

## CAPE ELIZABETH TOWN COUNCIL MEETING

Regular Meeting # 24-04-05

Monday, September 12, 2005

	7:30 p.m.	Present	Absent
Anne E. Swift-Kayatta, Chairman	14 Stone Bridge Road	X	767-5754 12/2005
David J. Backer	2 Rugosa Way	X	772-5845 ext 122 12/2006
Carolyn M. Fritz	1 Stirrup Road	X	767-3737 12/2006
Mary Ann Lynch	2 Olde Colony Lane	X	232-1048 12/2007
Paul J. McKenney	5 Katahdin Road	X	899-0045 12/2007
Michael D. Mowles, Jr.	423 Ocean House Road	X	741-2552 12/2006
John E. "Jack" Roberts, Jr.	185 Fowler Road	X	767-4526 12/2005

Manager Michael McGovern X

Town Clerk Deborah Cabana X

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Minutes of Meeting # 23-04-05 held August 8, 2005

Moved by C. Fritz and Seconded by D. Backer

**Ordered the Cape Elizabeth Town Council approve the minutes of meeting # 23-04-05 held August 8, 2005.**

(7 Yes)

### Reports and Correspondence

*Councilor J. Roberts* – wanted to dispel the “myth” written in the local paper stating that the “The WETeam was not needed.” This article was written because the WETeam was not needed in Louisiana to assist with the Hurricane Katrina damages. However, the WETeam is very much needed in the Town of Cape Elizabeth.

*Councilor C. Fritz* – gave an update about the recent groundbreaking ceremony for the RWS ash fill expansion.

*Councilor M. Mowles* – requested that the Town Manager communicate to the School Board that he had received complaints regarding the new driving configuration in front of the high school.

### Town Manager’s Report

*Manager McGovern* commented on four items:

1. He informed the Council that recent energy increases would have an adverse affect on components of the budget.
2. The following items had been purchased with the FEMA grants – a message board sign, a generator and new police radio system.
3. He thanked the Fire and Rescue Departments for their efforts in raising funds for Hurricane Katrina assistance.
4. Mr. McGovern stated that Police Officer Paul Gaspar has given his resignation as he will be working for the Police Union in South Portland.

**Citizens Discussion of Items Not on the Agenda: - None**

**Item # 206-04-05 Public Hearing on Proposed Amendments to the Sign Ordinance**  
Councilor J. Roberts gave an overview of the proposed amendments to the Sign Ordinance.

The Public Hearing opened at 7:45 p.m.

The Public Hearing closed at 7:45 p.m.

Moved by J. Roberts and Seconded by P. McKenney

**Ordered the Cape Elizabeth Town Council approve the amendments to the Sign Ordinance as proposed.** (Copy attached to the official minutes)

(7 Yes)

**Item # 207-04-05 Proposed Fort Williams Park Easement**

Members from the Fort Williams Advisory Commission were present at the meeting. Also, Joel Russ of the Fort Williams Charitable Foundation was present and spoke at the meeting.

Moved by M.A. Lynch and Seconded by J. Roberts

**Ordered the Cape Elizabeth Town Council table indefinitely the proposed Fort Williams Park Easement.**

(7 Yes)

**Item # 208-04-05 Proposed Marker at Fort Williams Park**

Moved by J. Roberts and Seconded by P. McKenney

**Ordered the Cape Elizabeth Town Council hereby requests the Town Manager to work with the Fort Williams Advisory Commission to present a specific proposal from the Fort Williams Advisory Commission for a permanent marker to be placed at Fort Williams Park.**

- **The proposal shall include a proposed location and design for the permanent marker.**
- **The proposed permanent marker shall include a graphical representation of the area permanently dedicated by the Town Council in 1976 and the subsequent dedications resulting from the acceptance of various federal grants.**
- **It shall also include some text explaining the dedications.**
- **The design proposal shall include the materials to be used and the specific text to be placed on the marker.**
- **A cost estimate shall be included.**
- **The proposal shall be prepared by the Fort Williams Advisory Commission no later than January 31, 2006.**

(7 Yes)

**Item # 209-04-05 Proposed Street Vacations**

Moved by C. Fritz and Seconded by J. Roberts

**Ordered the Cape Elizabeth Town Council refer to the Planning Board the potential to vacate a section of paper street off Ocean View Road and a section of paper street abutting Stonybrook Road. Be it further ordered that the Planning Board adhere to the public hearing process.**

(7 Yes)

**Item # 210-04-05 Proposed amendment to the BA Wetlands**

Councilor Mowles requested that this item be placed on the agenda and also requested that it be withdrawn from the agenda.

**Item # 212-04-05 MMA Voting Delegate Credentials**

Moved by M. Mowles and Seconded by P. McKenney

**Ordered the Cape Elizabeth Town Council suspend the rules to take an item out of order.**

(7 yes)

Moved by M. A. Lynch and Seconded by C. Fritz

**Ordered the Cape Elizabeth Town Council designates Anne E. Swift-Kayatta as the official voting delegate and John Roberts Jr. as the alternate voting delegate for Cape Elizabeth to the MMA Annual Business Meeting which is scheduled to be held Wednesday, October 5, 2005, 11:00 a.m., at the Augusta Civic Center, Augusta, Maine.**

(7 Yes)

**Citizens Discussion of Items Not on the Agenda: - None**

**Item # 211-04-06 Negotiations with Police Association**

Moved by C. Fritz and Seconded M. Mowles

**Ordered the Cape Elizabeth Town Council in accordance with 1 MRSA Sec. § 405 Paragraph 6D, enter into executive session to discuss negotiations with the Cape Elizabeth Police Benevolent Association at 8:22 p.m.**

(7 Yes)

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Moved by M. A. Lynch and Seconded by P. McKenney  
**Ordered the Cape Elizabeth Town Council exit executive session at 8:39 p.m.**  
(7 Yes)

**Adjournment:**

Moved by P. McKenney and Seconded by M. Mowles  
**Ordered the Cape Elizabeth Town Council adjourn at 8:53 p.m.**  
(7 Yes)

Respectfully submitted,

Deborah S. Cabana  
Town Clerk