

# CAPE ELIZABETH TOWN COUNCIL

## MINUTES

### MEETING

MEETING # 5-99/00

September 13, 1999

7:30 P.M.

ROLL CALL BY THE TOWN CLERK		PRESENT	ABSENT	
Penelope P. Carson, Chairman	36 Trundy Road	X	799-8029	6/2000
Henry N. Berry, III	110 Two Lights Rd.	X	799-6500	6/2000
Carolyn M. Fritz	9 Hunt Club Woods	X	767-3737	6/2000
John W. McGinty	86 Brentwood Road	X	767-0139	6/2001
John E. "Jack" Roberts, Jr.	185 Fowler Road	X	767-4526	6/2002
Anne E. Swift-Kayatta	14 Stone Bridge Road	X	767-5754	6/2002
Ruth E. McCleery Watson	7 Winding Way	X	799-3559	6/2001

### *Pledge of Allegiance To The Flag*

### *Presentations*

#### *4th Annual Essay Contest - Sponsored by the Conservation Commission*

John Greene, Conservation Commission presented the first prize to Anna Metzger.

Dr. Joseph Schenkel, CE Land Trust presented the second prize to Scott Caras.

### *Reports and Correspondence*

Councilor Berry announced upcoming Cumberland County Budget Advisory budget presentations: 9/16 & 9/23.

Historic Preservation Study Committee will meet September 21 at 4:00PM at Town Hall.

Councilor Roberts recently represented the Town Council at the dedication of the Hobstone trails.

### *Town Manager's Report*

Manager McGovern gave a brief summary of the status of various projects. The Donald Webster Memorial Golf Tournament held September 1 was a success. Town Planner Maureen O'Meara has been elected President of the Northern New England Chapter of the American Planning Association. Congratulations, Maureen.

September 13, 1999

***Ralph T. Gould Award***

Leland P. "Jim" Murray was presented the 1999 Ralph T. Gould Award for citizenship. Jim's associations include the Rescue, Fire Department, Family Fun Day, Memorial Day Parade. The Town Council and residents of Cape Elizabeth recognize Jim for his contributions to the community through this award.

***Citizens' Discussion of Items Not On The Agenda***

***Minutes***

Moved by H. Berry and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #4-99/00 held August 9, 1999 as written.

(7 yes) (0 no)

***Introduction of Student Representatives***

Rebecca Boulos and Andrew Rowe will serve the ensuing year as Student Representatives.

ITEM #30-99/00      Intro - Sheriff Mark Dion

Moved by H. Berry and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council approves the Town's participation in the community projects program of the Cumberland County Sheriff's Department as presented.

(7 yes) (0 no)

ITEM #31-99/00      Intro - Henry Warren, Chairman Zoning Board of Appeals  
Present - Bruce Smith - CEO

Moved by R. Watson and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council refers back to the Zoning Board of Appeals for further consideration of criteria the Board's recommendation for applicants for setback reductions and variances to provide to the Board a sketch plan from a Registered Maine Surveyor. The Board is asked to report back to the Town Council by November, 1999.

(7 yes) (0 no)

September 23, 1999

ITEM #32-99/00 Intro - Councilor Swift-Kayatta - Chairman Appointments Committee

Moved by A. Swift-Kayatta and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the nominations from the Appointments Committee to fill the following vacancies on Town boards and commissions:

Arts Commission	01/01/2000	Rose Kennealy
Arts Commission	01/01/2002	Kim McClellan
Recycling Committee	01/01/2000	Deborah Braxton
Recycling Committee	01/01/2002	Maria Gallace
Thomas Memorial Trustees	01/01/2002	Dorothy Stack
Zoning Board of Appeals	01/01/2002	David Backer

(7 yes) (0 no)

ITEM #33-99/00 Intro - Debra Lane, Town Clerk

Moved by R. Watson and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council approves the recommendation of the Town Clerk to re-appoint Marion Holshouser to serve as the Chairman of the Registration Appeals Board until September 29, 2003. Mrs. Holshouser resides at 137 Two Lights Road.

(7 yes) (0 no)

ITEM #34-99/00 Intro - Manager McGovern

Maureen O'Meara, Town Planner

Present - Robert Konczal, Assessor

Bruce Smith, CEO

Leslie Young and Lois Morrell, ACP Staff

Moved by H. Berry and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council approves the recommendation of the Town Manager and request of the Assessing/Codes/Planning Office for additional clerical assistance for the ACP Office for 24 hours per week at an approximate cost of \$14,500 including mandated benefits for FY 2000.

(4 yes) (3 no C. Fritz, J. McGinty, R. Watson)

ITEM #35-99/00 Intro - Manager McGovern

Moved by C. Fritz and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council approves, pursuant to the Council/Manager Charter, the surety amount and bond for the town manager for the faithful discharge of his duties in the amount of \$2M.

(7 yes) (0 no)

ITEM #36-99/00      Moved by H. Berry and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council casts the annual Maine Municipal Association Mail Ballot as recommended by the Nominating Committee and approves the designation of Councilor Roberts to serve as the voting delegate, and Councilor Watson as alternate, to the Annual MMA Business Meeting.

(7 yes) (0 no)

ITEM #37-99/00      Intro - Manager McGovern

Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council authorizes the Town Treasurer to open an account at Key Private Bank for funds held in escrow for the Cross Hill Subdivision.

(7 yes) (0 no)

ITEM #38-99/00      Intro - Manager McGovern

Moved by R. Watson and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council authorizes the Town Treasurer to participate in the Direct Purchase Service of the MBIA Municipal Investors Services Corporation.

(7 yes) (0 no)

***Citizen's Discussion of Items Not On The Agenda***

Councilor Fritz requested a workshop with representatives of the State Parks re: Dogs on Crescent Beach after Labor Day.

ITEM #39-99/00      Moved by A. Swift-Kayatta and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the request of the Town Manager to enter into executive session to discuss property acquisition/disposition matters at 9:43PM.

(7 yes) (0 no)

Moved by J. McGinty and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 10:15PM.

(7 yes) (0 no)

Page 5 Minutes  
September 13, 1999

Town Council Meeting          Wednesday, October 13, 1999 7:30PM  
(note date change due to holiday)

Workshop re: Dogs on Crescent Beach after Labor Day      Tuesday, October 5 (Tentative)  
Note: Workshop has been rescheduled for 7PM Wednesday, October 13 - Prior to TC Meeting.

Employee Day at the Tower at Portland Head Light          Sunday, October 17, 1999 10-4

Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council adjourns at 10:26PM.  
(7 yes) (0 no)

---

Debra M. Lane, Town Clerk