WARRANT RETURN FOR THE SPECIAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT
June 8, 2004

The Special Town Meeting was called to order by Town Clerk Judy Shaw-Kagiliery with the Reading of the Call, Return and Article 1.

Marjorie Esau, Blanche Feinberg, Frances Holland, and Mary Littlefield served as Ballot/Election Clerks. A total of **368** people voted at the polls. Moderator Murphy declared the polls closed at 8PM and the tabulation of the ballots commenced.

ARTICLE 1: To elect a Moderator to preside at said Meeting.
Christine L. Murphy was elected as Moderator by written ballot.

ARTICLE 2: Shall the Town accept the provisions of Title 30-A of the Maine Revised Statutes Annotated, Section 2528, whereby all voting at Town Meetings shall be conducted by secret ballot; and furthermore, shall the Town approve the Charter amendments as set forth in subparagraphs (a), (b), (c) and (d) below?

(a) Amend Section 203 Town Elections by inserting bold, underlined language and deleting existing language as shown to read:

Provisions of the Laws of the State of Maine relating to the qualifications of voters, registration, the manner of voting, the duties of elected officials and all other particulars respective to preparation for, conduct of and management of elections, as far as they may be applied, shall govern all Town elections except as otherwise provided in this Charter. Title ~~30~~ **30-A**, M.R.S.A. as amended shall govern the manner of voting in Town elections, **provided that all voting shall henceforth be conducted by secret ballot pursuant to the provisions Section 2528 thereof. In addition, voting on budgetary matters shall be conducted in accordance with the provisions of Section 503 of this Charter.**

(b) Amend Section 204 Procedure for Annual Town Meeting by inserting bold, underlined language and deleting existing language as shown to read:

The Annual Town Meeting shall be held on the first Saturday of April. Notice of a Town Meeting, **to include a specimen ballot,** shall be conspicuously posted in at least three (3) public places and on the public access channel (WOGT), if available, at least ~~seven (7)~~ **thirty (30)** calendar days in advance ~~and in compliance with State statute, registered voters attending and determining appropriations at the Annual Town Meeting shall be counted by checklist to establish the quorum referred to in Section 205~~ **of the voting day**. Town Meetings shall be initiated and conducted in the manner provided by **applicable** State Statutes. ~~A specimen ballot shall be prepared at least fourteen (14) days in advance of the Annual Town Meeting.~~ **A quorum for the purpose of conducting the business and exercising all the powers of the Town Meeting shall consist of a number of eligible votes cast equal to at least twenty-five percent (25%) of the number of eligible votes cast in the Town at the last gubernatorial election.**

(c) Amend Section 205 Special Town Meetings by inserting bold, underlined language and deleting existing language as shown to read:

The Board of Selectmen may call a Special Town Meetings whenever deemed necessary or on petition of the voters. If the Board of Selectmen unreasonably refuse to call a **Special** Town Meeting, it may be called by a Notary Public in the county on the written petition of a number of voters equal to at least ten percent (10%) of the number of votes cast in the Town at the last gubernatorial election, but in no case less than ten (10) voters. Notice of a Special Town Meeting, **to include a specimen ballot,** shall be conspicuously posted in at least three (3) public places and on the public access channel (WOGT), if available, at least ~~seven (7)~~ **thirty (30)** calendar days in advance **of the voting day;** and in compliance with **applicable** State Statute**s**. A quorum for a Special Town Meeting shall be ~~twenty-five percent (25%)~~ **ten percent (10%)** of the number of

~~voters attending the budget portion of the previous Annual Town Meeting~~ **eligible votes cast in the Town at the last gubernatorial election**.

(d) Amend Section 503 Preparation and Submission of Budget by inserting bold, underlined language and deleting existing language as shown to read:

The Town Manager, assisted by input from each Department Head, office supervisor and Town Board Chairmen, shall ~~prepare~~ **submit a five (5) year capital improvement plan and** the annual **budget** and any special ~~budgets~~ **funding requests to the Board of Selectmen as may be directed**. ~~An appropriation for each department will be made at the Annual Town Meeting for the current year. The Town Manager will annually compile a five (5) year capital improvement plan.~~ The Board of Selectmen will then review and revise, if necessary, approve and ~~ready~~ **finalize** the budget for presentation at the Annual Town Meeting. **Prior to finalizing the budget, the Board of Selectmen shall hold a public hearing on the Town Manager's proposed budget at least forty-five (45) days prior to the Annual Town Meeting vote.** The budget, ~~with appropriate explanatory comments,~~ shall be presented to the **voters by the** Board of Selectmen **in the form of warrant articles for an appropriation. In the event a previously funded budget article is disapproved by majority vote, the appropriation for the last prior fiscal year shall constitute the appropriation for the current fiscal year as determined by the Board of Selectmen. In the event a budget item appearing on a ballot for the first time or a petitioned article is disapproved by majority vote, the item shall receive no funding. However, nothing herein is intended to prevent the Board of Selectmen from calling a maximum of one additional Special Town Meeting in that fiscal year for another vote on a defeated article or funding of a similar purpose. In the case of petitioned warrant articles or special funding requests for budgetary items to be voted at a Special Town Meeting, the procedures required and the only public hearing shall be as otherwise set forth in Title 30-A, M.R.S.A. §2528.5.**

YES **276** NO **81**

ARTICLE 3: Shall the existing ordinance entitled "Zoning Ordinance", more specifically referenced as Article 7 District Regulations, Table 702.1 Land Uses Permitted in Zoning Districts, be amended to include "public transportation facilities" as permitted in the RRD1 Zone under the Governmental Institutional Uses subsection?

YES **144** NO **186**

Following the tabulation of the ballots, Moderator Murphy declared the proceedings closed at 9:15 PM and certified the results of the Election to the Town Clerk.

TRUE COPY
ATTEST: _____
Judy Shaw-Kagiliery, Town Clerk

DATED: June 24, 2004