

CAPE ELIZABETH TOWN COUNCIL AGENDA

Regular Meeting # 2-2012

Cape Elizabeth Town Hall

Monday, January 9, 2012

7:00 p.m.

Roll Call by the Town Clerk

Sara W. Lennon, Chairman	Term Expires	12/2012	slennon@maine.rr.com
Frank J. Governali	Term Expires	12/2013	frank.governali@capeelizabeth.org
Caitlin R. Jordan	Term Expires	12/2013	caitlin.jordan@capeelizabeth.org
Katharine N. Ray	Term Expires	12/2014	katharine.ray@capeelizabeth.org
David S. Sherman, Jr.	Term Expires	12/2014	dsherman@dwmlaw.com
Jessica L. Sullivan	Term Expires	12/2012	jsullivan08@maine.rr.com
James T. Walsh	Term Expires	12/2012	jim.walsh@capeelizabeth.org

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 December 12, 2011 Meeting

Item # 26-2012

[Sewer Rates](#)

It is recommended the Town Council set a public hearing on proposed sewer user fees for Monday, February 13, 2012 at 7:00 p.m. at the Cape Elizabeth Town Hall. The proposed rates will be reviewed at a Town Council workshop on Wednesday, January 11, 2012 at 7:00 p.m.

Item # 27-2012

[349 Ocean House Road Easement](#)

It is recommended the Town Council approve an access and utility easement from 349 Ocean House Road the Cape Elizabeth High School driveway with a lump sum payment of \$5,000 to be credited to the Cape Elizabeth School Department. Said easement shall be in such form acceptable to the town attorney.

Item # 28-2012

[Storage Space Lease at Building # 326 at Fort Williams Park](#)

It is recommended the Town Council approve a lease of storage space at Fort Williams Park to Behavioral Health Resources, Inc. for \$37.00 per month. The same lessee is also exercising its option in an existing lease to rent additional space in Building # 326. The total income from all tenants in this building is now \$28,032 annually with one additional lease anticipated.

Item # 29-2012

Fort Williams Park Master Plan

[Caution: Link to 37 MB File](#)

It is recommended the Town Council set a public hearing on proposed revisions to the Fort Williams Park Master Plan for Monday, February 13, 2012 at 7:00 p.m. at the Cape Elizabeth Town Hall. The proposal will be reviewed at a Town Council workshop on Wednesday, January 11, 2012 at 7:00 p.m.

Item # 30-2012

[Fort Williams Park 2012 Vendor Program](#)

It is recommended the Town Council approve the 2012 Fort Williams Park vendor program as recommended by the Fort Williams Advisory Commission

Item # 31-2012

Motor Coach Fee Update

We are making progress on implementing the new motor coach and trolley fees for Fort Williams Park. One specific opportunity is to offer a \$5.00 discount to any vendor bringing in at least 100 buses per year and who agrees to provide the Town a certificate of insurance listing the Town as an additional insured and agrees to work with us on monthly billings. We are continuing to work with the industry to reduce our collection costs and to provide great hospitality to our visitors.

Item # 32-2012

[Capital Stewardship Plan](#)

It is recommended the Town Council acknowledge receipt of the FY 2013-2022 Capital Stewardship Plan and related [spreadsheet](#).

Citizen Opportunity for Discussion of Items Not on the Agenda

Item # 33-2012

Town Manager Annual Evaluation

It is recommended the Town Council in conformance with 1 MRSA §405 6 A enter executive session to begin the annual evaluation of the town manager.

Item # 34-2012

Collective Bargaining

It is recommended the Town Council in conformance with 1 MRSA §405 6 D enter executive session to discuss with the town manager a renewal collective bargaining agreement with Local 340 of the Teamsters representing public works employees. [Link to Current Agreement](#)

Item # 35-2012

Land Acquisition/Disposition/Discussion of Rule 80B Appeal

It is recommended the Town Council in conformance with 1MRSA §405 6 C enter executive session to discuss with the town manager a condition, acquisition or the use of real or personal property permanently attached to real property or interests therein as premature disclosure of the information could prejudice the competitive or bargaining position of the Town. This item relates to a Rule 80B appeal of a recent Planning Board decision regarding the acquisition of a greenbelt easement from the GoldenRidge LLC. The executive session may include instructions on feedback to the town attorney on this appeal. The Town Council could enter executive session in conformance with 1 MRSA §405 6 E if the town attorney is present. Non-confidential material may be found [here](#).

Item # 36-2012

Property Tax Abatement Request Due to Infirmary or Poverty

It is recommended the Town Council in conformance with 1 MRSA §405 6 F enter executive session to review a request for a poverty abatement.

Adjournment

[Financial Update December 31, 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.