

**TOWN OF CAPE ELIZABETH**

**TOWN COUNCIL MEETING MINUTES**

**MEETING #15-96/97  
FEBRUARY 10, 1997  
7:30 P.M.**

**ROLL CALL BY THE TOWN CLERK**

**PRESENT ABSENT**

|                                |   |
|--------------------------------|---|
| JANET. L.MCLAUGHLIN , CHAIRMAN | X |
| PHYLLIS C. COGGESHALL          | X |
| JOSEPH H. GROFF, III           | X |
| WILLIAM H. JORDAN              | X |
| WILLIAM S. LINNELL II          | X |
| JOHN W. MCGINTY                | X |
| ROSEMARY A. REID               | X |

***PLEDGE OF ALLEGIANCE TO THE FLAG***

The Town Council held a moment of silence in memory of Ruth W. Bean, Town Clerk(1939-1960), Tax Collector(1945-1960) and first woman Selectman of Cape Elizabeth.(1963-1966). Mrs. Bean died February 8, 1997.

***REPORTS AND CORRESPONDENCE***

As information becomes available, Councilor Coggeshall will update the citizens on the ceremony for the Bridge Opening. Congratulations to Cecily Upton and Betsy Wyman for their recent success in the High School Cross Country Ski Championships.

Councilor Linnell encouraged donations to the Teen Coffee House-"Oz." A cappuccino machine is needed - donations should be sent to Ruth Bean c/o United Methodist Church.

Councilor Jordan will continue to report on RWS as information is provided by Irv Chappell, Cape's representative.

Manager McGovern thanked the residents for their participation at the workshop with the Town Engineer on February 3 re: ballfields at Lions' Field and Fort Williams Park.

Nomination papers for Town Council and School Board will be available at the Town Clerk's Office beginning on February 12. The deadline is March 24, 1997.

Councilor Coggeshall thanked residents for their support during her three terms on the Town Council. Mrs. Coggeshall will not seek re-election.

Chairman McLaughlin-

Residents interested in running for Town Council or School Board should view the recently taped panel discussion - what it is like to serve on the Town Council and School Board. A copy of the tape is available, please contact Chairman McLaughlin.

1/16/97 Day Care Forum  
1/29/97 CE and Scarborough Town Councils met to discuss issues which impact our communities  
2/24/97 Scenic Areas Forum  
3/5/97 Workshop re: ZORC recommendations  
3/12/97 First Public Hearing re: ZORC recommendations

***CITIZENS' DISCUSSION OF ITEMS NOT ON THE AGENDA None***

Councilor Reid asked what the process would be to donate a cappuccino machine to the Teen Center. Manager McGovern responded that a Town Councilor may sponsor an item on the agenda.

Moved by W. Linnell and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council approves the Minutes of Meeting #13-96/97 held January 13, 1997 and Special Meeting #14-96/97 held January 16, 1997 as written.  
(7 yes) (0 no)

**PUBLIC HEARINGS**

**PROPOSED DESIGNATION OF NEW BRIDGE  
AS "CASCO BAY BRIDGE"**

**PROPOSED AMENDMENTS TO FORT WILLIAMS  
PARK MASTER PLAN**

Intro - Gary Beckwith, 10 Oakwood Road - Mr. Beckwith served on the Bridge Naming Committee representing Cape Elizabeth. Art Tordoff and Chairman Lee Urban were also present. The Committee held 8 meetings and considered 136 suggested names. Casco Bay Bridge is the recommendation of the Committee.

8:00 p.m. Chairman McLaughlin opened the hearing to public comments.  
After hearing no comments, the public hearing was closed.

ITEM #140a-96/97    Moved by W. Linnell and Seconded by P. Coggeshall

Ordered the Cape Elizabeth Town Council endorses the recommendation from the Bridge Naming Committee to recommend to the Maine Legislature that the new bridge between South Portland and Portland be designated as the "Casco Bay Bridge." (7 yes) (0 no)

ITEM #141-96/97    Intro - Manager McGovern

Councilor Jordan, Chairman Ordinance Committee

Present - Maureen O'Meara, Town Planner

8:06 p.m. Chairman McLaughlin opened the hearing to public comments.  
After hearing no comments, the public hearing was closed.

Moved by P. Coggeshall and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council adopts the two proposed addendums to the Fort Williams Master Plan; Policy Statement 2(Dedicated Natural Area) and Policy Statement 3(Active Recreation Area), and Policy Areas Map as presented. The Town Council also asks the Town Staff to prepare an annotated map of Fort Williams Park. See attachment.

(6 yes) (1 no W. Jordan)

ITEM #142-96/97    Intro - Maureen O'Meara, Town Planner

Manager McGovern

Moved by P. Coggeshall and Seconded by W. Linnell

Ordered the Cape Elizabeth Town Council sets for public hearing on Wednesday, March 12, 1997, 7:30 p.m. at Town Hall proposed wetland revisions Section 19-2-0-02, Section 19-3-9-06, Section 19-3-9-12 regarding a proposed reduction of wetland buffer for official playing fields, RP1 change when topographical change occurs, proposal to allow expansions located in the Wetland Buffer is located more than 100' from the wetland edge.

(6 yes) (1 no W. Jordan)

Note: Town Staff is asked to incorporate language within the existing ordinance and to incorporate language within the proposed new ordinance, along with appropriate maps.

ITEM #143-96/97 Intro - Manager McGovern  
Present - Gail Dransfield, Chairman Pool Study Committee

Moved by R. Reid and Seconded by W. Linnell

Ordered the Cape Elizabeth Town Council approves up to \$38,500 from undesignated surplus for the following proposed emergency repairs to the pool:

|                                |               |
|--------------------------------|---------------|
| Smoke and Fire Detectors       | 2,600         |
| PVC-40 Conduit                 | 12,000-15,000 |
| Emergency Lighting             | 2,000-3,000   |
| Fire Alarms - Pool and Lockers | 6,000-8,000   |
| Testing of Pool Deck           | 3,500         |
| Contingency and Engineering    | 3,000         |

(7 yes) (0 no)

Moved by W. Linnell and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council approves the creation of the Cape Elizabeth Pool Building Committee and draft charge as presented. This motion includes the Committee budget of up to \$50,000 from undesignated surplus for architectural and engineering services and other expenses.

Moved by W. Jordan and Seconded by J. Groff

Ordered the Cape Elizabeth Town Council moves the question.

(6 yes) (1 no R. Reid)

Original Motion: (7 yes) (0 no)

See attachment.

ITEM #144-96/97 Intro - Manager McGovern  
Present - Gail Dransfield, School Board Member - Mrs. Dransfield encouraged the Town Council to vote against funding a 1997 membership for the Coalition for Equitable School Funding.

Moved by P. Coggeshall and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council tables ITEM #144-96/97, regarding a request from the Coalition for Equitable School Funding for a membership donation of \$2.00 per student or \$3,582 for 1997 membership, indefinitely.

(7 yes) (0 no)

ITEM #145-96/97 Intro - Chairman McLaughlin - Ms McLaughlin briefly reported on the day care forum held on January 16, 1997. The Town Council has several options to move forward. Whether or not the ordinance needs revisions must still be determined.

Moved by W. Jordan and Seconded by P. Coggeshall

Ordered the Cape Elizabeth Town Council sets to workshop day care issues. Although the workshop date has not been confirmed, it is possible the issue will be set for a June workshop. It is the desire of the Town Council to invite the Planning Board and Zoning Board of Appeals to participate in the workshop.

(7 yes) (0 no)

ITEM #146-96/97 Intro - Manager McGovern

Moved by P. Coggeshall and Seconded by W. Linnell

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to execute a quitclaim deed to Joseph A. Frustaci for property located at 8 Rosewood Drive, Map U34 Lot 22-4 as presented.

(7 yes) (0 no)

ITEM #147-96/97 Intro - Manager McGovern - Mr. McGovern explained this property was foreclosed on by the Town for an unpaid real estate tax lien. No taxes have been paid since 1991. The Town Attorney's office has been working to clarify the status of the lot at 11 Park Circle. All parties who may have an interest have been notified. No one came forward during the redemption period prior to the automatic foreclosure. It appears the Town owns the land free and clear.

Moved by J. Groff and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to work with the Town Attorney to quiet the title to 11 Park Circle, Map U43 Lot 17C. The Town Council authorizes the Town Manager to begin the process to sell the property at fair market value. Monies collected from the sale of the property, above the costs the Town has incurred for legal fees etc., will be appropriated to the land acquisition fund.

(7 yes) (0 no)

The next regular Town Council Meeting will be held on *Wednesday*, March 12, 1997 at 7:30 p.m.

***CITIZENS' DISCUSSION OF ITEMS NOT ON THE AGENDA None***

Manager McGovern announced that four members of the fire department have been working to fix a leak in one of the fire trucks. An estimated \$7,000 has been saved by the Town as a result of donated services by Gerry Murray, Danny O'Brien, Michael & Gil Jordan. On behalf of the Town, thank you very much.

ITEM #148-96/97     Moved by W. Linnell and Seconded by P. Coggeshall

Ordered the Cape Elizabeth Town Council enters into executive session at 9:32 p.m. to discuss a personnel matter, upcoming negotiations with the police bargaining unit and a property acquisition/disposition matter.

(7 yes) (0 no)

Moved by P. Coggeshall and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 11:42 p.m.

(7 yes) (0 no)

Moved by P. Coggeshall and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council adjourns at 11:43 p.m.

(7 yes) (0 no)

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Debra M. Lane, CMC  
Town Clerk