

TOWN OF CAPE ELIZABETH

TOWN COUNCIL MEETING MINUTES

**MEETING #8-98/99
NOVEMBER 9, 1998
7:30 P.M.**

ROLL CALL BY THE TOWN CLERK PRESENT ABSENT

JOSEPH H. GROFF III, CHAIRMAN	X	
HENRY N. BERRY III	X	
PENELOPE P. CARSON	X	
CAROLYN M. FRITZ	X	
JOHN W. McGINTY	X	
ROSEMARY A. REID		X*
RUTH E. McCLEERY WATSON	X	

(*as amended December 14, 1998)

SWEARING IN OF COUNCILOR-ELECT PENELOPE P. CARSON

Welcome Councilor Carson!

PLEDGE OF ALLEGIANCE TO THE FLAG

WELCOME STUDENT REPRESENTATIVES: CEHS

Vince Faherty, 14 Channel View Road
Matt Martin, 28 Rock Crest Drive

CITIZENS' DISCUSSION OF ITEMS NOT ON THE AGENDA

Valerie Hall, 45 Broad Cove Road - Mrs. Hall presented the Town Council with a petition said to contain 288 signatures. The petition requests the Town Council to retain the property at 316 Ocean House Road, with the goal of making a town green.

PRESENTATIONS

Middle School: State Physical Fitness Championship - Presented to representatives of the Middle School.

Jonesy's Service Station - 50th Anniversary - Presented to Gregg Jones on behalf of Gregg and father George.

Northern New England Chapter of the American Planning Association - James Upham, City Planner of Bath, presented the Town of Cape Elizabeth an award for recognition of the Town's Zoning Ordinance. Maureen O'Meara, Town Planner accepted the award on behalf of the Town.

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COUNCILOR'S REPORTS AND CORRESPONDENCE

Councilor Berry reported on the progress of the Cumberland County Budget. County Commissioners have been asked to reduce the increase in expenditures from 5% to 4%. The budget will be voted on within the month.

Chairman Groff congratulated Don Stevenson on his coast to coast walk for Alzheimer's. Mr. Stevenson's walk concluded at Fort Williams Park. Thanks to the Fire and Police Departments for their assistance.

The next meeting of Facilities 2000 is Tuesday, November 10 7:00PM at Public Works.

The pool referendum passed with a 75% affirmative vote of the voters.

TOWN MANAGER'S REPORT

Clean Up Week has concluded. Thank you to residents for a successful biodegradable bag program for leaves - 13,000 bags were issued.

Repairs to the roof of the Spurwink Church continue. It is anticipated that the project will be complete within a couple of weeks.

The Riverside Cemetery expansion has begun. The project will be completed in the spring

Suggestions for the 2000-2004 CIP are due to the Town Manger by December 1, 1998.

Chairman Groff mentioned a new publication by Kenneth E. Thompson, Jr. relating to the history of the Portland Head Light and Fort Williams Park.

MINUTES

Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #7-98/99 held October 12, 1998 as amended - the minutes should reflect that Councilor Watson was present at the October meeting.

(6 yes) (0 no)

ITEM #60-98/99 Intro - Councilor Berry for Councilor Reid

Moved by R. Watson and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the recommendations of the Appointments Committee to appoint the following individuals:

Janet McLaughlin	54 Olde Colony Lane	Personnel Appeals Board Exp. 1/1/99
Julia Beckett	51 Hillcrest Road	Recycling Committee Exp. 1/1/2000
Nancy Harvey	1 Singles Road	Historic Preservation Study Committee
Connie Jordan	962 Shore Road	Historic Preservation Study Committee

(6 yes) (0 no)

ITEM #61-98/99 Intro - Manager McGovern

Moved by P. Carson and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to sign a quitclaim deed for property located at 26 Hannaford Cove Road, Map U40 Lot 9, to Wright, Howard P. & Dorothy G. The Town releases its claim to real estate tax liens dated May 25, 1976, July 12, 1996 and July 11, 1997.

(6 yes) (0 no)

ITEM #62-98/99 Intro - Manager McGovern

Moved by P. Carson and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council approves the following abatements for personal property. These businesses are no longer in Cape Elizabeth.

F0050P	Four Seasons Travel (0298)	\$25.76
T0045P	Tip To Toe (1997)	\$27.84
	(1998)	\$28.62.

(6 yes) (0 no)

ITEM #63-98/99 Intro - Manager McGovern

Moved by H. Berry and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to file an application to the Planning Board for the proposed Thomas Memorial Library Parking Lot Expansion. This motion does not give final approval to the expansion. Said project is subject to appropriate fiscal votes by the Town Council.

(4 yes) (2 no H. Berry, J. McGinty)

ITEM #64-98/99 Intro - Manager McGovern

Moved by P. Carson and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to determine the fee for Road Races benefiting non-profits. Said fee shall range from \$10.00 to \$100.00. The discretion of the Town Manager is to ensure that the Town is reimbursed for processing the application. This fee does not eliminate the responsibility of Road Race groups to pay any out of pocket expenses the town may have for the hiring of any town personnel.

(6 yes) (0 no)

CITIZENS' DISCUSSION OF ITEMS NOT ON THE AGENDA

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council enters into executive session to meet with Town legal counsel to review the status of negotiations with Local 340 of the Teamsters representing public works employees, to consider a request for a hardship abatement and to discuss the disposition of tax acquired property following the workshop on the former service station lot next to Town Hall.

(6 Yes) (0 no)

WORKSHOP 8:36PM

The Town Council convened at 8:40PM in the William H. Jordan Conference Room to discuss the former service station lot next to Town Hall. Chairman Groff explained that the Town Council is having preliminary discussions on the property. The Council has begun soliciting thoughts and ideas from the public following an article in The Cape Courier.

Several members of the public and students attended the meeting. Andy Strout's Middle School group provided the Town Council with a memo dated November 6, 1998. A Middle School student survey finds that students expressed their need for a teen center, basketball facility, skate park, indoor dance floor, pool tables, snack bar, arcade and area to relax.

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It is anticipated that the Town Council will act upon a committee draft charge and composition at the December meeting. Manager McGovern will work with the Council to present such a draft. It was a consensus of the Town Council that the committee charge provide a comprehensive look at the issue including the use of the current Community Center at 1226 Shore Road.

Workshop session ended at 9:15PM.

The Town Council enters executive session as previously voted.

ITEM #65-98/99 Moved by J. McGinty and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 10:34PM.

(6 yes) (0 no)

Moved by C. Fritz and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council denies the request for a hardship property tax abatement.

(6 yes) (0 no)

Moved by P. Carson and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council adjourns at 10:35PM.

(6 yes) (0 no)

Debra M. Lane, Town Clerk