



**CAPE ELIZABETH TOWN COUNCIL MINUTES**  
**Regular Meeting # 5-01-02**  
**Wednesday, October 10, 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 Road	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 K. McGovern		X		
Town Clerk Debra M. Lane		X		
Student Representative Julia Dunfey		X		
Student Representative Mariah Nelson		X		

**Pledge of Allegiance to the Flag**

**Reports and Correspondence**

Chairman Swift-Kayatta thanked everyone for the positive efforts, in light of the September 11 terrorist attacks.

Councilor Berry, as the alternate to RWS reported on the recent meeting. This meeting marks Councilor Berry's 100th meeting as a Cape Elizabeth Town Councilor. He first served the Town Council in 1967. Congratulations!

Councilor Fritz was pleased to recently participate in the 3<sup>rd</sup> grade class at Pond Cove regarding local government. She also has been working with the Cape Elizabeth Land Trust on trails at Robinson Woods.

Councilor Roberts attended the recognition dinner for the volunteers of the Portland Head Light, celebrating the 10<sup>th</sup> anniversary of the museum and gift shop. Chairman Swift-Kayatta was also in attendance.

**Town Manager's Report- Update on Budget after 1<sup>st</sup> Quarter**

- Cheryl Parker Petras is leaving after 10 years of service to the Portland Head Light Museum and Gift Shop. A reception in her honor will be held on October 30 5-7PM at Sprague Hall.
- The Trustees of the Thomas Memorial Library are revisiting the Display & Exhibit Policy. The Town Manager has met with the Chairman of the Trustees and another member. Input regarding the policy is welcome.
- Congratulations to Debra Lane, Town Clerk, who served as the Chairman of the 2001 New England Association of City & Town Clerks Conference. The conference was held at the Sheraton Hotel in South Portland September 19-21, 2001. The conference was a success.
- Clean Up Week is scheduled for the weeks of October 22 and October 29.
- Real estate taxes were due on October 4.
- The budget is tight. Manager McGovern will be closely monitoring revenues and expenditures. The Manager will conduct a monthly review of the budget.

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

**Minutes of Meeting # 4-01-02 held September 10, 2001**

Moved by H. Berry and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #4-01/02 held September 10, 2001 as written.

(7 yes) (0 no)

**Item # 38-01-02 Present – Daniel LeVecque, Manager**

Moved by P. Carson and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council approves the request for renewal malt, spirituous and vinous liquor license and special amusement permit for the Purpoodock Club, 300 Spurwink Avenue.

(7 yes) (0 no)

Chairman Swift-Kayatta introduced the new student representatives from the high school. Julia Dunfey and Mariah Nelson will observe the Town Council through the end of the school year.

**Item # 39-01-02 Intro – Debra Lane, Town Clerk**

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council sets the opening polling hours for the November 6, 2001 Referendum Election for 7:00AM. By state law, the polls will close at 8:00PM.

(7 yes) (0 no)

**Item # 40-01-02      Intro – Manager McGovern**

Moved by M. Lynch and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council sets to public hearing on Wednesday, November 14, 2001 at 7:30PM at Town Hall proposed revisions to the appendices of the General Assistance Ordinance.

(7 yes) (0 no)

**Item # 41-01-02      Present – Anthony & Lisa Kostopoulos, Owners  
The Good Table**

Moved by P. Carson and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council approves the request from The Good Table to provide a sewer extension along Route 77 from Broad Cove Road to the Good Table Restaurant lot. It is further ordered that The Good Table will contribute \$17,000 towards the cost of the public sewer. The Town's cost would be expected to be \$43,685 less the \$17,000 contribution for a total of \$26,685. The Town's share would be expended from the Sewer Fund.

(7 yes) (0 no)

**Item # 42-01-02      Moved by H. Berry and Seconded by P. Carson**

Ordered the Cape Elizabeth Town Council approves the recommendation to close all non-essential services on Monday, December 24, 2001. This closure would include the Town Hall, Thomas Memorial Library, the Donald Richards Pool and Fitness Center, the Museum at Portland Head Light, the Refuse Disposal Area, and Public Works (provided there is not a snowstorm. In the event of a snowstorm, the public works employees required to work that day, would be given compensatory time off at regular pay).

(7 yes) (0 no)

Intro – Manager McGovern

Suspend the rules to take out of order

Moved by H. Berry and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council votes to suspend the **Rules of the Cape Elizabeth Town Council** to take an item out of order.

(7 yes) (0 no)

**Item #44-01-02      Moved by J. Roberts and Seconded by P. Carson**

Ordered the Cape Elizabeth Town Council refers to the Planning Board, for review, a proposed text amendment for off-street parking (19-7-8) as requested by Inn By The Sea.

(7 yes) (0 no)

See attachment: Letter from Stephen B. Mohr representing Inn By The Sea.

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

October 11 Workshop 7:30PM

Re: Proposed Community Center, Update from Ordinance Committee, Goals update and Cumberland County budget

October 22 Workshop 7:30PM

Re: Proposed Community Center

8:13PM

**Item # 43-01-02**      Moved by C. Fritz and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council approves the recommendation of the Town Manager to enter into executive session to discuss upcoming collective bargaining with the police and public works bargaining units and to discuss property acquisition/disposition issues.

(7 yes) (0 no)

Moved by John McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 9:13PM.

(7 yes) (0 no)

**Adjournment**

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council adjourns at 9:13PM.

(7 yes) (0 no)

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Debra M. Lane, Town Clerk