

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

Roll Call by the Town Clerk

Present Absent

David S. Sherman, Jr., Chair	Term Expires 12/2011	X		dsherman@dwmlaw.com
Frank J. Governali	Term Expires 12/2013	X		frank.governali@capeelizabeth.org
Caitlin R. Jordan	Term Expires 12/2013	X		caitlin.jordan@capeelizabeth.org
Sara W. Lennon	Term Expires 12/2012		X	slennon@maine.rr.com
Jessica L. Sullivan	Term Expires 12/2012	X		jsullivan08@maine.rr.com
Anne E. Swift-Kayatta	Term Expires 12/2011	X		aeskay@maine.rr.com
James T. Walsh	Term Expires 12/2012	X		jim.walsh@capeelizabeth.org
Michael K. McGovern, Town Manager		X		
Debra M. Lane, Town Clerk		X		

The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

Councilor Swift-Kayatta reported that Michael McGovern has been accepted as having met the professional development criteria of the Maine Town and City Management Association re-certification program. Manager McGovern is one of the select few certified town managers in the State of Maine. Congratulations Michael!

Councilor Walsh as Chair of the Ordinance Committee recently attended a meeting of the Planning Board presenting a referral from the Ordinance Committee regarding a possible consideration to rezone 2 parcels currently within the growth areas. Presentation of the Ordinance Committee report to the Planning Board is part of the new communications strategy.

Chair Sherman commended the various town departments, community volunteers and participants for supporting the Beach to Beach 10K Road Race held on Saturday, August 6. Chair Sherman commented that this “special event” brings the community together and he noted the number of family combinations that participated this year.

Upcoming Event - Sunday, August 21 Cape Elizabeth Land Trust Tri for Preservation
 For more information regarding this triathlon visit www.capelandtrust.org.

Town Clerk Debra Lane reminded residents of the District #121 Special Election on Tuesday, August 16. Nomination papers for the November 8 municipal election for town council and school board are available. The deadline to submit nomination papers is Friday, September 9.

Citizen Opportunity for Discussion of Items Not on the Agenda

Randi Bollenbach, 51 Belfield Road

Ms. Bollenbach is opposed to a new library. The current library is “adequate,” although it may need work, repair or updating. “Hard to imagine new building and parking is needed.” Library serves the current needs, MINERVA changes the way the library is used. “Programming can be done anywhere, doesn’t necessarily have to be tied to the library.”

Town Manager's Report

Manager McGovern thanked everyone for their efforts on Beach to Beacon. He thanked the various town departments and community services for their work as well as assistance from other communities. There are approximately 1000 staff and volunteers to make this event happen. Welcome to Meredith Nadeau, Superintendent of Schools.

Review of Minutes July 11, 2011 Meeting

Moved by Anne E. Swift-Kayatta and Seconded by Jessica L. Sullivan

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #10-2011 held July 11, 2011 as presented.

(6 yes) (0 no)

Item # 117-2011 Ocean House Pizza Malt and Vinous License

Public Hearing; Malt and Vinous License for Ocean House Pizza

Present – Applicant, C.A.G. Inc., Mr. Gikas

Chair Sherman opened the public hearing at 7:43 p.m.
After hearing no comments the hearing was closed.

Moved by Anne E. Swift-Kayatta and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council approves the new malt and vinous liquor license for C.A.G. Inc., DBA Ocean House Pizza 337 Ocean House Road as presented.

(6 yes) (0 no)

Item # 118-2011 Purchasing Procedure

Moved by Anne E. Swift-Kayatta and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council approves the proposed amendments to the purchasing procedures as recommended by the Town Manager as presented.

(6 yes) (0 no)

See attachment.

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

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- 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

Intro – Manager McGovern

Moved by James T. Walsh and Seconded by Frank J. Governali

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Shore Road Pathway update and

- Authorizes acceptance of a sidewalk easement and temporary construction easement from Key Bank,
- Authorizes the acceptance of an easement adjacent to Pond Cove Brook in an form acceptable to the Town Attorney, and
- Accepts a \$104,500 donation from SAFE with appreciation.

(6 yes) (0 no)

Item # 120-2011 Future Open Space Committee Progress Report

Intro – Councilor Sullivan, Member of FOSP

Moved by James T. Walsh and Seconded by Jessica L. Sullivan

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Future Open Space Committee progress report.

(6 yes) (0 no)

Item # 121-2011 MMA Annual Ballot for Officers

Intro – Councilor Swift-Kayatta

Moved by Anne E. Swift-Kayatta and Seconded by Frank J. Governali

Ordered the Cape Elizabeth Town Council votes the slate of officers as presented for the Maine Municipal Association Vice President Stephan Bunker, and Directors Errol “Abe” Additon, Beurmond Banville and Laurie Smith.

(6 yes) (0 no)

Item # 122-2011 Surplus Policy

Intro – Manager McGovern

Moved by Jessica L. Sullivan and Seconded by James T. Walsh

Ordered the Cape Elizabeth Town Council schedules a workshop in October 2011 to review proposed amendments to the surplus policy.

(6 yes) (0 no)

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

Adjournment

Moved by James T. Walsh and Seconded by Frank J. Governali
Ordered the Cape Elizabeth Town Council adjourns at 8:18 p.m.
(6 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk