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## **TOWN COUNCIL MEMBERS**

<a href="#">Henry Berry</a>	6/2003	110 Two Lights Road
<a href="#">Anne Swift-Kayatta</a>	6/2002	14 Stone Bridge Road
<a href="#">Carol Fritz</a>	6/2003	1 Stirrup Road
<a href="#">Mary Ann Lynch</a>	6/2004	2 Olde Colony Lane
<a href="#">John (Jack) E. Roberts Jr.</a>	6/2002	185 Fowler Road
<a href="#">John W. McGinty</a>	6/2004	86 Brentwood Road
<a href="#">Penelope P. Carson</a>	6/2003	36 Trundy Road

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## **Agenda**

Regular Meeting # 5-02-03

Wednesday, October 9, 2002

7:30 p.m.

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Reports and Correspondence

Town Manager's Report

Citizens' Discussion of Items not on the Agenda

Minutes of Meeting # 4-02-03 held September 9, 2002

Item #23-02-03 (tabled 08/12//2002 and 9/9/02)

Proposed vacation of a portion of Bay View Road

Request from Chairman Roberts to reconsider Item # 43-02-03

Item # 43-02-03

Request from Dr. Craig E. Johnson for an extension of the sewer line on Shore Road to provide

sewer service for 1226 Shore Road

Item # 45-02-03

Acceptance of donations of pedestrian easements from Graham and Susan Pillsbury and Louise Sullivan of pedestrian easements from the Highlands trail to Two Lights Road

Item # 46-02-03

Receipt of a report from the planning board recommending an amendment to the zoning ordinance in order to clarify how the open space requirements are applied to subdivisions in multiple zoning districts

Item # 47-02-03

Receipt of a report from the planning board of proposed amendments to the zoning ordinance regarding golf courses

Item # 48-02-03

Consideration of annual renewals of the liquor licenses and special amusement permit for the Purpoodock Club

Item # 49-02-03

Consideration of proposed tax reform initiative

Item # 50-02-03

Approval of voting delegate and alternate to the Maine Municipal Association convention

Item # 51-02-03

Consideration of proposed amendment to the provisions for the use of the Spurwink Church

Item # 52-02-03

Consideration of proposed amendments to the library policy manual

Item # 53-02-03

Consideration of a request to enter executive session to discuss land disposition/acquisition matters

Addendum Items:

Application for B.Y.O.B. Function

Applicant: Shore Acres Neighborhood Assoc.

10-22-2002 St. Bart's Parish Hall 6-9PM 8 Two Lights Road

Application for License For Incorporated Civic Organization

Applicant: Redeemer Lutheran Church - LCMS

10-20-2002 11:30AM - 3PM Church Hall/Lawn 126 Spurwink Avenue

Citizens discussion of items not on the agenda

Adjournment

### Future Meetings

Day	Date	Primary Topic	Also Invited
Thursday	October 10, 2002	Gull Crest Master Plan	Conservation Comm & Planning Board
Wednesday	November 13, 2002	Regular Town Council Meeting	
Thursday	November 14, 2002	Town Center	Planning Board
Monday	December 9, 2002	Regular Town Council Meeting	
Thursday	December 12, 2002	Hold for Workshop	

### DRAFT MINUTES

#### CAPE ELIZABETH TOWN COUNCIL MINUTES

Regular Meeting # 4-02-03

Monday, September 9, 2002

7:30 p.m.

#### ROLL CALL BY THE TOWN CLERK

Councilor	Term Expires	Address	Telephone	Present	Absent
Henry Berry	6/2003	110 Two Lights Road	799-6500	X	
Ann E. Swift-Kayatta	6/2005	14 Stone Bridge Road	767-5754	X	
Carol Fritz	6/2003	1 Stirrup Road	767-3737	X	
Mary Ann Lynch	6/2004	2 Olde Colony Lane	741-2709	X	
John E. "Jack" Roberts	6/2005	185 Fowler Road	767-4526	X	
John W. McGinty	6/2004	86 Brentwood Road	767-0139	X	
Penelope P. Carson	6/2003	36 Trundy Road	799-8029	X	

#### TOWN STAFF

Michael McGovern	X
Debra Lane	X

Pledge of Allegiance to the Flag

Proclamation: September 11th

Moved by P. Carson and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council approves the Cape Elizabeth Council Resolution remembering September 11, 2001.

(7 yes) (0 no)

See attachment.

## Reports and Correspondence

Councilor Berry thanked MDOT for paving Route 77. He also asked that for any road project residents be notified in advance of any delays and detours.

## Chairman Roberts

Chairman Roberts and Manager McGovern recently attended a lobster bake at Fort Williams sponsored by the American Veterans With Purple Hearts. Approximately 400 attended the event.

Community Services Open House and Ribbon Cutting Ceremony was held on Sunday, September 8 at 3:00PM. Approximately 250-300 attended.

The Community Garden recently held an Open House in recognition of their one year anniversary. The Town was presented a "thank you" from the Community Garden.

Both playgrounds are in service at the schools. Thank you to all who worked on the project and donated funds.

## Town Manager's Report

Manager McGovern recognized the opening of the Community Center and playgrounds at the schools. Thank you to all who made these projects possible.

The Family Fun Day Fireworks were held at Fort Williams on Saturday, September 7. Thank you to Carol Murray and her crew. Thanks to Frank Butterworth, Chairman Family Fun Day. The fireworks were dedicated in Memory of Leland P. "Jim" Murray.

The pool will remain closed this week. During the pool cleaning a new cleaning agent reacted to the chlorine. It is anticipated it will be several days for the chlorine levels to lower to appropriate swimming levels.

Employee Recognition Day will be held on Tuesday, September 17 for municipal employees. Municipal offices will close at noon.

Thank you to MDOT for the paving of Route 77.

Manager McGovern recognized South Portland City Councilor Linda Boudreau in attendance this evening observing the meeting.

A new town flag is now being displayed on the dias. Flags will also be displayed outside of municipal buildings.

The Annual Report for 2002 is now available at Town Hall.

Citizens' Discussion Of Items Not On The Agenda - NONE

Minutes of Meeting #3-02/03 held August 12, 2002

Moved by P. Carson and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council amends the draft copy of the minutes of Meeting #3-02/03 held August 12, 2002. Councilor Lynch departed following the vote on ITEM #40-02/03 therefore the vote for ITEM #41-02/03 and adjournment should reflect a (6 yes) (0 no) vote. The

signature page for ITEM #23-02/03 attachment should read John E. Roberts, Jr. as Chairman.  
The draft listed all councilors as chairman

(7 yes) (0 no)

ITEM #23-02/03 (Tabled 8/12/2002)

Moved by H. Berry and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council takes ITEM #23-02/03 off the table from the August 12, 2002 Town Council Meeting.

(7 yes) (0 no)

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

Ordered the Cape Elizabeth Town Council tables ITEM #23-02/03 regarding the proposed vacation of a portion of Bay View Road to the Wednesday, October 9, 2002 Town Council Meeting.

(7 yes) (0 no)

ITEM #42-02/03

Moved by H. Berry and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council moves to consider a request from Councilor Henry N. Berry III to reconsider ITEM #25-02/03 from the August 12, 2002 Town Council Meeting regarding a request to amend the Sewer Service Area map to include acreage on Route 77 across from Ramble Road.

(1 yes) (6 no H. Berry, P. Carson, M. Lynch, J. McGinty,

J. Roberts, A. Swift-Kayatta)

ITEM #43-02/03

Present - Dr. Johnson

Request from Dr. Craig E. Johnson for an extension of the sewer line on Shore Road to provide sewer service for 1226 Shore Road

Moved by H. Berry and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council approves the request from Dr. Craig E. Johnson for an extension of the sewer line on Shore Road to provide sewer service for 1226 Shore Road. The extension of the sewer line to 1226 Shore Road shall be paid by the town, at an approximate cost of \$9000.

(1 yes) (6 no P. Carson, C. Fritz, M. Lynch, J. McGinty, J. Roberts, A. Swift-Kayatta)

ITEM #44-02/03

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

Ordered the Cape Elizabeth Town Council approves the Portland Water District's

Sewer Shut-Off Policy for delinquent accounts as set by the Portland Water District. The town reserves the right to utilize the sewer lien process as the town deems appropriate to ensure the collection of past due sewer charges.

(7 yes) (0 no)

Citizens' Discussion Of Items Not On The Agenda - NONE

Moved by H. Berry and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council adjourns at 8:33PM.

(7 yes) (0 no)

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Debra M. Lane, Town Clerk

### **Future Meetings**

<b>Day</b>	<b>Date</b>	<b>Primary Topic</b>	<b>Also Invited</b>
Thursday	September 12, 2002	Practical Difficulty Standard	Zoning Board Of Appeals
Wednesday	October 9, 2002	Regular Town Council Meeting	
Thursday	October 10, 2002	Gull Crest Master Plan	Conservation Comm & Planning Board
Wednesday	November 13, 2002	Regular Town Council Meeting	
Thursday	November 14, 2002	Town Center	Planning Board
Monday	December 9, 2002	Regular Town Council Meeting	
Thursday	December 12, 2002	Hold for Workshop	

### **POLICIES**

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