

**TOWN OF CAPE ELIZABETH**

**TOWN COUNCIL MEETING MINUTES**

**MEETING #15-97/98**

**APRIL 13, 1998**

**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***

A copy of the Cumberland County Budget is available for review by interested citizens. Please contact Councilor Berry or the Town Clerk.

Chairman Groff congratulated Mr. Price's Middle School musical production- an excellent performance. The Little League will hold a fund raiser at the Portland Players on June 18 at 8:00PM - Damn Yankees.

Manager McGovern thanked those municipal employees who participated in Saturday's bottle drive for Raelyn Williams. Approximately \$1800 was raised. Thanks to the citizens of Cape Elizabeth for their support.

Homestead Exemption Applications will be mailed to Cape Elizabeth residents. Copies are also available at Town Hall.

***PRESENTATIONS***

Nordic Ski Team Championship - Coaches Ann & John Upton, and several members of the team were present to accept the proclamation.

***MINUTES***

Moved by W. Jordan and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the Minutes of Meeting #14-97/98 held Wednesday, March 11, 1998 as written.

(7 yes) (0 no)

Page 2 Minutes  
April 13, 1998

ITEM #126-97/98 Intro - David Cyr, 15 McAuley Road, Chairman Pool Study Committee  
Patrick Costin and Eric Grevin - Harriman Associates

Moved by R. Reid and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Donald Richards Pool Study Committee Report dated April, 1998 and sets the report to workshop. Workshop date to be announced.

(7 yes) (0 no)

ITEM #127-97/98 Intro - Al Barthelman, 1247 Sawyer Road, Chairman Fort Williams Centennial Celebration Committee

Moved by R. Reid and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Fort Williams Centennial Celebration Committee report dated April 13, 1998 and sets the report to workshop. Workshop date to be announced.

(7 yes) (0 no)

ITEM #128-97/98 Intro - Manager McGovern

Moved by H. Berry and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council acknowledges receipt of the comments from the Planning Board on the proposed addressing ordinance dated March 23, 1998 and refers the comments to the Ordinance Committee.

(7 yes) (0 no)

ITEM #129-97/98 Intro - Manager McGovern

Moved by J. McGinty and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to sign the proposed lease with Family Crisis Shelter for Building #324 at Fort Williams Park. The Town Manager is directed to revisit the following, prior to the lease being signed:

2. clarify the term of the lease
- 5.A. ...reasonable wear and tear; expected or accepted, having first removed any fixture...
7. review with the Town Attorney the amount of liability insurance required by the Town

(7 yes) (0 no)

See attachment.

ITEM #130-97/98 Intro - Manager McGovern

Moved by W. Jordan and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to sign a contract with Leland P. Murray and Sons for sewer rehabilitation work at Cottage Farms neighborhood for the bid amount of \$148,165 with a total project budget of \$171,275 including contingency and construction monitoring as presented.

(7 yes) (0 no)

ITEM #131-97/98 Intro - Manager McGovern

Moved by R. Reid and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council accepts the amended easement for Dyer Pond weir access road from Michael and Dawn Roy, owners of Lot #1 in the Dyer Pond Subdivision.

(7 yes) (0 no)

ITEM #132-97/98 Intro - Debra Lane, Town Clerk

Moved by H. Berry and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council approves the Municipal Election warrant for the May 5, 1998 Town Council and School Board elections. The election will be held at the CEHS gym, polls open from 7:00AM - 8:00PM.

(7 yes) (0 no)

Note: The Special Referendum Election Warrant for the Town Center Petition was approved at the March 11, 1998 meeting.

ITEM #133-97/98 Intro - Debra Lane, Town Clerk

Moved by W. Jordan and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the nominations for election clerks as recommended by the Democratic and Republican Town Committees as presented.

(7 yes) (0 no)

Page 4 Minutes  
April 13, 1998

ITEM #134-97/98 Intro - Debra Lane, Town Clerk

Moved by W. Jordan and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council appoints Henry (Bill) Beyer to serve the unexpired term of Frank Gooch on the Voter Registration Appeals Board until September 29, 1998.

Moved by J. Groff and Seconded by R. Reid

Ordered the Cape Elizabeth Town Council tables ITEM #134.

(7 yes) (0 no)

Note: Councilor McGinty questioned whether an elected official should serve on the Voter Registration Appeals Board. After discussion, the Town Council voted to table the item until another nomination is recommended.

ITEM #135-97/98 Intro - Manager McGovern

Moved by R. Reid and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to install a commercial vacuum(s) at the refuse disposal area.

(7 yes) (0 no)

### ***CITIZEN'S DISCUSSION OF ITEMS NOT ON THE AGENDA***

ITEM ##136 & 137-97/98 Moved by H. Berry and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council enters into executive session to discuss the status of negotiations with the Cape Elizabeth Police Benevolent Association and to discuss land acquisition/disposition matters at 8:43PM.

(7 yes) (0 no)

Moved by W. Jordan and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 9:52PM.

(7 yes) (0 no)

ITEM #136-97/98 Moved by J. Groff and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council approves the proposed collective bargaining agreement between the Town of Cape Elizabeth and the Cape Elizabeth Police Benevolent Association dated July 1, 1997 - June 30, 2000, as presented.

(7 yes) (0 no)

Page 5 Minutes  
April 13, 1998

The Town Council authorized the Citizen Survey 1998 to be inserted into the Cape Courier to be delivered May 2 or May 23.

Workshop Dates:

Monday, May 4 - following the Special Town Council Meeting      Fort Williams Centennial  
Celebration Report

Monday, June 1 7:30PM      Pool Study Report

Moved by H. Berry and Seconded by W. Jordan

Ordered the Cape Elizabeth Town Council adjourns at 10:03 PM.  
(7 yes) (0 no)

---

Debra M. Lane, Town Clerk