

CAPE ELIZABETH TOWN COUNCIL MINUTES

Regular Meeting # 6-2008

Monday, March 3, 2008

7:30 p.m.

Roll Call by the Town Clerk

Mary Ann Lynch, Chairman	2 Olde Colony Lane	232-1048	12/2010	X
David J. Backer	2 Rugosa Way	253-0529	12/2009	X
Cynthia Dill	1227 Shore Road	767-7197	12/2008	absent
Sara W. Lennon	54 Cranbrook Drive	741-5139	12/2009	X
Paul J. McKenney	5 Katahdin Road	899-0045	12/2010	X
James S. Rowe	127 Oakhurst Road	799-5825	12/2009	X
Anne E. Swift-Kayatta	14 Stone Bridge Road	767-5754	12/2008	X

Town Manager Michael McGovern

X

Town Clerk Ruth Noble

X

Pledge of Allegiance to the Flag

Approval of Minutes of Meeting # 5 held February 11, 2008.

MOTION: A. Swift-Kayatta

SECOND: D. Backer

VOTE: 6 in favor – 0 opposed

Reports and Correspondence

Councilor McKenney announced that the Regional Coalition has approved the forensic crime lab which he feels will help to improve quality of life in the region.

Councilor McKenney invited the public to attend the first Economic Development Forum on the subject of sustainable energy to be held at the Muskie School on March 21st.

Councilor Rowe reviewed discussions of the Town Council Finance Committee meeting held earlier in the evening. He explained the purpose of the meeting which was to consider targets for department spending for this budget season then took a moment to review the agenda items.

Councilor Lennon listed the goals of the Alternative Energy Committee and gave a description of how the committee operates. Public input is encouraged by contacting committee members by phone, through the website or by attending regularly scheduled meetings.

Chairman Lynch noted Councilor Dill's upcoming scheduled Town Hall Tax Forum on March 13th at 7:00pm in which various speakers will be in attendance, including MMA President, Anne Swift-Kayatta.

The recent passing of Gillie Jordan was recognized and his many notable contributions were acknowledged.

Councilor Rowe noted also the recent passing of Leroy Rand, longtime Cape Elizabeth resident, an active contributor within the Cape school system and Statewide.

Town Manager's Report

Mr. McGovern echoed the previous comments of Chairman Lynch and Councilor Rowe.

Citizens Discussion of Items Not on the Agenda

Girl Scout Troop 1402 represented by members Katie Takach, Grace Stack, Ariana Kneeland and Emily Richardson spoke on their involvements, accomplishments, and upcoming troop activities.

Mary Page, owner of Rudy's of the Cape, 517 Ocean House Road, addressed the Council with a plea for an immediate decision to amend the BA zone setback. She urgently seeks this zoning amendment in order to proceed with an expansion of seating capacity and hours of operation at that location.

Carl Pearson, resident of Fowler Road, owner of Jordan's Lawn and Garden, responded to comments raised by the previous speaker, Mr. Pearson encouraged the Council to try to hasten the process and find out what is involved in modifying the setback to accommodate existing business districts in the Town.

Mr. McGovern explained what is involved in a zone change process and estimated several months as a reasonable time-frame before a Council decision.

Item # 42-2008 Report from the Ordinance Committee- Windmills

Discussion: Councilor Lennon explained the origin of this item.

MOTION: S. Lennon to set a public hearing for Monday, April 14, 2008 at 7:30 p.m. on a recommended proposed amendment to the Zoning Ordinance regarding windmills.

SECOND: P. McKenney

Discussion: Several Councilors expressed a desire to see further clarification of the ordinance language as it pertains to permitted locations, height restrictions, noise and aesthetics.

Mr. McGovern expressed concern with compatibility and recommended that this item be referred back to the Ordinance Committee.

Councilor McKenney stressed the importance to keep moving forward while exploring alternative energy sources and urged the Council to keep an open mind while moving through the process.

Councilor Lennon withdrew the original motion.
There were no objections from Councilor McKenney.

MOTION: S. Lennon referred this item back to the Ordinance Committee to further clarify definitions of use.

SECOND: P. McKenney

VOTE: 6 in favor – 0 opposed.

Item # 43-2008 Town Council Goals

MOTION: A. Swift-Kayatta to accept the Town Council goals for 2008.

SECOND: S. Lennon

VOTE: 6 in favor – 0 opposed.

Item # 44-2008 Updated Bond Resolution

MOTION: D. Backer to approve the proposed amendment to the bond resolution originally approved on May 7, 2007.

The bond resolution of the Cape Elizabeth Town Council adopted on May 7, 2007 and approving an issuance of bonds in the amount of \$2,400,000 is hereby amended as follows:

a. The expenditure of the following additional amount for the following additional capital project is approved: The sum of \$150,000 for the Town's share of the cost of acquiring and installing bleachers on school fields.

b. The amount of bonds and notes authorized by the bond resolution is increased to \$2,550,000.

c. The Town's official declaration of intent set forth in the bond resolution shall apply to the additional amount authorized by this vote.

In all other respects the bond resolution adopted on May 7, 2007 shall remain in full force and effect.

SECOND: P. McKenney

VOTE: 4 in favor – 2 opposed

(Rowe, Swift-Kayatta)

Item # 45-2008 FY 2009 Proposed Budgets

MOTION: J. Rowe to refer the proposed FY 2009 budgets to the Finance Committee for review.

SECOND: A. Swift-Kayatta

VOTE: 6 in favor – 0 opposed

Item # 46-2008 Annual Alewife Regulations Adoption

MOTION: A. Swift-Kayatta to adopt the annual Alewife harvesting regulations.

SECOND: J. Rowe

VOTE: 6 in favor – 0 opposed.

Item # 47-2008 Regional Forensic Lab

Chief Williams was asked to speak on the proposal and answer questions.

MOTION: P. McKenney referred the proposal to the Finance Committee for review.
SECOND: D. Backer
VOTE: 6 in favor – 0 opposed

Citizens Discussion of Items Not on the Agenda

None for the period.

Adjournment - 8:40pm.

MOTION: A. Swift-Kayatta
SECOND: J. Rowe
VOTE: 6 in favor – 0 opposed

Respectfully submitted,

Ruth M. Noble
Town Clerk