

**CAPE ELIZABETH TOWN COUNCIL MINUTES**  
**Regular Meeting # 13-01-02**  
**Monday, April 8, 2002**  
**7:30PM**

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

Councilor Carson is attending the workshop at the Middle School Cafetorium regarding school participation fees.

**Pledge of Allegiance To The Flag**

**Presentations - Alice In Wonderland**

A proclamation was presented to the cast and crew of the production of **Alice in Wonderland**. "Alice" received regional, state and New England honors.

**Report and Correspondence**

Councilor Roberts stated he was disappointed that the School Board scheduled the workshop regarding participation fees for 6:30PM this evening. Councilor Roberts asked that boards and commissions consider other town/school meetings and functions when scheduling meetings.

Councilor Berry reported the Thomas Jordan Subcommittee recently met to consider an application.

Chairman Swift-Kayatta reminded the public of the meeting regarding school participation fees that began at 6:30PM in the Middle School Cafetorium. Best of luck to the School Board in their challenge to deal with the school subsidy loss of \$435,000. The public is encouraged to contact the school board or town council, whichever is appropriate, regarding ideas for budget savings and raising revenues.

**Citizens' Discussion of Items Not On The Agenda**

Moved by M. Lynch and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #11-01/02 held March 11, 2002 and Special Meeting #12-01/02 held April 1, 2002 as presented.

(6 yes) (0 no)

**ITEM #103-01/02** Intro – Manager McGovern

Moved by H. Berry and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council sets a public forum on Monday, May 13, 2002 at 7:30PM at Town Hall regarding improvements to Fowler Road.

(6 yes) (0 no)

7:45PM Councilor Roberts excused himself from the meeting to attend the School Board workshop regarding school participation fees.

**ITEM #104-01/02** Intro – Councilor Lynch, Chairman Ordinance Committee

Moved by C. Fritz and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council sets to public hearing on Monday, May 13, 2002 at 7:30PM at Town Hall proposed revisions to the Zoning Ordinance Section 19-7-8 Off-Street Parking.

(5 yes) (0 no)

**ITEM #105-01/02** Intro – Manager McGovern

Moved by C. Fritz and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council approves the charge for the Refuse Materials Planning Committee as presented.

(5 yes) (0 no)

Citizens interested in serving on the committee should contact the Town Council or Town Manager's Office.

**It was a consensus of the Town Council to vote on ITEM ##106, 107, 108 en masse.**

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the following items as presented:

**ITEM #106-01/02** Ordered the Cape Elizabeth Town Council approves the request of the Cape Elizabeth Little League to utilize the town's sports fields for the 2002 season, as presented.

**ITEM #107-01/02** Ordered the Cape Elizabeth Town Council approves the request of the Cape Elizabeth High School to utilize Fort Williams Park for graduation on Sunday, June 9, 2002 at 2:00PM as presented.

**ITEM #108-01/02** Ordered the Cape Elizabeth Town Council approves the request of the Pond Cove School to utilize Fort Williams Park for School Field Days, June 5-7, 2002 as presented.

(5 yes) (0 no)

**ITEM #109-01/02** Intro – Councilor Berry

Moved by H. Berry and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council hereby directs the Town Manager or his delegate to conduct a survey of commercial banks doing business in the greater Portland area, to determine which ones of them, if any, are charging a fee for cashing checks drawn on their own bank by persons or entities not having an account on their bank. The Town Manager shall report back to the Town Council at the May 13, 2002 meeting of the Town Council. In the event Key Bank reconsiders this policy, no Town Council action will be necessary.

(5 yes) (0 no)

**It was a consensus of the Town Council to vote on ITEM ##110, 111, 112 en masse.**

Intro – ITEM ##110-112 Debra Lane, Town Clerk

Moved by C. Fritz and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the following items as presented:

**ITEM #110-01/02** Ordered the Cape Elizabeth Town Council appoints the following individuals to serve on the Registration Appeals Board. Terms to expire September 29, 2004.

John Walker	2 Birch Knolls
Anne Schink, Alternate	18 Olde Fort Road
Reid Jones	1050 Sawyer Road
John Ridge, Alternate	2 Pleasant Valley Road

**ITEM #111-01/02** Ordered the Cape Elizabeth Town Council approves the Municipal Election Warrant, as presented, for May 7, 2002 at the Cape Elizabeth High School gymnasium. Polls open 7AM-8PM.

Note: Councilor Lynch asked for public input regarding the municipal election date. Do you feel the municipal election should remain in May, or be combined with the November election? At the April 1, 2002 finance committee workshop, it was a consensus 4-3 to not send this charter change to the public.

**ITEM #112-01/02** Ordered the Cape Elizabeth Town Council appoints the following election clerks as presented. Terms to expire May 1, 2004.

**Democrats**

Frances Chaiken  
Marvin Chaiken  
Frances Stone  
Loraine Staszko  
Betty Ketch  
Judith Simonds  
Karen Dunfey  
Mark Russell  
Ellen Russell  
Anna Davis

**Republicans**

Barbara Adams  
Jane Harley  
Evelyn Strom  
Audrey Jordan  
Theo Hill  
Marguerite Hallowell  
Betsey Berry  
Kenneth Berry  
Fran Mitchell

(5 yes) (0 no)

**ITEM #113-01/02** Intro – Manager McGovern

Moved by M. Lynch and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council tables to the May 13, 2002 Town Council meeting the proposed restructuring agreement of Maine Municipal Employees Health Trust.

(5 yes) (0 no)

Questions regarding the agreement should be submitted to the Town Manager in order to receive answers from the Health Trust prior to the next meeting.

**ITEM #114-01/02**

Intro – Manager McGovern  
Present - Chief McGouldrick  
Captain Mokry  
Paul Fischer

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the allocation of \$20,000 from the 2002 fire truck repair account for the purpose of replacing the WETeam van. In addition, the Town Council accepts a donation from the WETeam of approximately \$10,000. The van purchase is estimated at \$30,000.

(5 yes) (0 no)

**ITEM #115-01/02** Intro – Manager McGovern

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the use of a rental speaker during the Cape Elizabeth Little League's opening day ceremonies on Saturday April 27 at the new Lions Field. The Little League's request to install a small speaker system at the new Lions Field shall be revisited following the solicitation of input from surrounding neighbors and neighborhoods including Wildwood and Brentwood. In the event Little League withdraws the request, no Town Council action will be necessary.

(5 yes) (0 no)

**Citizens' Discussion Of Items Not On The Agenda**

**Town Manager's Report**

This evening the Town received a bonafide offer for 1226 Shore Road. The potential buyer is on a tight schedule.

Moved by H. Berry and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council sets a special meeting tomorrow evening, Tuesday, April 9, 2002 at 7:30PM to consider an offer on 1226 Shore Road.

(5 yes) (0 no)

Moved by M. Lynch and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council adjourns at 8:21PM.

(5 yes) (0 no)

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**Upcoming Meetings**

Town Council Finance Committee	April 9, 2002
Town Council Finance Committee	April 24, 2002
Town Council Finance Committee	April 29, 2002
Town Council Finance Committee	May 2, 2002
Town Council Regular May Meeting	May 13, 2002
Public Hearing and Adoption of Budget	May 28, 2002

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Debra M. Lane, Town Clerk