

# CAPE ELIZABETH TOWN COUNCIL MINUTES

## Regular Meeting # 9-99-00

January 10, 2000

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 Rd.	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: Fort Williams Centennial Committee

Jeff Van Fleet, 18 Ocean View Road, Committee Member

Mr. Van Fleet gave a final presentation from the Committee. Thanks to 60 area businesses and 300 individual supporters, the fund raising efforts exceeded expenditures by \$12,093.04. These funds will be placed in the Fort Williams Park Trust. Thanks to the donors and 200 volunteers which made this celebration a success.

### Reports and Correspondence

Councilor Watson acknowledged the CEHS Girls Soccer Team, coached by Charlie Carroll. The Team will be presented an academic award by the National Soccer Association of America.

Councilor Roberts reported that the Gull Crest project is progressing.

Councilor Berry – Historic Preservation Study Committee will meet January 11, 2000. The WETeam has placed lifesaver rings at the approx. 12 ponds in Cape Elizabeth.

### Town Manager's Report

Gull Crest Property	Progress Report
Pool	Pool schedule is available at Community Services
Pool Dedication	Sunday, February 6, 2000

### Citizens' Discussion of Items Not on the Agenda

A moment of silence was held in memory of Peter Feeney, County Commissioner. Mr. Feeney died unexpectedly.

**Minutes of Meeting # 8-99/00 held December 13, 1999**

Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council approves the Minutes of Meeting #8-99/00 held December 13, 1999 as written.

(7 yes) (0 no)

ITEM #66-99/00      Moved by J. Roberts and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council reconsiders ITEM #60-99/00 voted on at the December 13, 1999 Town Council Meeting relating to proposed revisions to the sewer rate schedule.

(7 yes) (0 no)

Moved by J. Roberts and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council refers to workshop proposed revisions to the sewer rate schedule.

(7 yes) (0 no)

ITEM #67-99/00      Moved by H. Berry and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Capital Improvement Plan for Fiscal Years 2001-2005 as presented.

(7 yes) (0 no)

ITEM #68-99/00      Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council acknowledges receipt of the proposed debt management policy for the Town of Cape Elizabeth and refers the item to workshop.

(7 yes) (0 no)

Note: A copy will be provided to the School Board. Comments and suggestions from the School Board will be entertained at the January 18 joint workshop.

ITEM #69-99/00      Moved by H. Berry and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council acknowledges receipt of a report from the Ordinance Committee relating to variance standards and setbacks for non-conforming structures and refers the item to workshop.

(7 yes) (0 no)

Note: A letter was received by the Town Council from Ronald and Mary Page, 172 Two Lights Road. Mr. & Mrs. Page requested their opinion to support the proposal be entered into the minutes.

ITEM #59-99/00      Tabled from November 8, 1999

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council removes ITEM #59 from the table.  
(7 yes) (0 no)

Intro- Manager McGovern

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the use of Fort Williams Park for the annual MS Society Walk scheduled for April 9, 2000 as recommended by the Fort Williams Advisory Commission.

(7 yes) (0 no)

Moved by J. McGinty and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council suspends the **Rules of the Cape Elizabeth Town Council** to take ITEM #71 out of order.

(7 yes) (0 no)

ITEM #71-99/00      Intro – Manager McGovern

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

Ordered the Cape Elizabeth Town Council approves the Easement Deeds as presented by Central Maine Power relating to the new Public Works facility and authorizes the Town Manager to sign the deeds on behalf of the Town.

(7 yes) (0 no)

### **Citizens' Discussion of Items Not on the Agenda**

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 take ITEM #72 out of order.

(7 yes) (0 no)

ITEM #72-99/00      Moved by A. Swift-Kayatta and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council changes the date of the regular March meeting from Monday, March 13 to Wednesday, March 15, 2000.

(7 yes) (0 no)

ITEM #70-99/00      Moved by R. Watson and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council enters into executive session to discuss a request for a hardship abatement, issues relating to upcoming collective bargaining, issues involving land acquisition/disposition and the annual evaluation of the town manager.

(7 yes) (0 no)

A resident asked to address the Town Council.

Eugene Markowitz, 50 Hunts Point Road– Mr. Markowitz asked about the possibility of Town Hall being opened a couple of Saturdays per month and the Transfer Station opening Sundays to make services accessible for customers.

8:08PM Executive Session

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

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 9:24PM.

(7 yes) (0 no)

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

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

(7 yes) (0 no)

## **Workshop**

### **Dogs on Crescent Beach**

Per request of Councilor Fritz, the Town Manager prepared a draft letter to submit to the State relating to dogs on Crescent Beach.

After much discussion, it was a consensus of the Town Council to submit the letter permitting dogs on the beach between October 1 and April 1, except between the hours of 10-2. A dispenser will be available for waste. Dogs must be either tethered or within voice command of the owner.

The Town Council wishes to emphasize that the rules governing Crescent Beach are set by the State. The Town Council is working to request a compromise, from the State, on behalf of residents.

### **Scheduling Future Workshops and Finance Committee Meetings**

January 18	Joint Workshop with School Board Re: Budget
February 7	Town Council Workshop
February 14	Regular Town Council Meeting
March 15	Regular Town Council Meeting
March 27	Finance Committee Meeting
March 28	Finance Committee Meeting
April 3	Finance Committee Meeting
April 10	Regular Town Council Meeting
April 13	Finance Committee Meeting

Moved by J. Roberts and Seconded by R. Watson

Ordered the Cape Elizabeth Town Council adjourns at 10:05PM.

(7 yes) (0 no)

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Debra M. Lane, Town Clerk

