



## **Cape Elizabeth Town Council Minutes**

**Monday, June 15, 2015**

**7:00 p.m.**

**Cape Elizabeth Town Hall**

Katharine N. Ray, Chairman  
Patricia K. Grennon  
Caitlin R. Jordan  
Molly MacAuslan  
Jessica L. Sullivan  
Jamie Wagner  
James T. Walsh

**The meeting was convened at 7:00 p.m. by Town Council Chairman Katharine N. Ray.**

### **Roll Call by the Town Clerk**

### **Town Council Reports and Correspondence**

Councilor Sullivan thanked Memorial Day Parade Chairman Jim Huebener and participants of the Memorial Day Parade, ceremony and activities.

Councilor Jordan, Firing Range Committee Chairman reported the committee has reviewed the application from the Spurwink Rod and Gun Club. The application will be forwarded to the town council for the July 13, 2015 meeting.

Councilor Walsh recognized and thanked the volunteers of Family Fun Day for an “incredible” community event from the parade to the fireworks.

### **Finance Committee Report**

Councilor Walsh, Finance Committee Chairman presented the financial dashboard. Adjustments (revised appropriations) to the current year’s budget will be discussed this evening. The town is waiting to hear whether FEMA funding will be available for 2014 winter storms. Thank you to the election staff for their work at the school budget validation election on June 9.

### **Citizen Opportunity for Discussion of Items Not on the Agenda**

None

### **Presentation from Maine Maritime Museum on Lens from Cape Elizabeth Light**

Amy Lent, Executive Director of the Maine Maritime Museum and Stephen Caulfield, Vice Chairman of the Board of Trustees were present to provide an overview of the museum’s plans for the Fresnel lens which will include an addition to the gallery. The estimated cost was also provided.

### **Town Manager’s Monthly Report**

Mr. McGovern thanked everyone involved in the Memorial Day activities, Family Fun Day and the school budget validation election.

Congratulations to Darren Brown, Public Works who recently obtain the distinction of Road Scholar from the Maine Department of Transportation. Darren is the 4<sup>th</sup> member of the department to receive this award.

Forrest King, Public Works Park Foreman will be retiring on June 30<sup>th</sup> after 37 years of service. Congratulations Forrest and the best of luck.

**Page 2 Town Council Minutes**  
**June 15, 2015**

Two former town and school board members recently passed away. The town recognizes them for their volunteerism to the community.

Nancy N. Masterton, former member of the town council and Maine legislature passed away May 17<sup>th</sup> at the age of 84.

Kevin P. Sweeney former member of the school board passed away May 31<sup>st</sup> at the age of 62.

Recently the town council has received a number of emails from citizens particularly in the Broad Cove area regarding poor cell phone reception. The town is awaiting results of the lawsuit filed against the town by Verizon. An update on the lawsuit will be provided to those citizens who emailed their concerns.

**Review of Draft Minutes of May 11, 2015**

Moved by Martha MacAuslan and Seconded by James R. Wagner

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meeting held May 11, 2015 as written.

(7 yes) (0 no)

**Item # 78-2015      Review of Annual Liquor Licenses for The Good Table**

Councilor Jordan disclosed her family farm does business with The Good Table.

Moved by Jessica L. Sullivan and Seconded by James R. Wagner

ORDERED, the Cape Elizabeth Town Council approves the renewal malt, vinous and spirituous license for The Good Table located at 527 Ocean House Road as presented.

(7 yes) (0 no)

**Item # 79-2015      Review of Annual Licenses for The Local Buzz**

Councilor Wagner recused himself from discussion and voting on this item as he is a partner in The Local Buzz.

Moved by Martha MacAuslan and Seconded by Caitlin R. Jordan

ORDERED, the Cape Elizabeth Town Council approves the renewal malt, vinous and spirituous license and special amusement permit for The Local Buzz located at 327 Ocean House Road as presented.

(6 yes) (0 no)

Item # 80-2015      Library Use Policy

Intro - Councilor Grennon, liaison to the Thomas Memorial Library Trustees

Moved by Patricia K. Grennon and Seconded by James T. Walsh

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the Thomas Memorial Library Trustees on amendments to the Library Use Policy as presented.

**Rules of Conduct**

Library users are expected to conduct themselves in a courteous manner, not interfering in programming, the use or enjoyment of the library by others, or the library staff.

Cell phone ringers shall be on mute or vibrate in the library and no phone zones shall be established by the Director.

Any state and local law or ordinance will be observed while on library grounds. No soliciting, unless permitted by the Board of Trustees, will be allowed.

**Those failing to adhere these rules will be asked to leave.**

PUBLIC ACCESS COMPUTERS

Patrons are welcome to use computers but will be mindful of extended use if there are others waiting.

No more than two people can use a workstation at one time.

Any behavior or use of the computers that disturbs others will not be tolerated, such as loud music from a web site, or any other behavior that is offensive to other library users.

Federal and State communication laws must be observed.

Users may not write to the hard drive or in any other way change the system configurations. The Library's software may not be copied for personal use; doing so is a violation of copyright laws and the Library's licensing agreement with the software suppliers.

Users may print only one (1) copy of any item, and then use the photocopier to make duplicates at fifteen (15) cents per page.

Library computer privileges will be suspended as a result of any inappropriate use of the library's computers.

It is not the purview of the library staff to provide extensive training on the computer; manuals are available for patron use.

**Page 4 Town Council Minutes**  
**June 15, 2015**

Moved by Patricia K. Grennon and Seconded by James T. Walsh to amend the motion to include an additional change provided the Thomas Memorial Library Trustees are in concurrence.  
(7 yes) (0 no)

**Use of the Library By Groups**

In fulfillment of its mission, the Thomas Memorial Library welcomes the opportunity to educate the public on better use of the library facility. Toward this end, the Thomas Memorial Library will seek to accommodate visits by organized groups (e.g. schools, clubs, organizations). ~~However, due to limited staff availability,~~ The library requires groups to schedule in advance appropriate times for visits. In order to avoid excessive service demands, individual group members may not register as patrons or check out materials during group visits.

Original motion as amended.  
(7 yes) (0 no)

**Item # 81-2015      Pole Location – Old Ocean House Road at Alewife Cove Road**

Councilor Jordan disclosed her family is requesting the pole.

Moved by James T. Walsh and Seconded by Martha MacAuslan  
ORDERED, the Cape Elizabeth Town Council approves the Central Maine Power request for a utility pole location at Old Ocean House Road at Alewife Cove Road as presented.  
(7 yes) (0 no)

**Item # 82-2015      Pole Location – Fowler Road at Hampton Road**

Councilor Jordan disclosed a close family friend is requesting the pole.  
Councilor Walsh disclosed he owns a home on the corner near the pole location.

Moved by James R. Wagner and Seconded by Caitlin R. Jordan  
ORDERED, the Cape Elizabeth Town Council approves the Central Maine Power request for a utility pole location at Fowler Road at Hampton Road as presented.  
(7 yes) (0 no)

**Page 5 Town Council Minutes**  
**June 15, 2015**

**Item # 83-2015          Proposed Revised Appropriations**

Intro – Mr. McGovern

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

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the town manager to approve the following revised appropriates for the 2015 fiscal year.

(7 yes) (0 no)

		Budget	YTD	Projection	Requested Revision
130	Legal and Audit Services				
	Legal Services	\$ 35,000	\$ 32,391	\$ 39,000	
	Audit Services	\$ 30,000	\$ 32,300	\$ 32,300	
		\$ 65,000	\$ 64,691	\$ 71,300	\$ 6,300
310	Public Works	\$ 1,128,969	\$ 1,113,557	\$ 1,270,000	\$ 141,031
410	Human Services	\$ 51,408	\$ 55,172	\$ 60,000	\$ 8,592
600	Facilities Management	\$ 198,441	\$ 202,364	\$ 210,000	\$ 11,559
620	Town Center Fire Station	\$ 24,995	\$ 229,753	\$ 32,000	\$ 7,005
					\$174,487

**Item #84-2015          Review of Deadline for Solid Waste and Recycling Long Range Planning Committee**

Intro – Councilor Sullivan, Chairman SWRLRPC

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council grants the request of the Solid Waste and Recycling Long Range Planning Committee to extend their report back to the town council from June 30, 2015 to August 31, 2015.

(7 yes) (0 no)

Moved by Jessica L. Sullivan and Seconded by Caitlin R. Jordan

ORDERED, the Cape Elizabeth Town Council suspends the **Town Council Rules** to take Item #85-2015 out of order.

(7 yes) (0 no)

**Citizen Opportunity for Discussion of Items Not on the Agenda**

None

**Page 6 Town Council Minutes**  
**June 15, 2015**

**Item #85-2015          Request for Poverty Abatement**

Moved by Jessica L. Sullivan and Seconded by Patricia K. Grennon

ORDERED, the Cape Elizabeth Town Council enters executive session at 7:51 p.m. to consider an application for poverty abatement pursuant to 1 M.R.S.A. §405 6 F.  
(7 yes) (0 no)

Moved by Jessica L. Sullivan and Seconded by Caitlin R. Jordan

ORDERED, the Cape Elizabeth Town Council exits executive session and reenters public session at 8:09 p.m.  
(7 yes) (0 no)

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

ORDERED, the Cape Elizabeth Town Council denies the request for a poverty abatement.  
(6 yes) (1 no MacAuslan)

**Adjournment**

Moved by Jessica L. Sullivan and Seconded by Caitlin R. Jordan

ORDERED, the Cape Elizabeth Town Council adjourns at 8:11 p.m.  
(7 yes) (0 no)

**The regular business was followed by a town council workshop meeting.**

Respectfully Submitted,

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Debra M. Lane, Town Clerk