

**WARRANT
FOR THE
2004 ANNUAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT**

TO: FREDERICK M. RUBINO, Chief of Police of the Town of Ogunquit, in the County of York, State of Maine:

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Ogunquit in said county and state, qualified by law to vote in town affairs, to meet at the Dunaway Community Center in said Town on Saturday, the third (3rd) day of April, 2004 A.D. at nine o'clock in the morning (9:00 a.m.) until six o'clock in the evening (6:00 p.m.) to vote by secret ballot on Questions 1-5; and warn said voters to meet in the same place in said Town on Monday, the twelfth (12th) day of April, 2004 A.D. beginning at seven o'clock in the evening (7:00 p.m.) to act on Articles 1-29; to wit:

- Question 1: To elect a Moderator to preside at said meeting. [Note: this question is not intended to be acted upon as part of the official secret ballot at the Annual Town Meeting.]
- Question 2: To elect a Selectman for a three (3) year term to commence at the conclusion of the second portion of the 2004 Annual Town Meeting.
- Question 3: To elect a Wells-Ogunquit Community School District Trustee for a three (3) year term to commence on July 1, 2004.
- Question 4: Notwithstanding any Town Charter provisions to the contrary, shall the Town accept the provisions of Title 30-A of the Maine Revised Statutes Annotated, Section 2528, whereby all voting at the 2005 Annual Town Meeting shall be conducted by secret ballot, provided that 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; but 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? [Non-Binding Referendum]
- Question 5: Shall the existing ordinance entitled "Zoning Ordinance", more specifically referenced as Footnote 13 in Table 703.1, be amended to delete the existing text in its entirety and insert the following text in place thereof, whereby said amendment shall be effective as of September 1, 2002 as otherwise allowed under 1 M.R.S.A. §302? [Submitted by Petition]

Notwithstanding Section 1.3(F) of the Zoning Ordinance, in the Shoreland Overlay District, the total area of all structures, parking lots and other non-vegetated surfaces shall not exceed twenty percent (20%) of the lot area or portion thereof located in the district; except that in the General Business District and the Limited Business District, non-vegetated areas shall be allowed up to forty percent (40%); and in the Downtown Business District and the Ogunquit Beach Business District, non-vegetated areas shall be allowed up to sixty percent (60%); and in the Perkins Cove Residential District and the Perkins Cove Limited Business District, non-vegetated areas shall be allowed up to eighty percent (80%).

ARTICLE 1: Shall the existing ordinance entitled "Zoning Ordinance", more specifically referenced at Section 8.6.A, Fences, be amended as set forth herein with new language to be added as indicated by bold underlined text:

*"Fences shall only be made of natural, stained or painted wood, stone or metal, wrought iron **or vinyl or other plastics and vinyl-covered or other plastic-covered wood** or metal excluding chain link, within the following districts: Limited Business District, Downtown Business District, General Business Districts, Perkins Cove Limited Business District and the Ogunquit Beach District and those portions of the Shoreland Overlay Districts that overlay said districts."*

ARTICLE 2: Shall the existing ordinance entitled "Standards for Reviewing Land Subdivisions and Other Projects Ordinance" as approved by various Town Meeting votes under the authority of MRSA Title 30 be repealed in its entirety so that the Planning Board can adopt an amended set of regulations under the applicable governing authority as now set forth in MRSA Title 30-A, with said repeal to take effect upon the Planning Board's vote to adopt such Subdivision Regulations?

ARTICLE 3: Shall the Town vote to appropriate the sum of five hundred forty thousand nine hundred ten dollars (\$540,910) for General Government expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002 ACTUAL (RVSD)	FY 2003 BDGT (RVSD)	FY 2003 ACTUAL	FY2004 B.O.S. RCMND
GENERAL GOVERNMENT EXPENSES:					
410-01	Selectmen's Pay	5,500	8,000	8,000	8,000
410-02	Town Manager's Salary	71,678	70,980	71,253	73,008
410-03	Staff Salaries (Clerk/Treasurer)	89,571	93,437	93,882	96,003
410-04	F/T Staff Wages	44,987	98,065	94,319	103,433
410-05	Staff Overtime Pay	0	500	597	1,034
410-06	Benefits Pay	69,028	8,168	5,000	14,086
410-07	P/T Staff Wages	3,159	0	0	0
410-08	Seasonal Election Wages	1,361	700	1,889	1,200
410-10	FICA/Medicare		21,408	21,078	22,703
410-11	Retirement		21,039	19,053	23,005
410-12	Health Insurance		45,078	45,355	33,151
410-13	Dental Insurance		6,176	5,532	6,176
410-14	Life/Disability Insurance		3,583	4,555	3,719
410-15	Worker's Compensation		1,887	1,450	1,510
410-16	Unemployment		1,087	1,087	1,131
410-17	Recruiting		6,000	3,068	4,000
410-20	Postage	7,854	3,700	6,068	6,500
410-21	Printing		6,500	4,780	6,000
410-22	Supplies	6,495	4,000	5,850	6,000
410-23	Communications	4,784	4,800	5,775	5,500
410-24	Advertising	5,494	1,000	2,557	3,000
410-25	Uniforms		200	187	250
410-26	Professional Development	656	2,500	3,379	3,500
410-27	Dues & Subscriptions	3,175	5,000	4,939	5,000
410-30	Computers	4,777	16,000	16,350	12,000
410-31	Copy Machine		4,500	4,577	4,500
410-32	Equipment	6,150	5,400	2,392	5,000
410-40	Legal Services	41,384	62,500	67,595	50,000
410-45	Contracted Services	43,122	26,000	26,571	16,000
410-50	Mileage	1,101	1,000	2,416	2,500
410-89	Misc. Boards & Commissions	217	100	104	0
410-98	General Expenses	4,756	3,193	4,437	3,000

410-99	Selectmen's Contingency	100	7,500	5,642	20,000
GENERAL GOVERNMENT EXPENSE TOTAL		415,350	540,000	539,738	540,910

Board of Selectmen recommendation:

From Revenues: \$426,000 (estimated)
From Taxes: \$114,910 (estimated)
Total Amount: \$540,910 (5-0)

Budget Review Committee recommendation:

From Revenues: \$426,000 (estimated)
From Taxes: \$104,910 (estimated)
Total Amount: \$530,910 (4-0)

ARTICLE 4: Shall the Town vote to appropriate the sum of three hundred ten thousand three hundred forty-four dollars (\$310,344) for Land Use Department expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002 ACTUAL (RVSD)	FY 2003 BDGT (RVSD)	FY 2003 ACTUAL	FY2004 B.O.S. RCMND
LAND USE DEPT. EXPENSES:					
414-02	Director's Salary (CEO)	48,079	56,300	56,272	58,607
414-03	Staff Salaries	0	37,180	36,786	90,550
414-04	F/T Staff Wages	36,617	74,602	76,154	34,944
414-05	Staff Overtime Pay		1,156	2,193	2,520
414-06	Benefits Pay	28,708	2,521	2,521	2,762
414-07	P/T Staff Wages	18,471	0	0	0
414-10	FICA/Medicare		13,140	12,867	14,488
414-11	Retirement		8,838	11,215	15,151
414-12	Health Insurance		38,817	29,334	29,117
414-13	Dental Insurance		4,656	4,365	4,656
414-14	Life/Disability Insurance		2,294	2,777	2,513
414-15	Worker's Compensation		6,118	4,720	4,730
414-16	Unemployment		677	677	758
414-20	Postage	1,965	2,500	3,440	3,500
414-21	Printing		900	419	500
414-22	Supplies	3,619	2,000	2,797	3,200
414-23	Communications	1,579	1,600	1,216	1,500
414-24	Advertising	320	1,500	1,730	500
414-25	Uniforms		200	112	250
414-26	Professional Development	454	1,100	492	500
414-27	Dues & Subscriptions		1,535	1,385	1,200
414-30	Computers	1,197	7,450	4,195	5,000
414-31	Copy Machine		1,500	1,573	2,000
414-32	Equipment	838	650	969	2,500
414-40	Legal Services		0	12,740	0
414-45	Contracted Services	55,694	11,325	11,467	25,000
414-50	Mileage	1,689	2,900	2,133	2,300
414-80	Zoning Board of Appeals	3,747	300	96	500
414-81	Planning Board	12,088	500	431	500
414-82	Board of Assessment Review	109	300	0	100
414-83	Comprehensive Plan	24,824	5,000	1,366	0
414-98	General Expenses		442	886	500
LAND USE DEPT. EXPENSE TOTAL		239,998	288,000	287,327	310,344

Board of Selectmen recommendation:

From Revenues: \$168,700 (estimated)
From Taxes: \$141,644 (estimated)
Total Amount: \$310,344 (5-0)

Budget Review Committee recommendation:

From Revenues: \$168,700 (estimated)
 From Taxes: \$143,211 (estimated)
 Total Amount: \$311,911 (4-0)

ARTICLE 5: Shall the Town vote to appropriate the sum of one million three hundred fifty-five thousand dollars (\$1,355,000) for Police Department expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002 ACTUAL (RVSD)	FY 2003 BDGT (RVSD)	FY 2003 ACTUAL	FY2004 B.O.S. RCMND
POLICE DEPT. EXPENSES:					
421-01	Chief's Salary	0	63,000	64,092	64,429
421-02	Staff Salaries	112,565	52,054	40,342	57,178
421-03	F/T Staff Wages - Police	242,283	309,012	285,567	329,184
421-04	F/T Staff Wages - Admin		31,387	30,473	32,074
421-05	Staff Overtime Pay	33,148	24,000	34,511	35,000
421-06	Benefits Pay	154,202	22,203	19,779	31,148
421-07	P/T Police Wages	151,376	83,650	104,478	148,500
421-08	Seasonal Wages	143,069	5,000	7	0
421-09	P/T Admin Wages		55,650	48,209	33,206
421-10	FICA/Medicare		48,804	54,071	55,900
421-11	Retirement		34,648	31,969	43,921
421-12	Health Insurance		87,026	66,599	81,007
421-13	Dental Insurance		9,249	6,809	8,468
421-14	Life/Disability Insurance		6,848	6,869	6,591
421-15	Worker's Compensation		20,355	15,699	20,156
421-16	Unemployment		2,552	2,552	2,923
421-20	Postage	4,343	900	1,338	2,975
421-21	Printing		1,700	1,045	1,500
421-22	Supplies	5,160	4,000	3,710	5,000
421-23	Communications	3,185	24,500	23,784	25,000
421-24	Advertising	694	200	0	500
421-25	Uniforms	12,359	16,500	14,245	14,500
421-26	Professional Development	11,598	12,000	11,072	20,000
421-27	Dues & Subscriptions		600	1,010	1,995
421-30	Computers		13,000	13,001	15,500
421-31	Copy Machine		3,000	2,441	2,616
421-32	Equipment	5,380	10,000	8,250	10,000
421-41	Animal Control Expenses	4,280	6,000	4,961	15,000
421-43	Dispatch Expenses	207,440	88,148	82,176	92,586
421-45	Contracted Services	22,285	4,000	110	6,000
421-50	Mileage	8,775	900	1,885	2,250
421-51	Vehicle Expenses	37,851	12,000	20,091	25,000
421-98	General Expenses	188	3,000	2,131	5,136
421-99-1	Visitor Services Wages		141,328	115,440	130,000
421-99-2	Visitor Services Benefits		16,927	11,279	14,257
421-99-3	Visitor Services Expenses	4,767	16,000	13,320	15,500
POLICE DEPT. EXPENSE TOTAL		1,164,948	1,230,141	1,143,315	1,355,000

Board of Selectmen recommendation:

From Revenues: \$250,100 (estimated)
 From Taxes: \$1,104,900 (estimated)
 Total Amount: \$1,355,000 (5-0)

Budget Review Committee recommendation:

From Revenues: \$250,100 (estimated)
 From Taxes: \$1,099,900 (estimated)
 Total Amount: \$1,350,000 (3-1)

ARTICLE 6: Shall the Town vote to appropriate the sum of one million thirty thousand dollars (\$1,030,000) for Fire-Rescue Department expenditures?

		FY 2002	FY 2003	FY 2003	FY2004
ACCT #	ACCOUNT DESCRIPTION	ACTUAL (RVSD)	BDGT (RVSD)	ACTUAL	B.O.S. RCMND
FIRE-RESCUE DEPT. EXPENSES:					
422-01	Chief's Salary	30,440	52,937	52,115	57,900
422-02	Staff Salaries - Officers		7,200	6,815	7,761
422-03	F/T Staff Wages	196,042	269,556	272,757	300,606
422-04	Volunteer Stipends	24,915	2,400	2,400	2,400
422-05	Staff Overtime Pay	34,888	49,200	73,746	54,109
422-06	Benefits Pay	122,917	19,441	19,440	23,135
422-07	P/T Staff Wages	8,449	29,400	18,956	25,200
422-10	FICA/Medicare		30,610	33,570	36,040
422-11	Retirement		18,099	21,584	34,860
422-12	Health Insurance		94,174	90,920	93,657
422-13	Dental Insurance		9,668	9,235	9,668
422-14	Life/Disability Insurance		4,402	5,431	4,894
422-15	Worker's Compensation		29,608	22,827	29,817
422-16	Unemployment		1,601	1,601	1,884
422-20	Postage	153	300	157	300
422-21	Printing		300	181	200
422-22	Supplies	35,020	5,000	5,046	5,000
422-23	Communications	7,821	10,000	8,998	9,500
422-24	Advertising	3,848	200	0	200
422-25	Uniforms	11,099	6,000	3,051	5,000
422-26	Professional Development	5,511	9,000	7,543	7,500
422-27	Dues & Subscriptions		2,400	2,015	2,100
422-30	Computers		5,000	4,336	5,500
422-31	Copy Machine		800	124	800
422-32	Equipment	9,226	27,065	28,359	30,000
422-43	Dispatch Expenses		88,148	82,176	92,586
422-45	Contracted Services	6,907	3,000	2,615	3,000
422-50	Mileage	2,554	1,000	1,139	3,000
422-51	Vehicle Expenses	22,811	10,000	11,967	15,000
422-90	Utilities	7,871	9,300	10,186	10,900
422-91	Building Expenses	7,177	10,000	10,010	13,200
422-92	Grounds Expenses		1,000	751	884
422-98	General Expenses	455	1,000	744	718
422-99-1	Lifeguard Wages	100,784	113,775	105,310	113,775
422-99-2	Lifeguard Benefits	6,947	14,558	12,292	13,905
422-99-3	Lifeguard Expenses	7,140	16,000	14,000	15,000
FIRE-RESCUE DEPT. EXPENSE TOTAL		652,974	952,142	942,396	1,030,000

Board of Selectmen recommendation:

From Revenues: \$295,000 (estimated)
 From Taxes: \$735,000 (estimated)
 Total Amount: \$1,030,000 (5-0)

Budget Review Committee recommendation:

From Revenues: \$295,000 (estimated)
 From Taxes: \$729,773 (estimated)
 Total Amount: \$1,024,773 (4-0)

ARTICLE 7: Shall the Town vote to appropriate the sum of seven hundred six thousand one hundred one dollars (\$706,101) for Public Works Department expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002	FY 2003	FY 2003	FY2004
		ACTUAL (RVSD)	BDGT (RVSD)	ACTUAL	B.O.S. RCMND
PUBLIC WORKS DEPT. EXPENSES					
431-02	Director's Salary	50,334	51,995	52,254	53,095
431-04	F/T Staff Wages	109,856	127,556	128,037	151,636
431-05	Staff Overtime Pay	11,534	12,756	22,288	15,164
431-06	Benefits Pay	80,173	2,693	2,693	3,298
431-07	P/T Staff Wages		0	0	68,515
431-08	Seasonal Wages	28,368	13,480	0	0
431-10	FICA/Medicare		15,949	17,317	22,316
431-11	Retirement		12,017	16,973	17,855
431-12	Health Insurance		55,096	55,097	59,548
431-13	Dental Insurance		5,820	5,820	6,402
431-14	Life/Disability Insurance		2,451	3,100	2,795
431-15	Worker's Compensation		17,703	13,653	16,810
431-16	Unemployment		834	834	1,167
431-22	Supplies	8,896	7,200	7,975	6,500
431-23	Communications	2,493	4,000	4,357	5,300
431-24	Advertising	306	0	0	0
431-25	Uniforms	4,498	4,650	4,486	5,000
431-26	Professional Development	50	500	531	500
431-30	Computers			250	0
431-32	Equipment	1,958	5,000	4,855	5,000
431-45	Contracted Services	48,935	24,000	29,439	35,000
431-49	Transportation Fees	7,240	0	0	0
431-51	Vehicle Expenses	22,397	25,000	37,174	30,000
431-60	Pavement		4,275	4,752	5,000
431-61	Gravel		4,544	1,787	3,650
431-62	Sand		3,000	5,965	3,300
431-63	Sidewalk Expenses		100	0	0
431-64	Bridge Expenses		100	0	0
431-65	Salt & De-icing		8,520	6,663	7,000
431-66	Signs		2,500	2,203	4,000
431-67	Drainage		2,500	0	0
431-68	Guardrails		100	0	0
431-69	Trash Barrels		0	0	3,750
431-71	Special Projects		0	0	5,000
431-89	Fuel Pump Expenses		500	1,179	6,000
431-90	Utilities	4,030	4,700	4,535	5,000
431-91	Building Expenses	2,564	8,500	5,670	6,000
431-93	Grounds Expenses	29,994	100	0	0
431-94	Street Lights	64,888	75,000	63,336	66,000
431-95	Sewer Fees	17,681	18,000	18,229	19,000
431-96	Water Hydrants	63,072	63,100	63,072	64,000
431-98	General Expenses	2,298	2,300	2,206	2,500
431-99-1	Grounds Maintenance Wages		74,360	48,759	0
431-99-2	Grounds Maintenance Benefits		9,515	3,337	0
431-99-3	Grounds Maintenance Expenses	56,362	48,000	45,397	0
PUBLIC WORKS DEPT. EXPENSE TOTAL		617,927	718,413	684,222	706,101

Board of Selectmen recommendation:

From Revenues: \$110,200 (estimated)
 From Taxes: \$595,901 (estimated)
 Total Amount: \$706,101 (5-0)

Budget Review Committee recommendation:

From Revenues: \$110,200 (estimated)
 From Taxes: \$595,901 (estimated)
 Total Amount: \$706,101 (3-0)

ARTICLE 8: Shall the Town vote to appropriate the sum of four hundred eight thousand two hundred ninety-eight dollars (\$408,298) for Transfer Station expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002 ACTUAL (RVSD)	FY 2003 BDGT (RVSD)	FY 2003 ACTUAL	FY2004 B.O.S. RCMND
TRANSFER STATION EXPENSES:					
432-02	Manager's Salary		35,360	35,366	36,067
432-04	F/T Staff Wages	47,433	15,840	14,694	20,933
432-06	Benefits Pay	5,004	1,024	1,024	5,855
432-07	P/T Staff Wages		18,096	17,542	18,644
432-08	Seasonal Wages		3,277	6,321	8,314
432-10	FICA/Medicare		4,418	5,568	6,871
432-11	Retirement		1,414	3,135	4,560
432-12	Health Insurance		10,061	10,023	8,472
432-13	Dental Insurance		1,358	1,843	2,328
432-14	Life/Disability Insurance		699	844	778
432-15	Worker's Compensation		5,987	3,536	7,177
432-16	Unemployment		290	222	359
432-20	Postage		400	368	400
432-21	Printing		2,000	1,270	1,500
432-22	Supplies	7,324	3,600	3,313	6,000
432-23	Communications		1,272	804	800
432-24	Advertising		300	222	300
432-25	Uniforms		100	0	500
432-26	Professional Development	8,968	50	25	50
432-27	Dues & Subscriptions		50	0	350
432-32	Equipment		37,000	37,996	1,787
432-44	RWS Assessment	58,151	57,111	83,531	90,913
432-45	Contracted Services	77,374	66,140	83,315	65,000
432-46	Land Payments	16,428	22,300	1,697	1,800
432-47	Tipping Fees - MSW	111,737	114,400	81,289	88,000
432-48	Tipping Fees - Demo	41,009	0	0	0
432-49	Transportation Fees	2,659	0	0	23,240
432-50	Mileage		200	148	200
432-51	Vehicle Expenses		500	0	0
432-66	Signs		400	0	100
432-80	Transfer Station Committee		200	0	200
432-81	Recycling Committee		200	435	2,500
432-90	Utilities		1,000	1,368	1,800
432-91	Building Expenses		300	0	500
432-98	General Expenses	1,660	3,263	3,319	2,000
TRANSFER STATION EXPENSE TOTAL		377,747	408,610	399,218	408,298

Board of Selectmen recommendation:

From Revenues: \$181,500 (estimated)
 From Taxes: \$226,798 (estimated)
 Total Amount: \$408,298 (5-0)

Budget Review Committee recommendation:

From Revenues: \$181,500 (estimated)
 From Taxes: \$226,798 (estimated)
 Total Amount: \$408,298 (3-0)

ARTICLE 9: Shall the Town vote to appropriate the sum of sixty-eight thousand four hundred seventy-seven dollars (\$68,477) for Harbormaster expenditures?

		FY 2002	FY 2003	FY 2003	FY2004
ACCT #	ACCOUNT DESCRIPTION	ACTUAL (RVSD)	BDGT (RVSD)	ACTUAL	B.O.S. RCMND
HARBORMASTER EXPENSES:					
433-02	Harbormaster's Salary	24,548	28,000	30,024	31,102
433-05	Staff Overtime Pay		0	668	0
433-06	Benefit Pay	4,286	420	420	5,467
433-07	P/T Staff Wages	4,489	5,250	2,106	4,280
433-10	FICA/Medicare		2,576	2,766	3,125
433-11	Retirement		1,120	2,455	2,488
433-12	Health Insurance		5,113	3,365	0
433-13	Dental Insurance		679	0	0
433-14	Life/Disability Insurance		382	530	425
433-15	Worker's Compensation		5,540	4,269	4,528
433-16	Unemployment		133	133	163
433-22	Supplies	2,624	1,500	1,309	800
433-23	Communications	750	1,000	651	1,200
433-24	Advertising		250	0	0
433-25	Uniforms	51	300	326	350
433-26	Professional Development		400	200	400
433-32	Equipment	7,616	5,000	5,356	1,000
433-45	Contracted Services	369	1,000	4,823	2,000
433-50	Mileage	675	750	256	450
433-51	Vehicle Expenses		1,500	1,585	2,300
433-66	Signs		300	0	300
433-81	Harbor Committee	0	200	0	0
433-90	Utilities	4,472	4,500	2,050	2,500
433-91	Building Expenses	0	300	0	1,100
433-93	Grounds Expenses		100	0	4,000
433-98	General Expenses	182	1,447	2,070	500
HARBORMASTER EXPENSE TOTAL		50,063	67,760	65,363	68,477

Board of Selectmen recommendation:

From Revenues: \$68,477 (estimated)
 From Taxes: \$0 (estimated)
 Total Amount: \$68,477 (5-0)

Budget Review Committee recommendation:

From Revenues: \$68,477 (estimated)
 From Taxes: \$0 (estimated)
 Total Amount: \$68,477 (3-0)

ARTICLE 10: Shall the Town vote to appropriate the sum of five thousand one hundred dollars (\$5,100) for General Assistance expenditures?

		FY 2002	FY 2003	FY 2003	FY2004
ACCT #	ACCOUNT DESCRIPTION	ACTUAL (RVSD)	BDGT (RVSD)	ACTUAL	B.O.S. RCMND
WELFARE OFFICE					
441-60	General Assistance	3,510	4,000	3,523	4,000
441-61	Emergency Help	15	1,000	1,042	1,000
441-98	General Expenses		0	0	100
WELFARE OFFICE EXPENSE TOTAL		3,525	5,000	4,565	5,100

Board of Selectmen recommendation:

From Revenues: \$2,400 (estimated)
 From Taxes: \$2,700 (estimated)
 Total Amount: \$5,100 (5-0)

Budget Review Committee recommendation:

From Revenues: \$2,400 (estimated)
 From Taxes: \$2,700 (estimated)
 Total Amount: \$5,100 (3-0)

ARTICLE 11: Shall the Town vote to appropriate the sum of forty-six thousand four hundred twelve dollars (\$46,412) for Insurance and Benefits expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002 ACTUAL (RVSD)	FY 2003 BDGT (RVSD)	FY 2003 ACTUAL	FY2004 B.O.S. RCMND
INSURANCE & BENEFITS EXPENSES:					
442-60	Buildings & Contents	2,269	2,734	2,689	2,913
442-61	Inland Marine	1,260	1,614	1,572	1,686
442-62	Electronic Data	234	270	289	337
442-63	Automotive	6,367	7,691	8,824	10,838
442-64	Boiler & Machinery	1,056	1,261	1,190	1,238
442-65	General Liability	2,919	3,327	3,719	4,481
442-66	Law Enforcement Liability	9,058	9,779	9,532	10,238
442-67	Ambulance Malpractice	1,879	1,973	1,879	1,973
442-68	Public Officials Bonds	679	762	388	282
442-69	Public Officials Liability	2,251	2,679	3,179	3,766
442-70	Boat Coverage	3,033	3,336	2,533	2,660
442-71	Worker's Compensation	72,008	10,000	10,121	5,000
442-72	Deductibles	0	1,000	0	1,000
442-80	Accrued Liabilities Fund	5,000	0	0	0
442-81	Unemployment Reserve Fund	5,000	0	0	0
INSURANCE & BENEFITS EXPENSE TOTAL		113,011	46,426	45,913	46,412

Board of Selectmen recommendation:

From Revenues: \$21,500 (estimated)
 From Taxes: \$24,912 (estimated)
 Total Amount: \$46,412 (5-0)

Budget Review Committee recommendation:

From Revenues: \$21,500 (estimated)
 From Taxes: \$24,912 (estimated)
 Total Amount: \$46,412 (3-0)

ARTICLE 12: Shall the Town vote to appropriate the sum of two hundred eighty thousand five hundred forty-one dollars (\$280,541) for Community Services Department expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002 ACTUAL (RVSD)	FY 2003 BDGT (RVSD)	FY 2003 ACTUAL	FY2004 B.O.S. RCMND
COMMUNITY SERVICES DEPT. EXPENSES:					
450-01	Community Services Director's Salary		24,000	23,713	44,879
450-02	Recreation Coordinator's Pay	35,489	0	0	0
450-03	Museum Coordinator's Pay		4,240	2,620	3,630
450-04	Maintenance Staff Wages	36,551	42,317	36,223	26,712
450-05	Staff Overtime Pay	1,027	500	1,555	1,336
450-06	Benefits Pay	28,383	1,085	3,010	6,094
450-07	Seasonal Wages - Rec. Staff	14,768	19,644	19,141	0
450-10	FICA/Medicare		5,978	6,847	6,323
450-11	Retirement		3,544	3,076	3,881
450-12	Health Insurance		20,661	14,272	8,472
450-13	Dental Insurance		2,030	1,613	2,328
450-14	Life/Disability Insurance		839	986	977
450-15	Worker's Compensation		3,985	3,077	3,461
450-16	Unemployment		309	327	331
450-20	Postage	3,122	500	225	600

450-21	Printing		2,500	1,267	2,500
450-22	Supplies	7,975	4,450	3,942	2,000
450-23	Communications	2,739	3,100	2,987	3,000
450-24	Advertising	175	1,150	176	450
450-25	Uniforms	2,319	1,700	1,394	500
450-26	Professional Development	194	1,300	261	700
450-27	Dues & Subscriptions		100	55	250
450-30	Computers	790	2,400	1,536	800
450-32	Equipment	2,489	5,857	7,202	4,500
450-43	Info Center Contract/Expenses	28,971	30,000	30,000	0
450-45	Contracted Services	5,650	10,138	9,268	8,800
450-46	Lease Payments	506	600	600	600
450-50	Mileage		1,000	611	800
450-51	Vehicle Expenses		700	255	500
450-52	Transportation	1,845	0	0	1,000
450-59	Summer Day Camp Expenses				16,417
450-60	Program Expenses		2,500	658	500
450-61	Special Events	1,244	3,000	2,439	2,500
450-63	Fireworks	3,000	3,000	3,000	0
450-66	Signs		600	515	0
450-67	Holiday Decorations		300	0	2,000
450-70	Dunaway Utilities	16,376	16,500	14,368	17,000
450-71	Dunaway Expenses	15,735	10,000	9,824	4,500
450-79	Marginal Way Expenses		0	0	5,000
450-80	Marginal Way Committee	2,383	0	0	0
450-81	Winn House Committee		1,000	971	0
450-82	Parks Committee		1,000	1,220	0
450-83	Dorothea Grant Common Expenses		0	0	5,000
450-84	Winn House Expenses		0	0	2,500
450-88	Bathhouse Expenses	45,107	77,000	74,453	80,000
450-90	Misc. Utilities	621	4,000	3,411	3,000
450-91	Misc. Building Expenses	685	3,500	3,185	1,000
450-93	Misc. Grounds Expenses		500	135	950
450-94	BB/Tennis Court Expenses		500	442	500
450-95	Portable Toilets		0	0	2,250
450-98	General Expenses	106	2,000	5,238	2,000
COMMUNITY SERVICES EXPENSE TOTAL		258,249	320,027	296,098	280,541

Board of Selectmen recommendation:

From Revenues: \$133,000 (estimated)
From Taxes: \$147,541 (estimated)
Total Amount: \$280,541 (5-0)

Budget Review Committee recommendation:

From Revenues: \$133,000 (estimated)
From Taxes: \$137,827 (estimated)
Total Amount: \$270,827 (4-0)

ARTICLE 13: Shall the Town vote to appropriate the sum of twenty-two thousand seven dollars (\$22,007) for Conservation expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002 ACTUAL (RVSD)	FY 2003 BDGT (RVSD)	FY 2003 ACTUAL	FY2004 B.O.S. RCMND
CONSERVATION EXPENSES:					
451-04	Clam Wardens' Pay		2,080	2,051	2,400
451-10	FICA/Medicare	272	159	1,659	719
451-15	Worker's Compensation		82	64	288
451-60	Wildlife Management	4,377	7,000	6,649	7,000
451-61	Watershed Study		2,000	0	0
451-80	Shellfish Consvtn Comm Exp.	4,267	100	836	800

451-81	Conservation Commission		0	0	10,700
451-98	General Expenses		500	608	100
CONSERVATION EXPENSE TOTAL		8,916	11,921	11,867	22,007

Board of Selectmen recommendation:

From Revenues: \$3,400 (estimated)
 From Taxes: \$18,607 (estimated)
 Total Amount: \$22,007 (5-0)

Budget Review Committee recommendation:

From Revenues: \$3,400 (estimated)
 From Taxes: \$18,607 (estimated)
 Total Amount: \$22,007 (4-0)

ARTICLE 14: Shall the Town vote to appropriate the sum of thirty-seven thousand dollars (\$37,000) for Information Services Department expenditures?

		FY 2002	FY 2003	FY 2003	FY2004
ACCT #	ACCOUNT DESCRIPTION	ACTUAL (RVSD)	BDGT (RVSD)	ACTUAL	B.O.S. RCMND
INFORMATION SERVICES EXPENSES:					
453-02	Director's Salary	8,388	20,851	21,306	21,479
453-06	Benefit Pay	630	0	0	0
453-10	FICA/Medicare		1,595	1,601	1,643
453-15	Worker's Compensation		128	97	102
453-16	Unemployment		83	83	86
453-20	Postage		38	197	60
453-22	Supplies	584	750	1,117	1,000
453-23	Communications		1,500	2,086	2,220
453-24	Advertising		125	0	0
453-26	Professional Development		485	201	300
453-27	Dues & Subscriptions		260	50	190
453-30	Computers		1,400	469	1,400
453-32	Equipment	5,752	5,000	2,745	3,000
453-45	Contracted Services		2,500	1,598	3,000
453-50	Mileage		150	132	150
453-97	Volunteer Expenses	2,838	2,000	1,260	2,000
453-98	General Expenses	47	135	150	370
INFORMATION SERVICES EXPENSE TOTAL		18,240	37,000	33,091	37,000

Board of Selectmen recommendation:

From Revenues: \$28,000 (estimated)
 From Taxes: \$9,000 (estimated)
 Total Amount: \$37,000 (5-0)

Budget Review Committee recommendation:

From Revenues: \$28,000 (estimated)
 From Taxes: \$9,000 (estimated)
 Total Amount: \$37,000 (3-0)

ARTICLE 15: Shall the Town vote to appropriate the sum of twenty thousand dollars (\$20,000) for Human Services expenditures?

		FY 2002	FY 2003	FY 2003	FY2004
ACCT #	ACCOUNT DESCRIPTION	ACTUAL (RVSD)	BDGT (RVSD)	ACTUAL	B.O.S. RCMND
HUMAN SERVICES EXPENSES:					
	RIVERSIDE CEMETERY	200	200	200	200
	LOCUST GROVE CEMETERY	900	900	900	900
	OLD BURYING GROUND	300	300	300	300
	COUNSELING SERVICES, INC.	1,000	1,500	1,500	1,000
	YOUTH BASEBALL	450	450	450	450
	AMERICAN LEGION	500	500	500	500

	W-O HISTORICAL SOCIETY	17,532	5,000	5,000	4,000
	WELLS 350TH CELEBRATION		500	500	0
	SOUTHERN MAINE AGENCY ON AGING	500	500	500	500
	MEALS ON WHEELS	2,488	2,500	2,494	2,500
	CARING UNLIMITED	245	245	245	245
	YORK COUNTY CHILD ABUSE	400	500	500	500
	YORK COUNTY COMMUNITY ACTION	1,300	1,300	1,300	1,300
	HOSPICE OF YORK	300	500	500	500
	SOUTHERN MAINE VISITING NURSES	7,332	3,000	3,000	1,055
	SEXUAL ASSAULT RESPONSE SVCS		250	250	250
	YORK COUNTY SHELTER	3,100	3,100	3,100	3,100
	AMERICAN RED CROSS	1,000	1,000	1,000	1,000
	THE CENTER FOR WILDLIFE	500	500	500	500
	AIDS RESPONSE OF THE SEACOAST	1,200	1,200	1,200	1,200
	HUMAN SERVICES TOTAL EXPENSE TOTAL	39,247	23,945	23,939	20,000

Board of Selectmen recommendation:

From Revenues: \$0 (estimated)
From Taxes: \$20,000 (estimated)
Total Amount: \$20,000 (5-0)

Budget Review Committee recommendation:

From Revenues: \$0 (estimated)
From Taxes: \$20,000 (estimated)
Total Amount: \$20,000 (4-0)

ARTICLE 16: Shall the Town vote to appropriate the sum of three hundred sixty-four thousand nine hundred seventy dollars (\$364,970) for Debt Management expenditures?

ACCT #	ACCOUNT DESCRIPTION	FY 2002 ACTUAL (RVSD)	FY 2003 BDGT (RVSD)	FY 2003 ACTUAL	FY2004 B.O.S. RCMND
DEBT MANAGEMENT EXPENSES:					
491-10	Jacobs Lot Payments	5,815	5,815	5,815	485
491-11	Restrooms/Marginal Way Interest	0	4,140	4,140	2,088
491-12	Restrooms/Marginal Way Principal	42,156	36,000	36,000	36,000
491-13	Ambulance Payments	0	0	0	0
491-14	Loader Payments	14,814	0	0	0
491-16	1998 CIP Debt	130,050	0	0	0
491-20	2002 Debt Refinancing	56,120	293,925	293,925	283,583
491-21	Transfer Station Land Purchase				19,250
491-22	2003 CIP Debt				8,564
491-99	TAN Interest	15,157	10,000	9,875	15,000
	DEBT MANAGEMENT EXPENSE TOTAL	264,112	349,880	349,755	364,970

Board of Selectmen recommendation:

From Revenues: \$55,000 (estimated)
From Surplus Fund Balance: \$175,000 (estimated)
From Taxes: \$134,970 (estimated)
Total Amount: \$364,970 (5-0)

Budget Review Committee recommendation:

From Revenues: \$55,000 (estimated)
From Surplus Fund Balance: \$309,970 (estimated)
From Taxes: \$0 (estimated)
Total Amount: \$364,970 (3-0)

ARTICLE 17: Shall the Town vote to appropriate the sum of six hundred twenty-three thousand seven hundred dollars (\$623,700) for Capital expenditures?

<u>B.O.S.</u>	<u>B.R.C.</u>	
\$20,000 (5-0)	\$20,000 (4-0)	GENERAL GOV'T COMPUTERS
\$50,000 (5-0)	\$50,000 (4-0)	DUNAWAY CTR IMPROVEMENTS
\$250,000 (5-0)	\$0 (4-0)	REVALUATION
\$35,000 (5-0)	\$30,000 (4-0)	POLICE VEHICLE
\$10,000 (5-0)	\$10,000 (4-0)	PARKING LOT IMPROVEMENTS
\$23,000 (5-0)	\$23,000 (4-0)	FIRE DEPT AIR PACKS LEASE
\$10,000 (5-0)	\$10,000 (4-0)	FIRE DEPT EXTRICATION TOOLS
\$15,000 (5-0)	\$15,000 (4-0)	FIRE STATION GENERATOR
\$36,000 (5-0)	\$36,000 (4-0)	FIRE DEPT CARDIAC MONITORS
\$20,000 (5-0)	\$20,000 (4-0)	SIDEWALK CONSTRUCTION
\$10,700 (5-0)	\$0 (4-0)	DPW BACKHOE LEASE
\$60,000 (5-0)	\$50,000 (4-0)	DPW 1-TON TRUCK/PLOW
\$39,000 (4-1)	\$39,000 (4-0)	WINN HOUSE
\$25,000 (4-1)	\$25,000 (4-0)	DOROTHEA GRANT COMMON
<u>\$20,000</u> (4-1)	<u>\$20,000</u> (4-0)	FOOTBRIDGE IMPROVEMENTS
\$623,700	\$348,000	total

Board of Selectmen recommendation:

From Revenues:	\$260,000 (estimated)
From Surplus Fund Balance:	\$363,700 (estimated)
From Taxes:	\$0 (estimated)
Total Amount:	\$623,700

Budget Review Committee recommendation:

From Revenues:	\$260,000 (estimated)
From Surplus Fund Balance:	\$88,000 (estimated)
From Taxes:	\$0 (estimated)
Total Amount:	\$348,000

ARTICLE 18: Shall the Town vote to appropriate the sum of forty thousand dollars (\$40,000) for beach access improvements?

Board of Selectmen recommendation:

From Revenues:	\$40,000 (estimated)
From Taxes:	\$0 (estimated)
Total Amount:	\$40,000 (4-1)

Budget Review Committee recommendation:

From Revenues:	\$40,000 (estimated)
From Taxes:	\$0 (estimated)
Total Amount:	\$40,000 (4-0)

[note: this recommendation is for 4 aluminum ramps]

ARTICLE 19: Shall the Town authorize the issuance of general obligation bonds or notes in an amount not exceeding six hundred ten thousand dollars (\$610,000) in order to finance and/or reimburse the Town for the following capital projects: (a) \$325,000 for the purchase of a fire truck, (said amount to be added to the \$75,000 available from the existing Fire Truck Capital Reserve Fund for a total appropriation of \$400,000); (b) \$185,000 for the purchase of a certain lot or parcel of land off of Berwick Road from Perkins Cove Investments, Inc. to be used as part of the Town's plan to relocate the transfer station facility pursuant to a duly executed purchase and sales agreement; and (c) \$100,000 for the design and permitting of the new transfer station facility; which expenditures are hereby authorized, with the dates, maturities, denominations, redemption provisions (including the

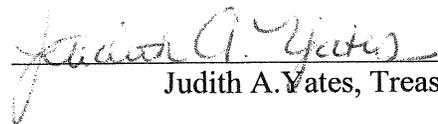
authority to issue callable bonds), interest rates, place of payment, form and other details of such bonding and the sale thereof to be determined by the Board of Selectmen? (Note: The total estimated debt service of this bond issues is \$907,661 of which principal is \$610,000 and estimated interest at less than 3% over 21 years is \$297,661.)

TOWN OF OGUNQUIT FINANCIAL STATEMENT
(per 30-A, M.R.S.A. Section 5772)

The issuance of bonds by the Town of Ogunquit 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 as of the date of this Town Meeting:

Bonds Now Outstanding and Unpaid	\$1,280,325
Interest to be Repaid on Outstanding Bonds	<u>\$ 212,764</u>
Total to be Repaid on Bonds Issued	\$1,493,089
Additional Bonds Authorized But Not Yet Issued	\$400,000
Total Additional Bonds (now proposed) to be Issued if Approved by Voters	\$ 610,000
Estimate of Potential New Interest	<u>\$ 492,848</u>
Total Add'l Bonds to be Issued and Estimated Interest if Approved by Voters	\$1,502,848

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.


Judith A. Yates, Treasurer

Board of Selectmen recommendation:

\$325,000 Fire Truck to be bonded/borrowed (4-1)
 \$185,000 Land Purchase to be bonded/borrowed (5-0)
\$100,000 Transfer Station Design & Permitting to be bonded/borrowed (5-0)
 \$610,000 Total to be bonded/borrowed
+\$75,000 Fire Truck to come from Capital Reserve Fund (5-0)
 \$685,000 Total Appropriation

Budget Review Committee recommendation:

\$300,000 Fire Truck to be bonded/borrowed (4-0)
 \$185,000 Land Purchase to be bonded/borrowed (4-0)
\$100,000 Transfer Station Design & Permitting to be bonded/borrowed (4-0)
 \$585,000 Total to be bonded/borrowed
+\$75,000 Fire Truck to come from Capital Reserve Fund (4-0)
 \$660,000 Total Appropriation

ARTICLE 20: Shall the Town vote to establish a Land Conservation Reserve Fund pursuant to the provisions of Title 30-A, M.R.S.A. Section 5801.2; and furthermore, to appropriate the sum of twenty-five thousand dollars (\$25,000) for deposit thereto, along with any other funds that may be received under the provisions of Title 30-A, M.R.S.A. Section 3261?

Board of Selectmen recommendation:

From Revenues:	\$0
From Surplus Fund Balance:	\$25,000
From Taxes:	\$0
Total Amount:	\$25,000 (5-0)

Budget Review Committee recommendation:

From Revenues:	\$0
From Surplus Fund Balance:	\$15,000
From Taxes:	\$0
Total Amount:	\$15,000 (4-0)

ARTICLE 21: Shall the Town vote to appropriate the sum of three thousand dollars (\$3,000) for fireworks?

Board of Selectmen recommendation: \$0 (5-0)

Budget Review Committee recommendation: \$0 (4-0)

ARTICLE 22: Shall the Town vote to appropriate the sum of thirty thousand dollars (\$30,000) to contract with the Ogunquit Chamber of Commerce to provide visitor information services?

Board of Selectmen recommendation: \$0 (3-2)

Budget Review Committee recommendation: \$0 (4-0)

ARTICLE 23: Shall the Town vote to allow the Highway Department to plow and sand private roads on which the Town holds a recorded public easement during the upcoming winter season as otherwise allowed by Title 23 M.R.S.A. §3105 and previously authorized by a vote on Article 3 of a Special Town Meeting held on November 5, 2002, provided that any necessary expenses pertaining thereto must fall within existing appropriations?

ARTICLE 24: Shall the Town authorize the Board of Selectmen to apply for and accept grant funds, donations and gifts; and authorize the Selectmen to spend such funds for the purposes intended as allowed by law?

ARTICLE 25: Shall the Town vote to authorize the Board of Selectmen to expend an amount of money, not to exceed one third (1/3) of the 2004 annual budget during the period from January 1, 2005 to the completion of the 2005 Annual Town Meeting; excepting such costs associated with winter road maintenance and general assistance which may, of necessity, exceed such limits?

ARTICLE 26: Shall the Town vote to fix the date when 2004 property taxes shall be due and payable as that date occurring forty-five (45) days after the date of tax commitment; and further, that interest at the rate of six and one-half percent (6.5%) per annum shall accrue from and after that date as allowed by law?

ARTICLE 27: Shall the Town vote to authorize the Board of Selectmen to sell and convey tax acquired property as they shall deem to be necessary and/or in the best interests of the Town; provided, however, that a delinquent taxpayer shall be given a thirty (30) day grace period after approval of this warrant article in which to redeem his/her property upon payment of all taxes, liens, interest and other applicable costs; and furthermore, shall the Town vote to authorize the Board of Selectmen to execute and deliver quit claim deeds, without covenant, for the conveyance of such property and/or the removal of tax liens from public records as justice may require?

ARTICLE 28: Shall the Town vote to pay no more than three and one-half percent (3.5%) per annum to taxpayers who pay taxes in excess of the amounts finally assessed, and to authorize such interest paid or abatements granted to be charged against the Town's annual overlay, or if necessary, against the Town's undesignated surplus fund balance?

ARTICLE 29: Shall the Town vote to authorize the Board of Selectmen to dispose of town-owned surplus property upon such terms and conditions as the Selectmen may deem to be in the best interests of the Town as otherwise allowed by law?

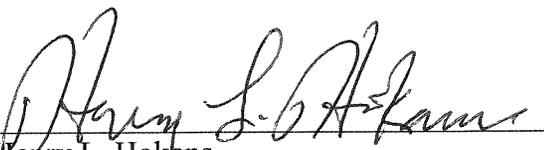
Given under our hands this 16th day of March, 2004, A.D. in Ogunquit, Maine, by the Board of Selectmen, acting in their capacity as the municipal officers. ATTEST:

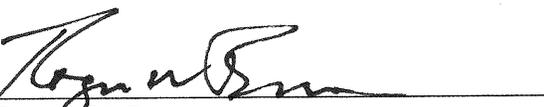

Jonathan O. Speers
CHAIRMAN, BOARD OF SELECTMEN


Philip G. Clark
VICE-CHAIRMAN, BOARD OF SELCTMEN



Charles L. Waite, III
SELECTMAN


Henry L. Hokans
SELECTMAN


Roger W. Brown
SELECTMAN

The Board of Selectmen hereby gives Notice that the polls shall be open for voting purposes at nine o'clock in the morning or as soon as possible thereafter on the date of said Meeting and that polls will not be closed earlier than six o'clock in the evening of the same day.

The Registrar of Voters will hold office hours while the polls are open to correct any error in/or change a name or address on the voting list, to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered to vote may not vote in any election. A voter who is not enrolled in a political party may not vote in a primary election.

ATTEST:

A TRUE COPY

Judy Shaw-Kagiliery, Town Clerk
TOWN OF OGUNQUIT

Dated:

TOWN OF OGUNQUIT
BUDGET PREPARATION SUMMARY

2004 ARTICLE NUMBER	ACCOUNT DESCRIPTION	2004 B.O.S. BDGT RCMND	2004 EST. B.O.S. GEN REVS	2004 EST. B.O.S. S.F.B. REVS	2004 EST. B.O.S. TAXES	2004 B.R.C. BDGT RCMND	2004 B.O.S./B.R.C. DIFFERENCE	2003 EXPENSE BDGT	2003 ACTUAL EXPENSES
3	General Government	540,910	426,000	0	114,910	530,910	10,000	540,000	539,738
4	Land Use	310,344	168,700	0	141,644	311,911	-1,567	288,000	287,327
5	Police	1,355,000	250,100	0	1,104,900	1,350,000	5,000	1,230,141	1,143,315
6	Fire-Rescue	1,030,000	295,000	0	735,000	1,024,773	5,227	952,142	942,396
7	Public Works	706,101	110,200	0	595,901	706,101	0	718,413	684,222
8	Transfer Station	408,298	181,500	0	226,798	408,298	0	408,610	399,218
9	Harbormaster	68,477	68,477	0	0	68,477	0	67,760	65,363
10	General Assistance	5,100	2,400	0	2,700	5,100	0	5,000	4,565
11	Insurance & Benefits	46,412	21,500	0	24,912	46,412	0	46,426	45,913
12	Community Services	280,541	133,000	0	147,541	270,827	9,714	287,027	263,098
13	Conservation	22,007	3,400	0	18,607	22,007	0	11,921	11,867
14	Information Services	37,000	28,000	0	9,000	37,000	0	37,000	33,091
15	Human Services & Unclassified	20,000	0	0	20,000	20,000	0	23,945	23,939
16	Debt Management	364,970	55,000	175,000	134,970	364,970	0	349,880	349,755
17	MISC CAPITAL	623,700	260,000	363,700	0	348,000	275,700	627,667	86,985
18	BEACH RAMP(S)	40,000	40,000	0	0	40,000	0	0	0
19	BONDED CAPITAL	685,000	685,000	0	0	660,000	25,000	400,000	400,000
20	LAND CONSERVATION FUND	25,000	0	25,000	0	15,000	10,000	0	0
21	FIREWORKS	0	0	0	0	0	0	3,000	3,000
22	VISITOR INFO SVCS	0	0	0	0	0	0	30,000	30,000
	TOTALS	6,568,859	2,728,277	563,700	3,276,882	6,229,785	339,074	6,026,933	5,313,791
ADD	OVERLAY (ABATEMENTS)	40,000				40,000	0	328,456	25,553
SUBTRACT	REVENUE SHARING	-50,000				-50,000	0	-52,140	-54,737
SUBTRACT	HOMESTEAD REIMBURSEMENT	-10,000				-10,000	0	-11,008	-10,446
NET BUDGET	(ESTIMATED FOR 2004)	3,256,882				3,093,538	163,344	3,031,633	
VALUATION	(ESTIMATED FOR 2004)	569,655,437				569,655,437	0	537,410,790	
TAX RATE	(ESTIMATED FOR 2004)	5.72				5.43	0.29	5.64	

**RETURN
ANNUAL TOWN MEETING WARRANT
April 3 & 12, 2004**

In the Town of Ogunquit, County of York and State of Maine.

Ss:

Pursuant to warrant to me as directed, I have notified and warned the Inhabitants of the Town of Ogunquit herein named to meet at the time and place for the purpose herein stated by posting upon the 19th day of **March, 2004**, A.D., a copy of the within Warrant at the Dunaway Community Center, Ogunquit Post Office and on the public access channel, WOGT, those being three (3) conspicuous and public places in said Town.


David Alexander, Lieutenant, OPD
TOWN OF OGUNQUIT

ATTEST:
A TRUE COPY

Judy Shaw-Kagiliery, Town Clerk
TOWN OF GOUQNUIT

RECEIVED MAY -5 2004

Bradley S. Moulton
Attorney at Law
P.O. Box 1948
Ogunquit, Maine 03907
(207) 646-9711

May 5, 2004

Scott Dunn, Town Manager
Town of Ogunquit
P. O. Box 875
Ogunquit, Maine 03907

Re: Procedure Certification, Charter Amendments

Dear Scott:

By letter dated April 14, 2004, you requested my opinion on two matters concerning the upcoming June vote on Charter amendments. As you correctly pointed out in your letter, the State has provided a set of procedures for municipalities to follow in amending or revising charters. Although the statute contains no definition, it is clear to me that the legislature provided two separate procedures. First, revisions are more extensive and less specific in nature, requiring action by a commission. That does not apply in this case. Instead, the proposed changes are specific in nature, amend the manner in which the legislative body acts on business matters, and do not constitute a revision of the Ogunquit Charter. For that reason, Section 2104, of Title 30-A, governs the procedure in this case. The Board of Selectmen has authority under statute to present to the voters the proposed amendments which you enclosed with your letter.

Before meeting with the "VIP" committee in January, I reviewed similar charter provisions in York, state statutes, the existing Ogunquit Charter, and I considered U.S. Constitution provisions. I was satisfied that this Town could conduct its business by secret ballot without violating statutory or constitutional laws.

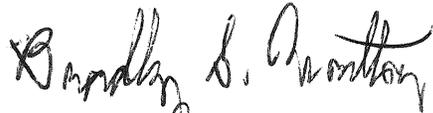
I was happy to participate in this process. Please let me know if you need anything further.

TOWN OF OGUNQUIT, MAINE

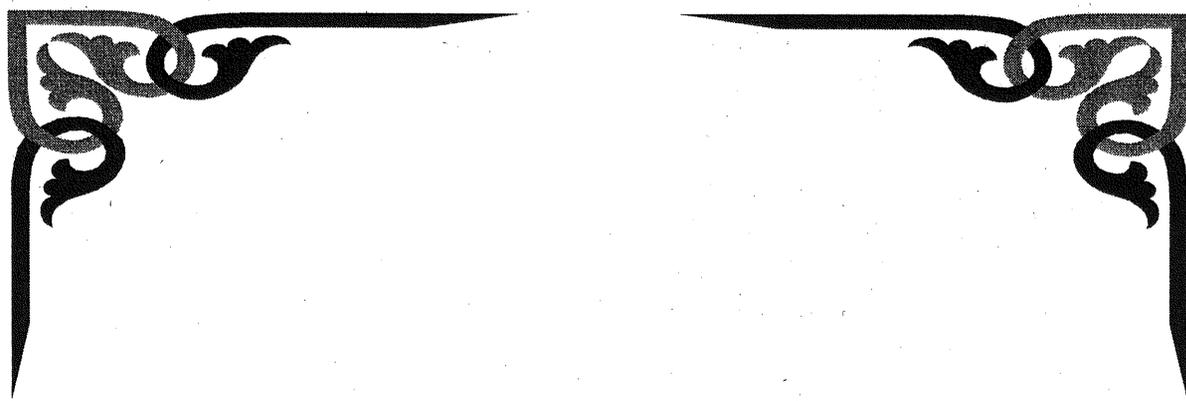
Received in the
Town Clerk's Office
on 5/6/04
at 9:30 am

Rec. by Judy S. Kagle
Town Clerk

Respectfully submitted,



Bradley S. Moulton



Town of Ogunquit

Town Charter

Adopted March 1991

As Revised & Accepted on November 2, 1993

As Revised & Accepted on November 6, 2001

As Revised & Accepted on April 5, 2003

As Revised & Accepted on June 8, 2004

Effective January 1, 2005



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PREAMBLE

We, the citizens of the Town of Ogunquit, realizing our responsibilities inherent in the adoption of this Charter, also recognize that strict moral ethics must be practiced by all people, particularly those in positions of authority. These moral obligations require honesty, integrity, and high ethical standards on the part of all elected and appointed officials.

Honest, responsible, dedicated leadership in all phases of our community is essential if Ogunquit is to continue to be a better place in which to live.

The Ogunquit Village Corporation was formed in 1913 as a result of the efforts of our forbearers. The works of many went into the original Charter; specifically mentioned are Nehemiah P. M. Jacobs, Wilbur F. Cousins, George H. Littlefield, J. Moses Perkins, Edward T. Weare, Samuel J. Perkins and F. Raymond Brewster.

The citizens of Ogunquit appreciate what the charterers and other dedicated people have done through the years to establish, preserve and improve the Town.

The Charter, approved by the legislature of the State of Maine in 1913, has been amended several times since the corporation was born. Times have changed; Ogunquit has changed and grown. On July 1, 1980 Ogunquit officially became a town in the State of Maine pursuant to L.D. 959 as enacted by the State Legislature in June, 1979.

The purpose of this Charter is to clarify the rights and responsibilities of the Town of Ogunquit; and to add others required by present needs and by changes in State Statutes; and to assemble all this into a readable, acceptable format. This Charter may be amended in the future, as cause or need requires.

ARTICLE I
GRANT OF POWERS TO THE TOWN

SEC. 101 INCORPORATION

The inhabitants of the Town of Ogunquit, within the limits as now established or as hereby established in the manner provided by law, shall be a municipal corporation by the name of the Town of Ogunquit.

101.1 The territorial limits of the Town of Ogunquit are as follows:

Commencing at the southeasterly point of the boundary lines between the Town of Ogunquit and the Town of York, at the Atlantic Ocean and extending northwesterly along said boundary line to the south branch of the Ogunquit River; thence by the Ogunquit River to the intersection of Stevens Brook with said Ogunquit River, thence south fifty-five degrees east course to the Atlantic Ocean, thence by the Atlantic Ocean to the boundary line between the Town of Ogunquit and the Town of York and point of beginning.

SEC. 102 POWERS OF THE TOWN

The Town shall have, exercise, and enjoy all the rights, immunities, powers, privileges, and franchises, and shall be subject to all the duties, liabilities and obligations provided for herein, or otherwise pertaining to or incumbent upon said Town under the Laws of the State of Maine.

It may enact by-laws, regulations, and ordinances not inconsistent with the State Constitution and the Laws of the State of Maine, and impose penalties for the

breach thereof, not exceeding the maximum amount as established by statute in any one case, to be recovered to the use of said Town by appropriate action.

The Town may acquire real and personal property within or without its corporate limits for any Town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interests may require in accordance with Title 30-A MRSA section 5652 et seq as amended.

The Town shall have all the powers possible for a municipality to have under the State Constitution and the Laws of the State of Maine, including but not limited to the power to:

- 102.1** Elect municipal officials.
- 102.2** Appoint officials or members of boards, commissions and committees.
- 102.3** Establish and maintain a Police Department.
- 102.4** Establish and maintain a Fire Department.
- 102.5** Approve the salaries of those elected and appointed officials receiving compensation.
- 102.6** Lay out, construct, reconstruct, alter, maintain, repair, control and operate roads, streets and ways, sidewalks, Marginal Way, public walks, public parking lots, public wharves and landings.
- 102.7** Contract for public utilities.
- 102.8** Plant, remove, and care for trees in the rights of way of roads and streets, and upon public lands.
- 102.9** Widen, deepen, extend and maintain Flat Pond and the channel of the Josias River between Flat Pond and the sea, hereinafter referred to as Perkins Cove Harbor.

- 102.10** Provide for planning and zoning.
- 102.11** Establish, maintain, conduct and finance recreational facilities and to charge for the use thereof.
- 102.12** Borrow money and issue bonds within the limits specified by State Laws for municipalities for any purpose for which money may be legally appropriated.
- 102.13** Provide for beach and municipal parking administration; operate and maintain beach and other municipal parking lots for public uses; and charge a reasonable parking fee for use by the public.
- 102.14** Regulate the taking of clams.
- 102.15** Provide for a dam or tide gate in the Ogunquit River.
- 102.16** Apply for State, Federal, and other aid grants for the benefit of the Town.
- 102.17** Adopt and modify the official map of the Town.

SEC. 103 INTERGOVERNMENTAL RELATIONS

The Town may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more municipalities, states, or civil divisions or agencies thereof, or the United States government or agency thereof.

ARTICLE II
TOWN MEETINGS

SEC. 201 PURPOSE

The purpose of Town Meetings is to allow voters to exercise their powers under the Town Meeting form of government and to provide for the election of municipal officials and other elected officials, appropriation of funds, approval of warrants, adoption of ordinances and any other business that may legally come before the meeting.

SEC. 202 QUALIFICATION OF VOTERS AND DEFINITION OF RESIDENT

202.1 Eligibility of voters shall be as determined by the Statutes of the State of Maine.

202.2 Resident shall be defined as:

A person who appears on the Town's voter registration rolls maintained by the office of the Town Clerk certifying eligibility to vote in the Town in local, State and national elections, having listed in such rolls the name and place of domicile (home address) located within the border of the Town in which he/she has lived a minimum of six (6) months and one (1) day.

202.3 Domicile shall be defined as:

That place where an individual has his/her true, fixed and permanent home and principal establishment and to which whenever he/she is absent has the intention of returning.

SEC. 203 TOWN ELECTIONS

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-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 of Section 2528 thereof. In addition, voting on budgetary matters shall be conducted in accordance with the provisions of Section 503 of this Chapter.

SEC. 204 PROCEDURE

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 thirty (30) calendar days in advance of the voting day.

Town Meetings shall be initiated and conducted in the manner provided by applicable State Statutes. 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.

SEC. 205 SPECIAL TOWN MEETINGS

The Board of Selectmen may call a Special Town Meeting 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 thirty (30) calendar days in advance of the voting day; and in compliance with applicable State Statutes. A quorum for a Special Town Meeting shall be ten percent (10%) of eligible votes cast in the Town at the last gubernatorial election.

SEC. 206 WARRANT ARTICLE(S) BY PETITION OF VOTERS

Article(s) for the Warrant of any Town Meeting may be requested of the Board of Selectmen. If the Board of Selectmen decline, the article(s) shall be inserted in the Warrant of an Annual or Special Town Meeting upon 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.

ARTICLE III

MUNICIPAL OFFICIALS

SEC. 301 COMPOSITION

Municipal Officials shall include five (5) Selectmen elected at large by the qualified voters of the Town, and such other Officials as required, either elected at large or appointed.

SEC. 302 QUALIFICATIONS

Municipal Officials shall be registered voters and year-round residents of the Town during their term of office, except as herein provided. They shall hold no other office for profit under the Town Charter or ordinances as defined in Maine Statutes, Title 30, MRSA, as amended.

Candidates for office shall be nominated by the filing of nomination papers with the Town Clerk signed by a minimum of twenty-five (25) qualified voters.

SEC. 303 TERM OF OFFICE

Each Selectman will be elected for a term of three (3) years as follows:

- A. The two (2) Selectmen positions which are eligible for election in the year 2002 will be for three (3) year terms, expiring in 2005.
- B. In the year 2003, of the three Selectmen positions which are eligible for election, the two (2) individuals with the highest vote totals will be elected to three (3) year terms, expiring in the year 2006. The individual with the third highest vote total shall be elected for a one (1) year term, expiring in the year 2004.
- C. All elections thereafter shall be for three (3) year terms.

Each Selectmen shall serve until a successor is elected and qualified. Vacancies, which may occur, are covered in Section 307.6 of this Charter.

SEC. 304 COMPENSATION

Selectmen shall be compensated for services in an amount to be determined by the voters at the next Annual Town Meeting. Payment for all services under this Section shall be made annually by the Town Treasurer after the Annual Town Meeting and only after successful completion of the year's service.

SEC. 305 INDUCTION INTO OFFICE

All elected officials shall be sworn to the faithful discharge of their duties by the Town Clerk or Notary Public at the conclusion of the Annual or Special Town Meeting or as otherwise legally required.

SEC. 306 THE BOARD OF SELECTMEN SHALL BE JUDGE OF ELECTIONS

The Board of Selectmen shall decide any disputes as to elections or the eligibility of those elected as Municipal Officials. It shall have the power to subpoena witnesses and require the production of records. The decision of the Board in any such case shall be subject to court review under appropriate Maine statutes. Hereafter referred to as the "Board" unless otherwise noted.

SEC. 307 BOARD OF SELECTMEN

The Board shall be the General Municipal Officials of the Town.

307.1 Meetings: The Board shall meet a minimum of once a month.

307.2 Chair: At its first meeting, after each Annual Town Meeting, or as soon thereafter as practicable, the Board shall elect, by a majority vote of the entire Board, one of its Members as Chair and may elect one of its Members as Vice-Chair. It may also fill, for an unexpired

term, any vacancy in the office of Chair that may occur. The Chair shall preside at the Meetings of the Board and shall be recognized as the head of the Town government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no regular administrative duties. In the temporary absence or disability of the Chair and the Vice-Chair, the Board may elect, from among its Members, a Chair pro tempore, who shall exercise all powers of the Chair during the temporary absence or disability of the Chair and Vice-Chair. The Board, by a vote of four (4) Members for a full Board and a majority vote if less than a full Board and after a public hearing, may replace the Chair and/or Vice-Chair at any time.

307.3 Quorum and vote: A quorum of the Board for the transaction of any business shall consist of at least three (3) members and the passage, adoption or enactment of any item shall require at least three (3) votes on the prevailing side.

307.4 Forfeiture of Office: At any time during a term, a Selectman shall forfeit office by an affirmative vote of at least three (3) Board Members for any of the following reasons:

- A. Lack of any qualifications for the office as prescribed by this Town Charter or by State law.
- B. Violation of any express prohibition of the Town Charter.
- C. Conviction of a felony or conviction of an offense involving moral turpitude as defined by Black's Law Dictionary.
- D. A Member of the Board who has three (3) consecutive unexcused absences from that Board's Meetings (including regular and

special meetings) or has been absent without excuse from twenty (20%) percent or more of the Board's regular and special meetings during the prior twelve month (12) period shall be deemed to have created a vacancy, resulting in the loss of membership on the Board and shall be replaced. The recording secretary shall be responsible for maintaining accurate attendance records. An absence shall be excused only by a vote of the remaining Members in attendance at the meeting from which the Board Member is absent.

307.5 Rules of Procedure Journal: The Board shall determine its own rules and order of business. It shall keep a record of its proceedings and the record shall be maintained at the Town Offices and shall be available for public inspection during regular business hours. Unless otherwise noted and adopted, Parliamentary Procedure shall be as defined by Webster's New World Robert's Rules of Order.

307.6 Vacancies of Office:

- A. Creation of Vacancies: The office of a Selectman shall become vacant upon death, resignation or removal of domicile from the Town limits, and as provided for in Section 307.4 and Section 312.5.
- B. Filling of Vacancies: If for any reason a vacancy shall occur in the membership of the Board more than ninety (90) calendar days prior to the next Annual Town Meeting,

the vacancy shall be filled at a Special Town Meeting for the unexpired portion of the term. In the event such vacancy occurs less than ninety (90) days calendar prior to the next Annual Town Meeting, the vacancy is to be filled for the unexpired portion of the term at the next Annual Town Meeting. Any such special elections shall be conducted in accordance with the Statutes of the State of Maine. When an election is being held to fill an unexpired term at the same time as a general election to fill other Selectmen positions, all positions shall be considered "At Large" with the candidates receiving the highest vote totals elected to the longest terms.

- C. Simultaneous Multiple Vacancies: In the event of multiple vacancies totaling three (3) or more at one time, a special election shall be called within thirty (30) calendar days. During the period prior to the special election, the senior member from Ogunquit of the School Board, the Chairman of the Planning Board and the Chairman of the Zoning Board of Appeals successively shall serve on the Board of Selectmen to make a quorum.

307.7 Enumeration of Powers of the Board: The Board shall have the and powers and duty to:

- A. Appoint and remove the Town Manager, the Town Tax Collector, the Town Attorney, the Town Assessor or

Certified Public Assessor, the Auditor and the Director of Emergency Management.

- B. Appoint, remove or provide for the election of such officials and members of boards, commissions and committees as ordinances and statutes may require. All appointments shall be in writing and signed by the Board. Appointments may be removed by the Board under the provisions of Sec. 307.4.
- C. Appoint any individual or committee to assist the Board with any aspect of Town government e.g. budget, long-range planning or special projects.
- D. Set the salary, subject to voter approval, of those officers or officials of the Town who receive compensation.
- E. Oversee, monitor and account for the appropriations and to sign the Warrant certifying all disbursements of Town funds.
- F. Prepare, or provide for the preparation of, the Warrant for the Annual and Special Town Meetings and the Annual Town Report.
- G. Expend funds as authorized by the voters at the Annual Town Meeting or Special Town Meetings.
- H. Enact, unless as otherwise provided by State statute, ordinances to be effective for a maximum of ninety (90) calendar days to meet emergencies or contingencies. Such

ordinances shall not be renewable and shall not become regular or permanent until adopted by vote at the Annual or Special Town Meeting.

- I. Ensure compliance of all ordinances through its designated enforcement agents.
- J. Provide for an annual audit.
- K. Require as deemed necessary a bond from a surety company for persons trusted with the collection, custody or disbursement of any of the monies of the Town. The premiums on said bonds shall be paid by the Town.
- L. Enter into and execute contracts on behalf of the Town concerning matters authorized by Town Charter, Town Meetings or State statutes.
- M. Authorize legal activity on behalf of the Town.
- N. Approve and officially adopt administrative and personnel policies.
- O. Act on other powers or duties permitted by Maine State statutes.
- P. The Board of Selectmen shall issue a written mid-year report each October updating the citizens of the Town on the Articles passed at the Annual Town Meeting. This report shall also include any important issues currently before the Board of Selectmen. Notice of this report shall be given seven (7) calendar days prior to its issuance. Notice shall be posted in three (3) conspicuous places and

on the community public access channel (WOGT), if available. This “State of Ogunquit” report shall be delivered over the community public access channel (WOGT), if available. The first item on the agenda at the Board of Selectmen’s Meeting following the “Mid-Year Report” shall be a public forum for questions and comments. For purposes of this Charter, the Annual Report shall be considered the “Year End Report”.

SEC. 308 APPOINTMENT OF TOWN MANAGER

- 308.1** APPOINTMENT OF TOWN MANAGER: The Board shall appoint an official of the Town who shall have the title of Town Manager and shall have the powers and perform the duties as provided in Section 402 of this Charter. Selectmen are ineligible to receive such appointment while serving on the Board or within one year after their term on the Board.
- 308.2** REMOVAL OF TOWN MANAGER: The Board may remove the Town Manager for cause by an affirmative vote of not less than three (3) of its members. A prêtermination hearing shall be conducted with the Town Manager by the Board of Selectmen. At least thirty (30) calendar days before such removal shall become effective, the Board shall, by a majority vote of all of its Members, adopt a preliminary resolution explicitly stating the specific

reason(s) for removal. The Town Manager may reply in writing or may request, within ten (10) calendar days, a public hearing, which shall be held not earlier than twenty (20) calendar days nor later than thirty (30) calendar days after the filing of such request. After such public hearing, if one is requested, and after full consideration, the Board, by an affirmative vote of not less than three (3) of its Members, may adopt a final resolution for removal. By the preliminary resolution, the Board may suspend the Town Manager from any or all duties, but the Town Manager's regular salary shall continue to be paid during the period of suspension. However, the Town Manager shall cease the performance of all duties upon a vote of final resolution of removal.

308.3

NON-INTERFERENCE: The Board shall deal with the administrative services solely through the Town Manager. Selectmen, individually, or as a Board, shall not give orders to any subordinate of the Town Manager or to Members of the general public either publicly or privately.

SEC. 309 TAX COLLECTOR

309.1

APPOINTMENT OF TOWN TAX COLLECTOR: The Board shall appoint an official of the Town who shall have the title of Town Tax Collector. The Town Tax Collector shall act in accordance with State statute for municipal tax collectors and shall

collect taxes due the Town of Ogunquit. The office of Town Tax Collector shall become vacant upon death, resignation or disability.

A vacancy in the office of Tax Collector shall be filled within thirty (30) calendar days by appointment by the Selectmen.

309.2 REMOVAL OF TAX COLLECTOR: The Board may remove the Town Tax Collector for cause by an affirmative vote of not less than three (3) of its Members. A pretermination hearing shall be conducted with the Tax Collector by the Town Manager.

At least thirty (30) days before such removal shall become effective, the Board shall, by a majority vote of all of its members, adopt a preliminary resolution explicitly stating the specific reason(s) for removal. The Town Tax Collector may reply in writing or may request a public hearing within ten (10) business days which shall be held not earlier than twenty (20) days, nor later than thirty (30) days after the filing of such request. After such public hearing, if one is requested, and after full consideration, the Board, by an affirmative vote of not less than three (3) of its members, may adopt a final resolution of removal. By the preliminary resolution, the Board may suspend the Town Tax Collector from duty, but the regular salary of the Town Tax Collector shall continue to be paid during the period of suspension. The Town Tax Collector shall cease the performance of all duties upon a vote of final resolution of removal. A vacancy in the office of Town Tax Collector shall be filled within thirty (30) days by appointment. The function of the Town Tax Collector

shall be performed by the Town Manager or Deputy Tax Collector during a vacancy of the office of Town Tax Collector.

309.3 BONDING: The Tax Collector shall be bonded in the same manner as required by State statute for municipal tax collectors.

309.4 DEPUTY TAX COLLECTOR: A Deputy Town Tax Collector may be appointed by the Tax Collector with the approval of the Town Manager.

SEC. 310 TOWN CLERK

310.1 APPOINTMENT: The Town Manager shall appoint a qualified individual who shall have the title Town Clerk, shall act in accordance with State statutes for municipal clerks, shall keep a public record of all proceedings of the Town, maintain a current checklist of eligible voters, shall keep a log of the number of registered voters who attended Annual Town Meetings and maintain a record of currently applicable legislative action affecting the Town. The office of Town Clerk shall become vacant upon death, resignation or disability.

310.2 REMOVAL OF TOWN CLERK: The Town Manager with an affirmative vote from the Board of Selectmen of not less than three (3) of its Members, may remove the Town Clerk for cause. A pretermination hearing shall be conducted with the Town Clerk by the Town Manager. At least thirty (30) calendar days before such

removal shall become effective, the Board shall, by a majority vote of all of its Members, adopt a preliminary resolution explicitly stating the specific reason(s) for removal. The Town Clerk may reply in writing or may request a public hearing to be held within ten (10) business days after the filing of such request. After such public hearing, if one is requested and after full consideration, the Board, by an affirmative vote of not less than three (3) of its Members, may adopt a final resolution of removal. By the preliminary resolution, the Board may suspend the Town Clerk from duty, but the regular salary of the Town Clerk shall continue to be paid during the period of suspension. A vacancy in the office of Town Clerk, for the balance of the current term, shall be filled within thirty (30) calendar days by appointment. The function of the Town Clerk shall be performed by the Town Manager or Deputy Clerk during a vacancy of said office.

310.3 BONDING: The Board will bond the Town Clerk

310.4 APPOINTMENT OF DEPUTY CLERK: The Town Clerk may appoint, in writing and with the approval of the Town Manager, a qualified Deputy Town Clerk as provided in Maine State Statutes,

SEC. 311 TOWN TREASURER

311.1 APPOINTMENT: The Town Manager shall appoint an official of the Town who shall have the title of Town Treasurer. The Town Treasurer shall act in accordance with State statute for municipal

treasurers and shall sign all checks, bonds and other financial transactions of the Town. The office of Town Treasurer shall become vacant upon death, resignation or disability. A vacancy in the office of Treasurer shall be filled within thirty (30) days by appointment.

311.2 REMOVAL OF TOWN TREASURER: The Town Manager, with an affirmative vote from the Board of Selectmen of not less than three (3) of its Members, may remove the Town Treasurer for cause. A pretermination hearing shall be conducted with the Town Treasurer by the Town Manager. At least thirty (30) calendar days before such removal shall become effective, the Board shall, by a majority vote of all of its Members, adopt a preliminary resolution explicitly stating the specific reason(s) for removal. The Town Treasurer may reply in writing or may request a public hearing to be held within ten (10) business days after the filing of such request. After such public hearing, if one is requested and after full consideration, the Board, by an affirmative vote of not less than three (3) of its Members, may adopt a final resolution of removal.

By the preliminary resolution, the Board may suspend the Town Treasurer from duty, but the regular salary of the Town Treasurer shall continue to be paid during the period of suspension. A vacancy in the office of Town Treasurer, for the balance of the current term, shall be filled within thirty (30) calendar days by appointment. The function of the Town Treasurer shall be performed by the Town Manager or Deputy Treasurer during a vacancy of said office.

311.3 BONDING: The Treasurer shall be bonded in the same manner as required by State statute for municipal treasurers.

311.4 DEPUTY TREASURER: The Town Treasurer may appoint, in writing and with the approval of the Town Manager, a qualified Deputy Town Treasurer as provided in State Statutes, Title 30-A MRSA as amended.

SEC. 312 **RECALL**

Any elected official may be recalled and removed from office by the qualified voters of the Town as herein provided.

312.1 PETITIONS FOR RECALL: Any fifty (50) registered voters of the Town may make and file with the Town Clerk an affidavit, with each signature notarized, containing the name of the officer or official whose removal is sought and a statement of the reason(s) why such removal is desired. The Town Clerk shall then prepare and sign a petition for such removal; a copy of said affidavit and general statement either included thereon or attached thereto, which shall be impressed with the official Town Clerk's seal, dated, addressed to the Board and containing the name of the person whose removal is sought. The Town Clerk shall control one copy of said petition for thirty (30) business days thereafter, during which time the same shall be available for signatures, during regular business hours, of qualified voters of the Town and shall prepare additional copies for the use of the affiant for the collection of signatures. To be effective, the recall petition must be signed by a number of registered voters of the Town equal to at least ten percent (10%) of the ballots cast in the municipal election held at

the previous Annual Town Meeting and must include ten (10) registered voters who voted at the same Annual Town Meeting. To every signature shall be added the address of the signatory indicating the street and number or other description sufficient to identify the location.

312.2 EXAMINATION OF THE PETITION: At the expiration of said thirty (30) days, the Town Clerk shall declare the petition closed and shall within five (5) business days thereafter ascertain whether or not the petition is signed by the requisite number of voters and shall attach thereto a certificate showing the results of such examination.

312.3 CALLING OF RECALL ELECTION: The petition and the certificate shall be submitted to the Board of Selectmen at its next meeting. If the petition, certified by the Town Clerk, includes the requisite number of signatures, the officer whose removal is sought shall be notified. The Board shall thereupon, within ten (10) business days of receipt of the Town Clerk's Certificate, order an election to be held not less than twenty (20) calendar days, nor more than thirty (30) calendar days thereafter; unless a regular election is to occur within ninety (90) calendar days in which case the recall election will be held concurrent with the regular election. The officer whose removal is being sought may request a public hearing by submitting a written request to the Board of Selectmen within ten (10) calendar days of the Town Clerk's certification.

312.4 FORM OF BALLOT: Unless the officer whose removal is sought shall have resigned within ten (10) days after the receipt by the Board of Selectmen of the Town Clerk's Certificate, the form of the ballot at such election shall be:

 "Shall X be recalled?". The name(s) of the officer(s) whose recall is (are) sought shall be inserted in place of X etc.

312.5 COUNT OF BALLOTS: In the case that a majority of those voting on the recall of any official shall vote in favor of recall, such officer shall be thereby removed immediately, and a vacancy in said office shall be declared by the Town Clerk.

312.6 ELECTION BY PETITION: If the Board of Selectmen refuses to call a Town Meeting for the purpose of a recall election, it may be called by a Notary Public in the county upon the written petition of a number of votes equal to at least ten percent (10%) of the number of signatures on the certified petition, but in no case less than ten (10).

312.7 CANDIDATES FOR RECALLED POSITIONS: In the event of a successful recall election, nominations for candidates shall be sought in the same manner for any municipal election and in accordance with State and municipal election laws.

ARTICLE IV
TOWN MANAGER

SEC. 401 TOWN MANAGER OUALIFICATIONS

The Town Manager shall be chosen by the Board of Selectmen on the basis of character, executive and administrative qualifications with special reference to actual experience in, or knowledge of, accepted practice with respect to the duties of the office as hereinafter set forth.

SEC. 402 POWERS AND DUTIES OF THE TOWN MANAGER

The Town Manager shall:

- 402.1** Be the chief executive and administrative official of the Town.
- 402.2** Appoint subject to the confirmation or veto by the Board of Selectmen, all Department Heads except those otherwise provided for under State statute or this Charter.
- 402.3** Be responsible to the Board of Selectmen for administration of all departments and offices over which the Board has control.
- 402.4** Serve in any office as the head of any department under the control of the Board of Selectmen when so directed by the Board. Unless otherwise provided by municipal ordinances, the Town Manager shall supervise all Town appointments whom the municipal officials are required by State statute to appoint except members of boards, commissions, committees, auditors, attorneys and assessors and supervise all other subordinates.

- 402.5** Have exclusive authority to remove for cause after notice and hearing. any person the Town Manager is authorized to appoint and report all such removals to the Board of Selectmen unless otherwise provided for by this Charter or Maine State law.
- 402.6** Unless otherwise provided by municipal ordinance, the Town Manager shall supervise all Town appointments whom the municipal officials are required by statute to appoint, except members of boards, commissions, committees and auditors, attorneys and assessors and appoint and supervise all other subordinates and assistants. The Town Manager shall have the authority to delegate supervisory authority to the head of a department
- 402.7** Appoint, with the approval of the Board of Selectmen, an administrative assistant to the Town Manager whose duties shall include that of a purchasing agent for all Town departments and agencies, except the School District, provided that the Town or the Board of Selectmen shall require that all purchases greater than Three Thousand Dollars (\$3,000.00) shall be subject to competitive bid proposals; except that the Board of Selectmen may submit any purchase to competitive bid when deemed feasible.
- 402.8** Attend all meetings of the Board of Selectmen, unless excused.
- 402.9** Make recommendations to the Board of Selectmen in regard to the efficient operation of the municipality.
- 402.10** Attend all Town meetings and other meetings and hearings as so directed by the Board of Selectmen.

- 402.11** Keep the Board of Selectmen and the residents of the municipality informed as to the financial condition of the Town. Twelve (12) times per year, at the opening of the first Selectmen's Meeting of every month, prior to the discussion of any business or public hearings, the Town Manager, or the Town Manager's appointee, shall address the inhabitants of Ogunquit on the public access channel (WOGT), if available, with the express purpose of updating and informing the residents of Ogunquit as to the present state of approved projects and departmental achievements and/or deficiencies. It shall be at the discretion of the Town Manager as to the content and the depth of the public updates. The residents shall have the opportunity to submit written questions to the Town Manager on any budget issues or other questions regarding the Town's affairs and the Town Manager shall respond to said questions during his next monthly report.
- 402.12** Collect the necessary data and prepare the budget for the Board of Selectmen.
- 402.13** Assist, insofar as possible, residents and taxpayers in discovering their lawful remedies in cases involving complaints of unfair vendor, administrative and governmental practices.
- 402.14** Make application for State, Federal and other grants for the benefit of the Town, as approved by the Board of Selectmen.
- 402.15** Perform such other duties as may be prescribed by this Charter or required by the Board, not inconsistent with this Charter.

402.16 Notify the Town Clerk, for inclusion in the Annual Town Report, of the attendance record of the members of the Town boards, committees and commissions, whether elected or appointed, including the number of meetings attended and absent.

SEC. 403 ABSENCE OF THE TOWN MANAGER

The Town Manager may, with the consent of the Board of Selectmen, designate by letter filed with the Town Clerk, a qualified person, preferably a resident of the Town, to perform the duties of the Town Manager in the event of an extended absence or disability. In the event of failure of the Town Manager to designate, the Board of Selectmen shall appoint a qualified resident of the Town to perform the duties of the Town Manager until such time as the Town Manager returns.

ARTICLE V

FINANCIAL PROCEDURES

SEC. 501 AUTHORITY

The Board of Selectmen shall be responsible for the preparation and submission of the annual and special budgets to be voted at Annual and Special Town Meetings.

SEC. 502 FISCAL YEAR

The Town fiscal year shall begin January 1 and terminate on December 31 of each calendar year. The Town fiscal year shall constitute the budget and accounting year as specified in this Charter.

SEC. 503 PREPARATION AND SUBMISSION OF BUDGET

The Town Manager, assisted by input from each Department Head, office supervisor and Town Board Chairmen, shall submit a five (5) year capital improvement plan and the annual budget and any special funding requests to the Board of Selectmen as may be directed. The Board of Selectmen will then review and revise, if necessary, approve and 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 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 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 (1) 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.

SEC. 504 REVENUE AND EXPENDITURES

Anticipated revenues and taxation will be identified on each appropriation account. The budget for all departments shall include all proposed expenditures. Total expenditures will not exceed total income. The gross appropriation for each department shall not be exceeded except by vote at a Special Town Meeting or as provided for herein. Amounts may be transferred by the Board of Selectmen within the department as long as the approved total departmental budget amount is not exceeded. Transfers between departments (Warrant Articles) shall be allowed only as a final adjustment at the end of the fiscal year following a public hearing at a Board of Selectmen Meeting.

This transfer is limited to an amount not to exceed Ten Thousand Dollars (\$10,000.00) for any one department and not to exceed Fifty Thousand

Dollars (\$50,000.00) to all departments overall. Amounts above these limits require approval at a Special Town Meeting.

SEC. 505 BORROWED FUNDS

The Town Treasurer, with approval from the Board of Selectmen, is authorized to borrow money for approved expenditures in anticipation of revenue and taxation collection.

SEC. 506 INDEPENDENT ANNUAL AUDIT

Prior to the end of the fiscal year, the Board of Selectmen shall designate either the State Department of Audit or a private firm of certified public accountants to

make an independent audit of accounts and other evidence of financial transactions of the Town government for the current fiscal year and to submit their report to the Board.

Such accountants shall not maintain any accounts or records of Town business, but shall post-audit the records and documents maintained by the Town and any separate or subordinate accounts maintained by another office, department, or agency of Town government. This information shall be published in the Annual Report which shall be made available to the voters fifteen (15) days prior to the Annual Town Meeting.

ARTICLE VI

SCHOOL COMMITTEE

SEC. 601 COMPOSITION

The Wells/Ogunquit Community School District School Committee shall be comprised of six (6) members. Qualified voters of each town shall elect at large from their respective towns three (3) members. Election shall be to a three year term, unless elected to fill an unexpired term. In the event of vacancies, a Special Town Meeting shall be called within thirty (30) days to elect a person(s) to fill the unexpired portion of the term(s).

SEC. 602 ELIGIBILITY

School Committee members shall be voters and year round residents of the Town during their term of office. They shall hold no other positions, that would be in conflict with their responsibilities and function as a School Committee Member.

ARTICLE VII

TAX ADMINISTRATION

SEC. 701 ASSESSOR

The Town Assessor or Certified Public Assessor shall be chosen with special reference to actual related experience or knowledge of accepted practices with respect to the duties of the office.

The Town Assessor or Public Assessor shall meet the State requirements for Town certification. The Assessor shall exercise the same powers and be subject to the same duties and liabilities that similar officers of the towns and cities in the State of Maine may exercise and may now or hereafter be subject to under the Laws of the State.

SEC. 702 ASSESSMENT REVIEW

The Board of Selectmen shall appoint in accordance with State statutes a Board of Assessment Review to review and revise assessments where appropriate.

ARTICLE VIII

APPOINTED BOARDS AND COMMISSIONS

SEC. 801 BOARDS AND COMMISSIONS

The Board of Selectmen shall appoint a Board of Assessment Review, a Planning Board, a Zoning Board of Appeals and any other Boards as required by State Statutes. All boards shall conduct their business in accordance with the rules set

forth in this Charter. Members of said boards shall be voters and residents of the Town.

SEC. 802 OTHER APPOINTMENTS

The Board of Selectmen shall appoint a Budget Review Committee to assist it with budgets and financial planning. The recommendations of the Budget Review Committee will be presented to the public at the Annual Town Meeting when any budget items are being presented for consideration by the voters. Members of said Committee shall be voters and residents of the Town. The Budget Review Committee shall adopt such by-laws, as it deems necessary.

802.1 APPOINTMENT AND TERMS: A Budget Review Committee shall consist of five (5) Members who shall be appointed by a majority vote of the Board of Selectmen at its first scheduled meeting following the Annual Town Meeting or as soon thereafter as practicable. The term of office for the Members of the Budget Review Committee shall be for three (3) years (first two (2) appointed will be for three (3) years, next two (2) for two (2) years and the last one (1) for one (1) year. All appointments thereafter shall be for the three (3) year terms.

SEC. 803 FORFEITURE OF OFFICE

At any time during a term, a municipal board, commission or committee member shall forfeit office by an affirmative vote of at least three (3) of the Board of Selectmen for any of the following reasons:

- A. Lack of any qualifications for the office as prescribed this Town Charter or by State law.

- B. Violation of any express prohibition of the Town Charter.
- C. A member of any municipal board, commission or committee who has three (3) consecutive unexcused absences from that board, commission or committee meetings or who has an absentee rate of twenty (20%) percent of unexcused absences year to date (including regular and special meetings), during the prior twelve (12) month period, shall be deemed to have created a vacancy on that board, commission or committee resulting in loss of membership on the board, commission or committee. The recording secretary shall be responsible for maintaining accurate attendance records. An absence may be excused only by a vote of the remaining members in attendance at the meeting from which the board, commission or committee member is absent.

ARTICLE IX

GENERAL PROVISIONS

SEC. 901 SCOPE OF POWERS

In this Charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the Town would have if the particular powers were not mentioned. The Charter shall be liberally construed to the end that the Town may have all the powers necessary or convenient for the conduct of its municipal affairs, including all powers the Town may assume pursuant to State Laws and to the provisions of the State Constitution.

SEC. 902 SEPARABILITY

If any portion of this Charter shall be held to be invalid, such decision shall not affect the validity of the remaining portions thereof.

SEC. 903 SHORT TITLE

This Charter shall be known as the Charter of the Town of Ogunquit. The Town Clerk shall cause the Charter to be printed and made available to the public within a reasonable time following its enactment.

SEC. 904 OATH OF OFFICE

Every official of the Town shall, before entering upon the duties of office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the Town Clerk:

“I _____ solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States of America and of the State of Maine; that I will, in all respects, observe the provisions of the Charter and ordinances of the Town of Ogunquit and will faithfully discharge the duties of the office of _____”

SEC. 905 ORDINANCES NOT INCONSISTENT CONTINUE IN FORCE

All ordinances of the Town of Ogunquit in force at the time when this Charter takes effect, not inconsistent with the provisions of this Charter, shall continue in force until amended or repealed. All ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

SEC. 906 CONTINUANCE OF PRESENT ELECTIVE AND ADMINISTRATIVE

All persons holding elective or administrative office at the time this Charter takes effect shall continue in office and in the performance of their duties until provisions shall have been made in accordance therewith for the performance of such duties or the discontinuation of such office.

SEC. 907 APPLICABILITY OF STATE STATUTE

Any subject matter not provided for by this Charter shall be controlled by the applicable State statute.

SEC. 908 CHARTER REVIEW COMMISSION

The Board of Selectmen shall provide for the election of a Charter Review Commission every five (5) years for the purpose of reviewing and recommending updates to this Charter. In the event a Commission shall have been elected within any five (5) year period, a new five (5) year period shall commence from the date of the dissolution of said Commission.

SEC. 909 PERSONAL FINANCIAL INTEREST

Any official or employee who has any financial interest, direct or indirect, in any contract with the Town or in the sale of any land, material, supplies or services to the Town or to a contractor supplying the Town, shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as an official or employee in making of such sale or in the making or performance of such contract. Any official or employee who willfully conceals such a financial interest or willfully violates the requirement of this section shall be guilty of malfeasance in

office or position and shall forfeit his office or position. Violation of this section with the knowledge express or implied of the person or corporation contracting with or making a sale to the Town shall render the contract or sale voidable by the Board.

ATTEST:

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

Dated: _____