

[Council Members](#)

Agendas --

[March 14, 2005 meeting](#)

[March 16, 2005 workshop meeting](#)

[March 16, 2005 special meeting](#)

[March 30, 2005 special meeting](#)

Draft Minutes -- [March 14, 2005](#)

[March 16, 2005](#)

[March 30, 2005](#)

[Meetings Schedule](#)

[Policies](#)

TOWN COUNCIL MEMBERS

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David J. Backer	12/2006	2 Rugosa Way
Anne Swift-Kayatta , chairman	12/2005	14 Stone Bridge Road
Carol Fritz	12/2006	1 Stirrup Road
Mary Ann Lynch	12/2007	2 Olde Colony Lane
John (Jack) E. Roberts Jr.	12/2005	185 Fowler Road
Paul J. McKenney	12/2007	5 Katahdin Road
Michael D. Mowles, Jr.	12/2006	423 Ocean House Road

[Return to top](#)

Draft Agenda

CAPE ELIZABETH TOWN COUNCIL AGENDA

Regular Meeting # 13-04-05

Monday, March 14, 2005

7:30 p.m.

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Reports and Correspondence

Town Manager's Report

Citizens' Discussion of Items not on the Agenda

Minutes of Meeting #11-04-05 held February 14, 2005 and #12-04-05 held February 16, 2005

Item # 126-04-05 Receipt of Proposed Fiscal Year 2006 Budget

It is proposed to acknowledge receipt of the proposed Fiscal Year 2006 municipal budget and special funds budget and refer the budgets to the finance committee.

Click here to download: *(Adobe's Acrobat Reader is required)*

- Town Manager's Budget message
- 2005-2006 proposed municipal budget
- 2005-2006 preliminary tax calculation summary and supporting spreadsheets

Item # 127-04-05 Appointments Committee

It is anticipated that the appointments committee will have some recommendations ready for appointment to the arts commission.

Item # 128-04-05 2005 Dog Warrant

It is recommended the municipal officers approve the 2005 dog warrant.

Item # 129-04-05 Animal Control Agreement with South Portland

It is recommended the town council approve a continuation of the Interlocal agreement with South Portland for the services of an animal control officer.

Item # 130-04-05 Proceeds from Sale of Property

A draft policy is enclosed for town council consideration. Click here to view draft policy *(Adobe's Acrobat Reader is required)*

Item # 131-04-05 Sewer Rehabilitation Report

It is recommended the council set a public hearing for April 11, 2005 on the proposed plan to rehabilitate certain Cape Elizabeth sewers.

Item # 132-04-05 Little League Signage

It is recommended that the town council amend the sign ordinance to apply consistent policies for advertising signage on the outside fences at Lions Field, Holman Field and at Plaisted Park. It is recommended that a public hearing be scheduled for the April 11, 2005 town council meeting on the proposed amendment so that Little League may sell the space this year at Plaisted Park and Lions Field to support its programs. At some point in the future, the school department could allow a group or the school department itself could sell advertising space at Holman Field.

(e) Sign area for each municipal facility shall not exceed a total of 100 sq. ft., except that signage in excess of 100 sq. ft. shall be allowed at the Lions Field Complex, Holman Field and Plaisted Park as provided for below. Notwithstanding the underlying zone, all types of signs shall be allowed for municipal facilities. The size of municipal facility signs shall be limited by the provisions of this ordinance. A permit for sign erection is required from the Code Enforcement Officer.

Lions Field Complex, Holman Field and Plaisted Park

Signage. ~~Due to its relatively isolated setting and the existence of a dense buffer of natural vegetation, the~~ The Lions Field Complex, Holman Field and Plaisted Park may include advertising signage in addition to 100 sq. ft. of general signage. No more than 540 sq. ft. of advertising signage shall be allowed per field at the Lions Field Complex, Holman Field and at Plaisted Park. Advertising signage shall be affixed to the inside of outfield fences and shall be made of a textile or plastic fabric material. Individual signs shall not exceed 3' x 6' and no more than 30 signs shall be allowed per field. Display of signs at the Lions Field complex and at Plaisted Park shall be limited to the period from the week before Little League Opening Day to the week after the end of post season play. Signs at Holman Field may be in place for the Spring sports season. ~~The Cape Elizabeth Little League shall notify the Code Enforcement Officer at the beginning of the season prior to the placement of signs, although no permit shall be required.~~

[Added Eff. 11/14/97]

Item # 133-04-05 Harbor Ordinance Amendments

It is recommended that the draft changes proposed by the Harbormaster be referred to the Ordinance Committee.

Item # 134-04-05 Sale of Portion of Lot behind Grover Road

An offer was received for \$15,500 for this landlocked parcel.

Item # 135-04-05 Agreement with Local 340 of the Teamsters Representing Certain Cape Elizabeth Public Works Employees

It is recommended that the proposed three year agreement be ratified. The agreement provides for 2.5% adjustments in July 2005 and 2006 and a 3.5% adjustment on July 1, 2007 at which time employees with single health coverage will pick up 10% of

the cost of health insurance premiums joining those with other coverage who now pick up 20% of their cost. Click here to view draft agreement (*Adobe's Acrobat Reader is required*)

Citizens Discussion of Items Not on the Agenda

Adjournment

The next council meeting is a workshop on March 16, 2005 at 7:30 p.m. The next regular town council meeting is on Monday, April 11, 2005 at 7:30 p.m. The finance committee is due to meet on March 30, 2005, April 4, 6, and 13, 2005. On April 13th, the town council will meet following the finance committee to vote to schedule a public hearing on the municipal, school and special funds budgets to be held on April 25, 2005.

[Return to top](#)

Town Council Workshop

Wednesday, March 16, 2005

7:30 p.m.

Town Hall

- Update from Trustees of the Thomas Memorial Library Regarding New Charitable Foundation and Request for Gift Policy
- Recommendation from Planning Board regarding undersized lots (referred to a future workshop at the February town council meeting)

CAPE ELIZABETH TOWN COUNCIL AGENDA

Special Meeting # 14-04-05

Wednesday, March 16, 2005

Following Council Workshop Beginning at 7:30 p.m.

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Item # 134-04-05 (Tabled March 14, 2005)

Sale of Portion of Lot behind Grover Road

It is recommended that the town council in accordance with 1 M RSA Sec. § 405 Paragraph 6C enter into executive session to discuss the disposition of publicly owned property.

Adjournment

The next regular town council meeting is on Monday, April 11, 2005 at 7:30 p.m. The finance committee is due to meet on March 30, 2005, April 4, 6, and 13, 2005. On April 13th, the town council will meet following the finance committee to vote to schedule a public hearing on the municipal, school and special funds budgets to be held on April 25, 2005.

[Return to top](#)

CAPE ELIZABETH TOWN COUNCIL AGENDA

Special Meeting # 15-04-05

Wednesday, March 30, 2005

Following Finance Committee Meeting Beginning at 7:30 p.m.

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Item # 136-04-05 Land Disposition Matters

It is recommended that the town council in accordance with 1 MRSA Sec. § 405 Paragraph 6C enter into executive session to discuss the disposition of publicly owned property.

Adjournment

The next regular town council meeting is on Monday, April 11, 2005 at 7:30 p.m. The finance committee is due to meet on March 30, 2005, April 4, 6, and 13, 2005. On April 13th, the town council will meet following the finance committee to vote to schedule a public hearing on the municipal, school and special funds budgets to be held on April 25, 2005.

DRAFT MINUTES

CAPE ELIZABETH TOWN COUNCIL MEETING

Regular Meeting # 13-04-05

Monday, March 14, 2005

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ROLL CALL BY THE TOWN CLERK

Councilor	Term Expires	Address	Telephone	Present	Absent
David J. Backer	12/2006	2 Rugosa Way	799-2397	X	

Ann E. Swift-Kayatta	12/2005	14 Stone Bridge Road	767-5754	X
Carol Fritz	12/2006	1 Stirrup Road	767-3737	X
Mary Ann Lynch	12/2007	2 Olde Colony Lane	741-2709	X
John E. "Jack" Roberts	12/2005	185 Fowler Road	767-4526	X
Paul J. McKenney	12/2007	5 Katahdin Road	899-0045	X
Michael D. Mowles, Jr.	12/2006	423 Ocean House Road	741-2552	X

TOWN STAFF

Manager Michael McGovern				X
Deborah Cabana, Town Clerk				X

Reports and Correspondence

Councilor J. Roberts wished the high school hockey team good luck at the game tonight in Lewiston.

Town Manager's Report

Manager McGovern informed the Council of projected expenses (due to the excess amount of winter storms), which he anticipates to be \$74,000 over budget.

Citizens' Discussion of Items not on the Agenda - None

Minutes of Meeting #11-04-05 held February 14, 2005 and #12-04-05 held February 16, 2005

Moved by J. Roberts and Seconded by D. Backer

Ordered the Cape Elizabeth Town Council approve the minutes of meeting #11-04-05 held February 14, 2005 and #12-04-05 held February 16, 2005

(7 Yes)

Item # 126-04-05 Receipt of Proposed Fiscal Year 2006 Budget

Manager McGovern gave a brief presentation of the overall Municipal and School Budget.

Moved by C. Fritz and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council acknowledge receipt of the proposed Fiscal Year 2006 municipal budget and special funds budget and refer the budgets to the finance committee.

(7 Yes)

Item # 127-04-05 Appointments Committee

Councilor M. Mowles read the list of the individuals that the Appointments Committee is recommending for the Arts Commission as follows:

Pamela Steven An unexpired term until December 31, 2005

Stephen Popp A term to expire December 31, 2007

Sara Lennon A term to expire December 31, 2007

Page 2 - Town Council Minutes

March 14, 2005

Moved by M. Mowles and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council approve the recommendations of the Appointments Committee, as presented.

(7 Yes)

Item # 128-04-05 2005 Dog Warrant

Moved by M. Mowles and Seconded by P. McKenney

Ordered the Cape Elizabeth Town Council approve the 2005 dog warrant

(6 Yes) (1 No - J. Roberts)

Item # 129-04-05 Animal Control Agreement with South Portland

Moved by M. Lynch and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council approve a continuation of the Interlocal agreement with South Portland for the services of an animal control officer.

(7 Yes)

Item # 130-04-05 Proceeds from Sale of Property

Town of Cape Elizabeth

Use of Proceeds from the Sale of Property

The Town of Cape Elizabeth occasionally sells property owned by the town, which property has been acquired as the result of a gift, a purchase or a foreclosure. The sales may be in the form of property transfers or the sale of an easement. This policy is intended to provide guidance to the town council on the use of proceeds from such sales of property and/or easements.

Use of Proceeds from the Sale of Property or Property Rights Acquired through Foreclosure

Proceeds shall first be applied to meet the tax obligation of the property including all taxes, interests and costs, then to meet the costs of the sale of the property including attorney's fees, appraisal and survey costs, registry fees, any broker commissions and other costs specifically related to the sale of the property.

Any net proceeds in excess of the above costs shall be equally divided between the Land Acquisition Fund and the General Fund.

Use of Proceeds from the Sale of Property or Property Rights Acquired other than through Foreclosure.

Proceeds shall first be applied to meet the costs of the sale of the property including attorney's fees, appraisal and survey costs, registry fees, any broker commissions and other costs specifically related to the sale of the property.

Any net proceeds in excess of the above costs shall be equally divided between the Land Acquisition Fund and the General Fund.

Use of Proceeds from the Sale of Property with Improved Structure when Successor Structure will be Constructed

Whenever any property is sold with an improved structure and the town is building a successor replacement structure on other land, the proceeds shall first be applied to meet the costs of the sale of the property including attorney's fees, appraisal and survey costs, registry fees, any broker commissions and other costs specifically related to the sale of the property.

Any net proceeds in excess of the above costs shall be used 100% for the acquisition of land and for construction of the successor structure.

Moved by P. McKenney and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council approve the policy for the proceeds from sale of property as proposed.

(7 Yes)

March 14, 2005

Item # 131-04-05 Sewer Rehabilitation Report

Moved by M. Lynch and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council set a public hearing for April 11, 2005 on the proposed plan to rehabilitate certain Cape Elizabeth sewers at an estimated cost of \$5.4 million.

(7 Yes)

Item # 132-04-05 Little League Signage

Moved by M. Mowles and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council set a public hearing for April 11, 2005 on proposed amendments to the sign ordinance to apply consistent policies for advertising signage on the outside fences at Lions Field, Holman Field, Plaisted Park, the High School Soccer Field and any other athletic fields with fencing around it.

(7 Yes)

Item # 133-04-05 Harbor Ordinance Amendments

Moved by P. McKenney and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council refer the proposed amendments of the Harbor Ordinance to the Ordinance Committee.

(7 Yes)

Item # 134-04-05 Sale of Portion of Lot behind Grover Road

Moved by M. Lynch and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council table item #134-04-05 until the Special Town Council Meeting on March 16, 2005.

(7 Yes)

Item # 135-04-05 Agreement with Local 340 of the Teamsters Representing Certain Cape Elizabeth Public Works Employees

Moved by P. McKenney and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council ratify the proposed agreement with Local 340 of the Teamsters Representing Certain Cape Elizabeth Public Works Employees.

(7 Yes)

Citizens Discussion of Items Not on the Agenda- None

Adjournment

Moved by M. Mowles and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council adjourn at 8:29 p.m.

(7 Yes)

Respectfully submitted,

Deborah S. Cabana

Town Clerk

[Return to top](#)

CAPE ELIZABETH TOWN COUNCIL MEETING

CAPE ELIZABETH TOWN COUNCIL MEETING

Special Meeting # 14-04-05

Wednesday, March 16, 2005

Following Council Workshop Beginning at 7:30 p.m.

ROLL CALL BY THE TOWN CLERK

Councilor	Term Expires	Address	Telephone	Present	Absent
David J. Backer	12/2006	2 Rugosa Way	799-2397	X	
Ann E. Swift-Kayatta	12/2005	14 Stone Bridge Road	767-5754	X	
Carol Fritz	12/2006	1 Stirrup Road	767-3737	X	
Mary Ann Lynch	12/2007	2 Olde Colony Lane	741-2709	X	
John E. "Jack" Roberts	12/2005	185 Fowler Road	767-4526		X
Paul J. McKenney	12/2007	5 Katahdin Road	899-0045	X	
Michael D. Mowles, Jr.	12/2006	423 Ocean House	741-2552	X*	

Road

TOWN STAFF

Manager Michael McGovern	X
Deborah Cabana, Town Clerk	X

Council Chairman Anne E. Swift-Kayatta convened the meeting at 9:08 p.m.

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Item # 134-04-05 (Tabled March 14, 2005)

Sale of Portion of Lot behind Grover Road

Moved by M. Lynch and Seconded by D. Backer

Ordered the Cape Elizabeth Town Council removed item 134-04-05 from the table.

(6 Yes)

Moved by M. Lynch and Seconded P. McKenney

Ordered the Cape Elizabeth Town Council in accordance with 1 MRSA Sec. § 405 Paragraphs 6C, enter into executive session to discuss the disposition of publicly owned property.

(6 Yes)

* Councilor M. Mowles arrived at the meeting at 9:20 p.m.

Moved by P. McKenney and Seconded D. Backer

Ordered the Cape Elizabeth Town Council exit executive session at 10:52 p.m.

(7 Yes)

Adjournment

Moved by M. Lynch and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council adjourn at 10:53 p.m.

(7 Yes)

Respectfully submitted,

Deborah S. Cabana

Town Clerk

[Return to top](#)

CAPE ELIZABETH TOWN COUNCIL MEETING

Special Meeting # 15-04-05

Wednesday, March 30, 2005

Following Council Workshop Beginning at 7:30 p.m.

ROLL CALL BY THE TOWN CLERK

Councilor	Term Expires	Address	Telephone	Present	Absent
David J. Backer	12/2006	2 Rugosa Way	799-2397	X	
Ann E. Swift-Kayatta	12/2005	14 Stone Bridge Road	767-5754	X	
Carol Fritz	12/2006	1 Stirrup Road	767-3737	X	
Mary Ann Lynch	12/2007	2 Olde Colony Lane	741-2709	X	
John E. "Jack" Roberts	12/2005	185 Fowler Road	767-4526	X	
Paul J. McKenney	12/2007	5 Katahdin Road	899-0045	X	
Michael D. Mowles, Jr.	12/2006	423 Ocean House Road	741-2552	X	

TOWN STAFF

Manager Michael McGovern	X
Deborah Cabana, Town Clerk	X

Council Chairman Anne E. Swift-Kayatta convened the meeting at 10:02 p.m.

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Item # 136-04-05 Land Disposition Matters

Moved by M. Lynch and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council in accordance with 1 MRSA Sec. § 405 Paragraphs 6C, enter into executive session to discuss the disposition of publicly owned property.

(7 Yes)

Moved by M. Lynch and Seconded M. Mowles

Ordered the Cape Elizabeth Town Council exit executive session at 10:52 p.m.

(7 Yes)

Moved by M. Lynch and Seconded by P. McKenney

Ordered the Cape Elizabeth Town Council authorize the Town Manager to make known the offer of \$150,000 by Jim McFarlane to purchase two small triangular parcels on South Street. Anyone interested in making an offer for these lots should contact the Town Attorney. The April 11, 2005 Town Council agenda will include an item to authorize the Town Manager to sign a purchase and sale agreement with the party who offers the better price to the Town for these lots.

(7 Yes)

Adjournment

Moved by P. McKenney and Seconded by M. Mowles

Ordered the Cape Elizabeth Town Council adjourn at 10:24 p.m.

(7 Yes)

Respectfully submitted,

Deborah S. Cabana

Town Clerk

[Return to top](#)

MEETINGS SCHEDULE

Cape Elizabeth Town Council Meetings

2005 Council Year

January

4 Workshop with School Board

Swear in to Extended Terms

11 Special Town Council Election

12 Regular Meeting- (Wednesday)

24 Public Forum on Budget Issues

26 Board & Commission Orientation

February

3 Finance Committee

14 Regular Meeting

16 Council Workshop

March

14 Regular Meeting

16 Council Workshop

30 Finance Committee

April

4 Finance Committee

6 Finance Committee

11 Regular Meeting

13 Finance Committee

25 Finance Committee

May

9 Regular Meeting

11 Council Workshop

June

13 Regular Meeting

15 Council Workshop

July

11 Regular Meeting

August

8 Regular Meeting

11 Council Workshop

September

12 Regular Meeting

14 Council Workshop

October

12 Regular Meeting

Workshop (TBD)

November

8 Council Election Date

14 Regular Meeting

16 Council Workshop

December

12 New Council Year Begins

[Return to top](#)

POLICIES

[Return to top](#)