

**CAPE ELIZABETH TOWN COUNCIL MEETING**  
**Regular Meeting # 1-03-04**  
**Monday, June 9, 2003**  
**7:30 p.m.**

**Oaths of Office Administered by the Town Clerk**

Cape Elizabeth School Board: Anne B. Belden (Absent: Elaine Moloney & Kevin Sweeney)

Cape Elizabeth Town Council: David J. Backer, Carolyn M. Fritz, Michael D. Mowles, Jr.

		Present	Absent	
David J. Backer	2 Rugosa Way	X	799-2397	6/2006
Carolyn M. Fritz	1 Stirrup Road	X	767-3737	6/2006
Mary Ann Lynch	2 Olde Colony Lane	X	767-5788	6/2004
John W. McGinty	86 Brentwood Road	X	767-0139	6/2004
Michael D. Mowles, Jr.	423 Ocean House Road	X	741-2552	6/2006
John E. "Jack" Roberts, Jr	185 Fowler Road	X	767-4526	6/2005
Anne E. Swift-Kayatta	14 Stone Bridge Road	X	767-5754	6/2005

Michael K. McGovern, Town Manager X

Jacqueline N. Coy, Town Clerk X

**Roll Call by the Town Clerk**

**Pledge of Allegiance to the Flag**

**Reports and Correspondence**

Councilor Lynch reminded us all that it is June, and we should all support our local farmers this season.

Clerk Coy reminded us of the State Bond Referendum Election on Tuesday, June 10, 2003.

**Town Manager's Report**

None

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

Celebration of 25 Years of Service

The Town Council recognized Town Manager Michael K. McGovern's 25 years of service to the Town of Cape Elizabeth. On May 22, 2003, Manager McGovern celebrated his 25th year. Mr. McGovern was hired on May 22, 1978 as Administrative Assistant, following his graduation from the University of Maine at Orono. The previous summer he served as an intern in Cape Elizabeth. Mr. McGovern was promoted to Town Manager on May 25, 1985, following the retirement of John Henchey.

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Henry C. Adams 1978 Town Council Chairman led the presentation. Chief Neil Williams congratulated the Town Manager on behalf of the Department Heads.

Representative Janet McLaughlin and Representative Lawrence Bliss presented a Legislative Sentiment.

On behalf of current and former town councilors, Town Council Chairman Jack Roberts presented Town Manager McGovern with the town chair. Municipal employees with 25 years of service receive a chair embossed with the town seal.

Former town councilors, current and former department heads, employees and school board members were present to support Manager McGovern's accomplishments. A reception in the William H. Jordan Conference Room followed.

**Presentation:** Chairman Roberts, on behalf of the Town Council, thanked Barbara Ray for her sixteen years as Town Manager's Secretary, General Assistance Director and all her accomplishments for the Town. She received a recognition plaque from the Councilors.

Councilor McGinty recognized Jim Cox for his excellent job in coordinating the Memorial Day parade.

#### **Minutes of Meeting # 15-02-03 Held May 12, 2003**

Moved by M. Mowles and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council to accept the May 12, 2003 minutes.

(6 yes)(0 no)(1 Abstain-D. Backer – new, and not in attendance in May)

#### **Item # 1-03-04          Election of a Town Council Chairman for 2003-2004**

Moved by J. McGinty and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council to elect Mary Ann Lynch as Chairman of the Cape Elizabeth Town Council for year 2003-2004.

(7 yes)(0 no)

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**Item # 2-03-04          Adoption of Town Council Rules**

Moved by C. Fritz and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council to adopt the Town Council Rules with amendments.  
(7 yes)(0 no)

**Item # 3-03-04          Appointment of the Finance Committee**

Moved by J. McGinty and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council that Anne E. Swift Kayatta be Chairman of the Finance Committee and the Council as a whole to serve as the Finance Committee.  
(7 yes)(0 no)

**Item # 4-03-04          Appointment of an Ordinance Committee**

Moved by A. Swift-Kayatta and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council that David J. Backer become Chairman of the Ordinance Committee and John W. McGinty and Anne E. Swift-Kayatta serve as members of said committee.  
(7 yes)(0 no)

**Item # 5-03-04          Appointment of an Appointments Committee**

Moved by J. McGinty and Seconded by D. Backer

Ordered the Cape Elizabeth Town Council that Carolyn M. Fritz become Chairman of the Appointments Committee and Michael D. Mowles, Jr. and John E. (Jack) Roberts serve as members of said committee.  
(7 yes)(0 no)

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**Item # 6-03-04          Appointment of Representative and Alternate to RWS, Inc. Board of Directors**

Moved by J. Roberts and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council that Carolyn M. Fritz become Representative to RWS, Inc. and Michael D. Mowles, Jr. serve as the Alternate.

(7 yes)(0 no)

**Item # 7-03-04          Appointment of Representative to Greater Portland Council of Governments Executive Committee**

Moved by A. Swift-Kayatta and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council that David J. Backer become Representative to the Greater Portland Council of Governments Executive Committee.

(7yes)(0 no)

**Item # 8-03-04          Appointment of Representative and Alternate to Greater Portland Council of Governments General Assembly**

Moved by M. Mowles and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council that John W. McGinty become Representative to the Greater Portland Council of Governments General Assembly and John E. (Jack) Roberts, Jr. become the Alternate.

(7 yes)(0 no)

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**Item # 9-03-04          Appointment of Representative to PACTS Policy Committee**

Moved by A. Swift-Kayatta and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council that Michael K. McGovern become Representative to PACTS Policy Committee.

(7 yes)(0 no)

**Item # 10-03-04          Receipt of the Report of the Refuse Materials Planning Committee**  
Charles Wilson, Chairman of the committee gave presentation.

Moved by J. McGinty and Seconded by J. Roberts

It is recommended the report be received with gratitude and that initial consideration be referred to a workshop tentatively scheduled for August 21st.

(7 yes)(0 no)

**Item # 11-03-04          Request to authorize grant application to the Maine Bureau of Parks and Recreation for a Land and Water Conservation Fund for the proposed playscape at Fort Williams Park**

Tina Harnden, chairman of the committee, answered any questions asked.

Moved by A. Swift-Kayatta and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council to authorize grant application to the Maine Bureau of Parks and Recreation for a Land and Water Conservation Fund for the proposed playscape at Fort Williams Park.

(7 yes)(0 no)

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**Item # 12-03-04      Request to approve a revision to the rescue fees**  
Chief Philip McGouldrick gave a presentation and explanation of the revision.

Moved by A. Swift-Kayatta and Seconded by J. Roberts  
Ordered the Cape Elizabeth Town Council to approve a revision to the rescue fees.  
(7 yes)(0 no)

**Item # 13-03-04      Request to approve revision to the refuse disposal fees**  
Bob Malley presented the revision, and answered the many questions from the Council.

Moved by A. Swift-Kayatta and Seconded by C. Fritz  
Ordered the Cape Elizabeth Town Council to approve the revision to the refuse disposal fees.  
(6 yes)(1 no) Mowles

Moved by A. Swift-Kayatta and Seconded by J. McGinty  
Ordered the Cape Elizabeth Town Council to accept the recommendation to no longer accept pressure treated wood.  
(7 yes)(0 no)

**Item #14-03-04      Request of R.P. Morrison Builders, Inc. for the approval of a consent agreement for the violation of a setback at 13 Steeplebush Road**  
Mr. Roland Morrison gave an explanation of the violation.

Moved by J. Roberts and Seconded by A. Swift-Kayatta  
Ordered the Cape Elizabeth Town Council to approve the consent agreement for the violation of a setback at 13 Steeplebush Road  
(7 yes)(0 no)

**Item # 15-03-04      Request to approve year-end transfers**  
Manager McGovern explained the transfers and answered questions.

Moved by M. Mowles and Seconded by J. Roberts  
Ordered the Cape Elizabeth Town Council to approve year-end transfers.  
(7 yes)(0 no)

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**Item # 16-03-04      Recommendation of the Appointments Committee to fill a vacancy on the Zoning Board of Appeals**

Moved by J. McGinty and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council to appoint James T. Walsh to the Zoning Board of Appeals to fill David J. Backer's term until January 1, 2005

(7 yes)(0 no)

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

Manager McGovern thanked everyone on the Council for all their work, and he welcomed the new Council members. He also thanked Tina Harnden for her work on the Playground work.

**Adjournment**

Moved by J. Roberts and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council to adjourn at 9:22 p.m.

(7 yes)(0 no)

Respectfully Submitted,

Jacqueline N. Coy  
Town Clerk