

**WARRANT
ANNUAL TOWN MEETING
HARPSWELL, MAINE
MARCH 8, 2008**

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 Harpswell Islands School, Route 24, Harpswell, Maine on Saturday the eighth day of March, 2008 at 9:00 a.m. of said day, to act on Articles 1 through 4.

The business meeting to act on Article 5 and others that follow will begin at noon.

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; and two M.S.A.D. # 75 Directors for three-year terms.

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

To see if the Town will vote to raise and appropriate \$113,538 for Curtis Memorial Library in Brunswick.

Recommended by Selectmen

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

Shall an ordinance entitled “2008 Amendments to the Subdivision Ordinance Regarding Cluster Development” be enacted?

Recommended by Selectmen Haible and Henderson

Not Recommended by Selectman Alexander

(The proposed ordinance is attached and is available for review and inspection at the Town Clerk’s Office and the Town Planning Office.)

Note of explanation: The proposed ordinance amendment regarding cluster development in subdivisions adds language that promotes the cluster development option consistent with the 2005 Update of the Harpswell Comprehensive Plan and allows for the following: a percentage of open space to be set aside based on the original lot size; design, maintenance and ownership of open space; placement of buildings in relationship to open space; alignment of road systems in relationship to open space and environmentally sensitive areas; and siting of common septic and wells within open space.

Art. 5 — Shall an ordinance entitled “2008 Amendments to the Basic Land Use Ordinance Regarding a 40’ Buffer Setback along State Aid Roads” be enacted?

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

11.3. Principal and Accessory Structures

...

11.3.3 Buffer. If the land proposed for development is located on Route 24, Route 123, Cundy's Harbor Road or Mountain Road and at the time of application is forested, a wooded buffer strip no less than forty (40) feet in width shall be left along the road right-of-way. The buffer strip may be modified to accommodate for driveways and essential utilities. As of March 8, 2008, clearing may only occur within the forty (40) foot buffer for town approved activities such as driveways, utilities, and timber harvesting.

The maximum width of the clearing for driveway and utility installation shall be twenty four (24) feet. If the utilities cannot be installed along the driveway then the utility clearing shall be the minimum necessary for safe installation.

Pruning of dead branches on the bottom 1/3 of trees is permitted. Removal of storm damaged, diseased, unsafe or dead trees is permitted.

*Recommended by Selectmen Haible and Henderson
Not Recommended by Selectman Alexander*

Art. 6 — Shall an ordinance entitled “2008 Amendments to the Sign Ordinance” be enacted?

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

1. Preamble and Purpose

~~The proliferation of advertising signs along and beside the public and private roads of the Town of Harpswell constitutes a serious hazard to the motoring public in that such advertising signs distract a driver's attention, block sight distances on curves and can cause dangerous traffic conditions when motorists slow down or stop to read the signs. These signs can also increase the hazard to pedestrian traffic by diverting driver's attention and despoil the natural scenic beauty of the Town of Harpswell and its countryside.~~

It is the intent of this ordinance to reduce ~~such~~ roadside hazards and to provide for the safety of the motoring public and pedestrians by regulating the location and use of advertising signs, ~~and, at the same time, provide~~ while providing directional information to travelers, and provide reasonable opportunities for the advertisement of goods, services and other attractions in the Town of Harpswell.

The purpose of this Ordinance is to provide for the public safety and promote the general welfare of the Town of Harpswell and to preserve the natural scenic beauty of the Town and its countryside for the enjoyment of all.

3. Regulations

3.1 No new, additional or enlarged display advertising sign shall be erected adjacent to any highway, street, road or private road within the Town of Harpswell that is visible to the passing motorist on a public way, except as provided in Sections 3.3 and 3.4.

3.5.3 Except for signs constructed pursuant to Section 3.4.5. all signs shall be setback ~~33~~ a minimum of five (5) feet from the centerline edge of the traveled way of any Highway, Street, Road or Private Road.

Recommended by Selectmen

Art. 7 — Shall an ordinance entitled “2008 Amendments to the Harbor and Waterfront Ordinance” be enacted?”

Recommended by Selectmen

(The proposed ordinance is attached and is available for review and inspection at the Town Clerk’s Office and will also be available at Town meeting.)

Art. 8 — To see if the Town will vote to ratify the action of the Board of Selectmen in accepting delivery of an easement deed for a dry hydrant fire protection system from James E. and Jennifer S. Talbot on property located off Goose Ledge Road, a portion of Tax Map 14, Lot 14-1.

Recommended by Selectmen

Art. 9 — To see if the Town will vote to authorize the Board of Selectmen to negotiate the terms and accept delivery of an easement deed for a dry hydrant fire protection system from Richard S. and Eleanor C. French on property located off Doughty Cove Road, a portion of Tax Map 49, Lot 11.

Recommended by Selectmen

Art. 10 — To see what sum the Town will vote to raise and appropriate for elected officials salaries and travel reimbursement, 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, but in no case in an amount less than three-quarters of the amount in this Article.

	2008	2007
Selectman, Chair	\$6,000	\$6,000
Selectman	6,000	6,000
Selectman	6,000	6,000
Tax Collector	39,737	38,579
Town Clerk*	37,677	36,579
Treasurer	6,000	6,000
Road Commissioner	6,000	6,000
Travel Reimbursement	<u>6,000</u>	<u>6,000</u>
	\$113,414	\$111,158

**Town Clerk is also Registrar of Voters and receives \$2,060 which is budgeted in Article 11.*

*\$113,414 Recommended by Selectmen
\$113,414 Recommended by Budget Advisory Committee*

Art. 11 — To see if the Town will vote to raise and appropriate the sum of \$1,174,189 for General Administration, Offices, Employee Benefits, Risk Management, Legal, Memberships, Boards & Committees and Operations and Maintenance of Town-owned buildings, properties and vehicles.

	2008	2007
Administration & Registrar	\$274,920	\$267,537
Assessing	82,684	86,545
Public Information	9,700	9,000
Tax Collector's Office	33,992	33,234
Town Clerk's Office	51,165	48,735
Codes Enforcement Office	105,773	102,331
Planning Office	94,570	75,794
Treasurer's Office	1,450	2,000
Employee Benefits: Retirement	44,297	41,060
Employee Benefits: Health Insurance	186,984	177,295
Employee Benefits: Social Sec/Medicare	65,158	57,064
Employee Benefits: Disability	2,280	2,220
Risk Management	52,630	49,676
Legal	48,000	45,000
Memberships: Maine Municipal Assoc.	7,337	6,987
Memberships: Midcoast Council of Business Develop. & Planning	7,859	7,859
Memberships: Chamber of Commerce	750	750
Town Boards/Committees	4,770	4,770

Town Buildings, Property & Vehicles	72,070	71,245
Old Town House & Commons	4,000	3,580
Town Dock	3,800	2,000
Town Landings	<u>20,000</u>	<u>3,000</u>
	\$1,174,189	\$1,097,682

\$1,174,189 Recommended by Selectmen

\$1,164,189 Recommended by Budget Advisory Committee

Note: Increases in Article 11 pertain primarily to salary and wage compensation levels, health insurance premiums, energy costs, \$20,000 in contracted services in the Planning Office budget for consulting services to assist the Comprehensive Plan Implementation Committee and an additional \$17,000 in Town Landings for improvements at Tide Mill Cove and the Giant's Stairs.

Art. 12 — To see if the Town will vote to raise and appropriate the sum of \$832,880 for Public Works and for operations and personnel at the Recycling Center & Transfer Station.

	2008	2007
Snow Removal	\$426,500	\$391,500
Road Maintenance*	18,000	75,000
Road/Street Signs	4,000	3,000
Recycling & Transfer	<u>384,380</u>	<u>369,583</u>
	\$832,880	\$839,083

Recommended by Selectmen

Recommended by Budget Advisory Committee

**Additionally, \$44,206 of 2007 unexpended road maintenance was carried over to 2008.*

Note: Greater use of sand and salt as well as an increase in salt prices are anticipated due to 2007 experience.

Art. 13 — To see if the Town will vote to raise and appropriate the sum of \$298,335 for Protection & Safety.

	2008	2007
Emergency Services		
▪ Operations & Capital	\$180,000	\$225,000
▪ ALS, Phone & Central Comm.	17,500	16,000
▪ Fire Warden	2,000	2,000
▪ Emergency Management	3,100	2,750
New Meadows River Watershed	1,000	1,000
Street Lighting	31,000	30,000
Harbor Management	40,633	39,911
Animal Control	<u>23,102</u>	<u>22,400</u>
	\$298,335	\$339,061

Recommended by Selectmen

Recommended by Budget Advisory Committee

Note: A decrease in the operations and capital line for emergency services is proposed because of the significant request for capital funding of emergency services vehicles in Article 28.

Art. 14 — To see if the Town will vote to raise and appropriate the sum of \$524,649 and appropriate \$15,000 from the Vehicle Replacement Account for Law Enforcement, Communications Services and Shellfish Conservation.

	2008	2007
General Law Enforcement	\$312,248	\$259,657
Communications	26,247	26,248
Shellfish Conservation: Marine Patrol	184,154	165,132
Shellfish Conservation: Boat Operations	<u>2,000</u>	<u>2,000</u>
	\$524,649	\$453,037

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Note: Increases in General Law Enforcement and Marine Patrol are largely attributable to the purchase of new vehicles & vehicle equipment in both contracts plus higher costs for wages and health insurance benefits.

Art. 15 — To see if the Town will vote to raise and appropriate the sum of \$27,230 for Health and Welfare and related Agencies.

	2008	2007
General Assistance	\$12,250	\$12,250
Community Health & Nursing	2,000	2,000
Independence Association	1,500	1,500
CED	730	730
Coastal Transportation	1,000	1,000
People Plus	1,500	1,500
Senior Spectrum	1,500	1,500
Hospice	1,500	1,500
Family Crisis Shelter	500	500
Sexual Assault Response	250	250
Tedford Shelter	1,000	1,000
Big Brothers/Big Sisters	500	500
Respite	1,000	1,000
Hunger Prevention	<u>2,000</u>	<u>2,000</u>
	\$27,230	\$27,230

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 16 – To see if the Town will vote to raise and appropriate the sum of \$102,495 for Cultural and Recreational Programs.

	2008	2007
Orr’s Island Library	\$11,500	11,000
Cundy’s Harbor Library	11,500	11,500
Harpswell Historical Society	2,000	2,000
Pejepscot Historical Society	500	500
Memorial Observances	1,200	1,200
Harpswell Community Broadcasting	35,000	35,000
Recreation Department	33,545	24,696
Recreation Programs	<u>7,250</u>	<u>7,255</u>
	\$102,495	\$93,151

Recommended by Selectmen

Recommended by Budget Advisory Committee

Note: The increase in the Recreation Department budget is attributable to the proposed addition of a new part-time employee (15 hours per week) responsible for the supervision of Children’s Programming under the direction of the Recreation Director whose hours will be reduced from 22 per week to 15.

Art. 17 – To see if the Town will vote to raise and appropriate \$5,000 for the videotaping/programming of Town administrative board meetings.

Recommended by Selectmen

Recommended by Budget Advisory Committee

Art. 18 - To see if the Town will vote to authorize the Board of Selectmen to enter into a multi-year agreement with Harpswell Community Broadcasting Corporation relating to the use of Town-owned property located off Community Drive for community media programming on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town.

Recommended by Selectmen

Art. 19 – To see if the Town will vote to raise and appropriate the sum of \$63,500 for capital reserve accounts.

	2008	2007
Boat & Motor Replacement	\$6,000	\$4,000
Voting Machines	3,000	3,000
HCBC Digital Conversion	5,000	5,000
Vehicle Replacement	0	12,000
Copier Replacement	1,500	1,500
Generator Replacement	13,000	8,000
Computer Server	0	2,500
Dry Hydrant	10,000	12,000
Vehicle Equipment Replacement	3,000	0
Town Office Improvements	6,000	0
Recycling/Transfer Station	<u>16,000</u>	<u>0</u>
	\$63,500	\$48,000

Recommended by Selectmen

Recommended by Budget Advisory Committee

Art. 20 — To see if the Town will vote to appropriate the sum of \$627,938 and raise \$600,053 for Debt Service (with the remainder of the Debt Service, \$27,885, to be funded by a loan repayment by Harpswell Neck Fire & Rescue, Inc.).

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 21 — To see if the Town will vote to raise and appropriate the sum of \$6,000 for general maintenance and operations at Mitchell Field.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 22 — To see if the Town will vote to appropriate \$12,727 from the Mitchell Field hazardous material removal account for the removal of certain existing fencing, construction of new fencing on the pier, removal of the water tower, generators and certain buildings, and other improvements to Mitchell Field as such funding permits.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 23 — To see if the Town will vote to (i) authorize the Board of Selectmen to negotiate the terms and conditions of an agreement for a one-year meteorological wind study on Town owned property known as Long Reach Mountain (Tax Map 42, Lots 54 & 70); (ii) accept gifts or grants from non-Town sources for this purpose, and (iii) raise and appropriate \$10,000 for the funding of said study, only if sufficient non-Town sources funds are received by August 1, 2008, for funding the balance of the cost of said study.

*Recommended by Selectmen
Not Recommended by Budget Advisory Committee*

Art. 24 — To see if the Town will vote to raise and appropriate the sum of \$14,000 for the purchase of a vehicle for Town use.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 25 — To see if the Town will vote to raise and appropriate \$5,000 for playground equipment at Harpswell Islands School.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 26 — To see if the Town will vote to raise and appropriate the sum of \$240,000 and appropriate \$137,840 from the capital road reserve account for capital road projects in 2008.

*\$220,000 Recommended by Selectmen
\$240,000 Recommended by Budget Advisory Committee*

Art. 27 – To see if the Town will vote to authorize the Town to enter an Emergency Services Agreement with Cundy’s Harbor Volunteer Fire Department and Orr’s and Bailey Island Fire Department on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town.

Recommended by Selectmen

Art. 28 – To see if the Town will vote to authorize the issuance of up to \$500,000 in general obligation bonds or notes for the purchase of certain emergency services vehicles, as determined to be appropriate by the Board of Selectmen, and to be owned by the Town, such amount to be held in the Emergency Vehicle Capital Account (an interest-bearing dedicated reserve account) until such time as the vehicles are purchased, with the dates, maturities, denominations, interest rate(s) and other details of the bonds to be determined by the Board of Selectmen , provided that such vehicles are to be 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.

Recommended by Selectmen

Recommended by Budget Advisory Committee

Total estimated debt service of this bond issue is \$630,258, of which principal is \$500,000 and estimated interest at 4.47% over 10 years is \$130,258.

FINANCIAL STATEMENT – 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	\$ 1,895,000
* Interest to be Repaid on Outstanding Bonds	\$ 227,901
* Total to be Repaid on Bonds Issued	\$ 2,122,901
* Additional Bonds Authorized But Not Yet Issued	\$ 50,000
* Total Additional Bonds (now proposed) to be Issued if Approved by Voters	\$ 540,000
* Estimated of Potential New Interest	\$ 133,740
* Total Additional Bonds To Be Issued and Estimated Interest if Approved by Voters	\$ 673,740

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 M. Kelly, Town Treasurer

Art. 29 — To see if the Town will vote to appropriate \$5,100 from the repeater replacement reserve account and authorize the issuance of up to \$40,000 in general obligation bonds or notes for the purchase of emergency communications equipment once a commitment for tower construction is reached, with the dates, maturities, denominations, interest rate(s) and other details of the bonds to be determined by the Board of Selectmen.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Total estimated debt service of this bond issue is \$43,482, of which principal is \$40,000 and estimated interest at 4.35% over 3 years is \$3,482.

FINANCIAL STATEMENT – TOWN OF HARPSWELL

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Marguerite M. Kelly, Town Treasurer

Art. 30 — To see if the Town will vote to raise and appropriate the sum of \$5,000 for improving handicap access to the front door of the Town Office.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 31 — To see if the Town will vote to raise and appropriate the sum of \$2,000 for commemorating 250 years of the Town’s incorporation.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 32 – 38 The Moderator may entertain a motion to approve Articles 32-38 as recommended by Selectmen unless a voter requests a specific article be set aside for individual consideration.

Art. 32— To see if the Town will vote to fix the date of September 15, 2008 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, 2008 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 10% rate of interest on unpaid taxes.

Recommended by Selectmen

Art. 33 — To see if the Town will vote to authorize the Tax Collector to accept prepayment of taxes not yet committed, as a services to our taxpayers. Any excess prepaid in 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 2009 taxes).

Recommended by Selectmen

Art. 34 — 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 undesignated fund balance.

Recommended by Selectmen

Art. 35 — 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 incurred by the Town. The Board of Selectmen reserves the right to reject any and all bids.

Recommended by Selectmen

Art. 36 — To see if the Town will vote to authorize the Board of Selectmen to accept conditional and unconditional gifts of money and to appropriate such funds for any purpose for which the Town has appropriated funds.

Recommended by Selectmen

Art. 37 — 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 2008 budget from January 1, 2009 to the 2009 Annual Town Meeting.

Recommended by Selectmen

Art. 38 — 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. 39 — To see if the Town will vote to raise and appropriate \$10,000 to establish the Heating Assistance Program Reserve Account for a heating assistance program for Harpswell residents, such program requirements and eligibility levels to be determined by the Board of Selectmen, and to accept gifts and grants of money for said reserve account.

Recommended by Selectmen

Art. 40 — To see if the Town will vote to authorize the Board of Selectmen to appropriate amounts not to exceed \$160,000 from Municipal Revenue Sharing, \$1,670,000 from non-property tax revenue, and \$255,000 of undesignated fund balance to reduce the tax commitment.

Recommended by Selectmen

Article 41 may be passed over if the levy limit is not exceeded by earlier decisions of the voters.

Art. 41 — To see if the Town will vote by written ballot to increase the property tax levy limit of \$2,020,125 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.

Art. 42 — Shall an ordinance entitled “2008 Amendments to the Floodplain Management Ordinance Regarding Compliance with the Federal Flood Insurance Program Minimum Standards” be enacted?

Recommended by Selectmen

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

ARTICLE I - PURPOSE AND ESTABLISHMENT

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The Town of Harpswell has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Title 30-A MRSA, Sections 3001-3007, 4352, and 4401-4407, and Title 38 MRSA, Section 440, as may be amended from time to time.

ARTICLE III – APPLICATION FOR PERMIT

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

1. a Floodproofing Certificate (FEMA Form 81-65, ~~08/99~~ 01/03, as may be amended from time to time), to verify...

ARTICLE V – REVIEW STANDARDS FOR FLOOD HAZARD DEVELOPMENT PERMIT APPLICATIONS

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B. Utilize, in the review of all Flood Hazard Development Permit applications, the base flood and floodway data contained in the "Flood Insurance Study – Town of Harpswell, Maine," as described in Article I.; in special flood hazard areas where base flood elevation and floodway data are not provided, the Town of Harpswell shall obtain, review and reasonably utilize any base flood elevation and floodway data from federal, state, or other technical sources, including information obtained pursuant to Article III.H.1; Article VI.K.; and Article IX.D., in order to administer Article VI of this Ordinance.

ARTICLE VI – DEVELOPMENT STANDARDS

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P. **Coastal Floodplains** -

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5. The ~~enclosed~~ areas below the lowest floor shall ~~may~~ be used solely for parking vehicles, building access, and storage.

ARTICLE XIV - DEFINITIONS

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Code Enforcement Officer - ~~any person or board responsible for performing the inspection, licensing, and enforcement duties required by a particular statute or ordinance.~~ A person certified under Title 30-A MRSA, Section 4451 (including exceptions in Section 4451, paragraph 1) and employed by a municipality to enforce all applicable comprehensive planning and land use laws and ordinances.

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Development - means any man made change ~~caused by individuals or entities~~ to improved or unimproved real estate, including but not limited to ~~the construction of buildings or other structures;~~ the construction of additions or substantial improvements to buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials; ~~and the storage, deposition, or extraction of materials, public or private sewage disposal systems or water supply facilities.~~

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Elevation Certificate - An official form (FEMA Form 81-31, ~~07/00~~ 01/03, as amended) that: . . .

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 our hands this 28th day of February, A.D. 2008

Harpswell Board of Selectmen

Samuel W. Alexander, Chairman

Amy N. Haible, Selectman

James S. Henderson, Selectman