

**WARRANT
ANNUAL TOWN MEETING
HARPSWELL, MAINE
MARCH 8, 2003**

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, 2003 at 9 o'clock in the forenoon 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 twelve 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; Town Clerk, Tax Collector and Treasurer, all for one-year terms; and one M.S.A.D. # 75 Director for a three-year term.

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

Shall the Town vote to raise and appropriate \$81,200 to continue the current relationship with Curtis Memorial Library in Brunswick? (Previous Year \$74,500)

*Recommended by Selectmen
\$76,735 Recommended by Budget Advisory Committee*

Art. 4 – To see if the Town will vote to fix October 15, 2003 as the date when taxes shall be due and payable, and to see if the Town will vote to charge a 7% rate of interest on unpaid taxes after that date.

Recommended by Selectmen

Art. 5 – 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 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 2004 taxes).

Recommended by Selectmen

Art. 6 – To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 3% 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. 7 – To see if the Town will vote to authorize and direct the Board of Selectmen, at their 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. 8 – 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 or for any purpose consistent with the Town of Harpswell Comprehensive Plan.

Recommended by Selectmen

Art. 9 – 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 2003 annual budget from January 1, 2004 to the 2004 Annual Town Meeting.

Recommended by Selectmen

Art. 10 – To see if the Town will vote to raise and appropriate the sum of \$291,500 for Debt Service.

Recommended by Selectmen

Recommended by Budget Advisory Committee

Art. 11 – 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. 12 – To see if the Town will vote to ratify the action of the Board of Selectmen in appropriating \$83,028 from undesignated fund balance to cover the following accounts that were overdrawn in 2002:

Debt Service	\$61,134
Recycling Center Operations	19,838
Transfer Station	<u>2,056</u>
	\$83,028

Recommended by Selectmen

FUEL DEPOT

Art. 13 – To see if the Town will vote to authorize the Board of Selectmen to take all actions necessary to accept a deed of transfer from the United States, acting by and through the Commanding Officer, Northern Division, Naval Facilities Engineering Command, for the Fuel Depot Property easement (30' in width and approximately 8.5 miles in length, including all adjacent/additional easement areas), said easement deed to be in substantially the form of the deed attached hereto.

Recommended by Selectmen

Art. 14 – To see if the Town will vote to authorize and direct the Board of Selectmen to release the Town's interest in the former Fuel Depot property pipeline easement to the current record owners of the land over and under which the pipeline easement runs, after the Town has acquired the same from the United States, and to raise and appropriate an amount not to exceed \$5,000 for legal fees and an amount not to exceed \$1,500 for recording fees.

Recommended by Selectmen

Art. 15 – To see if the Town will vote to authorize the Board of Selectmen, subject to such terms and conditions as are in the best interests of the Town, to take all action necessary to accept delivery of a deed of transfer from the United States, acting by and through the Commanding Officer, Northern Division, Naval Facilities Engineering Command, for the small, remaining lot or parcel of real property, approximately .82 acres in size, located adjacent to the Fuel Depot property acquired by the Town from the federal government in March of 2001, including the residential buildings and any incidental personal property located thereon, said deed to be in substantially the form of the deed attached hereto.

Recommended by Selectmen

Art. 16 – To see if the Town will vote to authorize use of the Fuel Depot property by individuals on foot, wheelchair or other non-motorized vehicles within areas so designated at the Fuel Depot property at their own risk and pursuant to written rules approved by the Board of Selectmen after notice and hearing.

Recommended by Selectmen

Art. 17 – To see if the Town will vote to authorize the Board of Selectmen to allow the storage of publicly owned or publicly used equipment in assigned buildings at the Fuel Depot property if the Board of Selectmen determines that such storage serves a public purpose.

Recommended by Selectmen

Art. 18 – To see if the Town will vote to authorize the Board of Selectmen to approve the use of the Fuel Depot property for non-sport activities by groups of 20 persons or less upon written application at the Town Office and pursuant to written rules, to include parking matters, approved by the Board of Selectmen after notice and hearing.

Recommended by Selectmen

Art. 19 – To see if the Town will vote to authorize the Board of Selectmen to approve, upon written application at the Town Office, the use of a portion of the open fields at the Fuel Depot property for a sport activity provided that the proposed use has no residual impact on the property and does not violate any of the written usage rules approved by the Board of Selectmen after notice and hearing, including, without limitation, all federal and state environmental regulations applicable to the property.

Recommended by Selectmen

Art. 20 – To see if the Town will vote to transfer \$13,484 from last year's Fuel Depot appropriations to the Fuel Depot Annual Maintenance Reserve Account to be appropriated for that purpose and to raise and appropriate \$7,166 for the Fuel Depot Annual Maintenance Reserve Account; to the extent that money appropriated for annual maintenance of the Fuel Depot property is not used, it shall remain in the reserve account for that purpose.

Recommended by Selectmen

BORROWING

Art. 21 – To see if the Town will vote to authorize the issuance of general obligation bonds or notes in an amount not exceeding \$100,000, hereby authorized, with the dates, maturities, denominations, interest rates and other details of such bonds to be determined by the Board of Selectmen as a contribution to the Harpswell Heritage Land Trust for the acquisition of the Skolfield Shores and Mackerel Cove properties as permanently-dedicated, open-space parcels with rights of public access.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Total estimated debt service of this bond issue is \$109,100, of which principal is \$100,000 and estimated interest cost at 3% over 3½ years is \$9,100.

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 of Harpswell as of the date of this Town Meeting:

*	Bonds Now Outstanding and Unpaid	\$1,367,500
*	Interest to be Repaid on Outstanding Bonds	\$ 320,180
*	Total to be Repaid on Bonds Issued	\$1,687,680
*	Additional Bonds Authorized But Not Yet Issued	\$ 740,000
*	Total Additional Bonds (now proposed) to be Issued if Approved by Voters	\$ 100,000
*	Estimated Potential New Interest	\$ 151,300
*	Total Additional Bonds To Be Issued and Estimated Interest if Approved by Voters	\$ 991,300

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.

John E. Sylvester, Jr.
Town Treasurer

GENERAL GOVERNMENT & OPERATIONS

Art. 22 – To see if the Town will vote to raise and appropriate the sum of \$98,679 for the following elected officials’ salaries, for which Tax Collector and Town Clerk are full-time positions, and travel allowances; 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. These are annual salary figures, which shall be prorated and effective from the time of election through December 31 of that year. (Previous year \$97,420)

	2003 Proposed	Salary &	Expense/Travel	Previous Year
Selectman, Chair	\$8,000		\$1,000	No change
Selectman	7,500		1,000	No change
Selectman	7,500		1,000	No change
Tax Collector	33,946		1,000	\$33,280 salary; same travel
Town Clerk	30,233		1,000	\$29,640 salary, same travel
Treasurer	<u>6,000</u>		<u>500</u>	No change
	\$93,179		\$5,500	

*Recommended by Selectman Swallow and Selectman Mercier
Abstention by Selectman Knight
Recommended by Budget Advisory Committee*

Art. 23 – To see if the Town will vote to raise and appropriate the sum of \$320,820 for General Administration.

	2003 Proposed	Previous Year
Administration	\$231,863	\$238,743
Assessing	<u>88,957</u>	<u>88,290</u>
	\$320,820	\$327,033

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 24 – To see if the Town will vote to raise and appropriate the sum of \$35,322 for the Tax Collector’s Office. (Previous Year \$35,725)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 25 – To see if the Town will vote to raise and appropriate the sum of \$43,155 for the Town Clerk’s Office. (Previous Year \$43,402)

*Recommended by Selectman Swallow and Selectman Mercier
Abstention by Selectman Knight
Recommended by Budget Advisory Committee*

Art. 26 – To see if the Town will vote to raise and appropriate the sum of \$94,158 for Codes Enforcement. (Previous Year \$98,900)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 27 – To see if the Town will vote to raise and appropriate the sum of \$73,745 for the Planning Office. (Previous Year \$76,000)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 28 – To see if the Town will vote to raise and appropriate the sum of \$2,660 for the Treasurer’s Office. (Previous Year \$2,260)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 29 – To see if the Town will vote to raise and appropriate the sum of \$20,000 for assessing software and its related costs for the Assessing Office.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 30 – To see if the Town will vote to raise and appropriate the sum of \$7,500 for the continuing implementation and operation of the Town’s Geographic Information Systems (GIS).

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 31 – To see if the Town will vote to raise and appropriate the sum of \$194,393 for employee benefits.

	2003 Proposed	Previous Year
Maine State Retirement	\$4,200	\$4,000
Health Insurance	118,250	98,500
Social Security/Medicare	55,615	53,550
Deferred Compensation	8,100	5,000
IAM Pension Fund	6,428	5,600
Short-term Disability	<u>1,800</u>	<u>1,800</u>
	\$194,393	\$168,450

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 32 – To see if the Town will vote to raise and appropriate the sum of \$67,567 for Risk Management (Insurance and Workers’ Compensation). (Previous Year \$67,997)

Note of explanation: An estimated \$5,000 is included in the above figure to insure the Fuel Depot property.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 33 – To see if the Town will vote to raise and appropriate the sum of \$65,000 for legal expenses. (Previous Year \$65,000 + \$35,000)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 34 – To see if the Town will vote to raise and appropriate the sum of \$12,460 for memberships.

	2003 Proposed	Previous Year
Maine Municipal Association	6,610	\$7,055
Greater Portland Council of Governments	5,250	5,250
Chamber of Commerce	<u>600</u>	<u>600</u>
	\$12,460	\$12,905

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 35 – To see if the Town will vote to raise and appropriate the sum of \$9,000 for public information. (Previous Year \$9,000)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 36 – To see if the Town will vote to raise and appropriate the sum of \$4,800 for Town Boards/Committees' expenses. (Previous Year \$3,125)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 37 – To see if the Town will vote to raise and appropriate the sum of \$52,665 for operations and maintenance of Town-owned buildings and properties, the preservation of Town records, and clean-up of Town properties.

	2003 Proposed	Previous Year
Town Office Buildings & Grounds	\$43,665	\$45,880
Old Town House	2,000	3,450
Town Clean-up	1,500	1,500
Town Dock	2,500	1,800
Preservation of Town Records	<u>3,000</u>	<u>3,000</u>
	\$52,665	\$55,630

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

PUBLIC WORKS

Art. 38 – To see if the Town will vote to raise and appropriate the sum of \$435,110 for Public Works.

	2003 Proposed	Previous Year
Snow Removal	\$294,826	\$298,226
Road Maintenance	116,250	108,295
Road Commissioner Wages	18,034	17,680
Road Commissioner Travel	3,000	3,000
Road/Street Signs	<u>3,000</u>	<u>4,500</u>
	\$435,110	\$431,701

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 39 – To see if the Town will vote to raise and appropriate the sum of \$50,000 for engineering, surveying, real estate title work, and related legal expenses in furtherance of the capital improvement of Town roads.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 40 – To see if the Town will vote to raise and appropriate the sum of \$120,000 to continue road paving.

Recommended by Selectmen if Article 39 is defeated

Art. 41 – To see if the Town will vote to raise and appropriate the sum of \$301,294 for Harpswell Recycling Center and Transfer Station operations and personnel. (Previous Year \$296,540)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

PROTECTION AND SAFETY

Art. 42 – To see if the Town will vote to raise and appropriate the sum of \$201,600 for Emergency Services.

	2003 Proposed	Previous Year
Operating	\$100,000 <i>(Split evenly among 3 depts)</i>	\$100,000 <i>(Same)</i>
Capital	65,000 <i>(\$20K CH & OBI, \$25K HN)</i>	65,000 <i>(Same)</i>
Training	18,000 <i>(\$5K CH & OBI, \$8K HN)</i>	12,000 <i>(Split evenly among 3 depts)</i>
ALS	10,000	8,825
EMS Coordination	1,000	1,000
Central Com. Maint.	1,000	1,000
Fire Warden	3,000	3,000
Emergency Manag't	2,900	2,900
911 Phone Access	<u>700</u>	<u>0</u>
	\$201,600	\$193,725

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 43 – To see if the Town will vote to raise and appropriate the sum of \$12,000 for the dry hydrant reserve account. (Previous Year \$15,000)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 44 – To see if the Town will vote to raise and appropriate the sum of \$240,300 for Law Enforcement services contracted with Cumberland County Sheriff's Department. (Previous Year \$217,825)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 45 – To see if the Town will vote to raise and appropriate the sum of \$107,718 for Shellfish Conservation enforcement and boat operations.

	2003 Proposed	Previous Year
Cumberland County Marine Patrol Contract	\$106,718	\$129,079
Boat Operations	<u>1,000</u>	<u>1,000</u>
	\$107,718	\$130,079

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 46 – To see if the Town will vote to raise and appropriate the sum of \$10,478 for communications services with Cumberland County. (Previous Year \$10,478)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 47 – To see if the Town will vote to raise and appropriate the sum of \$11,000 for water quality testing, shoreline surveys, clam flat surveys, and the New Meadows River Watershed Project.

	2003 Proposed	Previous Year
Water Quality Testing & Shoreline Surveys	\$6,000	\$7,000
Clam Flat Surveys	4,000	4,250
New Meadows River Watershed Project	1,000	1,000
Pump-out Station (<i>Matching Funds for Grant</i>)	<u>0</u>	<u>1,000</u>
	\$11,000	\$13,250

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 48 – To see if the Town will vote to raise and appropriate the sum of \$31,500 for Street Lighting. (Previous Year \$30,000)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 49 – To see if the Town will vote to raise and appropriate the sum of \$17,950 for Harbor Management. (Previous Year \$16,665)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 50 – To see if the Town will vote to raise and appropriate the sum of \$27,252 for Animal Control.

	2003 Proposed	Previous Year
Animal Control	\$20,310	\$14,962
Coastal Humane Society	<u>6,942</u>	<u>5,662</u>
	\$27,252	\$20,624

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

HEALTH AND WELFARE

Art. 51 – To see if the Town will vote to raise and appropriate the sum of \$12,600 for Health and Welfare.

	2003 Proposed	Previous Year
General Assistance	\$10,500	\$15,000
Health Officer	1,600	1,600
Flu Clinic	<u>500</u>	<u>750</u>
	\$12,600	\$17,350

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 52 – To see if the Town will vote to raise and appropriate the sum of \$16,920 for Health and Welfare Agencies.

	2003 Proposed	Previous Year
CHAN	\$1,200	\$2,500
Jessie Albert Dental Clinic	500	2,500
Independence Association	1,500	3,200
CED	730	730
Coastal Transportation	1,000	3,000
55 Plus	5,000	5,000
Senior Spectrum	750	5,594
Hospice	1,500	1,500
Family Crisis Shelter	500	500
Sexual Assault Response	240	250
Tedford Shelter	900	900
Big Brothers/Big Sisters	500	500
Respite	600	650
Child Abuse Control	0	337
Hunger Prevention	<u>2,000</u>	<u>2,000</u>
	\$16,920	\$29,161

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 53 – To see if the Town will vote to raise and appropriate \$30,000 for browntail moth control, mitigation of the public health risks associated with the same, and education of property owners regarding such methods of control; of which \$5,000 will be used for generalized mechanical, non-chemical control methods and of which \$25,000 will be used to subsidize real property owners who engage licensed arborists for browntail moth control and mitigation at a flat rate of \$50 for each separately assessed property (not to exceed one per property owner) for the first 500 real property owners who apply to the Town in writing for such subsidy on a first come, first served basis no later than June 15, 2003.

*Recommended by Selectman Mercier
Not Recommended by Selectman Swallow and Selectman Knight*

CULTURAL AND RECREATIONAL

Art. 54 – To see if the Town will vote to raise and appropriate the sum of \$19,900 for Cultural and Educational Programs.

	2003 Proposed	Previous Year
Orr’s Island Library	10,000	10,000
Cundy’s Harbor Library	6,200	6,000
Harpswell Historical Society	2,000	2,000
Pejepscot Historical Society	500	500
Memorial Observances	<u>1,200</u>	<u>1,200</u>
	\$19,900	\$19,700

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 55 – To see if the Town will vote to appropriate \$35,000 from revenue generated by annual cable franchise fees for Harpswell Community Broadcasting. (Previous Year \$29,000 raised and appropriated)

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 56 – To see if the Town will vote to raise and appropriate the sum of \$19,695 for Recreation, including Recreation Director compensation and departmental expenses.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 57 – To see if the Town will vote to raise and appropriate \$7,740 for recreation programs and authorize the Board of Selectmen to appropriate revenue generated by recreation programs for recreational purposes and revenue generated by advertising and concession sales for operating expenses and capital improvement of Trufant-Summerton Field.

Baseball	2,200
Basketball	1,320
Harrier	470
Skiing	1,100
Soccer	250
Summer Arts	600
Swimming	150
Summer Swim	1,100
New Programs	<u>550</u>
	\$7,740

Recommended by Selectmen

CAPITAL PLANS

Art. 58 – To see if the Town will vote to raise and appropriate the sum of \$47,000 to fund a current capital expense fund for year 2003.

Harpswell Recycling & Transfer	\$32,700
Computer Equipment	7,200
Cemetery	6,000
Communications Repeater Replacement	<u>1,100</u>
	\$47,000

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 59 – To see if the Town will vote to appropriate \$6,250 from undesignated fund balance for the capital reserve account to replace voting machines.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 60 – To see if the Town will vote to raise and appropriate \$3,000 to establish a capital reserve account for the preservation of historic Town books and records.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

Art. 61 – To see if the Town will vote to establish an Audiovisual Equipment Acquisition and Repair Reserve Account and to appropriate any revenue generated by annual cable franchise fees in excess of any amount appropriated for Harpswell Community Broadcasting, said revenue to be used for the acquisition and repair of audiovisual equipment.

Recommended by Selectmen

CONTINGENCY

Art. 62 – To see if the Town will vote to appropriate \$35,000 from undesignated fund balance for contingency.

*Recommended by Selectmen
Recommended by Budget Advisory Committee*

ORDINANCES

Art. 63 – Shall an ordinance entitled “2003 Amendments to the Basic Land Use Ordinance, Shoreland Zoning Ordinance, Subdivision Ordinance, and Site Plan Review Ordinance Regarding Technical Changes” be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 64 – Shall an ordinance entitled “2003 Amendments to the Basic Land Use Ordinance, Definitions Addendum, Shoreland Zoning Ordinance, Site Plan Review Ordinance, and Subdivision Ordinance Regarding Historic Preservation” be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 65 – Shall an ordinance entitled “2003 Amendments to the Shoreland Zoning Ordinance, Site Plan Review Ordinance, and Definitions Addendum Regarding Campgrounds” be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 66 – Shall an ordinance entitled “2003 Amendments to the Basic Land Use Ordinance and Shoreland Zoning Ordinance Regarding Non-Conforming Lots of Record” be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 67 – Shall an ordinance entitled “2003 Amendments to the Basic Land Use Ordinance and the Shoreland Zoning Ordinance Regarding the Measurement of Height of Structures” be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 68 – Shall an ordinance entitled “2003 Amendments to the Shoreland Zoning Ordinance, Basic Land Use Ordinance, Subdivision Ordinance, and Definitions Addendum to Eliminate Internal Inconsistencies Regarding Freshwater Wetlands and to Define Streams Consistent with Recent Amendments to the Maine Natural Resources Protection Act” be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 69 – Shall an ordinance entitled “2003 Amendments to the Subdivision Ordinance Regarding Forested Wetland Setbacks” be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 70 – Shall an ordinance entitled “2003 Amendments to the Basic Land Use Ordinance and the Subdivision Ordinance Regarding Application Fees” be enacted (additions are underlined and deletions are ~~struck-out~~)?

Recommended by Selectmen

Basic Land Use Ordinance

13.5 Fee and Time Limits

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13.5.3. A non-refundable fee, in such amount as may be established by the Board of Selectmen from time to time, shall be charged for applications, permits and approvals required under the Town's land use ordinances, and a higher fee shall be charged for permit and approval applications that are filed by the applicant after the commencement of the activity for which the permit or approval is required.

Subdivision Ordinance

8.3.3. Fee for Independent Consulting Services

In addition to the application fee, every application for a subdivision shall be accompanied by the payment of one hundred (100) dollars for an independent consulting fee assessed on a per lot or per dwelling unit basis, whichever amount is greater, in such amount as may be established by the Board of Selectmen from time to time each lot, or dwelling unit. The payment shall be deposited in an individual trust account which is separate and distinct from all other Planning Board and Town accounts.

The Planning Board may use the funds in the individual trust account to hire independent consulting services to review the application. The applicant shall provide additional funds, as necessary, to cover the cost of independent consulting services.

Any balance in the account remaining after a decision on the application by the Planning Board, whether approved or denied, shall be refunded to the applicant after all payment of all consulting services related to review of the subdivision.

Art. 71 – Shall an ordinance entitled ‘2003 Amendments to the Basic Land Use Ordinance, Subdivision Ordinance, and Site Plan Review Ordinance Regarding Failure of Receipt of Notification Not Invalidating Board Action’ be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 72 – Shall an ordinance entitled ‘2003 Amendments to the Floodplain Management Ordinance and Basic Land Use Ordinance Regarding Compliance with Federal Flood Insurance Program Minimum Standards’ be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 73 – Shall an ordinance entitled ‘2003 Amendments to the Subdivision Ordinance Regarding Minimum Lot Size in Subdivisions’ be enacted (additions are underlined and deletions are ~~struck out~~)?

Recommended by Selectmen

Subdivision Ordinance

9.4. Lots

9.4.1. The minimum lot size for subdivisions shall be is eighty thousand (80,000) square feet, per dwelling unit. The with a minimum road frontage per lot for subdivisions shall be one hundred fifty (150) feet, and the minimum shore frontage per lot for subdivisions shall be of one hundred fifty (150) feet abutting the shore or roadway. Only one (1) dwelling unit is allowed per lot.

Art. 74 – Shall an ordinance entitled ‘2003 Amendments to the Basic Land Use Ordinance and Road Ordinance Regarding Road Frontage and Setbacks from Traveled Ways’ be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 75 – Shall an ordinance entitled ‘2003 Amendments to the Harpswell Road Ordinance Regarding Appeals’ be enacted (additions are underlined)?

Recommended by Selectmen

Section 8. Enforcement and Appeals

8.1 This ordinance shall be enforced in accordance with the enforcement provisions of the Town’s Basic Land Use Ordinance.

8.2 Any person aggrieved by a decision of the Code Enforcement Officer may appeal such a decision to the Board of Appeals in accordance with the appeal provisions in the Basic Land Use Ordinance.

Art. 76 – Shall an ordinance entitled ‘Town of Harpswell Street Opening Ordinance’ be enacted?

[The Proposed Ordinance is available for review and inspection at the Town Office and will also be available at the Town Meeting]

Recommended by Selectmen

Art. 77 – Shall an ordinance entitled ‘2003 Amendments to the Harpswell Shellfish Ordinance’ be enacted (additions are underlined and deletions are ~~struck out~~)?

Recommended by Selectmen

~~307.5 Identification and Tagging of Shellfish. The holder of a commercial shellfishing license, shall identify shellfish, the license holder has taken by means of a harvester’s tag. The tag must be consistent with the format required by the Department of Marine Resources. Each container, hod or bag of shellstock must be tagged prior to landing the shellstock. The tag must accompany the harvested product while the product is in wholesale or retail commerce within the state of Maine. For purposes of this section, the exception contained in 12 M.R.S.A. § 6625 (2) shall apply.~~

SEC. 310 SUSPENSION

310.1 In the event any Shellfish Licensee has two adjudications, within a thirty-six month period, for a violation of either this Ordinance and/or State law regarding shellfish regulation, 12 M.R.S.A. §§ 6601- 6681, as may be amended from time to time, that have taken place within the territorial limits of the Town of Harpswell, then within a thirty six month period the licensee shall receive a notice of suspension of the license for thirty (30) days from the Board of Selectman or its designee. ~~If the licensee has two adjudications of any municipal shellfish ordinance concerning closed area or harvesting without a license within a thirty six month period the license shall be suspended, upon notice and hearing, for 30 days, and a hearing shall be held only if requested by the licensee.~~ Any subsequent adjudication will result in a notice of suspension of the license for ninety (90) days. Exceptions: Licensee may not be suspended for adjudications of sections 306 ~~or 307.5~~ of this ordinance.

SEC. 408 AIDING AND ABETTING

A harvester holding a commercial license who knowingly helps, assists or facilitates the harvest of shellfish in violation of this Ordinance shall be subject to prosecution for the same violations and penalties as the person the licensee has assisted.

Art. 78 – Shall an ordinance entitled ‘2003 Amendments to the Town of Harpswell Harbor and Waterfront Ordinance’ be enacted (additions are underlined and deletions are ~~struck out~~)?

Recommended by Selectmen

SECTION 5.5 – ASSIGNMENT OF MOORING SPACE

5.5.1 Registered moorings shall be assigned locations in Harbors and Anchorages by the Harbor Master 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 location. New mooring permits will not be issued for a mooring that is located more than one-half mile from the applicant’s point of land access.

SECTION 8 – RULES AND REGULATIONS

8.1.9 It shall be unlawful to rent moorings or slips, in facilities not existing at the time this Ordinance is adopted, without providing for one ~~and one-half~~ parking spaces for each mooring or slip rented. Parking spaces shall be provided for expansions of existing facilities. Parking spaces and aisle dimensions shall be as specified in ~~Department of Environmental Protection, Regulations Pursuant to Site Location of Development Law, Chapter 374, Design Guidelines for Parking Lots~~ the Town’s Site Plan Review Ordinance regarding parking layout and design.

OTHER ITEMS

Art. 79 – To see if the Town will vote to authorize the Board of Selectmen to appropriate an amount not to exceed \$200,000 from undesignated fund balance, an amount not to exceed \$220,000 from Municipal Revenue Sharing, and \$1,350,000 of 2003 non-property tax revenue to reduce the tax commitment.

Recommended by Selectmen

Recommended by Budget Advisory Committee

Art. 80 – To see if the Town will vote to appropriate \$200,000 from undesignated fund balance for the long-term capital reserve account for road replacement and continue the Ten-Year Plan for Estimated Road Improvements.

Recommended by Selectmen if Article 39 is defeated

Recommended by Budget Advisory Committee if Article 39 is defeated

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

Given under our hand this twenty-seventh day of February, A.D. 2003.

George H. Swallow

David S. Mercier

James W. Knight
Harpwell Board of Selectmen