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Agendas -- [June 4, 2007](#)

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**TOWN COUNCIL MEMBERS**

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<a href="#">David J. Backer</a>	12/2006	2 Rugosa Way	772-5845 ext 122
<a href="#">Anne Swift-Kayatta</a>	12/2008	14 Stone Bridge Road	767-5754
<a href="#">Mary Ann Lynch</a>	12/2007	2 Olde Colony Lane	232-1048
<a href="#">Cynthia Dill</a>	12/2008	1227 Shore Road	767-7197
<a href="#">Paul J. McKenney</a> , chairman	12/2007	5 Katahdin Road	899-0045
<a href="#">James S. Rowe</a>	12/2009	127 Oakhurst Road	799-7467
<a href="#">Sara W. Lennon</a>	12/2009	54 Cranbrook Road	741-4097

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**Draft Agenda**

CAPE ELIZABETH TOWN COUNCIL AGENDA

Regular Meeting # 9-2007

Monday, June 4, 2007

7:30 p.m.

Roll Call by the Town Clerk

Pledge of Allegiance to the Flag

Review of Minutes for May 7 and 14, 2007 meetings

Reports and Correspondence

Town Manager's Report

Citizens Discussion of Items Not on the Agenda

Item # 91 Hannaford Field Committee

It is proposed to adopt a committee charge for a committee to review any proposed additional changes to Hannaford Field.

Item # 92 Turf Field Committee

It is proposed to sunset the earlier Turf Field Committee and to thank the committee for their exceptional work.

Item # 93 Trout Brook Watershed Management Plan

It is proposed to authorize staff and the Planning Board to work collaboratively with the City Of South Portland on a management plan for the Trout Brook watershed.

Item # 94 Construction Code Amendments

The Ordinance Committee has reviewed proposed amendments to Chapter 6 of the Code of Ordinances. It is proposed to accept the report of the Ordinance Committee and to set a public hearing for Monday, July 9, 2007 at 7:30 p.m. at the Cape Elizabeth Town Hall on the proposed changes.

Item # 95 Fire Prevention Code Amendments

The Ordinance Committee has reviewed proposed amendments to Chapter 8 of the Code of Ordinances. It is proposed to accept the report of the Ordinance Committee and to set a public hearing for Monday, July 9, 2007 at 7:30 p.m. at the Cape Elizabeth Town Hall on the proposed changes.

Item # 96 Sewer Ordinance Amendments

The Ordinance Committee has reviewed proposed amendments to Chapter 15 of the Code of Ordinances. It is proposed to accept the report of the Ordinance Committee and to set a public hearing for Monday, July 9, 2007 at 7:30 p.m. at the Cape Elizabeth Town Hall on the proposed changes.

Item # 97 Carry Forward Balances

It is proposed to approve carry forward balances to be continued into FY 2008. Otherwise, the appropriations would lapse.

Item # 98 Year End Transfers

The Town Charter provides that the budget for each department shall not be exceeded except by consent of the council. Each fiscal year before the last town council meeting, the various accounts are reviewed and recommendations are made on which departments may need additional appropriations in order to close out the year with positive balances in each department.

The entire budget is well within the budget.

The following revised FY 2007 appropriations are recommended.

Department 135 Legal and Audit

Original Appropriation \$63,500

Recommended Revised Appropriation \$71,000

The \$7,500 additional needed is due to the cost of fact finding for the police collective bargaining agreement.

Department 160 Insurance

Original Appropriation \$74,284

Recommended Revised Appropriation \$79,000

The premium for our insurance coverage increased from \$72,466 last year to \$78,507 this year. We anticipated a lower increase. \$82,000 has been budgeted

for FY 2008.

Department 180 Debt Service

Original Appropriation \$1,069,510

Recommended Revised Appropriation \$1,069,755

The account is overspent by \$245.

Department 410 Human Services

Original Appropriation \$26,733

Recommended Revised Appropriation \$40,000

Last year we spent \$2,100 on general assistance and \$1,518 the year before. So far this year we have spent \$15,314.

Item # 99 Appointments Committee Recommendation

A report is anticipated from the Appointments Committee recommending citizens to fill vacancies.

Item # 100 Use of Community Center Lower Level

It is proposed to begin to use the lower level of the community center for active uses instead of the current usage solely for storage. The fire chief has signed off on the use.

Item # 101 Acceptance of Release Deeds from the Heirs of Dorothy Scott

The Town Council has been aware of the efforts to acquire the property interests of the Loveitt Heirs for the 18+- acres of land behind Sherwood Forest. We have received release deeds from the heirs of Dorothy Scott for an apparent 1/14th interest. It is proposed to accept these release deeds with appreciation to Norman Scott and Lois F. Richard.

It is also proposed to offer to all apparent heirs who offer their interests in the property a proportionate share of the assessed value with the funds to be expended from the land acquisition fund. The total assessed value is \$46,000. For example, a 1/14th interest would amount to \$3285.71. Preliminary correspondences from some other parties have indicated a willingness to deed over their rights provided all parties are treated the same. It is likely that the full interest will not be able to be obtained as some of the lines of inheritance appear to have been extinguished and at least one party has thus far indicated a reluctance to offer their interest.

Item # 102 Proposed Executive Session

A policy adopted by the town council many years ago provides that when any parcel in the town center becomes available that abuts town property, the town manager shall bring the availability to the attention of the town council. The home at 7 Holman Road next to the Thomas Memorial Library is for sale. It is proposed to enter executive session in accordance with 1 MRSA §405 Para 6 C.

§ 405. Executive sessions

3. Procedure for calling of executive sessions. Executive sessions may be called only by a public, recorded vote of 3/5 of the members, present and voting, of such bodies or agencies.

4. Motion contents. A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Failure to state all authorities justifying the executive

session does not constitute a violation of this subchapter if one or more of the authorities are accurately cited in the motion. An inaccurate citation of authority for an executive session does not violate this subchapter if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent.

6. Permitted deliberation. Deliberations may be conducted in executive sessions on the following matters and no others: (Other paragraphs not applicable omitted)

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

Citizens' discussion of items not on the agenda

Adjournment

Workshop: It is proposed to have a town council workshop following the town council meeting to review the progress on town council goals for 2007.

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## MEETINGS SCHEDULE

### 2007 Draft Schedule of Meetings

January	3	Wednesday	Town Council Workshop with School Board
January	8	Monday	Town Council
January	11	Thursday	Council Workshop
February	12	Monday	Town Council
February	15	Thursday	Council Workshop
March	5	Monday	Town Council
April	5	Thursday	Finance Committee
April	9	Monday	Town Council
April	12	Thursday	Finance Committee
April	25	Wednesday	Finance Committee with School Board
May	7	Monday	Budget Public Hearing and Town Council Meeting
May	14	Monday	Town Council Meeting for Budget Adoption Only
June	4	Monday	Town Council
June	14	Thursday	Council Workshop
July	9	Monday	Town Council
August	13	Monday	Town Council
September	6	Thursday	Council Workshop

September	10	Monday	Town Council
October	10	Wednesday	Town Council
October	11	Thursday	Council Workshop
November	5	Monday	Town Council
November	8	Thursday	Council Workshop
December	10	Monday	Town Council

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