

CAPE ELIZABETH TOWN COUNCIL MINUTES

Regular Meeting # 7-03-04

Wednesday, October 15, 2003

7:30 p.m.

		Present	Absent	
Mary Ann Lynch, Chairman	2 Olde Colony Lane	X	767-5788	6/2004
David J. Backer	2 Rugosa Way	X	799-2397	6/2006
Carolyn M. Fritz	1 Stirrup Road	X	767-3737	6/2006
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

Student Representatives:

Schuyler Armstrong

X

Brean Flynn

X

Town Manager Michael McGovern

X

Town Clerk Jacqueline Coy

X

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Reports and Correspondence

Chairman Lynch recognized our new Student Representatives, Schuyler Armstrong and Brean Flynn.

Councilor Fritz reminded residents that applications for Boards and Commissions for a three year term starting in January 2004 are now available either on-line or in the Assistant Manager's office. Deadline for applications is October 27, 2003.

Councilor Mowles reminded us that the League of Women Voters is having a Candidates' night on Thursday, October 30th. The Republican committee is also putting on a forum about the Casino questions on Monday, October 27th. Both will be in the Council Chambers, and they will also be televised on Channel 3.

Town Manager's Report

Manager McGovern provided us with a power point presentation of the Town of Cape Elizabeth Quarterly Financial Review from the Audit of Year Ended June 30, 2003 and the first quarter of Revenues and Expenditures. He also spoke on the upcoming Tax reform proposals and School Referenda. Councilors Swift-Kayatta, Mowles, McGinty, Backer, and Chairman Lynch all supported a yes vote on Question 1A, stating that it would be the best for the taxpayers and the school systems with less impact from tax increases.

Minutes of Meetings

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

Ordered the Cape Elizabeth Town Council approves the minutes of regular meeting #4-03-04 held on September 8, 2003.

(7 yes)(0 no)

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

Ordered the Cape Elizabeth Town Council approves the minutes of special meeting #05-03-04 held on September 18, 2003.

(7 yes)(0 no)

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

Ordered the Cape Elizabeth Town Council approves the minutes of special meeting #06-03-04 held on September 24, 2003.

(7 yes)(0 no)

Citizens' Discussion of Items not on the Agenda – None

Public Hearing - Upcoming school referenda to be voted upon on November 4, 2003.

Chairman Lynch opened the Public Hearing at 8:08 p.m.

Mary Townsend – 5 Pearl Street – supports strongly both the High School and Pond Cove school bonds. She said we have to address the real and immediate needs. Pond Cove school is too small, and collaborate learning is missing. The High School does not have enough learning space, and there are a lot of unsafe situations.

Schuyler Armstrong – 18 Avon Road – Student Representative – stated there is not enough space in the High School and some teachers have to share classrooms.

Public hearing closed at 8:15 p.m.

Public Hearing - Fort Williams Park Master Plan

Chairman Lynch opened the Public Hearing at 8:16 p.m.

Alan Barthelman – 1247 Sawyer Road – Fort Williams Advisory Board Chairman
He commented that he was very impressed with the Town Residents who have read the town document. He said that the purpose of the Master Plan is for long-term direction and to maintain special areas. The top priorities are maintenance issues. The three areas first on the list: They are not going to increase demand, the sanitary facilities, and the new section for the playground in the Southern Reserve.

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Marion Guthrie – 108 Delano Park (28 years) – She is not opposed to the Master Plan, but she is opposed to the Zoning Ordinance Sec.19-6-8 being changed. It will change the Southern Preserve and the Chapel Road Preserve, causing more buildings.

Public Hearing closed at 8:26 p.m.

Item # 51-03-04 Consideration of a recommendation from the planning board that the proposed Fort Williams Master Plan be approved.

Manager McGovern gave overview.

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

Ordered the Cape Elizabeth Town Council adopts the Fort Williams Master Plan.

(7 yes)(0 no)

Item # 52-03-04 Consideration of a report from the ordinance committee recommending various amendments to town ordinances

Councilor Backer gave brief summary of the changes.

Moved by D. Backer and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council schedules a Public Hearing on Monday, November 10, 2003 at 7:30 p.m. at the Cape Elizabeth Town Hall with proper notice thereof for amendments in Chapters 15, 16, 17, and 19 of the Town ordinances.

(7 yes)(0 no)

Item # 53-03-04 Consideration of a report from the ordinance committee recommending amendments to Chapter 11, Article II of the Code of Ordinances relating to solid waste disposal

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

Ordered the Cape Elizabeth Town Council schedules a public hearing for Monday, November 10, 2003 at 7:30 p.m. at the Cape Elizabeth Town Hall with proper notice thereof for amendments to Chapter 11, Article II of the Code of Ordinances relating to solid waste disposal.

(6 yes)(1 no) M. Mowles

Item # 54-03-04 Consideration of the proposed renewal of malt, spirituous and vinous licenses for the Purpoodock Club

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

Ordered the Cape Elizabeth Town Council to recuse Councilor Fritz, as she is a stockholder.

(5 yes)(1 no) M. Mowles

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

Ordered the Cape Elizabeth Town Council approves the renewal of malt, spirituous, and vinous license for the Purpoodock Club.

(6 yes)(0 no)

Item # 55-03-04 Consideration of a report from the Use of Facilities Staff Working Group

Suzanne Weatherbie gave an overview of the proposal, and she thanked everyone and gave credit to the committee.

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

Ordered the Cape Elizabeth Town Council recommends that the report from the Use of Facilities Staff Working group be referred to a council workshop.

(7 yes)(0 no)

Item # 56-03-04 Consideration of proposed updates to the general assistance ordinance
Manager McGovern gave introduction stating that the housing maximums should be eliminated.

Moved by J. Roberts and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council schedules a public hearing for Monday, November 10, 2003 at 7:30 p.m. at the Cape Elizabeth Town Hall with proper notice thereof for the proposed updates to the General Assistance ordinance.

(7 yes)(0 no)

Citizens Discussion of Items Not on the Agenda

Manager McGovern thanked Purpoodock Club for the use of the course for the annual Don Webster Golf Tournament. He also thanked Dan Hannigan and Brent Sinclair for organizing it, and the Police Benevolent Association for the donations of the prizes. A celebration supper was held at the Manager's home. All had a wonderful day!

Item # 57-03-04 Consideration to enter executive session to discuss property land acquisition and disposition matters

Moved by M. Mowles and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council enters executive session to discuss property land acquisition and disposition matters at 8:50 p.m.

(7 yes)(0 no)

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

Ordered the Cape Elizabeth Town Council to exit executive session at 9:25 p.m.

(7 yes)(0 no)

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Item #58-03-04 Authorization for the Town Manager to negotiate a Purchase and Sale agreement with Isis Development, LLC for sale of land at 316 Ocean House Road subject to approval of the Town Council after public comment.

Moved by D. Backer and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to negotiate with Isis Development, LLC for the sale of land at 316 Ocean House Road subject to approval of the Town Council after public comment.

(7 yes)(0 no)

Adjournment

Moved by J. Roberts and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council adjourns at 9:55 p.m.

(7 yes)(0 no)

Respectfully Submitted,

Jacqueline N. Coy
Town Clerk