

CAPE ELIZABETH TOWN COUNCIL AGENDA

Regular Meeting # 5-2012

Cape Elizabeth Town Hall

Monday, April 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	retbank@maine.rr.com
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 March 12, 2012 Meeting

Public Hearing: Riverside Cemetery Master Plan Update

Item # 55-2012

Riverside Cemetery Master Plan Update

It is recommended to approve the master plan update and to assign \$45,000 from the general fund to complete the stone wall section on Route 77.

[Link to Section 1 of Draft Master Plan](#)

[Link to Section 2 of Draft Master Plan](#)

Item # 56-2012

[Riverside Cemetery Fees](#)

Proposed Riverside Memorial Cemetery Fees

Burial Fees:

Internments: \$600 Full size burial

\$425 Cremation burial

\$150.00 Additional fee charged for Saturday and Holidays

Disinterment: \$1300 Full size internal relocation

\$ 650 Full size disinterment with relocation to another cemetery

\$ 875 Cremation internal relocation

\$ 450. Cremation disinterment with relocation to another cemetery

Foundation Placement: ~~\$.80~~ \$.95 per square inch (effective immediately)

Lot Fees:

~~\$650.00~~ \$750. Full size lot*

~~\$300.00~~ \$400. Cremation lot*

**Effective September 1, 2012.*

Item # 57-2012

Fort Williams Park 2012 Group Use Requests

TD Beach to Beacon 10K- August 4th with setup beginning July 31st
Engine One Labor Day Weekend Art Show- September 2nd with rain date of
September 3rd.

Family Fun Day: June 16, 2012

CEHS Graduation: June 10th with rehearsals beginning June 6th.

Cape Elizabeth Little League: Field use April through July as in past years.

Item # 58-2012

Fort Williams Park Master Plan Review Process

Recommendations have now been received from the Fort Williams Advisory
Commission and the Planning Board. It is recommended a public hearing be
set for Monday, May 14, 2012 at 7:00 p.m.

Item # 59-2012

Additional Lease for Building 326 at Fort Williams Park

It is recommended that you authorize the town manager to sign a lease with
Carol Monroe for 640 square feet for a chiropractic office within Building 326
at Fort Williams Park.

Item # 60-2012

Gun Club Safety Letter

It is recommended that you refer to a town council workshop a letter
requesting the town to review safety issues at outdoor shooting ranges.

Item # 61-2012

Library Project Public Engagement Process

The town council will consider a proposed Thomas Memorial Library public
engagement process.

Item # 62-2012

Report from the Ordinance Committee

It is recommended the town council set a public hearing for Monday, May 14,
2012 on [a proposed new chapter](#) in the Conservation Ordinance relating to
open space management.

Item # 63-2012

Request from the Ordinance Committee

The Town Council recently considered an item where a portion of a home was
built in violation of the property boundary setback.

Usually, these setback violations are found when the home is being sold. Until
the setback violation can in some way be “cured,” the sale cannot proceed. A
variance cannot be granted for a setback of less than 10’ and the option of
tearing down the portion of the house violating the setback is usually not
desirable.

The Ordinance Committee would like to review the current Zoning Ordinance
provisions regarding property boundary surveys and prepare a
recommendation for Town Council consideration that minimizes future
setback violations. One approach they would like to explore is to require a
boundary survey

Item # 64-2012

Appointments Committee Recommendation

The Appointments Committee is recommending the appointment of Joanna B.
Tourangeau to fill an unexpired term on the Zoning Board of Appeals to
expire on December 31, 2013.

Item # 65-2012

Town Computer Network Backup Server

The town manager is recommending the assignment of \$26,000 from the general fund to avoid a repeat of a recent two week period when the network server was unavailable.

Citizen Opportunity for Discussion of Items Not on the Agenda

Item # 66-2012

Hardship Abatement Request

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

Item # 67-2012

Collective Bargaining

It is recommended the Town Council in conformance with 1 MRSA §405 6 D enter executive session to review with the town manager the status of a successor agreement with Local 340 of the Teamsters representing public works staff.

Adjournment

Upcoming meetings include the finance committee on April 11 and 12 and the public hearing on the budget which will be on Monday, April 23, 2012. The final vote on the budget will be at the May 14, 2012 town council meeting.

[Link to Monthly Financial Reports](#)

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.