



CAPE ELIZABETH TOWN COUNCIL MINUTES
Regular Meeting # 15-00/01
May 14, 2001
7:30 p.m.

Roll Call by the Town Clerk

Present Absent

Student Representatives

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	1 Stirrup 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
Jamie Cluchey				X
Kristin Elia				X
Michael McGovern				X
Debra Lane				X

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Reports and Correspondence

Councilor McGinty thanked residents who voted on May 1.

Town Manager's Report

Progress Report on Public Safety Buildings-

Approximately one month from now, the current police department will be taken down. Police department staff will move into the new Town Center Fire Station until a new police station is completed.

Memorial Day Parade – Parade participants will gather at 8:30AM at Fowler Road/Ocean House Road. The parade begins at 9AM. An open house at the new Town Center Fire Station will follow. Jim Murray is the Chairman.

Page 2 Minutes
May 14, 2001

Chairman Carson reported on the Fire Department Appreciation Evening held Saturday, May 12.

Presentations – Chairman Carson presented plaques to the following:
Councilor Berry – Chairman Historical Preservation Study Committee
Councilor Watson – Recognition of service

Plaques will be presented to Jamie Cluchey and Kristen Elia as this years student representatives.

Citizens' Discussion of Items Not on the Agenda

Minutes of Meeting # 14-00-01, held April 9, 2001

Moved by H. Berry and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council approves the minutes of meeting #14-00/01 held April 9, 2001 as written.

(7 yes) (0 no)

Item # 101-00/01

Public Hearing and Consideration of Adoption of the Annual Municipal, School and County Budget

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

Ordered the Cape Elizabeth Town Council approves voting ITEM ##101-108-00/01 enblock.

(7 yes) (0 no)

Chairman Carson opened the public hearing at 7:47PM.
After hearing no comments, the hearing was closed.

Intro – Finance Chairman Swift-Kayatta

Present – Chief Williams, Matthew Sturgis, Cheryl Parker, Maureen O'Meara

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

Ordered, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 14, 2001, does hereby adopt the Municipal Budget for Fiscal Year 2002 with gross expenditures of \$22,494,278 and gross revenues of \$6,848,051 and with the amount of **\$15,646,228** to be raised from taxation, and does further fix Thursday, October 4, 2001, and Thursday, April 4, 2002, as the dates upon each of which one-half of such tax is due and payable, with interest to accrue upon taxes due and unpaid after each such date at the rate of eleven and one half percent (11.5%) per annum. In accordance with 36 M.R.S.A. Section 506, the Tax Collector and Town Treasurer are authorized to accept prepayment or decline prepayment of taxes not yet committed or prior to any due date and pay no interest thereon. In accordance with 36 M.R.S.A. Section 506-A, a taxpayer who pays an amount accepted by the tax collector and town treasurer in excess of that finally assessed shall be repaid the amount of overpayment plus interest from the date of overpayment at the annual rate of 7.5% per annum.

Ordered, the following amounts are hereby fixed as the gross appropriation for each department and agency for Fiscal Year 2002:

Education	\$14,275,651	
Community Services	635,263	
County Government	628,593	
110 Administration	415,305	
120 Assessing, Codes/Planning	263,325	
130 Town Council	11,137	
135 Legal and Audit	68,000	
140 Elections	9,931	
150 Boards and Commissions	17,833	
160 Insurance	44,000	
170 Employee Benefits	550,446	
180 Debt Service	1,116,282	
210 Police Department	767,249	
215 Animal Control	30,722	
220 Dispatching	206,224	
225 WETeam	15,793	
230 Fire Department	207,250	
240 Misc. Public Protection	149,162	
250 Emergency Preparedness	2,298	
310 Public Works Department	705,617	
320 Refuse Disposal	565,103	
410 Human Services	28,833	
510 Library	354,513	
520 Contributions	6,950	
530 Public Information	32,812	
600 Facilities Management	64,839	
610 Town Hall	25,700	
615 Community Center	2,775	
616 Rental Units	10,000	
620 Town Center Fire Station	18,900	
630 Police Station	7,500	
635 Cape Cottage Fire Station		5,300
640 Parks	29,395	
641 School Grounds	76,965	
645 Fort Williams Maintenance	94,503	
655 Richards Pool/Fitness Center	350,954	
660 Trees	17,731	
710 Intergovernmental	19,924	
715 Capital Projects	661,500	
Total	\$22,494,278	

Page 4 Minutes
May 14, 2001

Ordered, the Cape Elizabeth Town Council hereby accepts the categories of funds listed below as provided by the State of Maine:

Category	Estimated Amount
Revenue Sharing	\$761,000
General Assistance	2,000
Veterans Exemption Reimbursement	11,500
Tree Growth Reimbursement	3,000
Local Road Assistance	100,000
Library Per Capita Grant	1,470
Snowmobile Registration Funds	450
Other State Funds	?
Homestead Tax Relief	341,341
Adult Education Subsidy	27,000
State Education Subsidy	As Appropriated
Title IA	48,000
Title VI	12,000
Title II	8,500
Local Entitlement	180,000
Title IV	10,000
Title VI- Class Size Reduction	25,000

In addition the State of Maine directly assumes the cost for the employer share of teacher retirement.

Ordered, the Cape Elizabeth Town Council hereby appropriates from the Foundation Allocation for school purposes the sum to be provided by the Maine Legislature and the Town of Cape Elizabeth raises as the local share of the Foundation Allocation the sum required as the local share by the Maine Legislature.

Ordered, the Cape Elizabeth Town Council hereby raises in additional local education funds under the provisions of 20-A MRSA, Sec 15614, the sum of \$14,275,651 less the amount provided by the State of Maine and less \$313,946, (\$14,275,651 minus the state subsidy minus \$313,946) with said amount total for schools from taxation not to exceed \$11,520,716.

Ordered, the Cape Elizabeth Town Council hereby authorizes the expenditure for the Fiscal Year beginning July 1, 2001, and ending on June 30, 2002, from the Foundation Allocation, the Debt Service Allocation, unexpended balances, local appropriations, State Subsidy and other receipts for the support of schools the sum of \$14,275,651.

Page 5 Minutes
May 14, 2001

Ordered, the Cape Elizabeth Town Council hereby appropriates for Adult Education, the sum of \$134,873 and the Town of Cape Elizabeth raises as the local share, the sum of \$45,938.

Ordered, the Cape Elizabeth Town Council hereby appropriates for School Debt Service, the sum of \$997,324 and the Town of Cape Elizabeth raises as the local share the sum of \$997,324.

Item #102-00/01

Ordered, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 14, 2001, does hereby adopt the Fiscal Year 2002 Budget for the Sewer Fund with expenditures of \$1,349,971 and gross revenues of \$1,350,000.

Item #103-00/01

Ordered, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 14, 2001, does hereby adopt the Fiscal Year 2002 Budget for the Riverside Cemetery Fund with expenditures of \$ 35,212 and gross revenues of \$48,500.

Item #104-00/01

Ordered, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 14, 2001, does hereby adopt the Fiscal Year 2002 Budget for the Portland Head Light Fund with expenditures of \$471,259 and gross revenues of \$520,600.

Item #105-00/01

Ordered, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 14, 2001, does hereby adopt the Fiscal Year 2002 Budget for the Spurwink Church Fund with expenditures of \$ 6,500 and gross revenues of \$11,000.

Item #106-00/01

Ordered, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 14, 2001, does hereby adopt the Fiscal Year 2002 Budget for the Fort Williams Park Capital Fund with expenditures of \$ 51,500 and revenues of \$52,850.

Item #107-00/01

Ordered, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 14, 2001, does hereby adopt the Fiscal Year 2002 Budget for the Thomas Jordan Trust with expenditures of \$40,000 and revenues of \$45,000.

Item #108-00/01

Ordered, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 14, 2001, does hereby adopt the Fiscal Year 2002 Budget for the Rescue Fund with expenditures of \$94,947 and revenues of \$120,000 with the excess of revenues over expenditures to be retained in the Rescue Equipment Replacement Fund.

(6 yes) (1 no J. McGinty)

Item # 109-00/01

Intro – Manager McGovern

Present – Maureen O’Meara, Town Planner

Moved by J. Roberts and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council sets for public hearing on Monday June 4, 2001 at 7:30 p.m. at the Town Hall, with proper notice thereof, proposed amendments to the zoning ordinance regarding certain non-conforming lot provisions.

(7 yes) (0 no)

Item # 110-00/01

Intro – Debra Lane, Town Clerk

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council sets the following burial fees and foundation fees for the 2001 burial season as follows:

Regular Burial Weekday	\$425
Regular Burial Saturday & Holiday	\$450
Cremation Weekday	\$275
Cremation Saturday & Holiday	\$300
Placement of foundation	\$.30 per square inch

(7 yes) (0 no)

Page 7 Minutes
May 14, 2001

Item # 111-00/01

Intro – Manager McGovern

Present – Maureen O’Meara, Town Planner

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

Ordered the Cape Elizabeth Town Council approves the process for qualification of low and moderate-income buyers of Affordable Housing Lots/Units pursuant to Section 19-7-4 of the Town of Cape Elizabeth Zoning Ordinance as presented.

In addition, the Town Council authorizes the Town Manager to sign an agreement for the lot in the Whaleback subdivision set aside as affordable, preserving the long term affordability of the low and moderate income home in accordance with Sec. 19-7-4 of the zoning ordinance and in a form and with language acceptable to the Town Attorney.

(7 yes) (0 no)

See attached.

Item # 112-00/01

Present Matthew Sturgis, Town Assessor

Moved by H. Berry and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council approves the proposed abatements to correct errors in the homestead abatements for 44 Richmond Terrace owned by Mr. & Mrs. Earl Bishop and 27 Hunts Point Road owned by Mr. & Mrs. Thomas Heckel. Said abatements correct an error for the 1999-2000 tax year for a total of \$139.02 per property.

(7 yes) (0 no)

Citizens Discussion of Items Not on the Agenda

Adjournment

Moved by R. Watson and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council adjourns at 8:30PM.

(7 yes) (0 no)

Following the Town Council meeting, the Town Council held a workshop with members of the Playground Study Committee, to follow up on the last joint workshop.

Debra M. Lane, CMC
Town Clerk