



CAPE ELIZABETH TOWN COUNCIL MINUTES
Regular Meeting # 15-01-02
Monday, May 13, 2002
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
MaryAnn 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

Student Representatives

Julia Dunfey

X

Mariah Nelson

X

Michael McGovern

X

Debra Lane

X

Pledge of Allegiance to the Flag

Reports and Correspondence

Councilor Roberts thanked the election workers and 259 voters for their participation on May 7. Cape Trails Day, in coordination with National Trails Celebration Day, will be held on June 1. See the town's website for more information.

Councilor Berry encouraged veterans to contact the Veteran's Administration in Togus for information regarding a veterans prescription program.

Chairman Swift-Kayatta thanked residents for their vote on May 7. Congratulations to Councilor Roberts and School Board Chairman Entwistle for their reelection. Good luck to newly elected school board member Kathleen Walsh.

Town Manager's Report

Town Manager's Report

Congratulations to Police Officer Scott Thompson on being named president of his class at the Police Academy now ongoing in Vassalboro.

Congratulations to Sergeant Andrew Steindl and Officer Mark Dorval for their roles in saving the lives of two individuals at separate incidents yesterday.

Thank you to all who have been involved in the construction of the new police and fire stations in the town center. This includes the building committee led by Gil Jordan, the architects, Oest Associates, the builder, Keeley Construction, the Planning Board, the Town Council and staff and all others who have worked for up to ten years on bringing these facilities to a reality. The police will be moving to their new quarters on Thursday of this week and the fire department will assume full use of the space in the town center fire station. Both will have an open house following the Memorial Day exercises on Monday, May 27th.

Thank you to Debra Lane and all who worked on the May municipal election.

Thank you to Jim Murray for once again hosting the Memorial Day Parade and exercises. The parade begins at 9 a.m. at the Fowler Road intersection.

Thank you to the public works crew for all their efforts for this year's spring clean up week.

Congratulations to Librarian Jay Scherma on receiving a statewide award from SIRS Publishing on his defense of libraries being free from censorship with a \$500 award to the Thomas Memorial Library

Congratulations to Captain Mark Stults of Engine Two and Lieutenant Jason Grant of Engine One on receiving the John Civile award, our fire department's highest honor for service at the Fire Department Appreciation night. Congratulations also to Mark Stults and Tim Cram for completing their paramedic certification. The Town now has three paramedics as members of the Cape Elizabeth Rescue and additional individuals who respond from South Portland. The Appreciation night was well attended and it was great to see so much involvement in all the companies of the Fire Department.

Citizens' Discussion of Items not on the Agenda

Minutes of Meeting # 13-01-02 held April 8, 2002 and #14-01-02 held April 9, 2002

Moved by C. Fritz and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #13-01/02 held April 8, 2002 and Special Meeting #14-01/02 held April 9, 2002 as written.

(7 yes) (0 no)

Items on the Table It is recommended that the Items # 109-01-02, 113-01-02 and 115-01-02 be removed from the table

Moved by P. Carson and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council removes ITEM ##109, 113 and 115-01/02 from the table.
(7 yes) (0 no)

Item # 109-01-02 Action on request from Councilor Berry pertaining to Key Bank charging a fee for cashing Town payroll checks

Intro – Councilor Berry and Manager McGovern

Moved by H. Berry and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council does hereby direct the town manager forthwith to submit requests for proposals to each of the commercial banks doing business in Cape Elizabeth and South Portland to manage the checking account for the Town; and to report back to the Town Council on proposals received at the June 2002 meeting of the Town Council.

(2 yes) (5 no P. Carson, C. Fritz, J. McGinty, J. Roberts, A. Swift-Kayatta)

Item # 113-01-02 Action on proposed restructuring of Maine Municipal Employees Health Trust

Moved by M. Lynch and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council approve the restructuring of Maine Municipal Employees Health Trust as presented.

(7 yes) (0 no)

Item # 115-01-02 Action on installation of a small speaker system at New Lions Field

Moved by C. Fritz and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council tables this item indefinitely, as the request has been withdrawn from the Cape Elizabeth Little League.

(7 yes) (0 no)

Items set for Public Hearing and/or Public Comments

Item # 117-01-02 Public hearing on proposed revisions to Zoning Ordinance Sec. 19-7-8 regarding off site parking.

Intro – Councilor Lynch, Chairman Ordinance Committee

Chairman Swift-Kayatta opened the public hearing at 7:59PM.
After hearing no comments, the hearing was closed.

Moved by M. Lynch and Seconded by H. Berry

Be it ordained by the Town Council of the Town of Cape Elizabeth, Maine, in Town Council assembled that the following amendment to Section 19-7-8 of the Zoning Ordinance Off-Street Parking is approved, as recommended by the Ordinance Committee, as follows:

SEC. 19-7-8. OFF-STREET PARKING

B. Minimum Requirements for Off-Street Parking

Off-street parking shall be considered an accessory use when required or provided to serve any legal use located in any zone except as set forth in the following sections. An off-street parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet long, may be open or covered. The Planning Board may allow up to twenty percent (20%) of the parking requirement to be met with "compact car" spaces that are a minimum of eight (8) feet wide by sixteen (16) feet long provided that such spaces shall be clearly marked as "compact car parking." Each parking space must be sited to allow access and exit without obstruction. Handicapped parking shall be provided in compliance with the Americans with Disabilities Act and applicable State requirements. In order to determine compliance with this section, the owner or applicant shall submit a plan showing the physical layout of all required off-street parking areas. Any change in the evidence or conditions upon which the plan is approved shall nullify such approval.

- I. Parking shall be provided on the lot occupied by the use for which the parking is required, or on an adjacent lot owned or controlled by such use. In addition, uses located within the Town Center, ~~or BA or BB~~ District may provide all or part of the required off-street parking through any of the following:
 - a. Private off-street parking located on another lot that is located ~~within six hundred (600) feet~~ one mile of the subject lot and that is controlled by long-term written lease or ownership by the applicant.
 - b. Off-street parking shared with other uses (consistent with paragraph 2 below) located within ~~six hundred (600) feet~~ one mile of the subject lot, provided that the Planning Board finds that there is adequate parking capacity to meet the parking requirements of all uses sharing the parking due to variation in the time of parking demand and that the shared parking is available to the applicant through a written lease or other enforceable agreement.

Where parking is proposed elsewhere on an existing parking lot which has received Site Plan approval, the Planning Board shall approve or deny the off site parking after considering the adequacy of the parking and traffic impacts. Where parking is proposed elsewhere on an existing parking lot which has not received Site Plan approval, the Planning Board shall approve or deny the off site parking after reviewing the lot for compliance with the following Site Plan Standards in Sec. 19-9-5: (B) Traffic Access and Parking, (M) Exterior Lighting, and (N) Landscaping and Buffering.

(7 yes) (0 no)

**Item # 118-01-02 Public comments and decision on proposed improvements to
Fowler Road**

Note: A public forum for residents of Fowler Road was held on May 6.

Intro – Manager McGovern
Present- Robert Malley, Director of Public Works
 Stephen Harding, Town Engineer

Moved by J. Roberts and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approve the shimming and overlay of Fowler Road as proposed by the town engineer and that the town manager be directed to request the Maine Department of Transportation to transfer the state and federal funds originally designated for Fowler Road to a program to continue the overlaying of Route 77 from the Scarborough line extending back into Cape Elizabeth as far as the funds will permit.

(7 yes) (0 no)

8:04 PM Public comment regarding the Fowler Road project was invited.

A resident of Fowler Road asked when Route 77 would be paved.

Consent Agenda: Items #119-01-02 through #121-01-02

Moved by P. Carson and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council votes to take ITEM #119-01/02 through #121-01/02 en masse.

(7 yes) (0 no)

Moved J. McGinty and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council approves the following:

Item # 119-01-02 Refer to the Planning Board a request from the Purpoodock Club to have “golf course” as a permitted use in the “RA” and “RB” zoning districts and to include in the ordinance a definition of “golf course.”

Item # 120-01-02 Approves the request from Portland Amateur Wireless Association to utilize Fort Williams Park for their annual field day June 22-23 as presented.

Item # 121-01-02 Approves the request from the Portland Yacht Club to use Fort Williams Park on August 10/11 2002 after regular hours for the possible after hours finish of the Monhegan Island race with the understanding that after hours use is for race officials only as presented.

(7 yes) (0 no)

Report from the Finance Committee

Intro Councilor Roberts, Chairman Finance Committee
See attachment of PowerPoint presentation.

All Finance Committee items may be discussed and commented upon en bloc. The Town Council is expected to set all items in the manner presented or in amended form for public hearings on Tuesday, May 28, 2002 at 7:30 p.m. at the Cape Elizabeth Town Hall.

Chairman Swift-Kayatta opened the meeting to public comments 8:24PM.

Frank Potenzo, Ivie Road 44 year resident

Suggested savings – increase classroom size to eliminate portables, repair not replace freezer at high school. Need to take drastic measures to offset loss of revenues. Senior citizens are worried about ever-increasing taxes. Stop unnecessary spending. Opposed to the elimination of spring clean up.

Tom Forcella, Superintendent of Schools – “The way facts are presented can vary.” When the town council suggested the school board show “similar restraint” of a budget increase – what did that mean? The school board thought they were showing similar restraint with the budget that was submitted. Class size at the high school is based more on class load. Several factors must be looked at when determining class size.

Barbara Schenkel, 32 Belfield Road

“Can’t always give everything to everyone.” A 4% spending increase to the school is “generous.”

Bonnie Steinroeder, 1 Gateledge Drive

Everyone is fighting for a portion of a “smaller pie.” “We are talking about people’s salary and livelihood.”

Gail Atkins, 1189 Shore Road

Wants to reinstate Latin in the high school. “Don’t pit one program against another.” “The new municipal facilities are the Cadillac of buildings.” Money needs to go to schools.

Elaine Moloney, 19 Stonegate Road

Where does the town council and residents stand on education? The reduction in state aid to education has left the town with increased taxes or less money to schools. Suggested expenditure reduction – police cruiser. Potential revenue – charge at Fort Williams Park. Look toward next year, state government must be lobbied.

Master Jud McCall, 4 Avon Road – How do you compare the elimination of freshman sports teams “to a pile of rocks” (referencing the stonework at the police station)?

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Ed O'Neill, 28 McAuley Road

"Elimination of spring clean up defies logic." It will cost residents more to dispose of their waste by the fee schedule at the transfer station.

Kathy Perkins, 415 Mitchell Road

Rising cost in living in Maine – is it really Cape Elizabeth taxes? Teachers' pay is not the highest within the comparable communities. Schools shouldn't be cut off at 4%.

Miss Grace Mackenzie, 10 Longfellow Drive- Don't want teachers cut. "That much" is not needed at the police station.

Erin Grady Gallant – 52 Columbus Road

Schools are important to the community. Upset about freshmen sports being cut. Willing to pay more taxes for schools.

Jim Rowe, 127 Oakhurst Road –

Only dissenting vote for the school budget in order to call attention to the Maine school funding formula, and what it does to taxpayers of modest means. Encouraged town council to give 4.2% increase – the revised proposal of School Board. Would like to see more unified lobby in Augusta.

John Delahanty, 11 Manor Way – Concerned about programs being cut for youth – e.g. freshmen sports. The proposal for two ed techs at the high school should be reconsidered, keeps teachers in study hall.

Ed McAleney, 981 Shore Road

Responsibility is to retired individuals and mostly to children. The boards need to find a way to do it e.g. revisit sports fees, tax increase.

Trish Bridgham, 34 Rock Crest Drive – Supported the school board's original request, and thought it "wasn't enough." "Investment" should be a term used in analyzing the school budget. Willing to pay higher taxes. Keep in mind long term, can be overly conservative.

Jim Spaulding, 5 Montgomery Terrace – How are fees charged at athletic events? Should a hat be passed at other sporting events that don't currently charge e.g. soccer, lacrosse?

Chris Kast, 12 Purpoodock Drive – The investment in the school system and children is invaluable and supports infusion of young people.

Ed McColl, 4 Avon Road – 19-year resident

Stresses education to children, and sends the message to kids they are important, more than bricks and mortar.

Denise Mitchell, 27 Brentwood Road – There isn't a lot for kids to do if they aren't in school. If they don't have activities, how will they spend their time?

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Jim Barrett, 57 Zeb Cove Road – Offered assistance to town and school – review finances, cost/benefit analyst for programs and services. The town needs to look at assessments. Suggestion - citizen finance review committee.

Elaine Falendar 16 Mare's Hollow Lane – Important to maintain school funding particularly in hard times. Have to be willing to invest every year – long-term commitment. More money doesn't mean better programming.

Jennifer DeSena, 4 Ivie Road, School Board – School Board never been intended to eliminate freshman sports – need to find alternate source of funding. “Gives pause” when Town Council gives areas suggested spending decreases. Encouraged support of 4.7%.

Susan Steinman, 10 Woodcrest Road, School Board 11-year resident
Served on Future Direction Committee. Difference between \$191,000 and \$161,000 isn't much. Energy should be concentrated elsewhere.

Judy Boesky, 19 Park Circle – What will the budget look like 204 years out? What is the revenue potential at Fort Williams Park?

George Entwistle, 2 Avon Road, Chairman School Board – Questioned the facts listed on the handout that was placed in the chamber entitled, May 13, 2002 Town Council Meeting: Review of Finance Committee Recommendations on FY 03 School Budget. “Shame on whoever authored that document.” The facts can be interpreted differently. The School Board worked hard to submit a budget to address the needs. Time to work to regain the trust of the administrators and school board responsible for making decisions regarding education in Cape Elizabeth.

Kevin Sweeney, 7 Philip Road – Finance Chairman School Board – The School Board has reduced their request by \$161,000 – “we can do no better.” Has supported education in Cape Elizabeth for 12-13 years. “We will be judged on how we treat our youngest and oldest.”

After hearing no further comments, the public session was closed at 10:12PM.

Moved J. Roberts and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council votes to take ITEM ##122-130 en masse, and to approve the motions as follows:

Item # 122-01-02 Ordered the Cape Elizabeth Town Council approves the recommendation of the Finance Committee to set to public hearing on Tuesday, May 28, 2002 at 7:30PM at Town Hall on a proposal to eliminate Spring clean-up week effective Spring 2003 with an estimated annual savings of \$15,000.

Item # 123-01-02 Set Public Hearing on proposed adoption of the annual Municipal, School and County Budgets

Ordered, the Cape Elizabeth Town Council, hereby sets a public hearing on Tuesday, May 28, 2002 at 7:30PM at Town Hall the proposed Municipal/School/County/Community Services (General Fund) Budget for Fiscal Year 2003 with gross expenditures of \$23,485,130 and gross revenues of \$6,738,992 and with the amount of \$16,746,138 to be raised from taxation, and to fix Thursday, October 3, 2002, and Thursday, April 3, 2003, as the dates upon each of which one-half of such tax is due and payable, with interest to accrue upon taxes due and unpaid after each such date at the rate of eight and one-half percent (8.75%) per annum. In accordance with 36 M.R.S.A. Section 506, the Tax Collector and Town Treasurer are authorized to accept prepayment or decline prepayment of taxes not yet committed or prior to any due date and pay no interest thereon. In accordance with 36 M.R.S.A. Section 506-A, a taxpayer who pays an amount accepted by the tax collector and town treasurer in excess of that finally assessed shall be repaid the amount of overpayment plus interest from the date of overpayment at the annual rate of 7.5% per annum.

Item #124-01-02 Set public hearing on proposed Sewer Fund Budget

Ordered, the Cape Elizabeth Town Council, hereby sets a public hearing on Tuesday, May 28, 2002, upon the proposed Fiscal Year 2003 Budget for the Sewer Fund with expenditures of \$1,487,280 and gross revenues of \$1,355,000

Item #125-01-02 Set public hearing on proposed Riverside Cemetery Fund Budget

Ordered, the Cape Elizabeth Town Council, hereby sets a public hearing on Tuesday, May 28, 2002, upon the Fiscal Year 2003 Budget for the Riverside Cemetery Fund with expenditures of \$21,476 and gross revenues of \$42,000.

Item #126-01-02 Set public hearing on proposed Museum at Portland Head Light Fund Budget

Ordered, the Cape Elizabeth Town Council, hereby sets a public hearing on Tuesday, May 28, 2002, upon the Fiscal Year 2003 Budget for the Portland Head Light Fund with expenditures of \$486,163 and gross revenues of \$520,300.

Item # 127-01-02 Set public hearing on proposed Spurwink Church Fund Budget

Ordered, the Cape Elizabeth Town Council, hereby sets a public hearing on Tuesday, May 28, 2002, upon the Fiscal Year 2003 Budget for the Spurwink Church Fund with expenditures of \$ 10,220 and gross revenues of \$13,300.

**Item # 128-01-02 Set public hearing on proposed Fort Williams Park
Capital Fund Budget**

Ordered, the Cape Elizabeth Town Council, hereby sets a public hearing on Tuesday, May 28, 2002, upon the Fiscal Year 2003 Budget for the Fort Williams Park Capital Fund with expenditures of \$88,305 and revenues of \$55,700.

Item #129-01-02 Set public hearing on proposed Thomas Jordan Trust Fund Budget

Ordered, the Cape Elizabeth Town Council, hereby sets a public hearing on Tuesday, May 28, 2002, upon the Fiscal Year 2003 Budget for the Thomas Jordan Trust with expenditures of \$25,375 and revenues of \$12,000.

Item # 130-01-02 Set public hearing on proposed Rescue Fund Budget

Ordered, the Cape Elizabeth Town Council hereby sets a public hearing on Tuesday, May 28, 2002, upon the Fiscal Year 2003 Budget for the Rescue Fund with expenditures of \$140,650 and revenues of \$150,000 with the excess of revenues over expenditures to be retained in the Rescue Equipment Replacement Fund.

(7 yes) (0 no)

Finance Committee Fee Adjustment Items

Moved by J. Roberts and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council votes to take ITEM ##131-141 en masse, and to approve the recommendation of the Finance Committee to table the items to the May 28, 2002 Town Council meeting at which time they may be adopted:

Item #131-01-02 Adjustment of various fees charged by the Codes Office

<u>PERMIT TYPE</u>	<u>PRESENT</u>	<u>PROPOSED</u>
Building permit min. fee up to \$1000	\$10.00	\$25.00
Per additional \$1000 value	5	7
Late fee	35	Double fee
Penalty fee	50	Eliminate
Change of use, use permit	50	50
Moving or Demolition of sheds and garages	50	50
Moving dwellings	500	500
Demolition dwellings	50	50
Elevators & Towers		
Min. fee up to \$1000	10	25
Per additional \$1000 value	5	7
Sign Permit	10	25
Flood Hazard Dev. Permit	100	100
Pumps, tanks for flammables	50	50
Temporary stands, booths sale of merchandise or other business	15	25
Ventilation, Sprinklers, Automatic fire detection	5	25
Electrical – minimum fee	10	25
Wiring permit		
1-24 light, recept., switch outlets	10	25
25-50 light, recept., switch outlets	15	50
+ 50 light, recept., switch outlets	20	75
Service/alteration		
100. 200, 3 phase (each)	10	25
Each additional meter, sub-panel	10	25
Range, Heater, Water heater, Dryer, Washing Machine, Dishwasher, Disposal (Each)	3	5
Space Heater	10	25
Signs & outdoor wiring	10	25
Refrigeration, Air conditioning	10	25

Heating Permit – install. of Boilers, Furnaces, etc.	15	50
Plumbing Permit (Internal)		
1-3 fixtures	24	24
each additional fixture	6	6
Hook-up fee (new water distribution and/or drainage pipes with no new fixtures)	24	24
Subsurface Wastewater Disposal	Varies	No change
Late fee for plumbing and disposal permits	Double fee	Double fee
Late fee for electrical & heating permits	35	Double fee

Item# 132-01-02 Proposed adjustment of Zoning Board application fee from \$75.00 to \$150.00.

Item # 133-01-02 Proposed fee for Notary Public and Dedimus Justice services for town residents and Cape Elizabeth businesses only. The first use per year of such services is free. Any additional services are \$3.00 per signature except that any notary services involving town government transactions are free and shall not be counted toward the one time per year limit. There is also no charge for notarizing petitions submitted to the Town of Cape Elizabeth for verification purposes.

Item # 134-01-02 Revised photocopy fees

Draft Photocopy Fee Policy

The Town photocopy fee is \$.25 per page for up to and including 11 x 17 copies. The fee for copying materials for non-circulating reference materials at the Thomas Memorial Library is \$.05 per page with the first five pages waived.

There is **no charge** for the following:

Copies needed to conduct a transaction with the municipal government except that applicants for Planning Board and Zoning Board matters shall provide the requisite number of copies of material as required by board policies.

Copies of proposals pending before the Town Council provided the proposal has not been posted on the Town website. If the proposal has been web-posted, the photocopy fee shall be \$.25 per page.

Reports:

The fee for a copy of a report or ordinance the Town has had printed by a private vendor shall be the direct cost of the printing, plus 10%, and then shall be rounded to the next highest dollar.

The fee for copies of police reports are as follows:

\$10.00 for any report up to 10 pages

\$1.00 per page for any report exceeding 10 pages

Oversize Documents, Maps, Computer Runs, GIS Products and Color Documents

The fee for any document that is oversized or that requires special preparation shall reflect the cost of production and shall be agreed upon prior to copies being made. The cost of production shall include actual printing, ink and paper costs and the time of the employee(s) spent working on the project. The exact fees for these individualized products shall be set by the appropriate department head and may be adjusted by the town manager if the department head and the customer are unable to agree upon a fee.

Item # 135-01-02 Proposed fee of \$2.00 per insurance card faxed to the Town Office

Item # 136-01-02 Proposed adjustment of parking violation and towing fees

In accordance with Sec. 13-2-4 and Sec 13-3-1 d. of the Traffic Regulations of the Town of Cape Elizabeth, the Cape Elizabeth Town Council hereby approves and adopts the following waiver fees, fines and towing charges for traffic and parking violations:

Overnight Parking	\$15.00
Parking in "No Parking Area"	\$25.00
Parking in Hazardous Area	\$30.00
Parking in Snow Removal Area	\$30.00
Parking in Tow Zone	\$30.00 plus cost of tow
Parking in Handicapped Zone w/o Permit	\$100.00
Other Violation	\$25.00

Item # 137-01-02 Consideration of proposed revised policy for checks written on accounts with insufficient balances.

**Returned Checks
Draft Policy**

Purpose

In order to reduce administrative overhead and ensure proper payment for services rendered, the Town of Cape Elizabeth has adopted the following policy for checks returned for insufficient funds, and returned checks.

1st Instance

- The Town will attempt to redeposit the check.
- A letter will be sent to the check signer indicating the check was returned. If the check is still unpaid, the letter will indicate the check signer has 10 days in which to cover the check. The Town will accept a money order, bank certified check or cash for the exact amount.
- ◆ The letter shall state that if the check signer and/or the checking account remits a second check to the Town over the next 24 months which is returned for insufficient funds, then the Town and all of its departments will not accept checks from the check signer and/or from the account for a period of 12 months.
- The Town will charge the check signer a fee of \$25.00 for the returned check. The check signer has 10 days in which to remit payment. The Town will accept a money order, bank certified check or cash for the exact amount.
- Any check remaining unpaid will result in the Town declining specific services for which the check was written excluding property tax and sewer payments.

2nd Instance

- The Town will attempt to redeposit the check.
- ◆ A letter will be sent to the check signer indicating the check was returned. If the check is still unpaid, the letter will indicate the check signer has 10 days in which to cover the check. The Town will accept a money order, bank certified check or cash for the exact amount.
- ◆ The letter shall state that the Town and all of its departments will not accept checks from the check signer and/or from the account for a period of 12 months.
 - Notice shall be provided to all municipal and school personnel who accept checks.
 - The Town will charge the check signer a fee of \$25.00 for the returned check. The check signer has 10 days in which to remit payment. The Town will accept a money order, bank certified check or cash for the exact amount.
 - Any check remaining unpaid will result in the Town declining specific services for which the check was written excluding property tax and sewer payments.

Take Note:

- ◆ The \$25.00 returned check fee is charged per check, for **all** returned checks.
- ◆ The Town reserves the right to prosecute for negotiating a worthless instrument.
- ◆ Citizens/Customers with severe financial hardships are encouraged to seek assistance from the Town in the form of abatements, fee waivers, etc.
- ◆ Motor vehicle registrations are cancelled by the State of Maine if motor vehicle registrations are paid with checks that cannot be collected.

Item # 138-01-02 Consideration of proposed doubling of mooring fees

In accordance with Sec. 10-5-8 of the Coastal Waters and Harbors Ordinance of the Town of Cape Elizabeth, the Cape Elizabeth Town Council hereby adopts the following fees for moorings in the coastal waters and harbors of Cape Elizabeth.

Mooring Permits Annual Fee
Resident \$ 50.00
Non-Resident \$ 200.00

Mooring permits are valid for two years and expire on April 30th. The annual fee is due and payable each year on April 30th. Permits are considered delinquent on June 1st. If the mooring permit fee is not paid by June 1st, the mooring permit shall be abandoned. Any fee paid after July 1st shall also remit a \$20.00 late fee.

Item # 139-01-02 Proposed rescue fees

Procedure	Medicare Allowable	Current	Proposed
ALS 1 Emergency	\$ 259.04	\$ 200.00	\$ 250.00
BLS Base Rate	\$ 208.13	\$ 175.00	\$ 200.00
BLS/ALS Mileage	\$ 8.00	\$ 5.00	\$ 8.00
IV Drug			
Administration	\$ 88.00	\$ 75.00	\$ 88.00
Oxygen	\$ 40.00	\$ 35.00	\$ 40.00
Cardiac Monitor	\$ 80.00	\$ 75.00	\$ 80.00
Defib	\$ 60.00	\$ 60.00	\$ 60.00
ET	\$ 60.00	\$ 60.00	\$ 60.00

Item # 140-01-02 General Fund overhead fee

It is proposed to charge all special funds an administrative overhead fee of 1.5% of budget for all administrative overhead including revenue collection, accounts payable and management overhead. The proceeds are general fund unallocated revenues.

Item # 141-01-02 Adjusting certain library fines and fees

Adult and Family fines be raised to \$.10/day per item.
Enforcement of current policy and charge \$1.00/day per video for all patrons who pay fines
Lower the maximum fine amount to \$3.00 for children.
(7 yes) (0 no)

Item # 142-01-02 Moved by H. Berry and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council tables until the June 10, 2002 Town Council meeting a report from the Appointments Committee regarding vacancies on boards and commissions.
(7 yes) (0 no)

Item # 143-01-02 Intro – Manager McGovern

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council authorizes the town manager to apply for a sewer connection for 1226 Shore Road with the cost of the actual connection to be paid by the purchaser.
(7 yes) (0 no)

Item # 144-01-02 Intro – Manager McGovern

Moved by H. Berry and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council approves the proposed lease renewal for space for the Cape Courier at the Town Hall. Said lease to commence on July 1, 2002 and ending with June 30, 2004, a twenty-four month period at \$100.00 per month, payable in advance on the first day of each month during the lease term.
(7 yes) (0 no)

Item # 145-01-02 Intro – Manager McGovern

Moved by J. McGinty and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council updates the open space impact fee based upon the 2000 census.

Moved by M. Lynch and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council tables ITEM #145-01/02 to the June 10, 2002 Town Council meeting.
(4 yes) (3 no C. Fritz, J. McGinty, A. Swift-Kayatta)

Item # 146-01-02 **Consideration of a proposal from Councilor MaryAnn Lynch regarding parking fees Fort Williams Park**

Intro – Councilor Lynch

Moved by M. Lynch and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council hereby directs the town manager to investigate the implementation of a parking fee and decal system at Fort Williams Park and shall report back to the town council by September 1, 2002. Such investigation shall include consultation with the Fort Williams Advisory Commission and shall include the means of accomplishing the implementation of a parking fee and decal system including a proposed implementation date and cost and revenue impacts.

(5 yes) (2 no P. Carson, C. Fritz)

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Citizen's Discussion of Items Not on the Agenda

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council adjourns at 10:50PM.

(7 yes) (0 no)

Next meeting: Special Town Council Meeting Budget Public Hearing and Adoption
Monday, May 28, 2002 7:30PM Town Hall

Debra M. Lane, Town Clerk