

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

**April 6 & 8, 2002**

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 AM.

Ann Clark, Marjorie Esau, William Hildredth, Frances Holland, Mary Littlefield, and Karen Theriault served as Ballot Clerks/Counters. Articles 1 and 2 were done by secret ballot. A total of **628** people voted at the April 6 Town Meeting. Polls closed at 6 PM.

ARTICLE 1: Christine L. Murphy was elected as Moderator for the Election portion of the Town Meeting.

ARTICLE 2: Ballots were cast as follows:

**SELECTMEN (Three Year Term)**

Roger W. Brown	(305)
Albert A. Dello Russo	(318)
Karen M. Maxwell	(442)

**WELLS-OGUNQUIT CSD TRUSTEE (Three Year Term)**

W. Bradley Booth	(447)
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Moderator Murphy declared the polls closed at 6:00 PM. Upon concluding the tally of the votes at 7:20 PM, Moderator Murphy declared the Town Meeting recessed to **Monday, April 8, 2002, at 7:00 PM** in the Dunaway Center. David Ott was appointed as Deputy Moderator by Moderator Christine L. Murphy and was sworn in prior to the Budget portion of the Town Meeting by Town Clerk Judy Shaw-Kagiliery. A total of **142** citizens attended the Meeting which commenced at 7:10 PM.

Town Clerk Shaw-Kagiliery then introduced Deputy Moderator David Ott and he came forward to run the second half of the Meeting by calling for a Motion to extend the courtesies to the Town Manager and Department Heads, who were 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.

ARTICLE 3: Motion was made to accept the Article, as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 4: Motion was made to accept the Article, as read. Motion seconded. Discussion as to the pros and cons of such a purchase ensued. President of the Fire Company, Ed Smith, addressed the floor and advised what the reasons behind the Article were. Budget Committee Chairman, Dr. Herbert Hoffman stated the Budget Committee had not formally addressed this particular Article and, therefore, were not ready to speak one way or the other, but did recognize the need for such a vehicle. Following additional discussion a Motion was made and seconded to move the debate. Passed, as stated, by a show of hands. Moderator Ott then called for a vote on the original Motion. Passed, as read, by a show of hands.

ARTICLE 5: Motion was made to accept the Article, as read. Motion seconded. Passed, as read, by a show of hands.

ARTICLE 6: Motion was made to accept the Article, as read. Motion seconded. Passed, as read, by a show of hands.

- ARTICLE 7: Motion was made to accept the Article, as read. Motion seconded. Passed, as read, by a show of hands.
- ARTICLE 8: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Moderator Ott called for a 2/3 vote from the floor to allow certain non-residents to speak. Motion passed, as stated, by a show of hands and Julie Twombly, Property Manager of Hillcrest Condos addressed the floor relative to the Motion before them to adopt the new Beach Parking Ordinance, which would eliminate “timeshare owners” from purchasing a parking pass. Following the discussion, Moderator Ott called for a vote. Article passed, as read, by a show of hands.
- ARTICLE 9: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Town Manager advised the floor of the legal opinion received from MMA regarding the issue of plowing private roads and explained the mechanism to get public easements with certain conditions met by the property owners on the particular roads. Following brief discussion, Moderator Ott called for a vote. Article passed, as read, by a show of hands.
- ARTICLE 10: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Moderator Ott called for discussion. Budget Committee Chair Dr. Herbert Hoffman made a Motion, which was seconded to amend the total appropriation for the General Government Administration (**Board of Selectmen**) account from \$121,900 to \$81,900. The \$40,000 reduction would be in Line 13 – Legal Fees from \$90,000 to \$50,000. Following brief discussion, Moderator Ott called for a vote on the amendment. Motion passed, as stated, by a show of hands. Moderator Ott then called for a vote on the original Article, as amended. A Motion was made and seconded to accept the Article, as amended. Motion passed, as stated, 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. Prior to the vote, Budget Committee Chair Dr. Herbert Hoffman made a Motion, which was seconded to amend the Town Offices Administration (**Town Office**) account from \$361,509 to \$348,909. The \$12,600 reduction would come from Line 11 – Administrative Assistant (\$10,000) and Line 39 – Equipment - \$2,600. Following brief discussion, Moderator Ott called for a vote on the amendment. As the show of hands was too close to call, Moderator Ott called for another vote with Judy Yates and Jeanne Roche being asked by the Town Clerk to hand count the next vote. Results – YES (59) NO (56). Amendment passed. Moderator Ott then called for a vote on the original Motion, as amended. Motion passed, as stated, by a show of hands.
- ARTICLE 13: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Budget Committee Chair Dr. Herbert Hoffman made a Motion, which was seconded to amend the General Government Administration (**Assessing**) account from \$72,930 to \$72,530. The \$400 reduction would come from Line 34 – Computer Support. Following brief discussion, Moderator Ott called for a vote on the amendment. Motion passed, as amended. Moderator Ott then called for a vote on the original Motion, as amended. Article passed, as amended, by a show of hands.
- ARTICLE 14 Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Budget Committee Chair Dr. Herbert Hoffman made a Motion which was seconded to amend the General Government Administration (**Code Enforcement**) account from \$137,616 to \$135,206. The \$2,410

ARTICLE 14: (Continued)

reduction would come from Line 19 – Part-Time CEO from \$36,205 to \$33,795. Moderator Ott called for a vote on the amendment. Motion passed, as amended. Prior to a vote on the original Motion, as amended, a Motion was made by Fred Holmberg and seconded to amend the amended Article by reducing Line 17 – Part-Time CEO by an additional \$5,000 from \$32,280 to \$28,280 and Line 19 – FICA/Employee Benefits – by \$5,000 from \$33,795 to \$28,795. The amended Article would be amended from \$135,206 to \$125,206. Motion passed, as amended. Moderator Ott then called for a vote on the original Motion, as amended. Article passed, as amended, by a show of hands.

ARTICLE 15: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Budget Committee Chairman Dr. Herbert Hoffman made a Motion, which was seconded, to amend the **Town Planning** account from \$28,550 to \$27,093. The difference of \$1,457 was divided up among seven (7) different lines in the account. Following a very convoluted discussion of this Article, Dr. Hoffman withdrew his amendment. Moderator Ott called for a vote on the original Motion for \$28,550. Article passed, as read, by a show of hands.

ARTICLE 16: Motion was made to accept the Article, as read. Motion seconded. 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. 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 25: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Budget Committee Chair Dr. Herbert Hoffman made a Motion, which was seconded, to amend the Public Works **(Harbormaster)** account from \$62,150 to \$60,400. The \$1,750 reduction would come from Line 28 – Uniforms (\$250) and Line 33 – Operating Supplies (\$1,500). Following some discussion, Moderator Ott called for a vote on the amendment. Motion passed, as stated. Moderator Ott then called for a vote on the original Motion, as amended. Article passed, as amended, by a show of hands.

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

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

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

ARTICLE 30: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Helen Horn addressed the floor and made a Motion, which was seconded, that Line 56 of the Article be eliminated (Fireworks) reducing the Recreation Department from \$92,670 to \$89,670. Moderator Ott called for a vote on the amendment. As Moderator Ott was unable to determine the vote by the show of hands, Judy Yates and Jeanne Roche were called upon by the Town Clerk to do a hand count. Results – YES (48) NO – (54). Motion failed. Moderator Ott then called for a vote on the original Motion. Article 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. Prior to the vote, Moderator Ott called for discussion. Several residents from the floor including Nancy Fording and Charles Dahill expressed their belief that the Chamber should begin “paying its own bills” and not expect the residents to continue to supplement the running of the Chamber. Mrs. Fording also asked for an amendment which would eliminate the requested \$30,600 from the Culture & Recreation (**Information Bureau**) account. Moderator Ott stated he would not accept such an amendment. Selectman Bevins felt the Chamber had been given enough time to begin supporting itself on its own and while Selectman Maxwell stated she would not support such appropriation in the future, she did feel the Town should do so this year and not leave Town employees currently working at the Chamber out of a job on such short notice. Non-resident and Chamber Executive Director, Eleanor Vadenais, then asked to speak to the floor. Moderator Ott called for a 2/3 vote allowing her to do so. Passed by a show of hands. Ms. Vadenais explained the Chamber’s reason for the request stating that \$29,100 goes to the salaries for Town employees who provide information to the public. Ms. Vadenais explained the current Town employees were transferred over from the now closed Information Bureau and continue to provide information beneficial to the entire Town not just the Chamber. Resident and Chamber member, Dennis Latulippe, also addressed the floor and stated that the Chamber had agreed to keep on Town employees when the Chamber and the Town merged several years back and did not feel the townspeople should support not appropriating the funds for at least this year. During the discussion, two (2) amendments were made: **First Amendment:** Motion was made and seconded to reduce the appropriation for the Culture & Recreation (Information Bureau) from \$30,600 to \$1,500. Motion failed. **Second Amendment:** Motion was made and seconded to reduce the appropriation for the Culture & Recreation (Information Bureau) account from \$30,600 to \$15,600. Motion failed.

A Motion was then made and seconded to move to terminate any further discussion. Passed, as stated, by a show of hands. Moderator Ott then called for a vote on the original Motion. Article passed, as read, by a show of hands.

ARTICLE 33: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.

ARTICLE 34: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.

- ARTICLE 35: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 36: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 37: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 38: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 39: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 40: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 41: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 42: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 43: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Moderator Ott noted there was a typographical error in the Article (#3 – Shim & Overlay Captain Thomas Road) and called for an amendment to remove #3 in the Article. Motion was made and seconded to amend Article 43 by deleting the typographical error (#3 – Shim & Overlay Captain Thomas Road). Motion passed, by a show of hands. Moderator Ott then called for a vote on the original Article, as amended. Article passed, as amended, by a show of hands.
- ARTICLE 44: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 45: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Moderator Ott called for discussion. Resident and abutter to the land in question on Cedar Lane, Evan Hartman, stated that there were deed restrictions on the land, which would prevent the Town from building a parking lot on the land next to the skating rink. A Motion was made and seconded to amend Article 45 by reducing the \$114,00 to \$94,000 by eliminating Item #3 (Skating Rink Lot Purchase). Motion passed by a show of hands. Moderator Ott then called for a vote on the original Article, as amended. Article passed, as amended, by a show of hands.
- ARTICLE 46: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 47: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 48: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.
- ARTICLE 49: Motion was made to accept the Article, as read. Motion seconded. Prior to the vote, Moderator Ott called for discussion. Budget Committee Member Brad Sterl noted that the word “general fund” was not correct and should read “lapse to undesignated fund balance”. Treasurer Judy Yates stated that “we are talking semantics, for we are talking about the same thing”. Following additional discussion and determining from the

ARTICLE 49: (Continued)

Treasurer that amending the Article would not be a "substantive" change, a Motion was made and seconded to amend Article 49 by changing the wording from "general fund" to "undesignated fund balance". Motion passed, by a show of hands. Moderator Ott then called for a vote on the original Article, as amended. Article passed, as amended, by a show of hands.

ARTICLE 50: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.

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

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

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

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

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

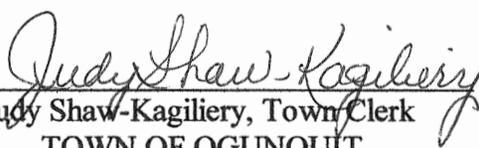
ARTICLE 56: Motion was made to accept the Article, as read. Motion seconded. Article passed, as read, by a show of hands.

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

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

Prior to adjourning the Meeting, Town Clerk Judy Shaw-Kagiliery asked that Moderator Ott have the two (2) newly elected candidates: Albert Dello Russo and Karen Maxwell come forward to be sworn in as Selectmen for the Town of Ogunquit.

Following the swearing in, Moderator Ott declared the Town Meeting adjourned at 11:26 PM.

ATTEST:   
Judy Shaw-Kagiliery, Town Clerk  
TOWN OF OGUNQUIT

DATED: April 12, 2002