

**CAPE ELIZABETH TOWN COUNCIL MEETING**

**Regular Meeting # 12-2007**

**Monday, August 13, 2007**

**7:30 p.m.**

**Roll Call by the Acting Town Clerk**

<b>Paul J. McKenney, Chairman</b>	<b>5 Katahdin Road</b>	<b>899-0045</b>	<b>12/2007-Present</b>
<b>David J. Backer</b>	<b>2 Rugosa Way</b>	<b>253-0529</b>	<b>12/2009</b>
<b>Cynthia Dill</b>	<b>1227 Shore Road</b>	<b>767-7197</b>	<b>12/2008-Present</b>
<b>Sara W. Lennon</b>	<b>54 Cranbrook Drive</b>	<b>741-5139</b>	<b>12/2009</b>
<b>Mary Ann Lynch</b>	<b>2 Olde Colony Lane</b>	<b>232-1048</b>	<b>12/2007-Present</b>
<b>James S. Rowe</b>	<b>127 Oakhurst Road</b>	<b>799-5825</b>	<b>12/2009-Present</b>
<b>Anne E. Swift-Kayatta</b>	<b>14 Stone Bridge Road</b>	<b>767-5754</b>	<b>12/2008</b>

**Manager Michael McGovern – Present**

**Acting Town Clerk – Jacqueline Coy - Present**

**Pledge of Allegiance to the Flag**

**Minutes of Meeting # 11 held July 9, 2007**

Moved by M. Lynch and Seconded by J. Rowe

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #11 held July 9, 2007 as written.

(4 yes) (0 no)

**Reports and Correspondence**

Councilor Rowe congratulated Councilor McKenney for becoming president of the Greater Portland Council of Governments.

Councilor Rowe also commented on the dedication of the Rey E. Moulton field. He said what a remarkable man and athlete Mr. Moulton was despite his physical disability. The ceremony was very emotional to friends, classmates, family, and all who attended.

**Town Manager’s Report**

Mr. McGovern thanked everyone involved in the 10<sup>th</sup> annual TD Banknorth Beach to Beacon road race. All went well. Everyone had a wonderful time.

**Citizens Discussion of Items Not on the Agenda - NONE**

**Item # 122**

**Restaurant Class I, II, III and V Liquor License Application for Rudy’s of the Cape**

Manager McGovern gave an overview and said this does not change use of store.

Change of use requires other permitting.

Moved by M. Lynch and Seconded by J. Rowe

Ordered The Cape Elizabeth Town Council approves the application of Mary L. Page and Ronald F. Page for a liquor license for Rudy’s of the Cape at 517 Ocean House Road.

(4yes) (0 no)

**Item # 123**

**Trout Brook Watershed Community Fee Utilization Plan**

Planner Maureen O'Meara gave report and explanation.

Moved by M. Lynch and Seconded by C. Dill

Ordered the Cape Elizabeth Town Council set a public hearing on September 10, 2007 the proposed utilization plan for watershed fees.

(4 yes) (0 no)

**Item # 124**

**Watershed Stormwater Improvement Fee**

Planner Maureen O'Meara gave overview.

Moved by M. Lynch and Seconded by C. Dill

Ordered the Cape Elizabeth Town Council set a public hearing on September 10, 2007 to adopt a local stormwater improvement fee.

(4 yes) (0 no)

**Item # 125**

**Cape Elizabeth Alternative Energy Committee**

Moved by J. Rowe and Seconded by C. Dill

Ordered the Cape Elizabeth Town Council establishes a Cape Elizabeth Alternative Energy Committee which shall explore opportunities to provide alternative energy to municipal and school buildings and vehicles, consisting of seven citizens and a liaison elected official from the School Board and the Town Council. The committee will continue in existence until December 31, 2008 unless its term is extended by the Council.

(4 yes) (0 no)

**Item # 126**

**Energy Efficient Technology**

Moved by C. Dill and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council requests the Cape Elizabeth Planning Board to review our Code of Ordinances recommending appropriate language to implement opportunities for green energy efficient technology including but not limited to small wind turbines, solar panels and other devices. The Planning Board shall provide a report back to the Town Council no later than November 1, 2007. The report by November 1, 2007 may be a progress report if the review is not completed. A final report with recommendations shall be provided no later than January 2, 2008.

(4 yes) (0 no)

**Item # 127**

**Appointments to Standing Boards and Commissions Policy**

Moved by M. Lynch and Seconded by D. Dill

Ordered the Cape Elizabeth Town Council refers to the Appointments Committee a proposal to amend the Statement of Policy for Appointments to Standing Board and Commissions to provide that part-time employees may serve as long as the board or commission they are to be appointed to serves in a capacity that is unrelated to the employee's work for the community.

(4 yes) (0 no)

**Item # 128**

**Sign Ordinance**

Moved by J. Rowe and Seconded by M. Lynch

Ordered the Cape Town Council requests the Ordinance Committee to conduct a comprehensive review of the sign ordinance.

(4 yes) (0 no)

**Item # 129**

**Capital Improvement Plan 2008-2017**

Manager McGovern gave an overview of the plan.

Moved by D. Dill and Seconded by J. Rowe

Ordered the Cape Elizabeth Town Council proposes to acknowledge receipt of the Capital Improvement Plan for 2008-2017.

(4 yes) (0 no)

**Item # 130**

**MMA Ballot**

Councilor Lynch gave Councilor Anne Swift-Kayatta an outstanding review on her work as an MMA officer.

Moved by M. Lynch and Seconded by J. Rowe

Ordered the Cape Elizabeth Town Council authorizes the Council majority to cast the Maine Municipal Association ballot for the nominated candidates. Councilor Anne Swift-Kayatta is now the President-elect of MMA and automatically becomes President on January 1, 2008. The nominating committee recommends a new Vice President, Galen Larrabee, from the Town of Knox, three year directors from Boothbay, Veazie and Brownville and a one year director from Westport Island.

(4 yes) (0 no)

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**Item # 131**  
**MDOT Agreement for Spurwink Avenue Project**

Moved by J. Rowe and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council authorizes the town manager to sign the city/state agreement with MDOT for the Spurwink Avenue paving project.

(4 yes) (0 no)

**Citizens' discussion of items not on the agenda - NONE**

**Adjournment**

Moved by J. Rowe and Seconded by C. Dill

Ordered the Cape Elizabeth Town Council adjourns at 8:10 p.m.

(4 yes) (0 no)

Respectfully submitted,

Jacqueline N. Coy  
Acting Town Clerk