

**CAPE ELIZABETH TOWN COUNCIL MINUTES**  
**Regular Meeting # 13-2011**  
**Cape Elizabeth Town Hall**  
**Monday, September 12, 2011**  
**7:30 p.m.**

**Roll Call by the Town Clerk**

**Present    Absent**

<b>David S. Sherman, Jr., Chair</b>	<b>Term Expires 12/2011</b>	<b>X</b>	<a href="mailto:dsherman@dwmlaw.com">dsherman@dwmlaw.com</a>
<b>Frank J. Governali</b>	<b>Term Expires 12/2013</b>	<b>X</b>	<a href="mailto:frank.governali@capeelizabeth.org">frank.governali@capeelizabeth.org</a>
<b>Caitlin R. Jordan</b>	<b>Term Expires 12/2013</b>	<b>X</b>	<a href="mailto:caitlin.jordan@capeelizabeth.org">caitlin.jordan@capeelizabeth.org</a>
<b>Sara W. Lennon</b>	<b>Term Expires 12/2012</b>	<b>X</b>	<a href="mailto:slennon@maine.rr.com">slennon@maine.rr.com</a>
<b>Jessica L. Sullivan</b>	<b>Term Expires 12/2012</b>	<b>X</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>	<b>X</b>	<a href="mailto:aeskay@maine.rr.com">aeskay@maine.rr.com</a>
<b>James T. Walsh</b>	<b>Term Expires 12/2012</b>	<b>X</b>	<a href="mailto:jim.walsh@capeelizabeth.org">jim.walsh@capeelizabeth.org</a>
<b>Michael K. McGovern, Town Manager</b>		<b>X</b>	
<b>Debra M. Lane, Town Clerk</b>		<b>X</b>	

**The Pledge of Allegiance to the Flag**

**Town Council Reports and Correspondence**

Councilor Swift-Kayatta announced she will not seek a 5<sup>th</sup> term in November. She thanked her fellow councilors, the school board and town and school staff. Chair Sherman thanked Councilor Swift-Kayatta for her service; she will be missed.

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

**Town Manager's Report            None**

**Review of Minutes of August 8, 2011 Regular Meeting and August 25, 2011 Special Meeting**

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

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #11-2011 held August 8, 2011 and Special Meeting #12-2011 held August 25, 2011 as presented.  
 (7 yes) (0 no)

Councilor Walsh announced the Fort Williams Advisory Commission's Master Plan Public Forum on Wednesday, September 21. The forum will begin at 7:30 p.m. in the Council Chamber at Town Hall. This event will be televised on Channel 3. The Commission looks forward to citizen input.

**Item # 125-2011            Columbus Road Seasonal Hockey Rink Request**

Intro – Ethan and Chris Gillespie

**Moved by Anne E. Swift-Kayatta and Seconded by Caitlin R. Jordan**

Ordered the Cape Elizabeth Town Council approves the request from Ethan Gillespie for a hockey rink at town owned land on Columbus Road pursuant to the same arrangements approved on November 8, 2010. This is the second year for the request.  
 (7 yes) (0 no)

**Item # 126-2011      Short Term Rentals of Homes in Residential Zones**

Intro – Manager McGovern

Chair Sherman opened the item for public comments.

David Volin, 17 Lawson Road

Mr. Volin favors restricting cars and noise to avoid negative impacts on neighborhoods.

Betty Crane, 9 Starboard Drive (former Lawson Road resident)

Mrs. Crane encourages the council to review this issue “before it’s too late.” “Keep the neighborhood a neighborhood.”

Martin Marcoux, representing David Ginn

Mr. Marcoux stated Mr. Ginn’s property is the property discussed in the paper. Concerned about rising taxes, renting is a way of affording the property. Mr. Ginn does limit the number of cars and tries to work with the neighbors. He stated there is a “problem neighbor they can’t make them happy.”

David Ginn, 5 Sea Barn Road

Mr. Ginn stated “the issue is emotional for me. It’s difficult to pay the taxes. I have a four car policy. I feel like I am at war with the neighbors. I don’t complain about other neighbors who have parties, noise and cars parked in the street.”

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

Ordered the Cape Elizabeth Town Council refers short term rentals of homes in residential zones to the Ordinance Committee.

(7 yes) (0 no)

Manager McGovern noted the new town seal on the podium/lectern. The seal was presented to the town from Cumberland County in recognition of their 250<sup>th</sup> anniversary, thank you to Cumberland County. Mr. McGovern also introduced the new Superintendent Meredith Nadeau and welcomed her to Cape Elizabeth.

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

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**Item # 127-2011      Request for Executive Session**

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

Ordered the Cape Elizabeth Town Council, in conformance with 1MRSA §405 6 C, enters into executive session to discuss land acquisition/disposition issues at 7:53 p.m.

(7 yes) (0 no)

The council workshop re: town center will follow the regular meeting.

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

Ordered the Cape Elizabeth Town Council exits executive session and reenters public session at 8:33 p.m.

(7 yes) (0 no)

**Adjournment**

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

Ordered the Cape Elizabeth Town Council adjourns at 8:35 p.m.

(7 yes) (0 no)

Respectfully Submitted,

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Debra M. Lane, Town Clerk