

TOWN OF CAPE ELIZABETH

TOWN COUNCIL MEETING MINUTES

MEETING #4-97/98

JULY 14, 1997

7:30 P.M.

ROLL CALL BY THE TOWN CLERK PRESENT ABSENT

JOSEPH H. GROFF III, CHAIRMAN	X
HENRY N. BERRY III	X
HENRY G. (BILL) BEYER	X
CAROLYN M. FRITZ	X
WILLIAM H. JORDAN	X
JOHN W. MCGINTY	X
ROSEMARY A. REID	X

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZENS' DISCUSSION OF ITEMS NOT ON THE AGENDA

REPORTS AND CORRESPONDENCE

PRESENTATIONS

Joel Russ, President Greater Portland Chamber of Commerce

Mr. Russ extended an invitation to Cape Elizabeth residents to attend the Opening Ceremonies of the Casco Bay Bridge on August 30 & 31. A list of events will be published prior to the opening.

Moved by W. Jordan and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the Minutes of Meeting #1-97/98 held June 9, 1997, Minutes of Special Meeting #2-97/98 held June 23, 1997 and Minutes of Special Meeting #3-97/98 held July 8, 1997 as written.

(7 yes) (0 no)

ITEM #24-97/98 Moved by W. Jordan and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council appoints Robert A. Konczal to serve as the Cape Elizabeth Tax Assessor for Fiscal Year 1998. Mr. Konczal will begin on Monday, August 4, 1997, however he will also be available on July 21 & 28 in order to prepare for the upcoming tax commitment.

(7 yes) (0 no)

ITEM #25-96/97 Intro - Henry Berry

Moved by H. Berry and Seconded by H. Beyer

WHEREAS, according to information furnished the Town by a member of the previous Town Council, the Maine Department of Transportation has determined that the Shore Road in Cape Elizabeth, Maine, is the only road in Cape Elizabeth which is classified as "Class 1," which would be hazardous to bicycle traffic; and

WHEREAS, the majority of the Cape Elizabeth Town Council has voted against the construction of bicycle paths on the Shore Road; and

WHEREAS, the majority of the taxpaying homeowners on the affected portion of Two Lights Road in Cape Elizabeth, Maine has submitted a written petition in firm opposition to the construction of bicycle paths on the Two Lights Road in Cape Elizabeth; and

WHEREAS, the original proposed budget for bicycle paths on the Two Lights Road in Cape Elizabeth was \$181,000, and the proposal has since been increased to \$261,000; and

WHEREAS, the construction of bicycle paths along Two Lights Road in Cape Elizabeth cannot be accomplished without adversely affecting wetlands and private property; and

WHEREAS, the widening of the traveled way on Two Lights Road will likely lead to increased speed of vehicular traffic on that dead end way, and create a hazard of safety to human life, especially to children; and

WHEREAS, the acceptance of funds from sources outside the Town of Cape Elizabeth will impose requirements of the takeover of the Two Lights Road by the Town of Cape Elizabeth from the State of Maine for maintenance and discontinuance of possible State funding therefore;

AND WHEREAS, the main intent of the so-called ISTEA legislation was to provide alternative transportation means for group travel and the repair of roads and bridges, and not for recreational projects to benefit a few bicycle riders during only a portion of the year;

NOW, THEREFORE, I MOVE that the Cape Elizabeth Town Council vote to abandon and terminate the bicycle paths project on Two Lights Road forthwith; disband with many thanks the study committee for the plan; and dedicate the funds involved to other more essential purposes.

Correspondence read into the record:

Richard L. Sullivan	72 Two Lights Road	dated July 12, 1997
Richard D. & Virginia E. McGinley	10 Lighthouse Point Road	dated July 12, 1997

Moved by R. Reid and Seconded by J. Groff

Ordered the Cape Elizabeth Town Council postpones the vote to abandon and terminate the bicycle paths project on Two Lights Road until the Two Lights Design Review Committee reports back its' final report to the Town Council. It is estimated that the Town Council will review the report at the September or October meeting.

(7 yes) (0 no)

ITEM #26-97/98 Intro - Manager McGovern

Moved by R. Reid and Seconded by H. Beyer

Ordered the Cape Elizabeth Town Council designates the Cape Elizabeth portion of Angell Terrace as Stone Drive.

(5 yes) (2 no C. Fritz, W. Jordan)

ITEM #27-97/98 Intro - Manager McGovern
Present - Suzanne VanWye

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council amends the Sewer Service Area Map to include the property at 49 Wells Road.

(6 yes) (1 no C. Fritz)

CONSENT AGENDA

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the Consent Agenda as follows:

ITEM #28-97/98 Approval of the Annual Local Roads Certification
(It is estimated that Cape Elizabeth will receive \$67,188 for the fiscal year beginning 7/1/97.)

ITEM #29-97/98 Approval of the Portland Water District's Request for a Water Main Location on Hunts Point Road
(7 yes) (0 no)

CITIZENS' DISCUSSION OF ITEMS NOT ON THE AGENDA

ITEM #30-97/98 Moved by W. Jordan and Seconded by C. Fritz
Ordered the Cape Elizabeth Town Council enters executive session to discuss land acquisition/disposition at 8:24 PM.
(7 yes) (0 no)

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The Cape Elizabeth Town Council recesses at 8:25 PM to meet as the Board of Directors for the Museum at Portland Head Light.

At 8:36 PM the Board of Directors adjourned.

Moved by R. Reid and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council reenters executive session.
(7 yes) (0 no)

Moved by W. Jordan and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 10:31 PM.

(7 yes) (0 no)

Moved by J. McGinty and Seconded by R. Reid

Ordered the Cape Elizabeth Town Council adjourns at 10:32 PM.
(7 yes) (0 no)

Debra M. Lane, CMC
Town Clerk