

**CAPE ELIZABETH TOWN COUNCIL AGENDA**  
**Regular Meeting # 11-2011**  
**Cape Elizabeth Town Hall**  
**Monday, August 8, 2011**  
**7:30 p.m.**

**Roll Call by the Town Clerk**

<b>David S. Sherman, Jr., Chair</b>	<b>Term Expires 12/2011</b>	<a href="mailto:dsherman@dwmlaw.com">dsherman@dwmlaw.com</a>
<b>Frank J. Governali</b>	<b>Term Expires 12/2013</b>	<a href="mailto:frank.governali@capeelizabeth.org">frank.governali@capeelizabeth.org</a>
<b>Caitlin R. Jordan</b>	<b>Term Expires 12/2013</b>	<a href="mailto:caitlin.jordan@capeelizabeth.org">caitlin.jordan@capeelizabeth.org</a>
<b>Sara W. Lennon</b>	<b>Term Expires 12/2012</b>	<a href="mailto:slennon@maine.rr.com">slennon@maine.rr.com</a>
<b>Jessica L. Sullivan</b>	<b>Term Expires 12/2012</b>	<a href="mailto:jsullivan08@maine.rr.com">jsullivan08@maine.rr.com</a>
<b>Anne E. Swift-Kayatta</b>	<b>Term Expires 12/2011</b>	<a href="mailto:aeskay@maine.rr.com">aeskay@maine.rr.com</a>
<b>James T. Walsh</b>	<b>Term Expires 12/2012</b>	<a href="mailto:jim.walsh@capeelizabeth.org">jim.walsh@capeelizabeth.org</a>

**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 July 11, 2011 Meeting](#)

**Public Hearing; Malt and Vinous License for Ocean House Pizza**

**Item # 117-2011 [Ocean House Pizza Malt and Vinous License](#)**

The Ocean House Pizza restaurant at Pond Cove Shopping Center is now under new management and the new owners (CAG Inc.) are applying for the malt and vinous license in its name.

**Item # 118-2011 [Purchasing Procedure](#)**

The town manager is recommending proposed amendments to the purchasing procedures.

The proposed amendments include:

- Provisions relating to the use of municipal credit cards
- A provision that technology hardware and software purchases shall take advantage of the school department's bulk purchasing
- A requirement that health insurance coverage be placed out to bid at least once every five years and as often as every three years
- A requirement that routine engineering services be placed out for competitive review at least once every five years and as often as every three years
- Membership based risk management coverage shall be reviewed by external parties at least every five years
- No item no longer needed may be sold to a municipal or school employee unless the sale is through a bid and the availability of the item has been posted for a t least seven days in every department

**Item # 119-2011**    [Shore Road Pathway Update](#)                      [Related Material](#)

The town manager will provide a brief update on the Shore Road pathway project and is recommending:

- The Town Council authorize acceptance of a sidewalk [easement](#) and temporary construction easement from Key Bank
- The Town Council authorize the acceptance of an easement adjacent to Pond Cove Brook in an form acceptable to the Town Attorney.
- The Town Council accept a \$104,500 donation from SAFE with appreciation.

**Item # 120-2011**    [Future Open Space Committee Progress Report](#)

The FOSP Committee has provided a progress report of their work.

**Item # 121-2011**    [MMA Annual Ballot for Officers](#)

It is time to cast the annual ballot for MMA officers.

**Item # 122-2011**    [Surplus Policy](#)

The town manager has updated information on the proposed amendments to our surplus policy.

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

[Link to July 31, 2011 Financial Reports](#)

[Link to Miscellaneous Correspondence](#)

**Adjournment**

**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.