



Cape Elizabeth Town Council

Minutes Monday, August 10, 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

Town Council Chairman Katharine N. Ray convened the meeting at 7:00 p.m.

6 Members present

Absent – Councilor Grennon

Town Council Reports and Correspondence

Councilor Sullivan thanked the volunteers and staff for a successful Night at the Light sponsored by the town for the 250th Anniversary celebration. The Solid Waste and Recycling Long Range Planning Committee report will be completed by the end of the month.

Councilor Walsh thanked staff and volunteers for their participation in the 18th Annual Beach to Beacon 10K Road Race.

Update from Appointments Committee on Citizen Engagement Activities – Councilor MacAuslan, Chairman Appointments Committee

The appointments committee on behalf of the town council is organizing a forum on Thursday, September 17 at the Middle School beginning at 7:00 p.m. This event provides an opportunity for the town council to reach out to citizens to obtain feedback and encourage public participation as it relates to community goals. Citizens are asked to share their thoughts, ideas and direction for the town.

Finance Committee Report – Councilor Walsh, Chairman Finance Committee

The monthly financial report through the end of July is available online.

Citizen Opportunity for Discussion of Items Not on the Agenda

Paul Seidman, 21 Oak View Drive addressed the upcoming discussion of a new village green multiplex project. “A critical step has been bypassed” which is clarifying the public benefit. The public rejected a plan two years ago which would require a change to the wetlands ordinance and with the new plan the public feeling remains true. Concerned with the change of language from a green and gathering place to multiplex.

Councilor Walsh objected to the statement of the wetland issue; it hasn't been a public issue yet.

Town Manager's Monthly Report – Michael K. McGovern

Matthew Sturgis, Town Assessor is completing the tax commitment for fiscal year 2016. Tax bills will in the mail by the end of next week. State school subsidy that Cape Elizabeth will receive is higher than anticipated. In the budget adoption is an understanding that additional school funding will go toward the reduction of taxes. As a result of higher state school subsidy, the originally estimated tax increase of \$.34 per thousand is reduced to \$.08 per thousand or 1/2 of 1%.

Review of Draft Minutes of July 13, 2015 meeting.

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meeting held July 13, 2015 as written.

(6 yes) (0 no)

Item # 97-2015 Ocean House Pizza Liquor License Renewal

Intro – Debra Lane, Town Clerk

Moved by James R. Wagner and Seconded by James T. Walsh

ORDERED, the Cape Elizabeth Town Council approves the renewal malt and vinous liquor license for Ocean House Pizza located at 337 Ocean House Road as presented.

(6 yes) (0 no)

Item # 98-2015 Recommendation from the Firing Range Committee

Intro – Councilor Jordan, Chairman Firing Range Committee

At the July 13 meeting the town council set a public hearing for Monday, September 14, 2015 on the report of the Firing Range Committee which submitted a recommendation and findings last month relating to the permit of the Spurwink Rod and Gun Club.

Rick LaRose provided an overview of his safety evaluation of the Spurwink Road and Gun Club.

Chairman Ray provided an opportunity for public comment.

Tammy Walter, 1095 Sawyer Road and President of the Spurwink Rod and Gun Club thanked everyone for their support. “This set back has made the club stronger.” The goal is to be safe.

Mark Mayone, Past President Spurwink Rod and Gun Club said although I don’t agree with all of the report “the range evaluation will make us stronger.”

Eric Stephanus, 2 Tiger Lily Lane commended the town council for the “fact-based” report. There is now an opportunity to look at the facts.

Item # 99-2015 Report of the Planning Board Regarding Paper Streets

Intro – Peter Curry, Chairman Planning Board

Present – Maureen O’Meara, Town Planner

Moved by James T. Walsh and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council acknowledges receipt and thanks the Planning Board for the report regarding paper streets. The item will be scheduled for an upcoming council workshop.

(6 yes) (0 no)

Item # 100-2015 Miscellaneous Technical Amendments Review Request

Intro – Maureen O’Meara, Town Planner

Moved by Martha MacAuslan and Seconded by Jessica L. Sullivan

ORDERED, the Cape Elizabeth Town Council authorizes the planning board to review various ordinance technical amendments.

(6 yes) (0 no)

Item # 101-2015 Eastman Meadows Affordable Housing Units Recommendation

Intro – Michael McGovern, Town Manager

Present – Maureen O’Meara, Town Planner

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

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the town manager to waive the town’s right to purchase two affordable housing units at Eastman Meadows that have remained unsold for some time. The two units could be sold to non-qualified buyers at market rates with any excess over \$395,022 for each unit to be provided to the town for other affordable housing.

(6 yes) (0 no)

Item # 102-2015 Demolition of Bleachers at Fort Williams Park

Intro – Michael McGovern, Town Manager

Present – Lise Pratt, Chairman Fort Williams Advisory Commission

Robert Malley, Director of Public Works

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council authorizes the town manager to demolish the bleachers at the parade ground at Fort Williams Park except the small section of bleachers used for high school graduation at an estimated cost of \$15,000 less than the \$120,000 cost for the entire demolition.

Moved by Caitlin R. Jordan and Seconded by James R. Wagner

ORDERED, the Cape Elizabeth Town Council tables this item until the next regular meeting.

(2 yes) (4 no Councilors MacAuslan, Ray, Sullivan and Walsh)

Original Motion:

(6 yes) (0 no)

Item # 103-2015 Proposed Lease Agreement of Space at Office Building at Front of Community Center

Councilor Wagner recused himself from discussion and voting on this item as Wagner Law is his practice.

Moved by Caitlin R. Jordan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the lease of space at 343 Ocean House Road for Wagner Law for a period of three years expiring July 31, 2018 as presented.

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

ORDERED, the Cape Elizabeth Town Council tables this item until the next regular meeting.

(4 yes) (1 no Councilor Jordan)

Citizen Opportunity for Discussion of Items Not on the Agenda

Item # 104-2015 Request for Poverty Abatement of Property Taxes

Councilor Wagner recused himself from discussion and voting on this item as he knows the applicant. No objections were raised by the council.

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council enters into executive session at 8:51 p.m. in conformance with 1 MRSA §405 6 F to review a request for a poverty abatement.

(5 yes) (0 no)

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council exits executive session and reenters public session at 9:04 p.m.

(5 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 tax abatement as the applicant is not in imminent danger of losing their primary residence.

(5 yes) (0 no)

Adjournment

Moved by James T. Walsh and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council adjourns at 9:08 p.m.

(5 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk