

The regular meeting was preceded by the Town Council Orientation at 6:00 p.m.

CAPE ELIZABETH TOWN COUNCIL MINUTES
Regular Meeting # 1-2010
Cape Elizabeth Town Hall
Monday, December 14, 2009
7:30 p.m.

Meeting Called To Order by Debra M. Lane, Town Clerk

Induction of Town Councilors-Elect and School Board Members-Elect

Citizens elected November 3, 2009

Elected to the Cape Elizabeth School Board

John C. Christie, Jr.: Term to Expire on December 10, 2012

David C. Hillman: Term to Expire on December 10, 2012

Mary K. Williams-Hewitt: Term to Expire on December 10, 2012

Elected to the Cape Elizabeth Town Council

Frank J. Governali: Term to Expire on December 13, 2010

Sara W. Lennon: Term to Expire on December 10, 2012

Jessica L. Sullivan: Term to Expire on December 10, 2012

James T. Walsh: Term to Expire on December 10, 2012

The oaths of office were administered by
Cape Elizabeth Assistant Town Manager/Town Clerk Debra M. Lane

Roll Call by the Town Clerk

		Present	Absent	
Anne E. Swift-Kayatta	14 Stone Bridge Road	X	767-5754	12/2011
Frank J. Governali	18 Old Ocean House Road	X	799-5842	12/2010
Penelope A. Jordan	349 Fowler Road	X	671-5341	12/2010
Sara W. Lennon	54 Cranbrook Drive	X	741-5139	12/2012
David S. Sherman, Jr.	74 Hunts Point Road	X	749-2668	12/2011
Jessica L. Sullivan	38 Cranbrook Drive	X	774-0115	12/2012
James T. Walsh	23 Rock Crest Drive	X	799-6730	12/2012
Michael K. McGovern, Town Manager		X		
Debra M. Lane, Town Clerk		X		

Item# 1-2010 Election of a Town Council Chairman for Council Year 2010

Moved by Sara W. Lennon and Seconded by Penelope A. Jordan

Ordered the Cape Elizabeth Town Council elects Anne E. Swift-Kayatta to serve as the Town Council Chair for Council Year 2010.

(7 yes) (0 no)

Anne E. Swift-Kayatta took office and resumed the meeting.

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The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

Councilor Walsh reported that he delivered and presented the Ralph Gould Award to Michael T. Ott in New York. Mr. Ott moved from Cape Elizabeth and was unable to accept the award in person. It was announced at the November 9, 2009 Town Council meeting that Mr. Ott is the 2009 Ralph Gould Award recipient.

Chair Swift-Kayatta reported that approximately 90 citizens attended the December 8, 2009 workshop of the School Board Curtailment Committee Community Workshop. Citizens were invited to share thoughts and ideas of how to address the needs of the school department in light of the reduction in state subsidy.

Citizen Opportunity for Discussion of Items Not on the Agenda

Fred Prince, 2 Rocky Hill Road

Mr. Prince provided a handout to the Town Council regarding health care. He encourages the Town Council to reduce costs by changing health care benefits and compensation. Mr. Prince previously appeared before the Town Council to share his ideas on health care costs.

Town Manager's Report

Manager McGovern thanked the anonymous donor who donated the wreath at Portland Head Light. The wreath was unveiled on Friday, December 11 at 1:00 p.m. by the U.S. Coast Guard. In attendance were Councilors Jordan and Lennon, and Immediate Past Town Council Chairman Jim Rowe.

Review of Minutes of Meeting held November 9, 2009

Moved by David S. Sherman, Jr. and Seconded by Sara W. Lennon

Ordered the Cape Elizabeth Town Council approves the Minutes of Meeting #17-2009 held November 9, 2009 as presented.

(7 yes) (0 no)

Item# 2-2010 Adoption of Town Council Rules

Moved by David S. Sherman, Jr. and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council approves the Town Council Rules 2010 as presented.

(7 yes) (0 no)

Item# 3-2010 Appointment of the Finance Committee

Moved by Penelope A. Jordan and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council elects Sara W. Lennon as Chairman of the Finance Committee and the Town Council as a whole to serve as the Finance Committee.

(7 yes) (0 no)

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Item# 4-2010 Appointment of an Ordinance Committee

Moved by Sara W. Lennon and Seconded by Penelope A. Jordan

Ordered the Cape Elizabeth Town Council elects David S. Sherman, Jr. as Chairman of the Ordinance Committee and Frank J. Governali and James T. Walsh as members.

(7 yes) (0 no)

Item# 5-2010 Appointment of an Appointments Committee

Moved by David S. Sherman, Jr. and Seconded by Sara W. Lennon

Ordered the Cape Elizabeth Town Council elects Penelope A. Jordan as Chairman of the Appointments Committee and Sara W. Lennon and Jessica L. Sullivan as members.

(7 yes) (0 no)

Item# 6-2010 Appointment of Representatives to ecomaine Board of Directors

Moved by Sara W. Lennon and Seconded by David S. Sherman, Jr.

Ordered the Cape Elizabeth Town Council elects Penelope A. Jordan and Michael K. McGovern as representatives to ecomaine Board of Directors.

(7 yes) (0 no)

Item# 7-2010 Appointment of Representative to Greater Portland Council of Governments Executive Committee

Moved by Jessica L. Sullivan and Seconded by Sara W. Lennon

Ordered the Cape Elizabeth Town Council elects James T. Walsh as a representative to the Greater Portland Council of Governments Executive Committee.

(7 yes) (0 no)

Item# 8-2010 Appointment of Representative and Alternate to Greater Portland Council of Governments General Assembly

Moved by David S. Sherman, Jr. and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council elects Sara W. Lennon as representative to the Greater Portland Council of Governments General Assembly and Frank J. Governali, alternate.

(7 yes) (0 no)

Item# 9-2010 Appointment of Representative to PACTS Policy Committee

Moved by Sara W. Lennon and Seconded by Penelope A. Jordan

Ordered the Cape Elizabeth Town Council elects Michael K. McGovern as representative to the PACTS Policy Committee.

(7 yes) (0 no)

Item# 10-2010 Appointment of Representative to Thomas Memorial Library Foundation

Moved by David S. Sherman, Jr. and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council appoints Jessica L. Sullivan as representative to the Thomas Memorial Library Foundation.

(7 yes) (0 no)

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Item# 11-2010 Representatives to Ad Hoc Municipal Committees

Moved by Sara W. Lennon and Seconded by Jessica L. Sullivan

Ordered the Cape Elizabeth Town Council appoints the following representatives to ad hoc municipal committees.

(7 yes) (0 no)

Sara W. Lennon- Alternative Energy Committee
Penelope A. Jordan-Municipal operations Review Committee
David S. Sherman, Jr. - Municipal Operations Review Committee
Penelope A. Jordan- Health Insurance Review Committee
Note: James T. Walsh also continues as a member of the Health Insurance Review Committee having originally been appointed as a citizen representative.

Item# 12-2010 Appointments Committee Recommendations

Moved by Penelope A. Jordan and Seconded by David S. Sherman, Jr.

Ordered the Cape Elizabeth Town Council appoints the following individuals to serve as presented.

(7 yes) (0 no)

Board	Recommended	Term Expires	Address
Board of Assessment Review	Christopher C. Lynch	12/31/2012	880 Shore Road
Arts Commission	Aaron Mosher	12/31/2010	6 Leighton Farms Road
Arts Commission	Douglas A. McFadd	12/31/2011	25 Broad Cove Road
Arts Commission	Tina Harnden	12/31/2012	9 Avon Road
Arts Commission	Wendy Seltzer	12/31/2012	280 Mitchell Road
Community Services	Stephanie Carver	12/31/2011	40 Stonybrook Road
Conservation Commission	Dena R. DeSena	12/31/2012	11 Wainwright Drive
Conservation Commission	Marti Blair	12/31/2012	3 Cedar Ledge Road
Fort Williams Advisory Commission	Richard Dunham	12/31/2012	30 Ocean View Road
Fort Williams Advisory Commission	Daniel S. Chase	12/31/2012	26 Stonybrook Road
Personnel Appeals Board	TBD	12/31/2012	TBD
Planning Board	Victoria Volent	12/31/2012	58 Cottage Farms Road
Planning Board	Liza Quinn	12/31/2012	24 Ocean View Road
Planning Board	Beth C. Richardson	12/31/2012	59 Belfield Road
Recycling Committee	Mary Brock	12/31/2012	60 Eastman Road
Recycling Committee	Sharon L. Roberts	12/31/2012	185 Fowler Road
Riverside Memorial Cemetery Trustees	Jessie Timberlake	12/31/2012	19 Hunts Point Road
Thomas Memorial Library Trustees	Jennifer Healy	12/31/2011	79 Oakhurst Road
Thomas Memorial Library Trustees	Michael Moore	12/31/2012	10 Manor Way
Thomas Memorial Library Trustees	Nancy M. O'Sullivan	12/31/2012	22 Cross Hill Road
Zoning Board of Appeals	Thomas Kinley	12/31/2010	1159 Shore Road
Zoning Board of Appeals	Peter A. Howe	12/31/2012	75 Two Lights Road
Zoning Board of Appeals	David Johnson	12/31/2012	30 Eastfield Road
Fair Hearing Officer	Michael F. Vaillancourt	12/31/2011	55 Stonybrook Road

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Item# 13-2010 Acceptance of 2009 Gifts and Donations

Moved by David S. Sherman, Jr. and Seconded by Sara W. Lennon

Ordered the Cape Elizabeth Town Council accepts with appreciation the gifts of money and donation of services as presented.

(7 yes) (0 no)

See attachment.

Item# 14-2010 Post Construction Storm water Management Ordinance

Moved by David S. Sherman, Jr. and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council refers to the Ordinance Committee a draft ordinance that would bring the Town of Cape Elizabeth into compliance with the Maine Department of Environmental Protections MS4 general permit and into compliance with the Federal Clean Water Act.

(7 yes) (0 no)

Item# 15-2010 Update on 2008 Bond

Intro – Manager McGovern

Moved by Sara W. Lennon and Seconded by Frank J. Governali

Ordered the Cape Elizabeth Town Council approves the recommendation of the Town Manager that \$52,000 of the unallocated amount of the 2008 Bond be provided to add to an anticipated \$85,000 in stimulus funds for lighting updates at the High School, Middle School, Elementary School and Community Center.

(7 yes) (0 no)

Item# 16-2010 Grant Application to Maine PUC for \$85,000 in ARRA Funds for an Energy Efficiency Community Block Grant

Intro – Manager McGovern

Moved by David S. Sherman, Jr. and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council approves the recommendation of the Town Manager to approve a grant application in the amount of \$85,000 to the Maine Public Utilities Commission for an American Recovery and Reinvestment Act Grant for lighting updates within the school buildings and the community center.

(7 yes) (0 no)

Item# 17-2010 Update on Refinancing of 1998 and 1999 Bonds

Intro – Manager McGovern

Moved by Sara W. Lennon and Seconded by Penelope A. Jordan

Ordered the Cape Elizabeth Town Council credits the School Department the amount of \$73,110.35 which is the premium on the school portion of the bonds from the refinancing of the 1998 and 1999 Bonds.

(7 yes) (0 no)

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Item# 18-2010 Report from Fort Williams Advisory Commission
Present – Dan Chase, Chairman of the Fort Williams Advisory Commission

Moved by David S. Sherman, Jr. and Seconded by Jessica L. Sullivan
Ordered the Cape Elizabeth Town Council acknowledges receipt of the report of the Fort Williams Advisory Commission entitled Proposal to Make Fort Williams Park Financially Self-Sustaining Dated December 4, 2009 and to consider its recommendations in early 2010.
(7 yes) (0 no)

Item# 19-2010 Municipal Infrastructure Stewardship Plan 2011-2021
Intro – Manager McGovern

Moved by Sara W. Lennon and Seconded by Frank J. Governali
Ordered the Cape Elizabeth Town Council acknowledges receipt of the 10 year Municipal Infrastructure Stewardship Plan for 2011-2021 as prepared by the Michael McGovern, Town Manager and to consider its recommendations in future budgets.
(7 yes) (0 no)

Citizen Opportunity for Discussion of Items Not on the Agenda **None**

Thanks to Lillian Bates and new camera operator Rick Liberty for their work in cable casting town meetings.

Adjournment

Moved by Sara W. Lennon and Seconded by David S. Sherman, Jr.
Ordered the Cape Elizabeth Town Council adjourns at 8:26 p.m.
(7 yes) (0 no)

Following the regular meeting, the Town Council convened in their roles as the Board of Directors of the Thomas Jordan Trust and Museum at Portland Head Light.

Respectfully Submitted,

Debra M. Lane, Town Clerk