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TOWN COUNCIL MEMBERS

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David J. Backer	6/2006	2 Rugosa Way
Anne Swift-Kayatta	6/2005	14 Stone Bridge Road
Carol Fritz	6/2006	1 Stirrup Road
Mary Ann Lynch , chairman	6/2004	2 Olde Colony Lane
John (Jack) E. Roberts Jr.	6/2005	185 Fowler Road
John W. McGinty	6/2004	86 Brentwood Road
Michael D. Mowles, Jr.	6/2006	423 Ocean House Road

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Agenda

Cape Elizabeth Town Council Agenda

Cape Elizabeth Town Hall

February 9, 2004

7:30 p.m.

Item # 95-03-04 Public hearing and action on proposed changes to the Traffic Ordinance

Item # 96-03-04 Receipt of a report from the Conservation Commission on access to Great Pond

Item # 97-03-04 Receipt of a report from the Planning Board recommending a "Tower Overlay District" be located in the area of Route 77 near Sprague Hall.

A public hearing may be set for March 8, 2004.

Item # 98-03-04 Action on proposal to amend the charge of the school building committee to permit the filling of vacancies

Item # 99-03-04 Action on request from PACTS to confirm that the PACTS region within Cape Elizabeth shall be unchanged from that which has been in place since 1994

Item # 100-03-04 Request to approve a pole location on Penny Lane approximately 130' southerly of Gladys Road

Item # 101-03-04 Recommendation from the town manager recommending an alewife harvesting plan

Item # 102-03-04 Request from citizen to prohibit the parking of certain trucks within residential areas and subdivisions unless coincident with necessary services such as construction or delivery of goods.

Citizens Discussion of Items not on the Agenda

Item # 103-03-04 Request to enter executive session to complete the annual evaluation of the town manager

Adjournment

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DRAFT MINUTES

CAPE ELIZABETH TOWN COUNCIL MINUTES

Regular Meeting # 11-03-04

Monday, January 12, 2004

7:30 p.m.

ROLL CALL BY THE TOWN CLERK

Councilor	Term Expires	Address	Telephone	Present	Absent
David J. Backer	6/2006	2 Rugosa Way	799-2397	X	
Ann E. Swift-Kayatta	6/2005	14 Stone Bridge Road	767-5754	X	
Carol Fritz	6/2006	1 Stirrup Road	767-3737	X	
Mary Ann Lynch	6/2004	2 Olde Colony Lane	741-2709	X	
John E.	6/2005	185	767-4526	X	

"Jack" Roberts		Fowler Road		
John W. McGinty	6/2004	86 Brentwood Road	767-0139	X
Michael D. Mowles, Jr.	6/2006	423 Ocean House Road	741-2552	X

TOWN STAFF

Michael McGovern				X
Jacqueline N. Coy				X
Student Representatives				
Schuyler Armstrong				X
Brean Flynn				X

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Reports and Correspondence

Councilor Fritz reported that there would be an orientation for all the Boards and Commissions on January 28, 2004, 6 p.m. at the Middle School Cafetorium. All new and current members have been invited.

Chairman Lynch announced that she attended a building committee meeting for the High School and Pond Cove School renovation projects. She said they are progressing on schedule. The committee will be putting bids out this spring for the projects.

Councilor Swift-Kayatta announced that we are beginning the FY2005 budget cycle. It is going to be a challenging budget, and the residents are being asked to input their ideas and feelings. The citizens need to be involved more than ever this year, where monies are so tight.

Town Manager's Report

The council has authorized two agreements: The first is the Purchase and Sale Agreement with ISIS, LLC Development for the property at 316 Ocean House Road. The agreement has been signed and the Town is holding the first escrow payment. The second is the Interlocal agreement with Engine One of Cape

Elizabeth and Willard Square Fire Department in South Portland. The manager attended the annual meeting of the Willard Square Department along with Engine One. Captain Wilson and Engine One were recognized and received crystal paperweights.

Minutes of Meeting # 9-03-04 held December 8, 2003

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

Ordered the Cape Elizabeth Town Council accepts the Minutes of Meeting #9-03-04 held December 8, 2003.

(7 yes)(0 no)

Minutes of Meeting # 10-03-04 held December 15, 2003

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

Ordered the Cape Elizabeth Town Council accepts the Minutes of Meeting #10-03-04 held December 15, 2003.

(6 yes)(0 no) Abstain: D. Backer (not in attendance)

Citizens' Discussion of Items not on the Agenda

Brean Flynn, Student Representative, thanked the Councilors for adopting the emergency ordinance that opened Jordan Way to traffic and fixing the traffic problem on route 77.

Councilor Mowles acknowledged that we had Boy Scouts in the audience working on their citizenship merit badges.

Citizen Forum on the Upcoming Budget Process

Rebecca Millett - 12 Waumbek Road - very appreciative for all the support in the school projects. She understands the sensitivity for the budget process, and would like to see the school administration and Town Council to be proactive to get the State to change the State formula for school funding, and asked if anyone was working on this issue.

Mary Townsend - 5 Pearl Street - wants to make sure that all information gets to the Public, and to keep the lines of communication open for everyone.

Item # 92-03-04 Receipt of a report from the town manager with various benchmarks (item # taken out of order)

Manager McGovern gave a power point presentation and explained the importance of the community knowing the facts.

Councilor Backer asked if the Town could increase the dialog on the website by letting residents talk and all could see and reply, as well as e-mail and phone calls.

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

Ordered the Cape Elizabeth Town Council accepts receipt of the report with various benchmarks and refers the benchmark report to the Finance committee as part of the budget.

(7 yes)(0 no)

Item # 85-03-04 Acceptance of Leighton Farms Road and adjacent conservation land.

Manager McGovern gave overview.

Moved by J. Roberts and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council accepts the Leighton Farms Road and adjacent conservation land subject to a condition recommended by the town attorney relating to access by municipal vehicles being included..

(7 yes)(0 no)

Item # 86-03-04 Acceptance for further study of the Town Center Intersection Improvement Study

Moved by J. McGinty and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council takes receipt for further study of the Town Center Intersection Improvement Study in a workshop

(7 yes)(0 no)

Item # 87-03-04 Receipt of proposal from the Ordinance Committee recommending proposed changes to the Traffic Ordinance and scheduling of a public hearing for February 9, 2004.

Moved by D. Backer and Seconded by A. Swift-Kayatta

Ordered the Cape Elizabeth Town Council accepts receipt of proposal from the Ordinance

Committee recommending proposed changes to the Traffic Ordinance and scheduling of a public hearing for Monday, February 9, 2004, at the regular Town Council meeting in the Town Councilchambers.

(7 yes)(0 no)

Item # 88-03-04 Recommendation from the town manager suggesting the town adopt an alewife harvesting plan in lieu of an alewife ordinance

Councilor Backer gave summary.

Moved by D. Backer and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council recommends the town manager to create an alewife harvesting plan in lieu of an alewife ordinance.

(7 yes)(0 no)

Item # 89-03-04 Report from the Fort Williams Advisory Commission recommending approval of certain uses of Fort Williams Park in 2004

- a. MS Society Walk: April 18, 2004
- b. Little League Season
- c. CEHS Graduation on June 6, 2004
- d. Portland Amateur Wireless on June 26 and 27, 2004
- e. Portland Symphony Orchestra on July 2, 2004
- f. Peoples Beach to Beacon Road Race- Setup on 7/29 through 8/1 race
- g. Portland Yacht Club on August 7 & 8, 2004
- h. Engine One Company Art Show on September 5, 2004
- i. Downeast Classic Car Show on September 12, 2004 (Rain date of September 19, 2004)
- j. American Cancer Society Breast Cancer Walk on October 17, 2004

Moved by C. Fritz and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council accepts the report from the Fort Williams

Advisory Commission approving certain uses of Fort Williams Park in 2004:

MS Society Walk: April 18, 2004

Little League Season

CEHS Graduation on June 6, 2004

Portland Amateur Wireless on June 26 and 27, 2004

Portland Symphony Orchestra on July 2, 2004

Peoples Beach to Beacon Road Race- Setup on 7/29 through 8/1-race

Portland Yacht Club on August 7 & 8, 2004

Engine One Company Art Show on September 5, 2004

Downeast Classic Car Show on September 12, 2004 (Rain date of September 19, 2004)

American Cancer Society Breast Cancer Walk on October 17, 2004

(7 yes)(0 no)

Item # 90-03-04 Receipt of report from the Conservation Commission regarding town owned lots

Moved by C. Fritz and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council accepts receipt of report from the Conservation Commission regarding town owned lots, and refers the report to a future workshop meeting.

(7 yes)(0 no)

Item # 91-03-04 Receipt of the 2005-2009 recommended Capital Improvement Plan

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

Ordered the Cape Elizabeth Town Council accepts receipt of the 2005-2009 Capital Improvement Plan and refers the plan to the Finance Committee as a part of the budget process.

(7 yes)(0 no)

Councilor Swift-Kayatta announced that there would be a Finance Committee workshop on Thursday, January 22, 2004 in the William Jordan Conference Room at 7:30 p.m. to discuss budget targets. The Finance Committee will also be meeting on the following dates: April 1, April 5, April 6, April 14, 2004 and possibly April 28, 2004 if necessary.

Citizens Discussion of Items Not on the Agenda - None

Item # 93-03-04 Request to enter executive session to begin the annual evaluation of the town manager

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

Ordered the Cape Elizabeth Town Council enters executive session to begin the annual evaluation of the town manager at 8:40 p.m.

(7 yes)(0 no)

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

Ordered the Cape Elizabeth Town Council to exit executive session at 9:45 p.m.

(7 yes)(0 no)

Adjournment

Moved by J. Roberts and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council adjourns at 9:50 p.m.

(7 yes)(0 no)

Respectfully submitted,

Jacqueline N. Coy

Town Clerk

MEETINGS SCHEDULE

February 26, 2004 Town Council 7:30 p.m. Regular Monthly
Council Workshop

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POLICIES

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