

WARRANT RETURN FOR THE ANNUAL TOWN MEETING  
OF THE  
TOWN OF OGUNQUIT

April 3 & 5, 1999

The Annual Town Meeting was called to order by Town Clerk Judy Shaw-Kagiliery with the Reading of the Call, Return and First Article. The Meeting convened at 9:00 A.M.

Millie Adams, Ann Clark, Marjorie Esau, William Hildreth, Mary Littlefield, and Judith Yates served as Ballot Clerks/Counters. Articles 1-3 were done by secret ballot. A total of 541 people voted at the April 3 Town Meeting. Polls closed at 6:00 P.M.

ARTICLE 1: Christine Murphy was elected Moderator and sworn in by Town Clerk Judy Shaw-Kagiliery.

ARTICLE 2: Ballots were cast as follows:

**SELECTMEN (Two Year Term)**

Jacqueline G. Bevins	(236)
Roger W. Brown	(216)
Philip G. Clark	(344)
Daniel E. Reynolds	(310)
Larry A. Smith	(218)

**WELLS-OGUNQUIT COMMUNITY SCHOOL DISTRICT (Three Year Term)**

Anne G. Page	(337)
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ARTICLE 3: Ballots were cast as follows:

**REFERENDUM QUESTION - Special Event Ordinance**

Yes - 361	No - 137
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Continuation of the April 3, 1999 Annual Town Meeting proceeded at 7:00 P.M. on Monday, April 5, 1999. Wayne Adams had been appointed by Christine Murphy to serve in her absence as Deputy Moderator. Mr. Adams was sworn in by Town Clerk Judy Shaw-Kagiliery. A total of 147 citizens attended the Meeting.

Moderator Adams called for a Motion to extend the courtesy to non-residents to speak during the Meeting. The Motion was made and seconded to do so. Motion passed, as presented, by a show of hands.

Prior to the beginning the reading of the Articles, Town Manager Locke passed out mil-rate information to the people in attendance.

The Moderator was then asked to entertain a Motion to move Article 45 out-of-order and be heard between Articles 9 and 10. Motion seconded. Passed by a show of hands.

ARTICLE 4: Following a brief discussion regarding the Town's celebration plans for the new Millennium a Motion was made and seconded to accept the Article as read. Passed, as read, by a show of hands.

ARTICLE 5: Motion was made and seconded to accept the Article as read. No discussion. Passed, as read, by a show of hands.

ARTICLE 6: Motion was made and seconded to accept the Article as read. Prior to the vote, Moderator Adams called for discussion. Paul McGowan asked what would be the impact on taxes. Chairman Clark gave the background of how the fiscal year change had evolved and

ARTICLE 6: (Continued)

how the new proposed June fiscal year would impact the town. There was discussion as to the pro and cons of a fiscal year change (i.e., less borrowing, possibly more payment delinquency, how it would affect the cash flow and the tax anticipation note. Charter Commission member, Stillman Bradish, added that the Charter dictates the fiscal year, therefore, it was being brought to the voters for their consideration. Selectperson Maxwell noted that the first year would be the hardest as the people would be facing 18 months' tax bills. It was also noted that this would mean a change in the meeting date for the Annual Town Meeting. It seemed to be the consensus of the people that this issue should be decided on at tonight's meeting and not be brought up again. The Selectmen agreed to honor this request. Upon calling for a vote by Moderator Adams, the motion to change the fiscal year failed by a show of hands.

ARTICLE 7: Motion was made and seconded to accept the Article as read. Moderator Adams called for a vote. Passed, as read, by a show of hands.

ARTICLE 8: Motion was made and seconded to accept the Article as read. Moderator Adams called for a vote. Prior to the vote, discussion ensued. Selectman Smith, an advocate of the parking meters explained how the "pay and display" meters would work and that it would not require additional personnel. Mr. Smith stated further that the town spends approximately \$650,000 to cater to tourism and could generate about \$100,000 in revenue from the installation of the meters. The meters would be placed in the front of the Cove and not affect the fishermen or charter boats. Mr. Smith continued that the motive behind the request was to fund necessary projects in the Cove (i.e, bulkhead and drawbridge repair). Discussion, pro and con then followed. Some voters felt the town was "squeezing the golden egg" while others agreed that if the town provided educational signage indicating why the meter were in place, the impact would not be quite so harsh. At this time, Moderator called for a vote. As the show of hands was too close to call, Moderator Adams then asked the Clerk to provide counters to count both sides of the room for an accurate count. The hand count was Yes 82 - No 56 Motion carried.

ARTICLE 9: Motion was made and seconded to accept the Article as read. Moderator Adams called for a vote. Brief discussion ensued with Town Manager Locke explaining the work which needed to be done to relieve the draining problem of approximately 200' from Cherry Street to the ocean. At the end of private roads, there is no drainage and this problem runs through 4 or 5 private properties and goes on to Frazier Pasture Road. Mr. Reynolds stated he felt this project would be an improvement for the town and private property owners, alike. Mr. Smith, however, did not feel it was fair to use public funds to correct the problem. Mr. Miller stated that he felt it would behoove the town and town manager to work with the private property owners. Mr. Miller noted that easements will be required by the property owner and thought that, out of fairness, the Town has an obligation town to work out the situation. Moderator Adams called for a vote. Passed, as read, by a show of hands.

At this time, Article 45 was taken out of order pursuant to earlier vote.

ARTICLE 45: Motion was made and seconded to accept the Article as read. Moderator Adams called for discussion. Mr. Reynolds asked for an amendment to the article which would allow voters to vote separately on Project #3 dealing with the Obeds Parking Lot Expansion and the Shore Road Sidewalks. Moderator Adams stated he would entertain a Motion to amend the Article to be voted on separately. Motion made and seconded. Moderator Adams called for a vote. Passed, as amended, by a show of hands.

Moderator Adams then stated he would entertain a Motion to approve that portion of Article 45 dealing with #1 - North Village Road Bridge for \$35,000. Motion made and seconded. Passed, as amended, by a show of hands.

Moderator Adams then stated he would entertain a Motion to approve that portion of Article 45 dealing with #2 - Fuel Tank Pump Replacement for \$16,000. Motion made and seconded. Passed, as amended, by a show of hands.

Moderator Adams then stated he would entertain a Motion to approve that portion of Article 45 dealing with #3 - Obeds Parking Lot Expansion/Shore Rd. Sidewalks/Baptist Church to Perkins Cove. Motion was made and seconded. Prior to vote, discussion ensued.

Selectman Miller began discussion by inquiring as to whether both projects would be eliminated, if the floor "kills" #3 dealing with the Obeds Parking Lot Expansion. Moderator Adams then asked if the \$110,000 request for #3 could be broken down and Selectman Miller stated he would like to see those figures broken out. Town Manager Locke indicated that the engineering figures show \$36,000 for the sidewalk project and \$74,000 for the Obeds Lot project. Selectman Miller also stated that the \$74,000 is the Town's twenty-percent (20%) share of the cost for improvement. After additional discussion, a Motion was made and seconded to approve that portion of Article 45 dealing with the spending of \$36,000 for the sidewalk project only. Passed, by a show of hands.

Martin Fitzgerald asked if separating the two (2) projects would jeopardize the federal grant. Mr. Miller indicated it was the Board's belief that it would not do so. Mr. Smith stated the Town had applied for two (2) separate grants: 1) Obeds Entrance and 2) Sidewalks on Shore Road. He continued that the Maine DOT awarded a single award, but it involved two (2) grants. Mr. Smith advised the floor of the time line involved in procuring the funds for the projects. The grant would provide improvement of the drainage problem in the area, and provide an exit to Route One and access to the proposed Winn House Museum. It was also noted that the project will have to go before the Planning Board for final approval. Mr. Smith stated he would recommend approving the funds for the Obeds Project as we are talking about over \$500,000 being spent with the Town's share at twenty-percent (20%). Chairman Clark asked that the Moderator entertain a Motion to approve that portion of Article 45 dealing with spending \$74,000 for the Obeds Parking Lot Expansion. Motion seconded. Motion failed.

- ARTICLE 10: Motion was made and seconded to accept the Article as read. Passed, as read, by a show of hands.
- ARTICLE 11: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 12: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 13: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 14: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 15: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 16: Motion was made to accept the Article as read. Motion seconded. Prior to the vote, discussion ensued. Town Manager Locke advised the floor that the Town was proposing the position of the Planner to take some of the burden off the CEO. It was explained further that someone needs to review plans before they are submitted to the Planning Board. The objective is to have a Planner available at least two (2) days a week which would be beneficial to both the CEO office and the Town. Moderator Adams called for a vote. Passed, as read, by a show of hands.
- ARTICLE 17: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 18: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 19: Motion was made to accept the Article as read. Motion seconded. Prior to the vote, Dan Reynolds asked what the \$42,000 decrease in the Communication Account represents. Town Manager Locke advised the Town has entered into an Agreement with the Town of York for joint dispatch services thus eliminating four (4) paid positions in Ogunquit. The intent is to have two (2) dispatchers on duty at the York PD at all times to service Ogunquit. This was put into play as a result of the state mandated E-9-1-1 which is proposed to go into effect in June, 2000. Moderator Adams called for a vote. Passed, as read, by a show of hands.
- ARTICLE 20: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 21: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 22: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 23: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 24: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 48: Moderator Adams was asked to entertain a Motion to take Article 48 out-of-order to be heard between Article 24 and 25. Motion was made and seconded to do so. Motion carried.

Moderator Adams then entertained a Motion to consider the three (3) elements of Article 48 individually. Motion seconded. Motion carried.

Motion was made and seconded to approve that portion of Article 48 dealing with #1 - Drawbridge Reconstruction. Prior to vote, discussion ensued. Town Manager Locke addressed the need for replacement of the drawbridge. He advised that a "1-year fix" had been done about three (3) years ago. The pilings of the bridge are over 60+ years of age and are at the point of replacement. The bridge has experienced alot of mechanical problems in the past year. The Town must also meet the mandatory handicap access mandate requiring a lift be installed to meet ADA requirements. Town Engineer Ken Woods of Attar Engineers addressed the floor and advised his firm had prepared the bid proposals to meet the required mandates. The new bridge would have an approximate life span of 50 years. He also explained that the "flatter" design is because of the ADA requirements. Following brief comments, pro and con, to the new design, Moderator Adams called for a vote on the Motion. Passed, by a show of hands.

Motion was made and seconded to approve that portion of Article 48 dealing with #2 - Bulkhead Reconstruction. Following brief discussion, Moderator Adams called for a vote on the Motion. Passed, by a show of hands.

Motion was made and seconded to approve that portion of Article 48 dealing with #3 - Pedestrian Walkway. Following brief discussion, Moderator Adams called for a vote on the Motion. Passed, by a show of hands.

ARTICLE 25: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 26: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 27: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 28: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 29: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

- ARTICLE 30: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 31: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 32: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 33: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 34: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 35: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 36: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 37: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 38: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 39: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 40: Motion was made to accept the Article as read. Motion seconded. Prior to the vote, David Hutchins made a motion to amend the Article and reduce the funding to \$7,500. Motion seconded. Motion failed. Moderator Adams called for a vote on the original Motion. Passed, as read, by a show of hands.
- ARTICLE 41: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 42: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 43: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 44: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 45: Article was taken out of order at the beginning of the Meeting and heard between Articles 9 and 10.
- ARTICLE 46: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 47: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 48: Article was taken out of order at the beginning of the Meeting between Articles 24 and 25.

Prior to taking Article 49 up for consideration, Moderator Adams noted the correct figure for **Total Debt Service on Line 2B** of the Article should read \$2,438,622 not \$2,483,622 as printed in the Warrant. Correction noted.

ARTICLE 49: Motion was made to accept the Article as corrected. Motion seconded. Passed, as corrected, by a show of hands.

ARTICLE 50: Motion was made to accept the Article as read. Motion seconded. Prior to the vote, discussion ensued. As it was felt the \$50,000 to come from the Dorothea Grant Special Revenue could not be used as proposed, an Amendment was made and seconded to decrease the funding request to \$200,000. The Article passed, as amended, by a show of hands.

Moderator Adams accepted a Motion and second to approve funding at a level of \$200,000 for the purpose of paying the first year's anticipated debt on Articles 8-9 and 40-29. Passed, as amended, by a show of hands.

ARTICLE 51: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 52: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 53: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 54: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 55: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 56: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 57: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 58: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

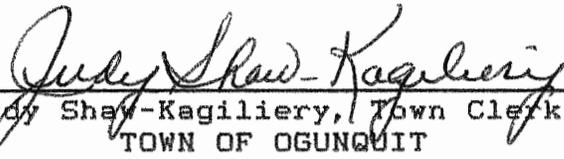
ARTICLE 59: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 60: Motion was made to accept the Article as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 61: Motion was made to accept the Article as read.  
Motion seconded. Passed, as read, by a show of  
hands.

Determining there was no other business to come  
before the floor, Moderator Adams declared the  
meeting adjourned at 10:35 P.M.

ATTEST:

  
Judy Shaw-Kagiliery, Town Clerk  
TOWN OF OGUNQUIT

DATED: April 16, 1999