

CAPE ELIZABETH TOWN COUNCIL MINUTES

Regular Meeting # 12-2006

Monday, July 10, 2006

7:30 p.m.

		Present	Absent	
David J. Backer, Chairman	2 Rugosa Way		772-5845	X 12/2006
Cynthia Dill	1227 Shore Road	X	767-7197	12/2008
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		899-0045	X 12/2007
Michael D. Mowles, Jr.	423 Ocean House Road	X	741-2552	12/2006
Anne E. Swift-Kayatta	14 Stone Bridge Road	X	767-5754	12/2008

Roll Call by the Town Clerk Pro-tem

Manager McGovern X

Clerk Pro-tem Jacqueline Coy X

Councilor Mowles arrived approximately 7:32 p.m.

Pledge of Allegiance to the Flag

Minutes of Meetings # 11-2006 held June 12, 2006

Moved by C. Fritz and Seconded by M. Lynch

Ordered, the Cape Elizabeth Town Council approve the Minutes of Meeting #11-2006 held June 12, 2006, as provided.

(4 yes)(0 no)

Reports and Correspondence

Councilor Lynch wanted to remind us to support and preserve our local farm markets. She also wanted to remind us that our local Police department will be more than willing to do "Drive-bys" if residents are away from home, and also if parents are away, and children are left at home.

Councilor Swift-Kayatta along with Councilor Fritz and Manager McGovern attended a luncheon meeting regarding the name change of Regional Waste Systems. It is now called Eco-Maine. The new manager, Kevin Roche, is doing a great job.

COG held their annual meeting. Councilor McKenney has been elected second Vice President. Congratulations, Paul!

Town Manager's Report

The Town Manager announced that Family Fun Day was a great success. He wanted to thank everyone involved, including Steve Culver, Frank Butterworth, the Lion's Club, and Councilor Mowles for all their help.

The Thomas Memorial Library had their 20th Anniversary celebration, which was a great success. The library has an excellent display of photos, old and new, now being shown. Congratulations to former Town Clerk, Deborah Cabana, who has been hired to be Town Manager in the Town of Gray. We all wish her well. Mr. McGovern appreciates all the help and support from the first floor staff.

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Citizens Discussion of Items Not on the Agenda NONE

Item # 121-2006 Acting Town Clerk

The Town Manager has appointed Jacqueline N. Coy as Acting Town Clerk subject to the approval of the Town Council. Deborah Cabana, will begin serving as Town Manager of Gray, Maine on July 24th and completed her service as Cape Elizabeth Town Clerk on July 7, 2006.

Moved by M. Lynch and Seconded by M. Mowles

Ordered, the Cape Elizabeth Town Council approve the appointment of Jacqueline N. Coy as Acting Town Clerk and Acting Registrar of Voters.

(5 yes)(0 no)

Item # 122-2006 Spurwink Church Study Committee Report

Debra M. Lane gave a presentation of the committee's work over the last year, and thanked everyone involved for their hard work and dedication to the project.

Moved by C. Fritz and Seconded by C. Dill

Ordered, the Cape Elizabeth Town Council accept the Spurwink Church Study Committee report as given, and refer it to a workshop.

(5 yes)(0 no)

Item # 123-2006 Wastewater Submeters

The Portland Water District wishes to retrofit submeters so that they are compatible with new water meters.

Manager McGovern gave an overview and stated that issues need to be considered, and more information is needed to make a decision.

Moved by M. Lynch and Seconded by M. Mowles

Ordered, the Cape Elizabeth Town Council table item #123-2006 to the August 2006 Town Council meeting.

(5 yes)(0 no)

Item # 124-2006 Grant Acceptance

Moved by C. Fritz and Seconded by M. Mowles

Ordered, the Cape Elizabeth Town Council accept a \$5,670 US Fish and Wildlife Service 2006 Rural Fire Assistance grant with a required local match of \$630.00.

(5 yes)(0 no)

Item # 125-2006 Acceptance of Deeds and Easements

Manager McGovern thanked all residents involved. He also thanked Bob Malley and Steve Harding and everyone who made this possible.

Moved by M. Lynch and Seconded by C. Dill

Ordered, the Cape Elizabeth Town Council accept the deeds and easements with deep appreciation of the Town Council.

(5 yes)(0 no)

- From Janet C. McCaa of 9 Wood Road, a warranty deed for approximately 713 square feet on the easterly side of Geldert Lane. It was discovered that part of the improved section of Geldert Lane was on land owned by Ms. McCaa.
- From Brian J. and Maria Wyzykowski, a warranty deed for approximately 534 square feet on the easterly side of Geldert Lane. It was discovered that part of the improved section of Geldert Lane was on land owned by Mr. and Mrs. Wyzykowski.
- From Robert P. and Sheryl Flaherty, a drainage easement through Lot J-27 on Running Tide Road.
- From Village Crossings, a temporary construction easement at Village Crossings off Scott Dyer Road.
- From Timothy F. and Michelle E. Kane, a drainage easement near 51 Longfellow Drive.
- From Elena and Gregory C. Odlin, a drainage easement on Map 23, Lot 2-A at 231 Ocean House Road.
- From McClain and Erika M. Priester, a temporary construction easement over Map 23, Lot 2 at 227 Ocean House Road.

Item # 126-2006	Proposed Carry Forward Balances
Records Preservation	\$ 1,838
Police Donation Fund	\$ 17,106
Fire Department Donation Fund	\$ 8,581
Police/Dispatching Retroactive Contingency	\$ 51,795
PSAP Transfer	\$ 9,100
Match for Federal Fire Act Grant	\$ 6,000
Federal Fire Prevention Materials Grant	\$ 1,511
Family Fun Day	\$ 5,057
Tree Planting	\$ 4,894
Greenbelt Trail Improvements	\$ 8,600
Comprehensive Plan	\$ 7,100
Cruiser Replacement	\$ 11,693
Rental Unit Repairs	\$ 26,994
Town Hall Building Improvements	\$ 10,200
Lightening Repair/Phone System Improvements	\$ 48,434
Sidewalk Improvements	\$ 18,894
Spurwink Avenue Improvements Match	\$ 208,740
Shore Road Traffic Light Match	\$ 70,000
Shore Road Overlay	\$ 70,785
Roadway Improvements	\$ 31,000
Town Share of New Server and Tax Map Update	\$ 4,800
GIS Update	\$ 5,841
Use of Surplus-Succeeding Year's Budget	\$ 210,000
Spurwink Church Improvements	\$ 8,400
Total	\$ 847,363

Library Gifts are also carried forward

Moved by M. Mowles and Seconded by M. Lynch

Ordered, the Cape Elizabeth Town Council accept the proposed Carry Forward Balances of \$847,363. and the Library Gifts as set forwarded in the agenda.

(5 yes)(0 no)

Item # 127-2006 Zoning Text Amendment Request

A request has been received to amend the Zoning Ordinance to permit the boarding, training and care of horses on larger lots in the residential zones.

Moved by M. Mowles and Seconded by M. Lynch

Ordered, the Cape Elizabeth Town Council send this request to the Planning Board.

(5 yes)(0 no)

Moved by M. Mowles and Seconded by M. Lynch

Ordered, the Cape Elizabeth Town Council refund the \$100.00 to Shady Oak Farm for the violation per the Code Enforcement officer, Bruce Smith.

(4 yes)(1 no- C. Dill)

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

Ordered, the Cape Elizabeth Town Council also refer this item to the Comprehensive Planning committee for review.

(4 yes)(1 no-M. Mowles)

Item # 128-2006 Annual Maine Municipal Association Election Ballot

Moved by C. Fritz and Seconded by M. Mowles

Ordered, the Cape Elizabeth Town Council cast the ballot for the annual Maine Municipal Association.

(5 yes)(0 no)

Item # 129-2006 Comprehensive Plan Deadline

Moved by C. Fritz and Seconded by C. Dill

Ordered, the Cape Elizabeth Town Council approve the request for the extension of the time needed to complete the work of the Comprehensive Planning committee to April 2, 2007.

(5 yes)(0 no)

Citizen's Discussion of Items Not on the Agenda

Richard Bryant of 55 Spurwink Avenue, Cape Elizabeth, asked the Town Council to alert the Planning Board to address issues of gates and stop signs in the Spurwink Woods Subdivision, before the work is completed and may have to be changed later.

Councilor Swift-Kayatta informed the public of the TABOR committee being formed, and the meeting for the public is on Wednesday, July 26, 2006 in the Town Council chambers at 7:00 p.m.

Manager McGovern wished to thank Lillian Bates for running the Cable TV channel for the meeting.

**Page 6, 2006 minutes
July 10, 2006**

Adjournment

Moved by M. Mowles and Seconded by M. Lynch

Ordered, the Cape Elizabeth Town Council adjourn the meeting at 8:40 p.m.

(5 yes)(0 no)

Respectfully submitted,

**Jacqueline N. Coy
Acting Town Clerk**