

Cape Elizabeth Town Council Workshop
September 5, 2012
7:00 p.m.
William H. Jordan Conference Room
Town Hall

1. Update on Discussions between Spurwink Rod and Gun Club and Neighbors
2. Update on Crescent Beach State Park
3. Update on Library Project Vote
4. Discussion of Upcoming Meeting Dates

Item 1 Background

The town council had a discussion of safety concerns several months ago relating to the Spurwink Rod and Gun Club. There was a consensus that the club and the neighbors should meet to review issues. The attorney representing the neighbors has asked for an opportunity to update the council and the representative of the gun club was also notified a month ago that this item would be on this agenda.

Item 2 Background

Written by the town manager on August 17, 2012

Dear Council Members:

This is a brief update on Crescent Beach State Park.

Earlier in the week, Maureen O'Meara and I met with Rep. Kim Monaghan-Derrig and Rep. Jane Eberle to talk about the park with Sara Masterson, the manager of the Inn by the Sea, Rauni Kew who handles public relations and green initiatives for the Inn and with Chris Franklin of the Cape Elizabeth Land Trust. We agreed to all seek out additional information on park use, potential alternatives and to try to figure out how the decision making will likely evolve. With the Maine Departments of Conservation and Agriculture merging at the end of the month, it is a bit challenging to figure out who is best to talk to and who will be making the key recommendations to the governor. We agreed to meet again next week.

On Wednesday, Maureen and I had a separate meeting with Seth Sprague, Jeanette Hagen and, Tillie Kelley, all part of the Sprague family and with John Greene, the Sprague property manager. This was also a very positive meeting. The Sprague Corporation very much wishes to work out a long term plan with the state by the end of

the calendar year. Without going into details in a public e-mail, there was nothing I heard that was unreasonable or that was at variance with what I believe should be our overall objectives. The Sprague Corporation is dedicated to seeking a solution that preserves public access, but also one that is responsible to their obligations as trustees of the Sprague property.

From that meeting, I decided to reach out to the governor's office to find some direction on who should be the point person for us. I called the governor's chief legal counsel who was helpful in giving me direction to work with the key person in the governor's office dealing with this issue. That person is on vacation this week and I have left a message asking for a brief meeting.

Council Chair Sara Lennon asked me to lay out what I think should be the town's objectives as this issue evolves. She also has added a discussion of the parks to the town council workshop on September 5th.

My thoughts are as follows:

1. Our number one priority is to ensure that the park is open and staffed when the lease runs out. Some press accounts have hinted that there will be no money in the next budget to staff the park. As Crescent Beach's management also is responsible for Two Lights State Park and Kettle Cove, any abandonment or lessening of state stewardship could have significant ramifications.
2. The new parking lot proposal is not in anyone's long term interest. It is half the size of the current lot, would cause backups on Route 77, would be built on land that has traditionally been farmed, is adjacent to significant wetlands and wildlife habitat, is a much greater distance from the beach, would result in a major pedestrian link in the park being unsafely shared with vehicles and would have significant impacts on neighboring properties.
3. The town should not involve itself in the tick tock of negotiations between the Sprague Corporation and the state. This is an issue that involves the town's interest in preserving public access but goes well beyond one community's interest as this park is a resource for the extended region and these discussions may have impacts on an overall direction in Maine for our state parks.

Yet, Cape Elizabeth should monitor the discussions to avoid concerns expressed in the above paragraphs and any potential negative impacts on the year round use of these parks among commercial fishing, boating, Nordic skiing, walking, dog exercising, swimming and picnicking interests. From when these parks were created around 1960, the town has advanced its concerns with maintaining historical access and uses.

Cape Elizabeth should also encourage the state and the Sprague Corporation to develop a long term solution.

I will keep you informed of additional information and look forward to the discussion at the town council workshop.

Item 3 Background

The library project will be subject to a citizen vote this November. Councilor Sullivan will briefly update the town council on the private efforts underway in support of the project and the continuing availability of library tours.

Item 4 Background

It would be helpful to confirm the date of the November meeting. Sunday, November 11, 2011 is Veterans Day. Schools and municipal offices etc. will be closed in observance of the holiday on Monday, November 12, 2012. As this is the usual council meeting date, council rules provide for the regular meeting to be delayed until Wednesday, November 14, 2012.

The January town council meeting would customarily be held on Monday, January 14, 2013. The town manager would like the town council to consider moving this meeting to Monday, January 7, 2013. I hope that with such early notice that this may be possible.

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.