CAPE ELIZABETH TOWN COUNCIL MINUTES

Regular Meeting # 9-2010 Cape Elizabeth Town Hall Monday, June 14, 2010 7:30 p.m.

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

The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

Councilor Sullivan announced the Open Space & Greenbelt Management Public Forum to be held on Wednesday, June 16, 2010, 7:00 p.m. in the Council Chamber at Town Hall. The forum will be televised.

Councilor Sherman noted the next meeting of the Municipal Operations Review Committee on Thursday, June 17, 2010 at 7:00 a.m. (The meeting is scheduled for the AM). Congratulations to the Cape Elizabeth High School Boys' Tennis Team State Champions. Thank you to the fire and rescue companies for the parade welcoming back the team.

Councilor Jordan reminded residents of the 2^{nd} Annual Strawberry Festival to be held on Saturday, June 26, 2010 at Maxwell's fields on Two Lights Road. The festival, sponsored by the Cape Elizabeth Farm Alliance, will be held from 9:00 a.m. -3:00 p.m. Congratulations to the 2010 CEHS graduates.

Councilors Jordan, Lennon and Walsh congratulated the 2010 CEHS graduates and wished them well.

Chair Swift-Kayatta thanked the organizers and participants of the Memorial Day Parade including Jim Huebener, Debra Lane, and town and school staff. Special thanks to the Veterans for their participation. Thank you to Debra Lane and the election staff for their hard work during the June 8 elections.

Citizen Opportunity for Discussion of Items Not on the Agenda None

Town Manager's Report

Manager McGovern thanked Debra Lane and the election staff for their work on Election Day and the weeks prior during absentee balloting.

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Review of Minutes of Meeting held May 10, May 13, May 24 and May 25

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

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #5-2010 held May 10, 2010 as amended.

(7 yes) (0 no)

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

Ordered the Cape Elizabeth Town Council approves the minutes of Special Meeting #6-2010 held May 13, 2010 as presented.

(7 yes) (0 no)

Moved by Sara W. Lennon and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council approves the minutes of Special Meeting #7-2010 held May 24, 2010 as presented.

(7 yes) (0 no)

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

Ordered the Cape Elizabeth Town Council approves the minutes of Special Meeting #8-2010 held May 25, 2010 as presented.

(7 yes) (0 no)

Item# 85-2010 Good Table Annual License

Intro – Debra Lane, Town Clerk

Present – Anthony Kostopoulos, Owner

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

Ordered the Cape Elizabeth approves the renewal malt, vinous and spirituous liquor license for Good Table, Inc. 527 Ocean House Road as presented. (7 yes) (0 no)

Item# 86-2010 Shore Road Pathway Grant Application

Intro – Manager McGovern

Maureen O'Meara, Town Planner

Moved by Sara W. Lennon and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council authorizes the grant application for the proposed Shore Road Pathway project Maine Department of Transportation Quality Community Programs Fiscal Years 2012-2013 Application, as amended, with the addition request of up to \$40,000 for a sidewalk on Shore Road from the western edge of the L.P. Murray & Sons property to the intersection with Route 77. The total request for funds totals up to \$709,000.00.

(5 yes) (2 no Councilors Jordan and Sullivan)

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Item# 87-2010 Fort Williams Park Capital Needs

Public Comment

Fred Prince, 2 Rocky Hill Road

"Nice report, show me the money." "This is not a needs list, it is a dream list."

The Town doesn't need to do a lot of what is on the list.

Moved by Sara W. Lennon and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council acknowledges receipt of a report from the Fort Williams Advisory Commission, <u>Identified Capital Needs as of May 2010.</u> (7 yes) (0 no)

Item# 88-2010 Fort Williams Park Revenue

Intro – Councilor Walsh, Council Liaison for Fort Williams Park Revenue

Note: Election Results 6/8/2010

Advisory Referendum

Would you favor the Town establishing a 'pay/display' parking program for Fort Williams Park?

YES 1262

NO 2532

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

Ordered the Cape Elizabeth Town Council schedules a workshop to discuss revenue opportunities and capital needs of Fort Williams Park and to discuss the administrative process of how to address the opportunities and capital needs. (7 yes) (0 no)

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

Ordered the Cape Elizabeth Town Council reaffirms the Town Council vote of February 8, 2010 Item #27-2010 that Fort Williams Park should remain free of any entry charges.

(7 yes) (0 no)

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

Ordered the Cape Elizabeth Town Council defers implementation of the Fort Williams Park Special Revenue Fund as established by Town Council vote on February 8, 2010 Item #27-2010 pending review of generally accepted accounting principals as they relate to revenues and expenditures generated within Fort Williams Park, excluding funds generated on the Portland Head Light property.

(7 yes) (0 no)

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Moved by David S. Sherman, Jr. and Seconded by Frank J. Governali

Ordered the Cape Elizabeth Town Council votes to not move forward with the vehicle parking fee, non-buses, as established by Town Council vote on February 8, 2010 Item #27-2010.

(7 yes) (0 no)

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

Ordered the Cape Elizabeth Town Council votes to not move forward on charging for buses and trolleys for the 2010 and 2011 seasons as originally established by Town Council vote on February 8, 2010 Item #27-2010.

(7 yes) (0 no)

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

Ordered the Cape Elizabeth Town Council incorporates the potential fees for buses discussion into future discussions relative to revenue for Fort Williams Park. (7 yes) (0 no)

Item# 89-2010 Appointments Committee Recommendation

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

Ordered the Cape Elizabeth Town Council approves the request of Councilor Jordan to recuse herself from discussion and voting on this item due to a conflict of interest because a family member is an applicant.

(6 yes) (1 Abstention Councilor Jordan)

Intro – Chair Swift-Kayatta, Appointments Committee Pro Tem

Moved by Anne E. Swift-Kayatta and Seconded by Sara W. Lennon

Ordered the Cape Elizabeth Town Council approves the recommendation from the Appointments Committee to appoint Carol Anne Jordan, 21 Wells Road to serve the unexpired term on the Planning Board. The term is effective immediately and expires December 31, 2012.

(6 yes) (1 Abstention Councilor Jordan)

Item# 90-2010 Appropriation Adjustments FY 2010

Intro – Manager McGovern

Moved by James T. Walsh and Seconded by Sara W. Lennon

Ordered the Cape Elizabeth Town Council authorizes the Town Manager's recommended adjustments to the Fiscal Year 2010 budget as presented.

- Increase Human Services from \$32,484 to \$52,484
- Increase Library from \$431,196 to \$436,196
- Increase Debt Service from \$1,164,116 to \$7,000,000
- Decrease Public Works from \$1,013,144 to \$988,144

(7 yes) (0 no)

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Item# 91-2010 **Police Mutual Aid Agreement**

Present – Chief Williams

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

Ordered the Cape Elizabeth Town Council authorizes Police Chief Neil R. Williams to sign the updated police mutual aid agreement, Agreement Between Municipalities in Cumberland County to Provide Mutual Aid, as presented.

(7 yes) (0 no)

See attachment.

Item# 92-2010 **MMA Election Process Request**

Intro – Chair Swift-Kayatta

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

Ordered the Cape Elizabeth Town Council approves the request from the Town of Hermon to place Clinton Deschene, Town Manager of Hermon on the ballot for Maine Municipal Association Vice President.

(7 yes) (0 no)

Citizen Opportunity for Discussion of Items Not on the Agenda

Fred Prince, 2 Rocky Hill Road

"The Town will be receiving less money from the State of Maine." Expenses should be reviewed monthly. The Town should charge individuals who participate in the Beach to Beach 10K Road Race.

Adjournment

Moved by Sara W. Lennon and Seconded by James T. Walsh Ordered the Cape Elizabeth Town Council adjourns at 9:39 p.m. (7 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk

Upcoming Meetings

Town Council Workshop	June 15, 2010	7:30 p.m.
Town Council Workshop	July 12, 2010	6:00 p.m.
Regular Town Council Meeting	July 12, 2010	7:30 p.m.
Regular Town Council Meeting	August 9, 2010	7:30 p.m.