

CAPE ELIZABETH TOWN COUNCIL MINUTES
Regular Meeting # 13-2009
Cape Elizabeth Town Hall
Monday, August 10, 2009
7:30 p.m.

Roll Call by the Town Clerk

		Present	Absent	
James S. Rowe, Chairman	127 Oakhurst Road	X		799-7467 12/2009
David J. Backer	2 Rugosa Way	X		253-0529 12/2009
Penelope A. Jordan	349 Fowler Road	X		671-5341 12/2010
Sara W. Lennon	54 Cranbrook Drive		X	741-5139 12/2009
Paul J. McKenney	5 Katahdin Road	X		899-0045 12/2010
David S. Sherman, Jr.	74 Hunts Point Road	X		749-2668 12/2011
Anne E. Swift-Kayatta	14 Stone Bridge Road	X		767-5754 12/2011
Michael K. McGovern, Town Manager		X		
Debra M. Lane, Town Clerk		X		

The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

Councilor McKenney and his wife Betsy had the privilege last evening to greet 500 troops at the Bangor International Airport. Paul and Betsy were present to wish their son and his Army unit well as they are deployed to Iraq. Paul commended the work of The Maine Troop Greeters who greet every military plane that flies through Bangor. Best wishes to Paul's son and the troops for a successful and safe mission.

Councilor Sherman said it was a privilege to participate in the Beach to Beacon Road Race. He thanked everyone for their support of the event. Congratulations to Cape Elizabeth resident Victoria Poole who received the Johnny Kelley Award for the oldest finisher. Mrs. Poole received an honorary number for future races.

Chairman Rowe sent condolences to John and Deborah Casey on the tragic loss of their 21 year old son Sean. Sean drowned on Sebago Lake early last week. The Cumberland County District 2 Budget Caucus will be held on Wednesday, August 12, 2009 at 4:30 p.m. in the Peter J. Feeney Conference Room at the Cumberland County Courthouse. Interested councilors are encouraged to attend. The U.S. Coast Guard and the State of Maine are sponsoring a day to honor Maine's maritime history. Lighthouses around the state will be open on September 12, 2009 from 9-3. Congratulations to the First Congregational Church of Christ, United Church of Christ of South Portland on its 275th anniversary. The Cape Elizabeth Town Council signed a proclamation in recognition of the anniversary.

Citizen Opportunity for Discussion of Items Not on the Agenda

Fred Prince, 2 Rocky Hill Road

Mr. Prince provided information regarding health insurance. He explained differences between fully-insured and self-funded programs. He distributed a handout to the council.

**Page 2 Town Council Minutes
August 10, 2009**

Town Manager's Report

Manager McGovern congratulated Victoria Poole on her Beach to Beacon Road Race accomplishment. He remarked that the support of this event appeals to many segments throughout the community. Interesting statistics include out of the 800 Cape Elizabeth residents who participated, the median age was 41, 50.1% women, 49.9% men.

Review of Minutes of Meeting held July 13, 2009

Moved by Anne E. Swift-Kayatta and Seconded by Paul J. McKenney

Ordered the Cape Elizabeth Town Council approves the minutes of meeting #12-2009 held July 13, 2009 as written.

(6 yes) (0 no)

Item# 119-2009 Consent to Games of Chance Application

Moved by David S. Sherman, Jr. and Seconded by David J. Backer

Ordered the Cape Elizabeth Town Council approves the application of St. Bartholomew's Roman Catholic Church to the Maine Department of Public Safety to operate a bingo/games of chance on September 12, 2009.

(6 yes) (0 no)

Item# 120-2009 Thomas Memorial Library Study Committee Report

Intro – Nancy Marshall, Chairman Thomas Memorial Library Study Committee

Present – Members of the Committee

Norman Jordan

Ed Nadeau

Jessica Sullivan

Jay Scherma, Director of the Thomas Memorial Library

Moved by Anne E. Swift-Kayatta and Seconded by David S. Sherman, Jr.

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Thomas Memorial Library Design Concept Final Report (Phase III Report) dated July 31, 2009 and refers the report to the Town Council Workshop to be held on September 3, 2009 at 7:30 p.m. at the library.

(6 yes) (0 no)

Item# 121-2009 Shoreland Zoning

Intro – Manager McGovern for Councilor Lennon, Ordinance Committee Chairman

Moved by David S. Sherman, Jr. and Seconded by David J. Backer

Ordered the Cape Elizabeth Town Council sets to public hearing proposed amendments to the Zoning Ordinance relating to shoreland zoning for Monday, September 14, 2009 at 7:30 p.m. at the Town Hall.

(6 yes) (0 no)

**Page 3 Town Council Minutes
August 10, 2009**

Item# 122-2009 Budget Projection

The Town Council reviewed the Town Manager's projection of the municipal budgets for FY 2011, 2012 and 2013. No action required.

Item# 123-2009 Parking Regulations

Moved by David S. Sherman, Jr. and Seconded by Paul J. McKenney

Ordered the Cape Elizabeth Town Council refers to the Ordinance Committee amendments to the parking regulations as recommended by the Chief of Police and parking issues on Shore Road near the South Portland line. In addition the Ordinance Committee is asked to conduct a comprehensive review of all of the local parking regulations and report back to the Town Council in November 2009.

(6 yes) (0 no)

Item# 124-2009 MMA Annual Ballot

Intro – Councilor Swift-Kayatta, Chairman MMA Nominating Committee

Moved by Anne E. Swift-Kayatta and Seconded by David J. Backer

Ordered the Cape Elizabeth Town Council approves the MMA Nominating Committee's proposed slate of nominees for 2010:

Vice President (1 Year Term)	Mark Green, Town Manager, Town of Sanford
Directors (3 Year Term)	Matthew Arnett, Councilor, Town of Hampden
	Joyce Maker, Councilor, City of Calais
	Peter Nielsen, Town Manager, Town of Oakland

(6 yes) (0 no)

Item# 125-2009 Interlocal Agreement with City of Portland

Intro – Manager McGovern

Moved by David S. Sherman, Jr. and Seconded by Anne E. Swift-Kayatta

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to sign an Interlocal agreement with the City of Portland formalizing an agreement for dispatch and public safety answering point (PSAP) services.

(5 yes) (1 no Councilor Jordan)

See attachment.

Item# 126-2009 Shore Road Path Committee Report

Moved by David S. Sherman, Jr. and Seconded by Anne E. Swift-Kayatta

Ordered the Cape Elizabeth Town Council sets for public hearing the Shore Road Path Committee Report for Monday, September 14, 2009 at 7:30 p.m. at the Town Hall.

(6 yes) (0 no)

Citizen Opportunity for Discussion of Items Not on the Agenda

**Page 4 Town Council Minutes
August 10, 2009**

Adjournment

Moved by Paul J. McKenney and Seconded by Anne E. Swift-Kayatta
Ordered the Cape Elizabeth Town Council adjourns at 8:40 p.m.
(6 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk

Future Meetings/Events

- August 20, 2009** Employee Recognition Luncheon at Fort Williams Park
August 26, 2009 Special Town Council Meeting Re: Town Center Intersection,
Recommendations to the Municipal Operations Review Committee
September 3, 2009 Town Council Workshop- Library Report at the Thomas Memorial
Library
September 14, 2009 Town Council Meeting including public hearings on the Goddard
Mansion, Shore Road Path Committee report and Shoreland Zoning