

CAPE ELIZABETH TOWN COUNCIL AGENDA
Regular Meeting # 12-2010
Cape Elizabeth Town Hall
Monday, September 13, 2010
7:30 p.m.

Roll Call by the Town Clerk

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

The Pledge of Allegiance to the Flag
Town Council Reports and Correspondence
Citizen Opportunity for Discussion of Items Not on the Agenda
Town Manager's Report
Review of [Minutes](#) of Meeting held August 9, 2010

Public Comment: Rudy's of the Cape Liquor License Renewal

Item# 106-2010 **[Rudy's of the Cape Liquor License Renewal](#)**
 Julie S. and Charles L. Barnes have applied for a renewal of the malt and vinous license for Rudy's of the Cape located at 517 Ocean House Road.

Public Hearing-Tree Ordinance Amendments

Item# 107-2010 **[Tree Ordinance](#)**
 It is recommended to adopt the amendments.

Public Hearing- Pay Per Throw Option

Item# 108-2010 **[Pay Per Throw](#)**
 The Town Council wishes to hear public comments on the option of implementing a pay per throw system at the Town Recycling Center.
[Background Material](#)

Item# 109-2010 **[Property Assessed Clean Energy Ordinance](#)**
 Efficiency Maine is offering to provide a service to Maine municipalities so that owners of qualified properties can access financing for energy savings improvements. This proposal is pursuant to Public Law 2009, Chapter 591 of the 124th Maine State Legislature -- "An Act To Increase the Affordability of Clean Energy for Homeowners and Businesses," also known as "the Property Assessed Clean Energy Act" or "the PACE Act" (codified at 35-A M.R.S.A. § 10151, *et seq.*). It is proposed to refer the draft ordinance to the Ordinance Committee. [Frequently Asked Questions](#)

- Item# 110-2010** **Personal Property Tax Accounts**
 The tax collector is recommending the abatement of six personal property tax accounts dating from FY 2004 and amounting to a total of \$1,235.96.
- Item# 111-2010** **Comprehensive Plan**
 The Town Council will have a discussion relating to implementation of the 2007 Comprehensive Plan.
- Item# 112-2010** **Request for Hardship Abatement**
 A property owner has asked for an abatement of property taxes by reason of infirmity or poverty. Pursuant to 36 MRSA §841 2.G applications are confidential and hearings and reviews on any such requests are held in executive session. The decision is made in public but without disclosing the identity of the applicant.

**Citizen Opportunity for Discussion of Items Not on the Agenda
 Adjournment**

Financials- August 31, 2010

Upcoming Meetings

Finance Committee Meeting Re: Audit Presentation	October 4, 2010	7:00 p.m.
Town Council Workshop Re: Fort Williams Park	October 4, 2010	7:30 p.m.
Regular Town Council Meeting	October 13, 2010	7:30 p.m.
Town Council Workshop Re: Pending Issues	November 1, 2010	7:30 p.m.
Regular Town Council Meeting	November 8, 2010	7:30 p.m.
Town Council Workshop Re: Council goal setting	December 6, 2010	7:30 p.m.
Regular Town Council Meeting	December 13, 2010	7:30 p.m.

Town of Cape Elizabeth

Public Participation at Town Council Meetings

After an item has been introduced, any person wishing to address the council shall signify a desire to speak by raising their hand or by approaching the lectern. When recognized by the chairman, the speaker shall give his or her name and address or name and local affiliation, if the affiliation is relevant, prior to making other comments. All remarks should be addressed to the Town Council. Comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present. For agenda items that are not formally advertised public hearings, the time for public comments is limited to 15 minutes per agenda item. This time may be extended by a majority of the Town Council. The chairman may decline to recognize any person who has already spoken on the same agenda item and may call on speakers in a manner so as to balance debate. Once the Council has begun its deliberations on an item, no person shall be permitted to address the Council on such item.

Speaking at the meeting on topics not on the agenda at regular Council meetings

Persons wishing to address the Council on an issue or concern local in nature not appearing on the agenda may do so at a regular Town Council meeting before the town manager's report and/or after the disposition of all items appearing on the agenda. Any person wishing

to address the Council shall signify a desire to speak by raising their hand or by approaching the lectern. When recognized by the chairman, the speaker shall give his or her name and address or name and local affiliation if the local affiliation Council. Comments in each comment period shall be limited to three minutes per person and 15 minutes total; however, the time may be extended by majority vote of councilors present.

Decorum

Persons present at Council meetings shall not applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting. Persons at Council meetings may only address the Town Council after being recognized by the chairman.