

# CAPE ELIZABETH TOWN COUNCIL MINUTES

Special Meeting # 12-01-02

Monday, April 1, 2002

6:45PM

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	767-5788	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

## Students Representatives

**Julia Dunfey**

**X**

**Mariah Nelson**

**X**

**Michael K. McGovern, Town Manager** X

**Debra M. Lane, Town Clerk** X

## Pledge of Allegiance to the Flag

Chairman Pro-Tem Roberts convened the meeting at 6:48PM.

### Item # 102-01-02

Present- Robert Malley, Director of Public Works/Sewer Superintendent

Intro - Stephen Harding, Town Engineer

Manager McGovern

Moved by H. Berry and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council approves the request of Chairman Swift-Kayatta to recuse herself from discussion and voting on this item, as a member of her family has a direct interest.

(6 yes) (0 no)

Chairman Pro-tem Roberts invited public comments at 7:14PM.

Jay Burke, 7 Montgomery Terrace

Mr. Burke and his wife Karen want to work out an agreement for alternate #1 or #2. Mr. Burke's views are outlined in the March 28, 2002 letter to the Town Council. See attached.

Page 2 Minutes  
April 1, 2002

Jim Spaulding, 5 Montgomery Terrace

To replace the sewer for the homes on Montgomery Terrace do the foundations need to be disturbed?

How does the Town know reversing the flow won't overflow the Shore Road interceptor?

Where is the right-of-way on Montgomery Terrace?

Ron Palmquist, 16 Glen Avenue

Mr. Palmquist stated the Town doesn't have a strategy to handle this type of emergency sewer situation. "The town government needs to address this situation." The flow has not been stopped nothing has been done to stem the flow. "We have been violated in this situation." "It is not up to us to suggest a solution. We aren't in a position this evening to endorse any alternative. We need time to review the options."

Sandra Palmquist

"We don't want any pipe under our home." "We feel violated." There is no solution for any pipe to run under the house.

Greg Griffin, 17 Glen Avenue

Mr. Griffin offered to sign an easement or agreement to allow a hose to run over his property to help stop the flow, for an immediate fix, until a permanent solution is constructed.

After hearing no further comments, the public session was closed at 7:39PM.

Moved by M. Lynch and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council authorizes the Town Sewer Superintendent to install new sewer lines on Montgomery Terrace and a new sewer connection to serve 16 Glen Avenue. A contractor hired by the Town shall install the sewer line serving Montgomery Terrace, and the 16 Glen Avenue sewer is to be installed by a contractor hired by the property owner at an amount agreed upon by the Sewer Superintendent. The costs of the sewer lines and related facilities shall be borne by the sewer line maintenance account in the Town Sewer fund.

(6 yes) (0 no)

Note: Said alternative #3 is outlined in the attached letter to Michael McGovern, Town Manager from Stephen Harding, Town Engineer dated March 15, 2002 Subject: Glen Avenue and Montgomery Terrace Sewer Issues.

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council adjourns at 7:51PM.

(7 yes) (0 no)

---

Debra M. Lane, Town Clerk

