

**CAPE ELIZABETH TOWN COUNCIL AGENDA**  
**Regular Meeting # 1-2012**  
**Cape Elizabeth Town Hall**  
**Monday, December 12, 2011**  
**7:00 p.m.**

**Oaths of Office Administered by the Town Clerk**

Officials Elected November 8, 2011

**Cape Elizabeth School Board**

For Three Year Terms to Expire on December 8, 2014

*Joanna L. Morrissey*

*Elizabeth K. Scifres*

For Two Year Term to Expire on December 9, 2013

*Mary E. Townsend*

**Cape Elizabeth Town Council**

For Three Year Terms to Expire on December 8, 2014

*Katharine N. Ray*

*David S. Sherman, Jr.*

**Roll Call by the Town Clerk**

Sara W. Lennon	Term Expires 12/2012	<a href="mailto:slennon@maine.rr.com">slennon@maine.rr.com</a>
Frank J. Governali	Term Expires 12/2013	<a href="mailto:frank.governali@capeelizabeth.org">frank.governali@capeelizabeth.org</a>
Caitlin R. Jordan	Term Expires 12/2013	<a href="mailto:caitlin.jordan@capeelizabeth.org">caitlin.jordan@capeelizabeth.org</a>
Katharine N. Ray	Term Expires 12/2014	<a href="mailto:katharine.ray@capeelizabeth.org">katharine.ray@capeelizabeth.org</a>
David S. Sherman, Jr.	Term Expires 12/2014	<a href="mailto:dsherman@dwmlaw.com">dsherman@dwmlaw.com</a>
Jessica L. Sullivan	Term Expires 12/2012	<a href="mailto:jsullivan08@maine.rr.com">jsullivan08@maine.rr.com</a>
James T. Walsh	Term Expires 12/2012	<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 [Draft Minutes](#) of November 14, 2011 Meeting

**Item# 1-2012**

**Election of a Town Council Chair for Council Year 2012**

Sara W. Lennon

On this and the other items relating to council organization, the names listed are the persons who appeared to be the consensus choices at the Town Council caucus. [Link to Full Caucus Results](#)

**Council Appreciation to Past Chair David S. Sherman, Jr.**

- Item# 2-2012**      [Town Council Rules for 2012](#)  
Adoption is recommended. The chief change is for meetings to begin at 7:00 p.m.
- Item# 3-2012**      **Appointment of the Finance Committee**  
Frank J. Governali as chairman and the Council as a whole to serve as the finance committee
- Item# 4-2012**      **Appointment of an Ordinance Committee**  
James T. Walsh as chairman and Katharine N. Ray and David S. Sherman, Jr. as members
- Item# 5-2012**      **Appointment of an Appointments Committee**  
Jessica L. Sullivan as chairman and Frank J. Governali and Caitlin R. Jordan as members
- Item# 6-2012**      **Appointment of Representatives to ecomaine Board of Directors**  
David S. Sherman, Jr. and Michael K. McGovern for terms to expire on December 31, 2013
- Item# 7-2012**      **Appointment of Representative to Greater Portland Council of Governments Executive Committee**  
James T. Walsh
- Item# 8-2012**      **Appointment of Representative and Alternate to Greater Portland Council of Governments General Assembly**  
Sara W. Lennon  
Caitlin R. Jordan, Alternate
- Item# 9-2012**      **Appointment of Representative to PACTS Policy Committee**  
Michael K. McGovern
- Item# 10-2012**      **Appointment of Representative to MMA Legislative Policy Committee and MMA Convention Delegate**  
Katharine N. Ray
- Item# 11-2012**      **Appointment of Representative to Thomas Memorial Library Foundation**  
Jessica L. Sullivan
- Item# 12-2012**      **Appointment of Representative to Alternative Energy Committee**  
Frank J. Governali
- Item# 13-2012**      **Appointment of Representative to Greater Portland Economic Development Corporation**  
Michael K. McGovern
- Item# 14-2012**      **Appointment of Continuing Representatives to Future Open Space Preservation Committee**  
Frank J. Governali, Caitlin R. Jordan and Jessica L. Sullivan

**Item# 15-2012      Designation of Town Council Liaisons to Boards and Commissions for 2012**

The responsibility of a **Town Council liaison** in 2012 is as follows:

- Facilitate two way communication regarding the Town Council goal relating to work plans.
- Continue a dialogue regarding strengthening opportunities for public knowledge of board activities.
- Assist in the evaluation of practices to enhance effective public participation at board meetings.
- Assist in monitoring progress on Town Council goals related to a committee’s activity.
- A liaison is not a committee member and does not participate in any votes.

<b>Board</b>	<b>2012 Town Council Liaison</b>
Board of Assessment Review	Caitlin R. Jordan
Community Services Advisory Commission	Sara W. Lennon
Conservation Commission	Jessica L. Sullivan
Fort Williams Advisory Commission	James T. Walsh
Local Legislative Delegation	Sara W. Lennon and Frank J. Governali
Personnel Appeals Board	David S. Sherman, Jr.
Planning Board	David S. Sherman, Jr.
Recycling Committee	Caitlin R. Jordan
Riverside Memorial Cemetery Trustees	Frank J. Governali
Thomas Memorial Library Trustees	Jessica L. Sullivan
Zoning Board of Appeals	James T. Walsh
Fair Hearing Officer	Katharine N. Ray
School Board	Sara W. Lennon
Family Fun Day Volunteers	David S. Sherman, Jr.

**Item# 16-2012      Notice of Proposed Meeting Schedule for 2012**  
**All Meetings Begin at 7:00 p.m. Except for Nov 14 Caucus**  
**Please check [www.capeelizabeth.com](http://www.capeelizabeth.com) for updates and related material**

	Regular Meeting	Workshop Meeting	Finance Committee
January	9	11	11 (As part of Workshop)
February	13	6	
March	12	5	
April	9 and 26		2,4,9,11,12,26
May	14		
June	11	4	
July	9		
August	13		
September	10	5	
October	10 (Wednesday)	1	1 (As part of Workshop)
November	14 (Wednesday)	14 (Caucus)	
December	10	3	

**Item# 17-2012      Notice of Proposed Budget Review Schedule**

**Budget Review Meetings**

Finance Committee Review of Accounts 100, 200, 400, 500, 600-635	Monday, April 2, 2012
Finance Committee Review of Municipal 300 and 640-660 and Special Funds	Wednesday, April 4, 2012
Finance Committee Wrapup of Municipal Budget 6 p.m. (if needed)	Monday, April 9, 2012
Regular Town Council Meeting Including Opportunity for Budget Public Comments	Monday, April 9, 2012
Regular School Board Meeting (This is listed for informational purposes)	Tuesday, April 10, 2012
Finance Committee School Budget Presentation from School Board 7:30 p.m.	Wednesday, April 11, 2012
Finance Committee Wrapup	Thursday, April 12, 2012
Set Budget for Public Hearing	Thursday, April 12, 2012
Budget Public Hearing	Thursday, April 26, 2012
Town Council Final School Budget Meeting Vote	Thursday, April 26, 2012

**School Budget Validation Vote**

Citizen Vote on Town Council Adopted School Budget      Tuesday, June 12, 2012

**Item# 18-2012      Appointments Committee Recommendations**

Board	Recommendation	Address	TermExpires
Board of Assessment Review	Michael R. Connell	6 Gladys Road	12/31/2014
Community Services Advisory Commission	Nikki Dresser	921 Shore Road	12/31/2014
Conservation Commission	<b>Mitch Wacksman</b>	9 Bayberry Lane	12/31/2012
Conservation Commission	Richard Bauman	56 Cross Hill Road	12/31/2014
Conservation Commission	John J. Plainensek	16 Arrow Point Road	12/31/2014
Fort Williams Advisory Commission	William Brownell	9 Cedar Ledge Road	12/31/2014
Fort Williams Advisory Commission	Donald L. Head	12 Heron Point	12/31/2014
Fort Williams Advisory Commission	William E. Nickerson	7 Mountain View Road	12/31/2014
Personnel Appeals Board	Roger A. Bishop	10 Leighton Farm Road	12/31/2014
Planning Board	Josef Chalot	12 Channel View Road	12/31/2014
Planning Board	Peter L. Curry	8 Stonybrook Road	12/31/2014
Recycling Committee	David C. Ernst	4 Fox Hill Road	12/31/2014
Recycling Committee	John J. Kane	6 Cape Woods Drive	12/31/2014
Riverside Memorial Cemetery Trustees	Gerald B. Sherry	19 Starboard Drive	12/31/2014
Thomas Memorial Library Trustees	<b>Judith McManamy</b>	6 Champion Road	12/31/2012
Thomas Memorial Library Trustees	Blaine S. Grimes	2 Park Circle	12/31/2014
Thomas Memorial Library Trustees	Julia Bassett-Schwerin	6 Cottage Lane #2	12/31/2014
Zoning Board of Appeals	<b>Barry D. Hoffman</b>	291 Spurwink Avenue	12/31/2012
Zoning Board of Appeals	Josh Carver	40 Stonybrook Road	12/31/2014
Zoning Board of Appeals	John C. Thibodeau	21 Salt Spray Lane	12/31/2014
<i>New appointments are effective 1/1/2012 unless otherwise noted.</i>			
<b><i>Mitch Wacksman, Judith McManamy and Barry Hoffman are effective upon appointment.</i></b>			

**Item# 19-2012**      **Purpoodock Club Renewal Licenses for Malt, Vinous, Spirituous and Special Amusement Permit.** [Link to Application](#)  
Approval is recommended

**Item # 20-2012**      **Annual Acceptance of Gifts**  
[Link to List](#)  
It is proposed that the Town Council accept with appreciation gifts received by the Town since December 2010. The Town Council has previously accepted gifts for the Shore Road Pathway.

**Item # 21-2012**      **Open Space Management Committee Report**  
It is proposed to refer to the Ordinance Committee a review of the proposed policies in the Open Space Management Committee Report for possible inclusion in the Code of Ordinances.

**Item # 22-2012**      **Alternative Energy Committee**  
It is proposed to extend the term of the Alternative Energy Committee from December 31, 2011 to December 31, 2012 as the committee continues to propose innovative measures to address energy consumption

**Item # 23-2012**      **Update of the Subdivision Ordinance**  
It is proposed to refer to the Planning Board responsibility for developing proposed amendments to the subdivision ordinance as recommended in the comprehensive plan

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

**Item # 24-2012**      **Land Acquisition Disposition Matter**  
It is recommended that the Town Council in conformance with 1 MRSA §405 6 C enter executive session to discuss a land acquisition/disposition matter regarding a [request](#) for a driveway exit from 349 Ocean House RD onto the CEHS driveway exit road.

**Item # 25-2012**      **Property Tax Abatement Request Due to Infirmity or Poverty**  
It is recommended that the Town Council in conformance with 1 MRSA §405 6 F enter executive session to review a request for a poverty abatement

#### **Adjournment**

#### **[Link to Financial Reports \(as of November 30, 2011\)](#)**

#### **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.