

CAPE ELIZABETH TOWN COUNCIL MINUTES
Regular Meeting # 8-99-00
December 13, 1999
7:30 p.m.

Roll Call by the Town Clerk

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

Student Representatives

Rebecca Boulos						X
Andrew Rowe					X	

Pledge of Allegiance to the Flag

Presentations: State Championships

- CEHS Boys Golf**
- CEHS Girls Soccer**

Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council suspends the **Rules of the Cape Elizabeth Town Council** to add ITEM #66-99/00 and take the item out of order.
 (7 yes) (0 no)

Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council approves the request of the Historic Preservation Study Committee to extend the deadline to submit their recommendations to the Town Council until June 1, 2000.

Moved by H. Berry and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council amends the main motion to extend the submission time until April 1, 2000.
 (1 yes) (6 no H. Berry, P. Carson, C. Fritz, J. McGinty, J. Roberts
 R. Watson)

Original Motion: (6 yes) (1 no A. Swift-Kayatta)

Reports and Correspondence

Councilor Fritz thanked citizens for their comments regarding dogs on Crescent Beach. Congratulations to Kelly Reed and Elizabeth Gayer for their music competition awards.

Councilor Swift-Kayatta expressed her thanks to the employees. Employees were recently honored at Employee Recognition Day held December 3 at the Purpoodock Club.

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 #7-99/00 held November 8, 1999 as written.

(7 yes) (0 no)

Public Hearing Proposed Revision To The Sewer Rate Schedule

Intro – Manager McGovern

Chairman Carson opened the public hearing at 8:03PM.

Arlan Davis, Representing Woodland South Apartments

Mr. Davis thanked the Town Council for considering the recommendation as Woodland South has raised the issue since 1977. Mr. Davis doesn't feel "multi-families should be paying at the top of the scale." Mr. Davis requests "equality in the system."

Max Sexton, Resident of South Portland, pays portion of real estate taxes to CE for land – owns 2 family and 8 family. Mr. Sexton said he thought he was paying based on usage. Mr. Sexton urged the Town Council to approve the revisions as there "seems to be an inequity."

Chairman Carson closed the public hearing at 8:12PM.

ITEM #60-99/00 Moved by H. Berry and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council approves the proposed revisions to the sewer rate schedule as presented. Such rates to be effective January 1, 2000 to provide for sewer bills to be calculated on the basis of one minimum fee per meter, a monthly minimum charge of \$27.80 and a consumption fee of \$4.00 per each additional 100 cubic feet, or fraction thereof, of monthly measured water usage.

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

Public Hearing Liquor License and Special Amusement Permit Susan Legge Events, Inc. & Fort Fairfield Yacht Club At Inn By The Sea

Intro – Debra Lane, Town Clerk

Chairman Carson opened the public hearing at 8:35PM.
After hearing no comments, the hearing was closed.

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ITEM #61-99/00 Moved by J. McGinty and Seconded by A. Swift-Kayatta
Ordered the Cape Elizabeth Town Council approves the renewal malt, spirituous, and vinous liquor license and new special amusement permit for Susan Legge Events, Inc. and Fort Fairfield Yacht Club at Inn By The Sea as presented.
(7 yes) (0 no)

ITEM #62-99/00 Intro – Manager McGovern

Chairman Carson gave the public an opportunity to comment.

Kevin Guimond, Ocean House Road – Mr. Guimond expressed that he shares the concerns of costs, however if the project is delayed the construction costs will increase.

Moved by A. Swift-Kayatta and Seconded by J. Roberts
Ordered the Cape Elizabeth Town Council hereby approves the concept plan proposed by the Facilities 2000 Building Committee as contained in a report entitled, "Preliminary Design Report for the Construction of Fire and Police Facilities" submitted on behalf of the committee by Oest Associates and dated November 1999. The Town Council further authorizes the expenditure of \$235,690 for surveying, architectural design, engineering, permitting, specification preparation, construction cost estimating, bidding assistance and construction oversight of the project with the funds to be advanced as expenditures as needed and with permanent funding to be provided by a future bond issue. The Town Council authorizes the Town Manager to sign all contracts required for the project provided such contracts are within the funding being provided at this time. The Town Council further authorizes the Town Manager to apply for all required permits and approvals necessary for the project to proceed. We also wish to thank the Facilities 2000 Committee, town staff and Oest Associates for their assistance to date on this project.

Ordered the Cape Elizabeth Town Council hereby authorizes the expenditure of up to \$150,000, with the funds to be provided from a future bond issue, for the purpose of placing an addition on to the front of the public works garage, for transferring communications equipment and related expenses and for transitional expenses relating to temporary relocations during the upcoming construction of a new police station and the renovation of the public works garage.

Moved by J. McGinty and Seconded by R. Watson
Ordered the Cape Elizabeth Town Council tables ITEM #62-99/00 until February 1, 2000.
(3 yes) (4 no P. Carson, C. Fritz, J. Roberts, A. Swift-Kayatta)

Original Motion: (5 yes) (2 no J. McGinty, R. Watson)

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ITEM #63-99/00 Intro – Manager McGovern
Present – Robert Malley Director of Public Works

Moved by J. McGinty and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council allocates from the Undesignated Surplus an amount not to exceed \$30,000 to purchase a replacement computer/server for the Town's principal accounting needs.

(7 yes) (0 no)

Moved by R. Watson and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council allocates from the Undesignated Surplus an amount not to exceed \$13,000 to continue the Town Hall siding replacement project.

(2 yes) (5 no H. Berry, C. Fritz, J. McGinty, J. Roberts,
A. Swift-Kayatta)

Moved by R. Watson and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council allocates from the Undesignated Surplus an amount not to exceed \$10,000 to fund design of some minor improvements to the Community Center.

(6 yes) (1 no C. Fritz)

Moved by R. Watson and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council allocates from the Undesignated Surplus an amount not to exceed \$97,000 to replace a 1984 dump truck.

(4 yes) (3 no C. Fritz, J. McGinty, A. Swift-Kayatta)

ITEM #64-99/00 Intro – Councilor Swift-Kayatta, Chairman Appointments
Committee

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

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Appointments Committee report and approves the Committee's recommendations to appoint citizens to fill vacancies on Town boards and commissions.

(7 yes) (0 no)

See attachment.

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ITEM #65-99/00 Intro – Debra Lane, Town Clerk

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council accepts the gifts and donations given to the Town thus far during 1999 with thanks and appreciation.

(7 yes) (0 no)

CITIZENS' DISCUSSION OF ITEMS NOT ON THE AGENDA

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

Ordered the Cape Elizabeth Town Council adjourns at 10:21PM.

(7 yes) (0 no)

Ordinance Committee

Wednesday, December 15 4:00PM ACP CR

Joint Budget Workshop with School Board January 18, 2000

Debra M. Lane, Town Clerk