

**CAPE ELIZABETH TOWN COUNCIL MINUTES**  
**Special Meeting # 13-2013**  
**Site Walk at Fort Williams Park at 5:30 p.m.**  
**Immediately Followed by Meeting at Cape Elizabeth Town Hall**  
**Tuesday, July 30, 2013**

Chairman Walsh called the meeting to order in the William H. Jordan Conference Room at 6:28 p.m.

**Roll Call by the Town Clerk Present Absent**

<b>James T. Walsh, Chair</b>	<b>X</b>	<b>Term Expires</b>	<b>12/2015</b>	<b><a href="mailto:jim.walsh@capeelizabeth.org">jim.walsh@capeelizabeth.org</a></b>
<b>Frank J. Governali</b>	<b>X</b>	<b>Term Expires</b>	<b>12/2013</b>	<b><a href="mailto:frank.governali@capeelizabeth.org">frank.governali@capeelizabeth.org</a></b>
<b>Caitlin R. Jordan</b>	<b>X</b>	<b>Term Expires</b>	<b>12/2013</b>	<b><a href="mailto:caitlin.jordan@capeelizabeth.org">caitlin.jordan@capeelizabeth.org</a></b>
<b>Katharine N. Ray</b>	<b>X</b>	<b>Term Expires</b>	<b>12/2014</b>	<b><a href="mailto:retbank@maine.rr.com">retbank@maine.rr.com</a></b>
<b>David S. Sherman, Jr.</b>	<b>X</b>	<b>Term Expires</b>	<b>12/2014</b>	<b><a href="mailto:dsherman@dwmlaw.com">dsherman@dwmlaw.com</a></b>
<b>Jessica L. Sullivan</b>	<b>X</b>	<b>Term Expires</b>	<b>12/2015</b>	<b><a href="mailto:jsullivan08@maine.rr.com">jsullivan08@maine.rr.com</a></b>
<b>James R. "Jamie" Wagner</b>	<b>X</b>	<b>Term Expires</b>	<b>12/2015</b>	<b><a href="mailto:jamiewagnerlaw@gmail.com">jamiewagnerlaw@gmail.com</a></b>
<b>Debra M. Lane</b>	<b>X</b>			
<b>Michael K. McGovern</b>	<b>X</b>			

**The Pledge of Allegiance to the Flag**

**Citizens Discussion of Items Not on the Agenda**

Marilyn Kristiansen, 40 Alewife Cove Road,

**Item# 102-2013 Proposed Fort Williams Park Vending Regulations**

Present -

Thomas Leahy, Town Attorney

Robert Malley, Director of Public Works

Moved by Jessica L. Sullivan and Seconded by Katherine N. Ray

ORDERED, the Cape Elizabeth Town Council enters into executive session at 6:35 p.m. in conformance with 1 MRSA §405 E (*Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;*) to discuss the town's legal rights in establishing vending regulations of expressive matter at Fort Williams Park.

(6 yes) (0 no)

Moved by David S. Sherman, Jr. and Seconded by Jessica L. Sullivan

ORDERED, the Cape Elizabeth Town Council exits executive session, at which no actions were taken, and reenters public session at 7:18 p.m.

(6 yes) (0 no)

**July 30, 2013**

The proposed rules and regulations for the vending of expressive matter at Fort Williams Park will be considered again at the August 12, 2013 town council meeting. Any changes to the draft presented at the July 8, 2013 council meeting will be posted on the town's website the Wednesday (8/7) prior to the meeting.

**Adjournment**

Moved by Frank J. Governali and Seconded by Jessica L. Sullivan  
ORDERED, the Cape Elizabeth Town Council adjourns at 7:21 p.m.  
(6 yes) (0 no)

Respectfully Submitted,

---

Debra M. Lane, Town Clerk