



CAPE ELIZABETH TOWN COUNCIL MINUTES
Regular Meeting # 3-01-02
August 13, 2001
7:30 p.m.

Roll Call by the Town Clerk

Present Absent

Anne E. Swift-Kayatta, Chairman	14 Stone Bridge Road	X	767-5754	6/2002
Henry N. Berry III	110 Two Lights Rd.	X	799-6500	6/2003
Penelope P. Carson	36 Trundy Road	X	799-8029	6/2003
Carolyn M. Fritz	1 Stirrup Road	X	767-3737	6/2003
Mary Ann Lynch	2 Olde Colony Lane	X	741-2709	6/2004
John W. McGinty	86 Brentwood Road	X	767-0139	6/2004
John E. "Jack" Roberts, Jr.	185 Fowler Road	X	767-4526	6/2002
Town Manager Michael McGovern		X		
Town Clerk Debra Lane		X		

Pledge of Allegiance to the Flag

Presentations – Past Board Chairmen

Co-Chairmen CE Arts Commission

Virginia Hanson

Marcia Wiggins

CE Facilities 2000 Building Committee

Gilbert S. Jordan

Ralph T. Gould Award – Presented by Chairman Swift-Kayatta to Gilbert S. Jordan

“Tonight it is my honor to present the Ralph T. Gould Award for 2001. This award, established in 1986, was named for the late Ralph Gould to recognize his community service and subsequently to recognize those who provide community service in the same spirit as Ralph Gould. This evening, we add someone who has given service to the Town of Cape Elizabeth in many capacities.

The 15th recipient of the Ralph T. Gould award is Gilbert S. Jordan.

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Gillie Jordan is one of those citizens who step forward whenever there is a need. He was one of the founders of the Cape Elizabeth Rescue Unit. He has been a volunteer with the Cape Elizabeth Fire Department for over 38 years. He served as Captain of Engine Two Company. He served on many truck committees, most notably the committee for the current ladder truck used by the fire department.

Gillie was the chairman of the Facilities 2000 Committee overseeing the planning for the new public works garage and other improvements at the Gull Crest property. As head of this committee he also guided the committee to decisions to renovate the former public works garage into a new fire station and to construct a new police station. He has recently taken on the responsibility of chairing the Community Center Study Committee.

In addition to these quite public efforts, Gillie has also very quietly helped with the planting of flowers at the Town Hall and at the public safety building over the years. He not only has donated the flowers each year, but has also planted them with the help of his wife Barbara.

Gilbert Jordan is a person who dreams of what can be accomplished and then who sets out to see the dreams become reality. He truly has acted in the same spirit as Ralph Gould in placing Cape Elizabeth at the forefront of his priorities.

On behalf of the entire Town Council and all the citizens of Cape Elizabeth, it gives me great pleasure to present to Gilbert Jordan the year 2001 Ralph Gould Award.”

Reports and Correspondence

Councilor Berry mentioned the efforts of the Conservation Commission regarding the purple loosestrife (a plant that is interfering with native plants and vegetation). Beetles have been brought in to eat the flowers on the purple loosestrife in an effort to control the spread.

Councilors Berry and McGinty met with Cumberland County Treasurer Diane Gurney regarding changes in the position of Treasurer. Councilors Berry and McGinty believe legislation to give the Cumberland County Budget Committee more than advisory power is necessary, as other counties.

Congratulations to the participants and volunteers of the Beach to Beacon 10K Road Race.

Councilor Roberts wishes the owners of The Good Table well as they rebuild following the recent fire. Residents are encouraged to not plant and remove purple loosestrife. Thanks to all volunteers and town departments for their efforts on Beach to Beacon.

Chairman Swift-Kayatta thanked several residents for their generous donations toward dugouts.

Town Manager's Report

Congratulations to the Maine Library Association. The Maine Civil Liberties Union will award its Roger Baldwin Award to the Maine Library Association at its annual celebration on October 25. The Maine Civil Liberties Union will honor the Maine Library Association for the MLA's courageous stand opposing censorship in its latest guise: limitations on the Internet information that library patrons can access at library computer terminals. The MLA was the first named plaintiff in the national ACLU's current lawsuit challenging The Children's Internet Protection Act (CHIPA). CHIPA requires any library, which receives federal funds to block certain Internet materials. Library Director Jay Scherma is the President of the Maine Library Association.

Debra Lane gave the Town Council an update on Cape Elizabeth's participation in Rapid Renewal. The Town Council approved the program at the July 9, 2001 Town Council Meeting.

Total Transactions	59
Electronic Check	9
Credit Card	50
Weekend Transactions	15
6 residents have done multiple transactions	
2.18 average transactions per day	
Loss of Excise	\$176.52
Loss of Town Fees	\$177.00
Total Excise Collected	\$9426.62

Manager McGovern thanked Town Assessor Matthew Sturgis for his 2001 Commitment Report Fiscal Year 2002. The document includes all pertinent information relative to the 2002 tax commitment and valuation statistics.

Councilor Fritz – A meeting will be held on August 15 at 7PM at the Community Center for those residents interested in a community garden.

Citizens' Discussion of Items Not on the Agenda

Minutes of Meeting # 2-01-02 held July 9, 2001

Moved by H. Berry and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #2-01/02 held July 9, 2001 as written.

(7 yes) (0 no)

Item # 27-01-02 Present – Suzanne Gabriel
John Mitchell - Representing Suzanne Gabriel

Moved by P. Carson and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council hereby receives a request from Suzanne Gabriel dated July 11, 2001 to extend the Sewerage Service Area as shown on the Sewerage Service Area map dated January 22, 1993 (and as subsequently amended) to include the lot shown on the Cape Elizabeth Assessor's maps as R05 Lot 40-01.

The Town Council hereby finds that the Southern Cape Elizabeth Sewerage system has sufficient excess capacity for peak and off peak flows that may be generated from this property, and

The Town Council finds that the request is consistent with the Southern Cape Elizabeth Supplemental Facility Plan as said plan as amended provides that designated growth areas may utilize the Southern Cape Elizabeth Sewerage Treatment Plant provided there is sufficient peak and non-peak capacity, and

The Town Council finds that the proposal is consistent with the Town Comprehensive Plan as the Growth Area map on page 20 of said plan shows most of Map R05 Lot 40-1 to be in a designated growth area.

Therefore, the Cape Elizabeth Town Council hereby approves the request of Suzanne Gabriel and amends the Sewerage Service Area map to include Map R05 Lot 40-1.

(7 yes 0 no)

See attachment.

Item # 28-01-02 Intro – Manager McGovern

Moved by J. McGinty and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council hereby amends the Sewerage Service Area map to include those lots shown in "Attachment A," being lots at the westerly end of Broad Cove Road and lots in the adjacent business district on Ocean House Road.

The sewer is available to all lots on the map. Any further extensions of the sewer needed in the public roadway in this area shall be at private expense unless the Town Council shall specifically vote otherwise. No lot is required to connect.

(7 yes 0 no)

See attachment.

Item # 29-01-02 Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council refers to the Planning Board a request from Leland P. Murray to modify the zoning ordinance provisions for earth removal materials permits so that they do not need to be annually renewed.

(7 yes 0 no)

Item # 30-01-02 Present – Jay Scherma
Hank Kinsley, Chairman Thomas Memorial Library Trustees

Moved by P. Carson and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council approves proposed modifications to the Thomas Memorial Library Policy Manual, except that proposed personnel policies shall be referred to the Town Manager. As the Town Council has already adopted a Personnel Code the Town Manager will work with the Library Director and Thomas Memorial Library Trustees regarding personnel policies.

(7 yes 0 no)

See attachment.

Item # 31-01-02 Moved by P. Carson and Seconded by J. Roberts
Ordered the Cape Elizabeth Town Council adopts the Cape Elizabeth Town Council Goals July 1, 2001 – June 30, 2002 as presented.

(7 yes) (0 no)

See attachment.

Item # 32-01-02 Intro – Manager McGovern

Moved by P. Carson and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the recommendation of the Fort Williams Advisory Commission to grant a request from the Military Order of the Purple Heart Department of Maine to utilize Fort Williams Park for a daytime lobster bake for the National Convention of the Military Order of the Purple Heart on August 22, 2002 from 12 Noon to 7:00PM, as presented.

(7 yes 0 no)

Item # 33-01-02 Intro – Manager McGovern

Moved by C. Fritz and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council sets to public hearing for Monday, September 10, 2001 at 7:30PM at Town Hall the Conservation Commission's draft 2001 Greenbelt Plan.

(7 yes) (0 no)

Item # 34-01-02 Present – Gilbert S. Jordan, Chairman Community Center Planning Committee

Moved by J. McGinty and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council approves the recommendation of the Community Center Planning Committee to utilize SMRT as the architect/engineers for the proposed community center project and to pay for the expense of the services through a future bond issue for the project.

(7 yes) (0 no)

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Citizens' Discussion of Items Not on the Agenda

Moved by H. Berry and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council adjourns at 8:43PM.
(7 yes) (0 no)

Tentative Workshop - Town Council /School Board/Community Center Planning Committee 9/25/2001

Debra M. Lane, Town Clerk