeting minimum lot size or other density or dimensional requirements:~~

9.5.1 Land below the maximum high water line of a great pond, stream, or tributary stream,

9.5.2 Land below the HAT of a coastal wetland,

9.5.3 Land below the upland edge of a freshwater wetland with a contiguous area of more than twenty thousand 20,000 square feet,

9.5.4 Land which is part of a road, or a transportation right-of-way, or easement serving more than two (2) lots, except rights-of-way or easements used exclusively for pedestrian access, and

9.5.5 Land created by the filling or draining of a great pond, stream, tributary stream, or coastal or freshwater wetland.

~~9.5.1. Land below the maximum high water mark of a water body, tributary stream, or pond;~~

~~9.5.2. Land which is part of a road or transportation right-of-way or easement, except rights-of-way or easements used exclusively for pedestrian access;~~

*Citizen's Note: The intent of excepting rights-of-way or easements used exclusively for pedestrian access is to not discourage the development of walking paths, bike trail, bridle path, and other paths for pedestrian travel or recreational use.*

~~9.5.3. Wetland areas greater than twenty thousand (20,000) contiguous square feet; and~~

~~9.5.4. Land created by the filling or draining of a water body, tributary stream, or wetland.~~

**Art. 6 — Shall an Ordinance entitled “2017 Amendments to the Basic Land Use Ordinance and Shoreland Zoning Ordinance Dealing with the Planning Board’s Opportunity to Take Jurisdiction of Permits for Nonconforming Structures” be enacted?**

*Recommended by Selectmen*

The Town of Harpswell Basic Land Use Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck-out~~):

•••

**10.3.2.3 Authority of Planning Board to Exercise Jurisdiction over an Application.** Except as provided for below, ~~For~~ for any application for relocation of a nonconforming structure, or for the reconstruction or replacement of a nonconforming structure that was removed, damaged, or destroyed by more than fifty percent (50%) of the adjusted assessed value of the structure, made under Section 10.3.2, the CEO shall provide written notice to the Planning Board and all property owners within two hundred fifty (250) feet of the property as listed on the Town’s most recent assessing records that a relocation, reconstruction or replacement application has been received and is being reviewed. The opportunity for the Planning Board to take jurisdiction under this provision and to receive notice shall not apply in the following situations:

(a) The relocation, replacement, or reconstruction will be carried out such that the structure complies with all applicable setback requirements, or

(b) The structure being relocated is an accessory structure that meets all of the following requirements:

- 1) The floor area of the existing nonconforming structure is less than two hundred (200) square feet,
- 2) The floor area or volume of the structure will not be increased,
- 3) The structure is and will continue to be accessory to the principal use of the property,
- 4) The structure will not be served by water, and
- 5) The structure has not been and will not be used for human habitation.

(c) The structure being reconstructed or replaced is an accessory structure that meets all of the following requirements:

- 1) The floor area of the existing nonconforming structure is less than two hundred (200) square feet,
- 2) The floor area and volume of the replacement or reconstructed structure will not be larger than one hundred fifty percent (150%) of the floor area and volume of the existing structure,
- 3) The existing structure is accessory to the principal use of the property and the replacement or reconstructed structure will continue to be so,
- 4) The replacement or reconstructed structure will not be served by water, and
- 5) The replacement or reconstructed structure will not be used for human habitation.

•••

The Town of Harpswell Shoreland Zoning Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck-out~~):

•••

**10.3.2.4. Authority of Planning Board to Exercise Jurisdiction over an Application.** Except as provided for below, ~~For~~ for any application for relocation of a nonconforming structure made under 10.3.2.1, or for the reconstruction or replacement of a nonconforming structure involving more than fifty percent (50%) of its adjusted assessed value made under 10.3.2.2, the Code Enforcement Officer shall provide written notice to the Planning Board and all property owners within two hundred fifty (250) feet of the property as listed on the Town’s most recent assessing records that a relocation, reconstruction or replacement application has been received and is being reviewed.

The opportunity for the Planning Board to take jurisdiction under this provision and to receive notice shall not apply in any of the following situations:

(a) The relocation, replacement, or reconstruction will be carried out such that the structure complies with all applicable setback requirements, or

(b) The structure being relocated is an accessory structure that meets all of the following requirements:

- 1) The floor area of the existing nonconforming structure is less than two hundred (200) square feet,
- 2) The floor area or volume of the structure will not be increased,
- 3) The structure is and will continue to be accessory to the principal use of the property,

- 4) The structure will not be served by water, and
- 5) The structure has not been and will not be used for human habitation, or
- (c) The structure being reconstructed or replaced is an accessory structure that meets all of the following requirements:
  - 1) The floor area of the existing nonconforming structure is less than two hundred (200) square feet,
  - 2) The floor area and volume of the replacement or reconstructed structure will not be larger than one hundred fifty percent (150%) of the floor area and volume of the existing structure and the replacement or reconstruction will not increase the floor area and volume of the existing structure that is nonconforming by more than thirty (30) percent in accordance with Section 10.3.1;
  - 3) The existing structure is accessory to the principal use of the property and the replacement or reconstructed structure will continue to be so,
  - 4) The replacement or reconstructed structure will not be served by water, and
  - 5) The replacement or reconstructed structure will not be used for human habitation.

**Art. 7 — Shall an Ordinance entitled “2017 Amendments to the Basic Land Use Ordinance and Shoreland Zoning Ordinance to Remove the Table of Minimum Lot Standards” be enacted?**

*Recommended by Selectmen*

The Town of Harpswell Basic Land Use Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••  
**11.1. Minimum Lot Standards**

**SHORELAND ZONE<sup>1</sup>**

	<b>SHORELAND NON-TIDAL</b>	<b>SHORELAND TIDAL</b>	<b>SHORELAND OFFSHORE ISLANDS</b>	<b>NON-SHORELAND AREA OF OFFSHORE ISLANDS</b>	<b>SUBDIVISIONS<sup>4</sup></b>
<b>MIN. LOT SIZE (S.F.) PER DWELLING UNIT</b>	40,000	40,000	40,000	40,000	80,000
<b>SHORE FRONTAGE (FT)</b>	200	150	150	exempt	150
<b>WATERBODY, TRIBUTARY STREAM, OR WETLAND SETBACK (FT)</b>	75	75	75	n/a	75
<b>PROPERTY LINE SETBACK (FT)</b>	25	25	25	20	25
<b>ROAD SETBACK (FT)</b>	n/a	n/a	n/a	exempt	40
<b>STRUCTURE HEIGHT (FT)</b>	30	30	30	30	30

OTHER AREAS OF TOWN NOT SUBJECT TO SHORELAND ZONING<sup>1,2&3</sup>

	AREAS LOCATED OUTSIDE OF A SUBDIVISION	AREAS LOCATED WITHIN A SUBDIVISION <sup>4</sup>
MIN. LOT SIZE (S.F.) PER DWELLING UNIT	40,000	80,000
ROAD FRONTAGE (FT)	150 <sup>3</sup>	150 <sup>5</sup>
PROPERTY LINE SETBACK (FT)	See Section 11.3.1	See Section 11.3.1
ROAD SETBACK (FT)	See Section 11.3.1	See Section 11.3.1
STRUCTURE HEIGHT (FT)	32	32

1. For ~~nonresidential~~ uses in the Shoreland Zone, see Sections 15.1 and 15.2 of the Shoreland Zoning Ordinance and the Site Plan Review Ordinance.

•••

The Town of Harpswell Shoreland Zoning Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck-out~~):

•••

**15.2.1. Setbacks.** All new principal and accessory structures shall be set back at least seventy-five (75) feet, horizontal distance, from the maximum high water line of a great pond, stream, tributary stream, HAT of the coastal wetland or the upland edge of a freshwater wetland described in Section 3 of this Ordinance, and twenty-five (25) feet from all other lot lines including a property line with any road, except as provided in subsection 15.2.1.1, 15.2.1.2 and 15.2.1.3.. In a Resource Protection District, the setback requirement shall be two hundred fifty (250) feet, horizontal distance, except for structures, roads, parking spaces or other related objects specifically allowed in that district in which case the setback requirements above shall apply.

**Art. 8 — Shall an Ordinance entitled “2017 Amendments to the Definitions Addendum, Basic Land Use Ordinance, Shoreland Zoning Ordinance, and Subdivision Ordinance Clarifying the Definitions of Residential Dwellings” be enacted?**

*Recommended by Selectmen*

The Town of Harpswell Definitions Addendum shall be amended as follows (additions are underlined and deletions are ~~struck-out~~):

•••

**Dwelling** – ~~a residential structure containing one or more dwelling units a building or portion thereof or a room or suite of rooms designed and equipped for habitation and that provides independent living facilities, including cooking, sleeping, bathing and sanitary facilities, for one (1) or more families; including single-unit family, two (2) unit family, and multiunit family residential uses, and manufactured housing but not recreational vehicles.~~

**Dwelling Unit** – ~~a room or group of rooms designed and equipped for use as a separate living space by a household exclusively for use as permanent, seasonal, or temporary living quarters for only one family at a time, and containing cooking, sleeping and toilet facilities with free and open circulation between these areas by members of the household. A dwelling unit is intended for occupancy by one household living independently in which the members of the household share the use of common areas and have regular interaction in the course of their day-to-day activities.~~ The term shall include mobile homes, and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented ~~but not: Recreational vehicles are not dwelling units.~~

•••

**Family** – ~~one or more persons occupying a premises and living as a single housekeeping unit.~~

**Household** – ~~one or more individuals living as a unit in which they share the use of a dwelling unit and its facilities.~~

**One-Unit Residential Use** – ~~a residential dwelling containing one dwelling unit.~~

**Two-Unit Residential Use** – ~~a residential dwelling containing two dwelling units.~~

•••

**Multi-Unit Residential Use** – a residential dwelling structure containing three (3) or more dwelling units. The placement of three (3) or more dwelling units on a lot or the division of an existing structure into three (3) or more dwelling units requires subdivision review under state and local law.

The Town of Harpswell Basic Land Use Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

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Section 14.	Variances and Appeals.....	34
14.1	Variances.....	34
14.1.4.3	Disability	
Variance.....		35
14.1.4.4	Setback Variance for <u>One-Unit Residential Uses</u> <del>Single Family Dwellings</del> .....	35
14.1.4.5	Practical Difficulty Variance.....	36
14.1.5	Variance Recorded.....	36
14.1.6	Interpretation of Ordinance Requirements.....	36

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**10.4.2.1. Setback Reduction for Small Nonconforming Lots.** The setback of structures from lot lines may be reduced to five (5) feet and the setback of structures from traveled ways may be reduced to ten (10) feet in order to allow the expansion or construction of a structure to be used solely for single-family one-unit residential purposes or an accessory structure appurtenant to it, provided that the following conditions are met:

•••

(d) There exist two (2) or more other nonconforming lots meeting the size requirement then applying under Section 10.4.2.1(b) that have been improved with one-unit residential uses ~~single-family residences~~ within a five hundred (500) foot radius of the lot in question;

•••

**11.3.3. Accessory Temporary Living Accommodation.** During the construction or reconstruction of a one-unit residential use ~~single-family home~~, a property owner may place an accessory temporary living accommodation on the lot in conformance with this section. Prior to installing the accessory temporary living accommodation on the lot, the property owner must obtain a temporary certificate of compliance from the Code Enforcement Officer (CEO). The CEO shall issue the temporary certificate only if he/she finds that all of the provisions of this section have been met. The temporary certificate of compliance shall be for a period of not more than twelve (12) months. The owner may apply for up to two (2) twelve (12) month renewals of the temporary compliance permit and the CEO shall approve such renewals only if he/she finds that the property owner is in compliance with all of the provisions of this section.

•••

**11.18.2.1. Single Lot Development Standards**

Notwithstanding any other provision of this Ordinance to the contrary, a Workforce Housing Unit may be built upon a lot, located outside of the shoreland zone and in lawful existence as of March 13, 2010 but that does not meet the Section 11.1 minimum lot size requirements, subject to an acceptable soils test and an engineering design for a one-unit residential ~~single-family~~ subsurface wastewater disposal system approved by the CEO of the Town of Harpswell and the following requirements:

•••

15.1 One and two- <del>unit family</del> residential <u>uses</u> including driveways	CEO	PB <sup>10</sup>	CEO	CEO	No	CEO	No
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**14.1.4.4. Setback Variance for One-Unit Residential Uses ~~Single Family Dwellings~~.** The Board may grant a setback variance for a one-unit residential use ~~single-family dwelling~~. The Board may consider a variance from a setback requirement only when strict application of the zoning ordinance to the applicant and the applicant's property would cause undue hardship. The term "undue hardship" in the subsection means:

•••

A variance granted under this subsection is strictly limited to permitting a variance from a setback requirement for a one-unit residential use ~~single-family dwelling~~ that is the primary year-round residence of the applicant. •••

The Town of Harpswell Shoreland Zoning Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••

**13.1.1. Principal Use.** The Planning Board may approve a permit for a ~~single family dwelling~~ one-unit residential use and accessory residential structures in a Resource Protection District provided that the applicant demonstrates that all of the following conditions are met:

•••

**13.7.2.1.** Permitted land uses include (a) ~~one-unit residential use~~ single family dwelling, museum, visitors' center, water related uses, boat house, wharf, and pier; (b) structures accessory to the uses set forth in subsection (a); and (c) any educational, park, recreational, cultural or historic preservation uses related in any way to the uses set forth in subsection (a). Notwithstanding any other provision of this Ordinance to the contrary, there shall only be one (1) ~~one-unit residential~~ single family dwelling use allowed within the Eagle Island Historic District.

•••

15.1. One and two- <del>unit family</del> <u>residential uses</u> , including driveways	PB <sup>10</sup>	CEO	CEO	no	CEO	no
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•••

The Town of Harpswell Subdivision Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••

**9.4.3.3 Minimum Size of Lots** -- To provide property owners and subdividers with flexibility in the design of a Flexible Lot Size subdivision, there is no minimum lot size requirement subject to the following limitations:

**9.4.3.3.1** – Lots that have their primary road frontage on an existing public road must have a minimum lot area of forty thousand (40,000) square feet.

**9.4.3.3.2** – For ~~one-unit residential~~ single family dwelling lots with less than twenty thousand (20,000) square feet of lot area, the applicant must demonstrate that the lot will meet the requirements of the State Minimum Lot Size law.

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**Art. 9 — Shall an Ordinance entitled “2017 Amendments to the Floodplain Management Ordinance” be enacted?**

*Recommended by Selectmen*

The Town of Harpswell Floodplain Management Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••

H. The elevation in relation to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or to a locally established datum in Zone A only, of the:

•••

K. The following certifications as required in Article VI by a registered professional engineer or architect:

- I. a Floodproofing Certificate (FEMA Form 81-65, ~~01/03~~ 03/09, as may be amended from time to time), to verify that the floodproofing methods for any non-residential structures will meet the floodproofing criteria of Article III.H.4.; Article VI.G.; and other applicable standards in Article VI;

•••

**Elevation Certificate** - An official form (FEMA Form 81-31, ~~01/03~~ 03/09, as may be amended from time to time) that:

a. is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program; and,

b. is required for purchasing flood insurance.

•••

**Locally Established Datum** - means, for purposes of this ordinance, an elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or any other established datum and is used in areas where Mean Sea Level data is too far from a specific site to be practically used.

•••

North American Vertical Datum (NAVD) – Means the national datum whose standard was established in 1988, which is the new vertical datum used by the National Flood Insurance Program (NFIP) for all new Flood Insurance Rate Maps. NAVD is based upon vertical datum used by other North American countries such as Canada and Mexico and was established to replace NGVD because of constant movement of the earth’s crust, glacial rebound, and subsidence and the increasing use of satellite technology.

**Art. 10 – Shall an Ordinance entitled “2017 Amendments to the Harbor and Waterfront Ordinance” be enacted?**

*Recommended by Selectmen*

The Town of Harpswell Harbor and Waterfront Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

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**5.1.2 Requirements for New and Renewal Mooring Registration**

Applicants for a new mooring registration must submit a completed application form to the Town Clerk on forms available in the Town Clerk’s Office. Applicants for a renewal mooring registration need only submit a new completed form to the Town Clerk if there are any changes to the registration from the prior year, including change of vessel, or upon the Harbormaster’s request.

•••

**5.1.6 Permit Stickers**

Upon successful registration, the Town Clerk shall issue a mooring card ~~permit sticker~~ showing the year and permit number. ~~The card that is to attached to the mooring buoy or kept on for the boat registered to the mooring.~~•••

**5.2 Assignment of Mooring Space**

**5.2.1** A permitted mooring shall be assigned a location in Harpswell waters by the Harbormaster on a first-come first served basis as space permits with due regard to navigation and the safety of persons and property, and, where feasible, the prior year’s location. New mooring permits will not be issued for a mooring that is located more than one-half statute mile from the applicant’s point of land access in Harpswell.

•••

**5.2.5 Rental Moorings**

No mooring shall be used as a rental mooring without first registering it with the Town and obtaining a permit from the Army Corps of Engineers. An alternate numbering system may be used by the rental mooring owner if approved by the Harbormaster.

**5.2.6 Float Moorings**

Float moorings shall be registered with the Town and be permitted by the Army Corps of Engineers. Float moorings shall only be used for their permitted purposes.

**Art. 11 – Shall an Ordinance entitled “2017 Amendments to the Shellfish Ordinance” be enacted?**

[The proposed ordinance is attached and available for review and inspection at the Town Clerk’s Office, online at [harpswell.maine.gov](http://harpswell.maine.gov) and will also be available at Town Meeting.]

*Recommended by Selectmen*

**Art. 12 – Shall an Ordinance entitled “2017 Amendments to the Outdoor Pesticides Control and Fertilizer Use Ordinance regarding Administrative and Enforcement Provisions” be enacted?**

*Recommended by Selectmen*

The Town of Harpswell Outdoor Pesticides Control and Fertilizer Use Ordinance shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

•••

**Section 8. Enforcement Random Sampling**

a) This Ordinance shall be enforced by the Code Enforcement Officer. The Code Enforcement Officer is hereby authorized to institute or cause to be instituted, in the name of the Town, any and all actions, legal or equitable, that may be appropriate or necessary for enforcement of this Ordinance.

The following procedure is available to the Code Enforcement Officer when he/she becomes aware of a possible violation of this ordinance and wishes to investigate it:

- 1) If there has been a complaint, the complainant shall document the nature of the complaint using a form provided by the Town and submit the completed form to the Code Enforcement Officer who may, in his/her discretion, choose to meet with the complainant.
- 2) Based on the information available, the Code Enforcement Officer shall make a preliminary determination as to whether there is a possible violation of this ordinance.
- 3) If there is a possible violation of the ordinance involving the use of fertilizers, the Code Enforcement Officer shall attempt to meet with the property owner and/or the applicator of the fertilizer to obtain information on the type of fertilizer applied.
- 4) If there is a possible violation of this ordinance involving the use of pesticides, the Code Enforcement Officer shall obtain information from the applicator of the material on the type and concentration of pesticide applied, the location and method of application, the conditions at the time of application, and any mitigation activities undertaken using a form provided by the Town.
- 5) If the Code Enforcement Officer believes that there could be a violation of the Maine Pesticide Control Board regulations, the Code Enforcement Officer shall contact the enforcement staff of the Board.
- 6) If there is agreement between the Code Enforcement Officer and the property owner and/or applicator that a violation has occurred, and that the violation was not a willful or repeat violation, the Code Enforcement Officer together with a representative of the Conservation Commission shall meet with the property owner and/or applicator to explain the requirements of this ordinance.
- 7) If the Code Enforcement Officer determines, based on this information, that there is an unresolved possible violation of this ordinance, he/she shall refer the case to the Board of Selectmen for further action.

b) The Board of Selectmen shall review any cases of possible violation of this ordinance referred to it by the Code Enforcement Officer to determine if a violation has occurred in accordance with the following:

- 1) The Board of Selectmen shall determine if a violation of the ordinance has occurred. In making this determination, the Board may retain outside expertise to evaluate the information collected and/or obtained by the Code Enforcement Officer, undertake sampling and testing for pesticides, and to provide professional guidance as to whether a violation has occurred. The Board may require the owner of the property subject to the review or the applicator to pay for the collection and testing of appropriate samples if a violation is found. If the Board determines that a violation has occurred, it shall pursue the legal remedies set forth in Section 9.

...

#### **Section 9. Legal RemediesViolations**

When the Board of Selectmen determines that a violation of this ordinance has occurred in accordance with 8.b)1), the Board may enter into a consent agreement with the property owner and/or pesticides applicator setting forth appropriate remedies and remedial actions if necessary, or undertake any and all actions, legal or equitable against the property owner and/or applicator for violation of the ordinance. In the latter case, Aa person, firm, or corporation who uses or applies or causes to be used or applied any Insect Growth Regulator or Insecticide in violation of the Ordinance shall be subject to a fine of not less than \$1,000 nor more than \$2,500 for the first violation of this Ordinance. A fine of not less than \$2,501 nor more than \$5,000 shall be levied against any person, firm, or corporation violating this Ordinance for the second and each subsequent violation. Refusal to comply with the Code Enforcement Officer's sampling-request for information on pesticide use or the collection of samples from the property shall result in a fine of not less than \$1,000 and may result in further action by the Town and its Code Enforcement Officer in seeking an administrative inspection warrant for the property.

#### **Section 10. Enforcement**

This Ordinance shall be enforced by the Code Enforcement Officer. The Code Enforcement Officer is hereby authorized to institute or cause to be instituted, in the name of the Town, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this Ordinance.

#### **Section 10~~1~~. Severability**

**Art. 13 — To see if the Town will vote to authorize the Board of Selectmen to enter into a license agreement with Gables Real Estate LLC (“Gables”), owner of real property commonly known as Cedar Beach Road, allowing public pedestrian access for recreational purposes in Cedar Beach Road for the benefit of the Town, its residents and their guests and its non-resident taxpayers and their guests, for the purpose of gaining pedestrian access from the public terminus of Robinhood Road to a beach area subject to and burdened by a recreational easement previously granted to the Town in an instrument dated March 25, 2014 and recorded in the Cumberland County Registry of Deeds at Book 31427, Page 254, such easement commonly known as the Cedar Beach Easement, on substantially the same terms and conditions as shown on Attachment A (a copy of which is on file at the office of the Town Clerk), as the Board determines to be in the Town’s best interests, and agreeing that the Town will be subject to the various affirmative obligations set forth therein; and to authorize the Board of Selectmen to enter into an agreement with Gables granting the Town a right of first refusal or first option to purchase certain real estate owned by Gables known as Cedar Beach Road, on substantially the same terms and conditions as shown on Attachment B (a copy of which is on file at the office of the Town Clerk), as the Board determines to be in the Town’s best interests.**

(Note: Future Town Meeting(s) may need to appropriate the funds necessary to fulfill the Town’s affirmative obligations set forth in the license agreement, Attachment A.)

*Recommended by Selectmen*

**Art. 14 — To see if the Town will vote to change the method of selection of the Town Road Commissioner from being elected to being appointed by the Board of Selectmen effective as of the 2018 annual Town Meeting.**

*Recommended by Selectmen*

**Art. 15 — To see what sum the Town will vote to raise and appropriate for the elected officials’ salaries and travel reimbursement as follows, for which Tax Collector and Town Clerk are full-time positions, and when the Selectmen fill a vacancy in any elected position, they are authorized to establish the annual payment, at their discretion:**

	<b>2017</b>	2016	2016 Expended
Selectman	\$6,000	\$6,000	\$6,000
Selectman	6,000	6,000	6,000
Selectman	6,000	6,000	6,000
Tax Collector	43,295	42,655	42,655
Town Clerk*	47,335	46,636	46,636
Road Commissioner	30,907	30,450	30,450
Travel Reimbursement	<u>2,900</u>	<u>2,900</u>	<u>1,392</u>
	<b>\$142,437</b>	<b>\$140,641</b>	<b>\$139,133</b>

*\*Town Clerk is also Registrar of Voters and receives \$2,492 which is budgeted in Article 16.*

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 16 — To see if the Town will vote to raise and appropriate the sum of \$384,369 for general administration.**

	<b>2017</b>	2016	2016 Expended
Administration Salary & Wages	\$187,610	\$184,071	\$183,826
Computers & Computer Services Agreements	30,170	30,655	28,518
Audit	12,000	12,000	9,900
Other	37,800	35,300	33,524
Public Information	9,000	9,000	7,369
Legal	50,000	50,000	39,083
Risk Management/Insurance	<u>57,789</u>	<u>56,393</u>	<u>52,550</u>
	<b>\$384,369</b>	<b>\$377,419</b>	<b>\$354,770</b>

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 17 — To see if the Town will vote to raise and appropriate the sum of \$15,925 for memberships as follows:**

	<b>2017</b>	2016	2016 Expended
Maine Municipal Association	\$9,475	\$9,124	\$9,124
Mid Coast Economic Development District	5,925	5,973	5,925
Southern Midcoast Chamber of Commerce	500	500	500
Harpwell Business Association	<u>25</u>	<u>25</u>	<u>25</u>
	<b>\$15,925</b>	<b>\$15,622</b>	<b>\$15,574</b>

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 18 — To see if the Town will vote to raise and appropriate the sum of \$80,279 for the Assessing Office. (\$78,219 raised and appropriated in 2016; \$76,005 expended)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 19 — To see if the Town will vote to raise and appropriate the sum of \$36,017 for the Tax Collector's Office. (\$34,104 raised and appropriated in 2016; \$32,953 expended)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 20 — To see if the Town will vote to raise and appropriate the sum of \$53,852 for the Town Clerk's Office. (\$58,595 raised and appropriated in 2016; \$51,919 expended)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 21 — To see if the Town will vote to raise and appropriate the sum of \$30,388 for the Treasurer's Office. (\$29,308 raised and appropriated in 2016; \$28,235 expended)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 22 — To see if the Town will vote to raise and appropriate the sum of \$134,887 for the Code Enforcement Office. (\$131,652 raised and appropriated in 2016; \$131,561 expended)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 23 — To see if the Town will vote to raise and appropriate the sum of \$72,563 for the Planning Office and for planning services. (\$72,132 raised and appropriated in 2016; \$70,453 expended)**

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 24 — To see if the Town will vote to raise and appropriate the sum of \$349,023 for operations and personnel at the Recycling Center & Transfer Station. (\$333,971 raised and appropriated in 2016; \$327,413 expended)**

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 25 — To see if the Town will vote to authorize the Board of Selectmen to enter into a multi-year contract for a period of not more than 3 years, subject to annual appropriation, for the purpose of providing waste disposal services on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town.**

*Recommended by Selectmen*

**Art. 26 — To see if the Town will vote to raise and appropriate the sum of \$24,787 for Animal Control to include \$6,287 for the Coastal Humane Society. (\$25,933 raised and appropriated in 2016 including \$6,287 for the Coastal Humane Society; \$21,134 expended)**

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 27 — To see if the Town will vote to raise and appropriate the sum of \$46,463 for Harbor Management. (\$46,603 raised and appropriated in 2016; \$43,653 expended)**

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 28 — To see if the Town will vote to raise and appropriate the sum of \$45,579 for the Recreation Department including \$2,500 for a recreation-themed event. (\$39,206 raised and appropriated in 2016; \$37,248 expended)**

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 29 — To see if the Town will vote to raise and appropriate the sum of \$11,850 for Recreation Programs and the sum of \$2,000 for maintenance of Trufant-Summerton Field, and authorize the Board of Selectmen to appropriate revenue generated by recreation programs for recreational purposes and revenue generated by advertising for operating expenses and capital improvement of Trufant-Summerton Field. (\$16,000 raised and appropriated in 2016)**

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 30 — To see if the Town will vote to raise and appropriate the sum of \$381,791 for employee benefits.**

	<b>2017</b>	2016	2016 Expended
Health Insurance/Reimbursement	\$252,917	\$234,760	\$219,925
Social Security/Medicare	69,493	65,847	61,798
Retirement	56,381	52,827	48,005
Disability	<u>3,000</u>	<u>2,520</u>	<u>2,458</u>
	<b>\$381,791</b>	<b>\$355,954</b>	<b>\$332,186</b>

*Note: Elected Officials may participate in the health plan pursuant to terms of the Town's personnel policy.*

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 31 — To see if the Town will vote to raise and appropriate the sum of \$7,270 for boards and committees. (\$5,110 raised and appropriated in 2016; \$4,990 expended)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 32 — To see if the Town will vote to raise and appropriate the sum of \$8,860 for the maintenance and repair of cemeteries and graves in accordance with State law. (\$6,000 raised and appropriated in 2016; \$4,740 expended in 2016)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 33 — To see if the Town will vote to raise and appropriate the sum of \$148,000 for the maintenance and operations of Town facilities, vehicles and properties including an easement.**

	<b>2017</b>	2016	2016 Expended
Buildings, property & vehicles	\$105,400	\$72,900	\$73,033
EMS Building	4,100	6,000	3,438
Old Town House & Commons	9,000	5,500	5,809
Town Dock	4,500	4,280	4,033
Town Landings	22,500	12,000	11,836
Cedar Beach Monitors & Signage	<u>2,500</u>	<u>2,500</u>	<u>1,770</u>
	<b>\$148,000</b>	<b>\$103,180</b>	<b>\$99,919</b>

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 34 — To see if the Town will vote to raise and appropriate the sum of \$55,000 for professional assistance with FEMA (Federal Emergency Management Agency) related matters including proposed modifications to flood insurance rate maps for the Town of Harpswell, such funds to be carried over in reserve until the project is complete.**

*Recommended by Selectmen*

**Art. 35 – To see if the Town will vote to raise and appropriate the sum of \$40,300 for Mitchell Field.**

	2017	2016	2016 Expended
Water Tower	\$ 0	\$22,000	\$ 4,563
Contracted Services (Planning)	13,000	30,000	7,964
Mowing/Repairs/Signage	12,700	9,100	9,358
Sediment Building Removal	7,500	0	0
Bandstand Maintenance	3,000	0	0
Monitor	1,000	0	0
Electricity	1,500	1,000	1,153
Portable Toilets	<u>1,600</u>	<u>1,200</u>	<u>1,287</u>
	\$40,300	\$63,300	\$24,325

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 35A – To see if the Town will vote to appropriate not more than \$10,000 from the Mitchell Field Capital Reserve to determine the feasibility of placing wireless communications equipment on the Mitchell Field Water Tower, by obtaining information that includes the number of interested carriers, what potential payments the Town may derive from equipment placement, and a detailed description of the work required and associated costs to place the Tower in service as a communications site.**

*Recommended by Selectmen*

**Art. 36 – To see if the Town will vote to authorize the issuance of up to \$5,000,000 in general obligation bonds or notes for demolition of the Mitchell Field pier and related costs, including matching grant funds, all as determined to be appropriate by the Board of Selectmen, with the dates, maturities, denominations, interest rate(s) and other details of the bonds or notes to be determined by the Board of Selectmen, and to accept donations and/or grant funds that will reduce the amount borrowed for the project.**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

Total estimated debt service of this bond issue is \$6,995,000 of which principal is \$5,000,000 and estimated interest at 3.8% over 20 years is \$1,995,000.

**FINANCIAL STATEMENT FOR ARTICLE 36 – TOWN OF HARPSWELL**

The issuance of bonds by the Town of Harpswell (the “Town”) is one of the ways in which the Town borrows money for certain purposes. The following is a summary of the bonded indebtedness of the Town as of the date of this Town Meeting:

* Bonds Now Outstanding and Unpaid	\$ 2,115,000
* Interest to be Repaid on Outstanding Bonds	\$ 154,000
* Total to be Repaid on Bonds Issued	\$ 2,269,000
* Additional Bonds Authorized But Not Yet Issued	\$ 50,000
* Potential New Interest on Bonds Not Yet Issued	\$ 4,500
* Total Additional Bonds (now proposed) to be Issued if Approved by Voters	\$5,000,000
* Estimate of Potential New Interest on Such Additional Bond	\$1,995,000
* Total Additional Bonds To Be Issued and Estimated Interest if Approved by Voters	\$6,995,000

When money is borrowed by issuing bonds, the Town must repay not only the principal amount of the bonds but also interest on the bonds. The amount of interest to be paid will vary depending upon the rate of interest and the years to maturity at the time of issue. The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimates made of the costs involved, including varying interest rates, the estimated cost of interest on the bond amount to be issued, and the total cost of principal and interest to be paid at maturity.

*Marguerite Kelly*  
 Marguerite Kelly, Town Treasurer

**Art. 37 — To see if the Town will vote to raise and appropriate the sum of \$150,000 for the Mitchell Field capital reserve account, which reserve funds may be used as the Town's share to match grants for waterfront improvements at Mitchell Field.**

*Recommended by Selectmen  
 Recommended by Budget Advisory Committee*

**Art. 38 — To see if the Town will vote to raise and appropriate the sum of \$523,710 for snow removal, road maintenance and road/street signs.**

	2017	2016	2016 Expended
Snow Removal	\$455,710	\$446,324	\$414,831
Road Maintenance & Signs	<u>68,000</u>	<u>68,000</u>	<u>54,073</u>
	\$523,710	\$514,324	\$468,904

*Recommended by Selectmen  
 Recommended by Budget Advisory Committee*

**Art. 39 — To see if the Town will vote to raise and appropriate the sum of \$283,111 for 24/7 Harpswell-based paramedic coverage and related services provided by Mid Coast Health Services. (\$277,564 raised and appropriated in 2016; \$277,560 expended).**

*Recommended by Selectmen  
 Recommended by Budget Advisory Committee*

**Art. 40 — Shall an Ordinance entitled "Municipal Firefighter Assistance Ordinance of Harpswell, Maine" be enacted?**

[The proposed ordinance is attached and available for review and inspection at the Town Clerk's Office, online at [harpswell.maine.gov](http://harpswell.maine.gov) and will also be available at Town Meeting.]

*Recommended by Selectmen*

**Art. 41 — To see if the Town will vote to raise and appropriate the sum of \$124,860 to implement the Municipal Firefighter Assistance Ordinance which will enable the Town to hire personnel to assist the three fire and rescue companies in their delivery of services.**

*Recommended by Selectmen  
 Recommended by Budget Advisory Committee*

**Art. 42 — To see if the Town will vote to raise and appropriate the sum of \$180,000 for the operating and capital expenses of three fire and rescue providers as follows:**

	2017	2016	2016 Expended
Harpswell Neck Fire and Rescue	\$60,000	\$60,000	\$60,000
Orr's-Bailey Islands Fire and Rescue	60,000	60,000	60,000
Cundy's Harbor Volunteer Fire	<u>60,000</u>	<u>60,000</u>	<u>60,000</u>
	\$180,000	\$180,000	\$180,000

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 43 — To see if the Town will vote to raise and appropriate the sum of \$30,914 for capital improvements to the Orr's-Bailey Island Fire Department's station on Orr's Island, which funds may be used as the Town's share to match grant funding awarded for such purpose, and which funds may be reduced based upon grant award.**

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 44 — To see if the Town will vote to raise and appropriate the sum of \$100,000 to establish an Emergency Services Building Reserve for planning and designing a centrally located emergency services facility with any unused funds available for construction purposes.**

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 45 — To see if the Town will vote to raise and appropriate the sum of \$100,000 for the purchase of emergency services vehicles, as determined by the Board of Selectmen, such vehicles to be owned by the Town, and leased to the local Fire Departments that have an Emergency Services Agreement with the Town on such lease terms and conditions as the Board of Selectmen deems to be in the best interests of the Town, with such funds to be held in the Emergency Vehicles Capital Account (an interest-bearing dedicated reserve account) until vehicle purchase.**

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 46 — To see if the Town will vote to raise and appropriate the sum of \$10,350 for other emergency services and management.**

	2017	2016	2016 Expended
Back-up ALS & Central Communications	\$2,000	\$2,000	\$ 0
Fire Warden	2,200	2,200	1,700
Emergency Management	3,650	3,650	2,654
Dry Hydrant Operations	<u>2,500</u>	<u>2,500</u>	<u>9,495</u>
	\$10,350	\$10,350	\$11,318

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 47 — To see if the Town will vote to raise and appropriate the sum of \$28,000 for street lighting. (\$29,000 raised and appropriated in 2016; \$26,033 expended)**

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 48 — To see if the Town will vote to raise and appropriate the sum of \$32,374 for communication services with Cumberland County.** (\$31,426 raised and appropriated in 2016; \$31,426 expended)

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 49 — To see if the Town will vote to raise and appropriate the sum of \$341,661 and appropriate \$43,500 from the Vehicle/Vehicle Equipment Reserve Account for law enforcement services, to include the replacement of a vehicle, with Cumberland County.** (\$324,610 raised and appropriated in 2016; \$327,361 expended)

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 50 — To see if the Town will vote to raise and appropriate the sum of \$191,612 and appropriate \$40,500 from the Vehicle/Vehicle Equipment Reserve for Marine Wardens and shellfish conservation related services, to include the replacement of a vehicle, with Cumberland County.** (\$187,396 raised and appropriated in 2016; \$187,395 expended)

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 51 — To see if the Town will vote to raise and appropriate the sum of \$2,000 for boat operations for the Marine Patrol boat.** (\$2,000 raised and appropriated in 2016; \$884 expended).

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 52 — To see if the Town will vote to raise and appropriate the sum of \$10,000 for marine resources and shellfish conservation activities, including contracting for management and oversight, purchasing conservation supplies for conservation projects and covering potential membership in the Tidelands Coalition.** (\$15,000 raised and appropriated in 2016; \$6,361 expended)

*Recommended by Selectmen  
Recommended by Budget Advisory Committee*

**Art. 53 — To see if the Town will vote to raise and appropriate the sum of \$34,430 for General Assistance and health & welfare agencies as follows:**

	2017	2016	2016 Expended
General Assistance	\$15,000	\$15,000	\$11,463
Independence Association	1,500	1,500	1,500
Midcoast Maine Community Action	730	730	730
Coastal Transportation	0	1,200	0
People Plus	2,000	1,500	1,500
Spectrum Generations	1,500	1,500	1,500
Family Crisis Shelter	500	500	500
Sexual Assault Response	250	250	250
Tedford Housing	1,000	1,000	1,000
Big Brothers/Big Sisters	500	500	500
Respite	1,600	1,600	1,600
Midcoast Hunger Prevention	4,000	3,500	3,500
American Red Cross	1,350	1,500	1,500

Day One	250	250	250
Oasis Health Network	1,500	1,200	1,200
Family Focus	500	500	500
Lifelight Foundation	500	500	500
YMCA (Bath)	750	500	500
Harpswell Aging at Home	<u>1,000</u>	<u>0</u>	<u>0</u>
	\$34,430	\$33,230	\$28,493

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 54 — To see if the Town will vote to raise and appropriate the sum of \$47,871 for the purposes as follows:**

	<b>2017</b>	2016	2016 Expended
Orr's Island Library	\$15,000	\$15,000	\$15,000
Cundy's Harbor Library	17,300	17,300	17,300
Harpswell Historical Society	3,000	3,000	3,000
Pejepscot Historical Society	500	500	500
Memorial Observances	1,500	1,500	1,699
Bailey Island Library Hall	2,671	2,603	2,603
Harpswell Business Association	3,000	3,000	3,000
Harpswell Neck Physical Education Association	2,000	2,000	2,000
Five River Arts Alliance	0	500	0
Maine Public Broadcasting	300	300	300
Water Safety Program	1,000	500	500
Community Fireworks Display	1,000	1,000	0
Harpswell Radio Project	<u>600</u>	<u>0</u>	<u>0</u>
	\$47,871	\$47,203	\$45,902

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 55 — To see if the Town will vote to raise and appropriate the sum of \$63,750 for Harpswell Community Broadcasting. (\$63,750 raised and appropriated in 2016; \$63,750 expended)**

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 56 — To see if the Town will vote to authorize the Board of Selectmen to accept a \$6,000 grant from Comcast pursuant to the terms of the Town's cable television franchise agreement and to appropriate the same for a principal payment on a lease-purchase agreement pursuant to which equipment, related to the public, educational and governmental needs of community broadcasting, has been acquired by the Town. (\$6,000 accepted and expended in 2016)**

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 57 — To see if the Town will vote to raise and appropriate the sum of \$6,400 for a warranty on equipment, acquired by the Town in a lease-purchase agreement, related to the public, educational and governmental needs of community broadcasting. (\$6,400 raised and appropriated in 2016; \$6,400 expended)**

*Recommended by Selectmen*  
*Recommended by Budget Advisory Committee*

**Art. 58 — To see if the Town will vote to authorize the Board of Selectmen to accept a \$5,400 grant from Comcast pursuant to the terms of the Town’s cable television franchise agreement and to appropriate the same as a pro-rata reimbursement to the Town, Harpswell Community Broadcasting Corporation and the three local Fire Departments for internet and cable television costs incurred by the same. (\$8,459, which includes carryover funds, expended in 2016)**

*Recommended by Selectmen*

**Art. 59 — To see if the Town will vote to raise and appropriate the sum of \$5,000 for the Property Tax Assistance Program with unexpended funds to be held in reserve. (No appropriation in 2016; \$9,174 expended in 2016 with \$6,701 remaining in reserve)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 60 — To see if the Town will vote to raise and appropriate the sum of \$10,000 for the Contingency reserve account. (No appropriation in 2016; \$6,748 expended in 2016 with \$6,228 remaining in reserve)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 61 — To see if the Town will vote to raise and appropriate the sum of \$100,000 for capital reserve accounts as follows:**

	2017	2016	2016 Expended
Recycling/Transfer Station	\$40,000	\$30,000	\$3,800
Facilities	10,000	27,500	14,427
Office Equipment	2,500	2,500	0
Emergency Communications Equipment	2,500	0	0
Vehicle & Vehicle Equip. Replacement	<u>45,000</u>	<u>0</u>	<u>9,375</u>
	\$100,000	\$60,000	\$27,602

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 62 — To see if the Town will vote to raise and appropriate the sum of \$470,000 for short- and long-term principal and interest payments. (\$550,000 raised and appropriated in 2016; \$539,384 expended)**

*Recommended by Selectmen*

*Recommended by Budget Advisory Committee*

**Art. 63 — To see if the Town will vote to authorize the Board of Selectmen to carry over, and assign fund balance accordingly, to the 2018 fiscal year any appropriated but unexpended funds at 2017 fiscal year end, provided that the funds are used for the same purpose as originally appropriated.**

*Recommended by Selectmen*

*The Moderator may entertain a motion to approve Articles 64-70 as recommended by Selectmen unless a voter requests a specific article be set aside for individual consideration.*

**Art. 64 — To see if the Town will vote to fix the date of September 15, 2017 as the date when the first one-half of taxes shall be due and payable, with interest on the first installment to start after that date, and the date of December 15, 2017 as the date when the second one-half of taxes are due and payable, with interest on the second installment to start after that date, and to see if the Town will vote to charge a 6% rate of interest on unpaid taxes.**

*Recommended by Selectmen*

**Art. 65 — To see if the Town will vote to authorize the Tax Collector to accept prepayment of taxes not yet committed, as a service to our taxpayers. Any excess prepaid over the amount finally committed shall be repaid without interest. (36 M.R.S.A. § 506). (Excess payment of \$10.00 or less may be credited to 2018 taxes).**

*Recommended by Selectmen*

**Art. 66 — To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 6% for the period of assessment and to authorize such interest paid or abatements granted to be appropriated from overlay funds or, if necessary, from unassigned fund balance.**

*Recommended by Selectmen*

**Art. 67 — To see if the Town will vote to authorize and direct the Board of Selectmen, at its discretion, to sell by sealed bid or public auction and to convey by quit-claim deed any real estate acquired from tax sources by the Town, or to convey the property to the prior owner upon payment in full of all taxes, interest and charges levied by the Town. The Board of Selectmen reserves the right to reject any and all bids.**

*Recommended by Selectmen*

**Art. 68 — To see if the Town will vote to authorize the Board of Selectmen to apply for State, federal (including Community Development Block Grants) and other grants on the Town's behalf for purposes deemed by the Selectmen to be in the best interests of the Town; to accept such grants, including, when necessary, signing contract and related documents and accepting conditions of approval; and to expend such grant funds for any purpose for which the Town has appropriated funds.**

*Recommended by Selectmen*

**Art. 69 — To see if the Town will vote to authorize the Board of Selectmen to spend an amount not to exceed 3/12 of the budgeted amount in each budget category of the 2017 budget from January 1, 2018 to the 2018 Annual Town Meeting.**

*Recommended by Selectmen*

**Art. 70 — To see if the Town will vote to authorize the Board of Selectmen to sell by public bid or other competitive process any and all personal property deemed excess by the Board of Selectmen pursuant to such restrictions as the Board of Selectmen may impose.**

*Recommended by Selectmen*

**Art. 71 — To see if the Town will vote to authorize the Board of Selectmen to appropriate amounts not to exceed \$60,000 from Municipal Revenue Sharing, \$1,803,000 from non-property tax revenue sources, \$470,000 of unassigned fund balance and the homestead exemption reimbursement, estimated to be \$95,000, to reduce the tax commitment. (\$60,000 of Municipal Revenue Sharing, \$1,703,000 of non-property tax revenue, \$470,000 of unassigned fund balance and \$66,000 of homestead exemption reimbursement used in 2016)**

*Recommended by Selectmen*

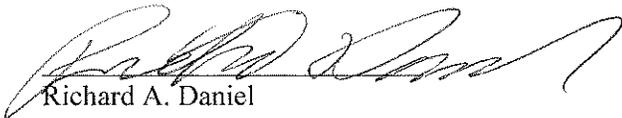
*Article 72 may be passed over if the levy limit is not exceeded by earlier decisions of the voters.*

**Art. 72 — To see if the Town will vote by written ballot to increase the property tax levy limit of \$2,736,497 established for Harpswell by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit.**

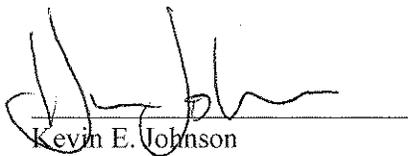
The Selectmen hereby give notice that the Registrar of Voters will be available at the Town Office during regular business hours for the entire week preceding said meeting to receive applications of persons claiming the right to vote at said meeting and to make corrections to the list of voters. Registrations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

Given under our hand this second day of March 2017.

Harpswell Board of Selectmen

  
Richard A. Daniel

  
Elinor Multer

  
Kevin E. Johnson