

WARRANT
SPECIAL TOWN MEETING
HARPSWELL, MAINE

NOVEMBER 23, 2002

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 twenty-third day of November, 2002 at 10 o'clock in the forenoon of said day to act on Articles 1 through Article 8.

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

Art. 2 – To see if the Town will vote to appropriate the sum of \$35,000 from undesignated fund balance to cover overdrafts in the 2002 legal expenses account.

Recommended by Selectmen

Art. 3 – To see if the Town will vote to authorize the transfer of funds in the amount of \$177,955 from the road maintenance account to the road replacement capital reserve account.

Recommended by Selectmen

Note of explanation: To comply with Governmental Accounting Standards Board Statement No. 34 [GASB-34], all costs related to the capital improvement of Allen Point Road and Tide Mill Road (part of the Road Commissioner's Ten-Year Plan for Estimated Road Improvements) should be reflected as capital expenditures. Ditching, installing culverts and paving of the above named roads was actually budgeted in the 2002 road maintenance account. Selectmen recommend voter approval of this article so that road capital expenditures will be properly accounted for as capital items and road accounts will be properly reconciled at year end.

Art. 4 – To see if the Town will vote to appropriate the sum of \$10,000 from undesignated fund balance for road maintenance.

Recommended by Selectmen

Art. 5 – To see if the Town will vote to authorize the Board of Selectmen to negotiate with and accept delivery of an easement deed for a dry hydrant fire protection system from Dain and Holly Allen on property located at the intersection of Lookout Point Road and Harpswell Neck Road (a portion of Tax Map 8, Lot 58).

Recommended by Selectmen

Art. 6 – Shall an ordinance entitled “2002 Amendments to the Basic Land Use Ordinance, Shoreland Zoning Ordinance, Site Plan Review Ordinance and Subdivision Ordinance Regarding Technical Corrections” be enacted?

Recommended by Selectmen

[The proposed ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting.]

Art. 7 – Shall an ordinance entitled “2002 Amendments to the Basic Land Use Ordinance and the Subdivision Ordinance Regarding the Standard of Review to be Applied by the Board of Appeals and Technical Corrections,” as shown on the attached, be enacted?

Recommended by Selectmen

Art. 8 – Shall an ordinance entitled “2002 Amendments to the Shellfish Ordinance Regarding Technical Corrections,” as shown below, be enacted?

Recommended by Selectmen

(Additions are underlined and deletions are ~~struck out~~.)

Section 304 **Qualifications of License**

-
-
-

304.5 **Commercial Renewal License**

Applications for Resident Commercial Renewal Shellfish licenses and Non-resident Commercial Renewal Shellfish licenses shall be separated. Applicants for Resident Commercial Shellfish licenses must have held that category of license for the qualifying number of years. Applicants for Non-resident Commercial Shellfish licenses must have held that category of license for the qualifying number of years. Applicants for Renewal licenses must have been licensed in the Town of Harpswell for at least two (2) of the preceding five (5) years, and must have discharged their conservation obligation. Reciprocal licenses from previous years do not qualify for commercial renewal licenses. Renewal licenses will be available during the last five (5) working days of March and will be limited to the number of licenses to be issued that year. In the case that applicants exceed licenses available, licenses will be determined by the

number of years in the preceding five (5) years, in decreasing order, a licensee has held a qualifying Commercial Shellfish license in the Town of Harpswell; provided, however, that an applicant for a renewal license who has held a resident license for a shorter time period than an applicant for a renewal license who has held a resident license for at least two (2) of the preceding five (5) years but who has not qualified as a resident in the immediately preceding year shall have priority over the applicant who has held a resident license for at least two (2) of the preceding five (5) years but who has not qualified as a resident in the immediately preceding year. Nothing in Section ~~307.5~~ 304.5 through Section ~~307.6.2~~ 304.6.2 shall be interpreted to increase the available number of Non-resident Commercial licenses to more than ten percent of the available number of Resident Commercial licenses.

304.6 Non-Renewal License Criteria

Any license holder who does not fulfill all criteria set forth in Section ~~307.5~~ 304.5 does not qualify for a renewal license.

A priority list will be maintained in the Town Clerk's Office as follows:

- 304.6.1 License holder has had a valid Harpswell Commercial license for at least one (1) year and discharged his/her conservation obligation.
- 304.6.2 Any remaining licenses will be put in a lottery, the time and date to be published prior to April first with priority given to those who have completed voluntary conservation time in the previous year.
- 304.6.3 Subsequent to the license periods in ~~307.5~~ Sections 304.5 and ~~307.6~~ 304.6, resident or non-resident licenses not granted shall be available to residents and non-residents.

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 also be accepted at the meeting.

Given under our hand this fifteenth day of November, A.D. 2002

George H. Swallow

David S. Mercier

James W. Knight

Selectmen, Town of Harpswell