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Jack Nichols has announced his resignation. Jack will join the Office of the Maine Attorney General as an investigator. Good luck to Jack. Paul Gasper has been named CLO.

Thank you to former Portland Director of Public Works, George Flaherty for his assistance over the years.

Moved by J. McGinty and Seconded by W. Linnell

Ordered the Cape Elizabeth Town Council approves the Minutes of Meeting #7-96/97 held September 9, 1996 as written.

(7 yes) (0 no)

CITIZEN'S DISCUSSION OF ITEMS NOT ON THE AGENDA

Virginia Wieland, 971 Shore Road - Mrs. Wieland is concerned(safety) when someone crosses Shore Road to the Post Office - what good does the caution light do?

Kevin Sweeney, 7 Philip Road - Co-Chairman Cape Coalition

An educational session will be held on December 5, 1996, 7:00 p.m. at the CEMS Cafetorium regarding the use of nitrous oxide canisters by our youth.

***PUBLIC HEARING NOVEMBER BALLOT ISSUE TO FLUORIDATE
PUBLIC WATER SUPPLY***

Chai

ND PATH ISSUES TABLED FROM 9/9/96

Moved by P. Coggeshall and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council takes ITEM ##61, 65-68-96/97 off the table from September 9, 1996.

(7 yes) (0 no)

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ITEM #61-96/97 Intro - Manager McGovern

Moved by R. Reid and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council tables indefinitely ITEM #61-96/97 regarding a recommendation of the Pedals and Pedestrian Committee to place a sidewalk on Shore Road from Fort Williams Park to Dyer Pond Road.

(6 yes) (1 no McGinty)

ITEM #65-96/97 Moved by P. Coggeshall and Seconded by R. Reid

Ordered the Cape Elizabeth Town Council hereby directs the Town Manager to consider in the next 5 year drainage improvement program a proposed schedule of implementation for the following sidewalk projects on one side of the road.

A public forum for each project shall be held with the Town Council, citizens and staff to determine the desirability of the project prior to any approval of funding.

Scott Dyer Road	Brentwood Road-Spurwink Avenue
Fowler Road	Jewett Road to Ocean House Road
Ocean House Road	Lions' Field to Mitchell Road
Ocean House Road	Spurwink Avenue to South Portland City/Town line
Spurwink Avenue	Maxwell's Farm Market to Ocean House Road

Moved by W. Linnell and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council amends the original motion for ITEM #65-96/97 to strike one side of the road.

(5 yes) (2 no W. Jordan and P. Coggeshall)

Moved by W. Linnell and Seconded by R. Reid

Ordered the Cape Elizabeth Town Council amends the original motion for ITEM#65-96/97

to include Mitchell Road.

(1 yes) (6 no P. Coggeshall, J. Groff, W. Jordan, J. McGinty, J. McLaughlin and R. Reid)

Moved by P. Coggeshall and Seconded by R. Reid

Ordered the Cape Elizabeth Town Council approves the original motion as amended:

Ordered: The Cape Elizabeth Town Council hereby directs the Town Manager to consider in the next 5 year drainage improvement program a proposed schedule of implementation for the following sidewalk projects.

A public forum for each project shall be held with the Town Council, citizens and staff to determine the desirability of the project prior to any approval of funding.

Scott Dyer Road	Brentwood Road-Spurwink Avenue
Fowler Road	Jewett Road to Ocean House Road
Ocean House Road	Lions' Field to Mitchell Road
Ocean House Road	Spurwink Avenue to South Portland City/Town line
Spurwink Avenue	Maxwell's Farm Market to Ocean House Road

(6 yes) (1 no W. Linnell)

ITEM #66-96/97 Moved by P. Coggeshall and Seconded by R. Reid

Resolved:

Ordered the Cape Elizabeth Town Council does hereby resolve that as the following roads are improved staff should provide to the Town Council cost estimates to add two foot paved shoulders on both sides of the road:

Fowler Road Route 77 to Route 77
Old Ocean House Road
Spurwink Avenue
Scott Dyer Road
Hill Way
Mitchell Road
Sawyer Road
Eastman Road
Trundy Road to Katahdin Road
Broad Cove Road to Ledgewood Road (6 yes) (1 no W. Linnell)

ITEM #67-96/97 Moved by J. McGinty and Seconded by R. Reid

Ordered: When Wells Road is next reconstructed paved shoulders shall be provided except where homes are within twenty feet of the road or stonewalls would be within five feet of the shoulder.

Ordered the Cape Elizabeth Town Council amends the original motion of ITEM #67-96/97 to add the language:

A public forum for the project shall be held with the Town Council, citizens and staff to determine the desirability of the project prior to any approval of funding.

(6 yes) (1 no W. Jordan)

Moved by J. McGinty and Seconded by R. Reid

Ordered the Cape Elizabeth Town Council approves the original motion as amended:

When Wells Road is next reconstructed paved shoulders shall be provided except where homes are within twenty feet of the road or stonewalls would be within five feet of the shoulder.

A public forum for the project shall be held with the Town Council, citizens and staff to determine the desirability of the project prior to any approval of funding.

(7 yes) (0 no)

ITEM #68-96/97 Moved by J. Groff and Seconded by W. Linnell

Resolved: The Cape Elizabeth Town Council endorses the following recommendations of the Pedals and Pedestrian Committee:

The Town of Cape Elizabeth should explore the acquisition of easements to construct multi-use trails that connect various parts of town with the Town Center. (the easterly, central and westerly routes) Priority will be given to the easterly route that will connect Fort Williams Park with the Town Center via Dyer Pond Road.

The Town should explore opportunities to increase its support of the Conservation Commission. Options could include a plan to change tax treatment of land on which connecting easements for future multi-use trails are located or a plan for additional police protection from motorized vehicle use of the trails.

The Town should publish, when able, a map using the GIS system to accurately portray Town owned land, conservation easements, constructed greenbelt trails, planned greenbelt trails, bikeways and sidewalks.

(7 yes) (0 no)

Chairman McLaughlin welcomed Steve Simonds, 18 Brentwood Road and his three visitors from Brazil.

ITEM #81-96/97 Intro - Manager McGovern

Moved by W. Jordan and Seconded by W. Linnell

Ordered the Cape Elizabeth Town Council takes ITEM #81-96/97 off the table from September 9, 1996. (7 yes) (0 no)

Moved by W. Jordan and Seconded by P. Coggeshall

Ordered the Cape Elizabeth Town Council does hereby accept as a public way Cape Woods Drive and also accepts, but not as a public way, all related easements. The Town Clerk is to include in the official minutes at this point, a copy of the deed description and the easements.

(7 yes) (0 no)

See attachment.

CONSENT AGENDA

ITEM ##85 & 91 were taken from the consent agenda for separate action.

ITEM #85-96/97 Intro - Debra M. Lane, Town Clerk

Moved by J. McGinty and Seconded by P. Coggeshall

Ordered the Cape Elizabeth Town Council approves warrants for the November 5, 1996 General and Special Municipal Election as presented, and approves the appointment of Katie Williams and Colleen Minden to serve as student election clerks.

(7 yes) (0 no)

ITEM ##86-90-96/97 Moved by P. Coggeshall and Seconded by W. Linnell

Ordered the Cape Elizabeth Town Council approves the following items:

ITEM #86-96/97 Approval of the MMA 1996-97 Officer Election Ballot as presented.

Approval of J. McLaughlin as Voting Delegate and P. Coggeshall as alternate.

ITEM #87-96/97 Approval of the lease of building #326 at Fort Williams Park to Drug Rehabilitation, Inc. as presented.

See attachment.

ITEM #88-96/97 Approval of conduit location from NYNEX as presented. Stonegate Road-at the intersection of Mitchell Road, northeasterly approximately 415' of conduit.

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ITEM #89-96/97 Approval of the veteran's exemption(abatement) for FY '96 to

Robert C. Crane, 2 Wabun Road in the amount of \$92.80.

ITEM #90-96/97 Approval of an abatement to correct an evaluation for Peter H. & Lois-Ann Gleeson, 10 Southwell Road for \$132.75-FY'95, \$135.78-FY'96.

Consensus of the Town Council to allow P. Coggeshall to abstain from discussion and voting on ITEM #91-96/97 due to a perceived conflict of interest.

ITEM #91-96/97 Moved by R. Reid and Seconded by W. Jordan
Ordered the Cape Elizabeth Town Council approves the renewal malt, spirituous and vinous liquor license and special amusement permit for the Purpoodock Club, conditioned upon the completion of question #5 and question #12 B.
(5 yes) (2 abstentions P. Coggeshall, J. Groff)

ITEM #92 Intro - Manager McGovern

Moved by R. Reid and Seconded by J. McGinty
Ordered the Cape Elizabeth Town Council refers to the Ordinance Committee the response from the Planning Board and Fort Williams Advisory Commission on proposed dedication of space at Fort Williams Park.
(7 yes) (0 no)

ITEM #93-96/97 Intro - Manager McGovern

Moved by W. Jordan and Seconded by P. Coggeshall
Ordered the Cape Elizabeth Town Council tables ITEM #93-96/97 regarding a report from the Chief of Police on Shore Road Safety to the November 13, 1996 Town Council Meeting.
(7 yes) (no)

ITEM #94-96/97
Present - Judy Dooley, Zoning Board Member - Informally, the Town Council asked questions of Ms Dooley.

Moved by J. McLaughlin and Seconded by W. Linnell
Ordered the Cape Elizabeth Town Council acknowledges receipt of a petition signed by 22 residents regarding day nursery and child care. The intention of the Town Council is to schedule a discussion with the public in order to gather more information. Following public input, the Town Council may deem it appropriate to ask for input from the Planning Board and Zoning Board.
(7 yes) (0 no)

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ITEM #95-96/97 Intro - Manager McGovern

Present - Terrence DeWan, representing Juan Perez
Juan Perez

Moved by W. Linnell and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council gives conditional municipal approval of the Dominicus Crossing Subdivision and affordable housing component as outlined in the letter dated October 1, 1996 to Michael McGovern from Terrence J. DeWan, with the understanding that all legal documents and easements are to be reviewed and approved by the Town Attorney.

(7 yes) (0 no)

See attachment.

ITEM #96-96/97 Intro - Manager McGovern

Moved by R. Reid and Seconded by J. McLaughlin

Ordered the Cape Elizabeth Town Council confirms the Town Manager's appointment of Stephen D. Harding of OEST Associates, to serve as the Town Engineer, effective immediately.

(7 yes) (0 no)

ITEM #97-96/97 Intro - Manager McGovern

Moved by W. Linnell and Seconded by P. Coggeshall

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to obtain proposals to reconfigure the inside of the main entrance to the Thomas Memorial Library.

(7 yes) (0 no)

CITIZENS' DISCUSSION OF ITEMS NOT ON THE AGENDA

Moved by P. Coggeshall and Seconded by R. Reid

Ordered the Cape Elizabeth Town Council adjourns at 10:08 p.m.

(7 yes) (0 no)

Town Council Workshop
Planning Board/Town Council Workshop re: ZORC

November 4, 1996
October 22 & 29

Debra M. Lane, CMC
Town Clerk

