



CAPE ELIZABETH TOWN COUNCIL MINUTES
Regular Meeting # 4-00-01
September 11, 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

Jamie Cluchey

X

Kristin Elia

X

Michael McGovern

X

Debra Lane

X

Pledge of Allegiance to the Flag

Presentations

CEHS Boys Lacrosse (spring of 2000)

Brendan J. Sweeney – Eagle Scout Award

Reports and Correspondence

Councilor Roberts announced an opening on the Conservation Commission. Interested citizens may apply at the office of the Town Manager. Applications are also available on www.capeelizabeth.com.

Councilor Berry – Three members of the CEHS Girls Varsity Field Hockey Team have been invited to the 2000 National Field Hockey Festival in Florida. Congratulations. The students are accepting donations. Anyone interested in supporting these students should contact Councilor Berry or Town Manager McGovern.

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Councilor Watson and Chairman Carson welcomed the two new Student Representatives Jamie Cluchey and Kristin Elia. This is the third year of the program.

Town Manager's Report

Employee Recognition Luncheon Thursday, September 14. Municipal facilities will close at 11:45 AM.

Facilities 2000 Committee will meet on Tuesday, September 12 at the new Public Works garage at 6:30PM.

September 26, 2000 7:30PM Town Council Workshop

Thank you to citizens for your cooperation in the new street numbering system.

The Fitness Center reopened today. The pool has been closed for warranty work, and is due to reopen September 18. Annual pool memberships will be extended one month, and monthly memberships will be extended the time of loss.

Citizen's Discussion of Items Not on the Agenda

Minutes of Meeting # 3-00-01 held August 14, 2000

Moved By Councilor Berry and Seconded By Councilor Watson

Ordered the Cape Elizabeth Town Council approves the Minutes of Meeting #3-00/01 held August 14, 2000 as written.

(7 yes) (0 no)

Item # 33-00-01

Moved By Councilor McGinty Seconded By Councilor Swift-Kayatta

Ordered the Cape Elizabeth Town Council changes the date of the regular October Town Council meeting to Monday, October 2, 2000.

(7 yes) (0 no)

Item #34-00-01

Chairman Carson asked Asher Kramer and Patricia Wasserman to explain the two points of view regarding this issue. This is not a public hearing.

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Asher Kramer, 4 LedgeWood Lane

Mr. Kramer explained he is presenting the petition on behalf the petitioners. A total of 146 signatures were collected. The issues are:

- A single access creates volume and speed – public safety issues.
- An emergency access doesn't allow the same access as a road built to standards. The original plan wasn't intended as such.
- Town ordinances would suggest another access.
- The neighbors are negatively impacted. The petitioners request a change to the zoning regulations.
- The petitioners don't believe this is a "dead issue." They request the Town Council to reconsider and defer to the environmental impact to the Planning Board.

Patricia Wasserman, 3 Running Tide Road– Ms Wasserman stated she is sympathetic to issues of speed and volume. Safety is important. The issue of speed in the neighborhood should be addressed, no matter if this access issue is opened or not. There is not "one quick fix." The impact of other neighborhoods, e.g. Two Lights, Shore Acres, should be considered. Have the petitioners thought of these issues? The DEP ruling in 1996 stated the access should be gravel. What is the environmental impact on the neighborhoods?

Councilor Watson requested the Town Council to consider her voting on this issue, as she resides at 7 Winding Way.

Moved by Councilor Swift-Kayatta and Seconded by Councilor Roberts

Ordered the Cape Elizabeth Town Council requests Councilor Watson to abstain from discussion and voting on this issue due to a potential perceived financial interest.

(4 yes) (2 no C. Fritz, H. Berry)

Moved by Councilor Swift-Kayatta and Seconded by Councilor Roberts

Ordered the Cape Elizabeth Town Council sets to public hearing on Monday, November 13, 2000 at 7:30PM at Town Hall a citizen petition to open up Jordan Farm Road for full paved access to Broad Cove.

(6 yes) (0 no)

Item # 35-00-01 Moved By Councilor Berry and Seconded By Councilor McGinty

Ordered the Cape Elizabeth Town Council approves the proposed collective bargaining agreement between the Town of Cape Elizabeth, Maine And Teamsters Union Local #340 Representing The Cape Elizabeth Public Works Department July 1, 2000 – June 30, 2002 as presented.

(7 yes) (0 no)

Item # 36-00-01 **Intro – Manager McGovern**

Moved By Councilor Swift-Kayatta Seconded By Councilor McGinty

Ordered the Cape Elizabeth Town Council approves the proposed amendments to the Personnel Code. Note: Appendix A Salaried Positions should be amended to exclude the Public Works Supervisor.

(7 yes) (0 no)

See attached.

Item # 37-00-01 **Intro – Manager McGovern**

Moved By Councilor McGinty Seconded By Councilor Berry

Ordered the Cape Elizabeth Town Council approves the proposed Employee Internet and Computer Use Policy.

(7 yes) (0 no)

See attached.

Item # 38-00-01 **Intro Manager McGovern**

Moved By Councilor Roberts Seconded By Councilor Berry

Ordered the Cape Elizabeth Town Council approves the acceptance of proposed open space deeds at the Hemlock Hill Subdivision as proposed.

(7 yes) (0 no)

See attachment.

Citizens' Discussion of Items Not on the Agenda

Adjournment

Moved By Councilor Berry Seconded By Councilor Swift-Kayatta

Ordered the Cape Elizabeth Town Council adjourns at 8:35PM.

(7 yes) (0 no)

Debra M. Lane, CMC
Town Clerk